

2026 DEVELOPERS HANDBOOK

UPDATES

Revisions to RI Housing’s 2026 Developers Handbook

SECTION	CHANGE
Section 1 – Resources	Preservation Loan Fund and Capital Magnet Fund were removed The following resources were added: Housing 2030 Permanent Supportive Housing (“Housing 2030 PSH”): The purpose of Housing 2030 PSH is to provide funding for the development of 100% new permanent supportive housing (“PSH”) multifamily projects for households with incomes at or below 30% of Area Median Income (“AMI”). Further, this initiative will prioritize funding small-scale developments that are too small for traditional low-income housing financing tools such as LIHTC. Housing 2030 PSH funds are available for new construction or rehabilitation of income-eligible, non-LIHTC rental units. Developments must be between 5 and 30 units. Eligibility for PSH requires having a documented disability or disabling condition and experiencing homelessness or unstable housing. Developments must benefit individuals and families with gross annual income at or below 30% of AMI adjusted for family size. Supportive services are required to be committed to the PSH units within the development as readily available and routinely offered to a PSH client; however, the client may choose whether or not to engage in the available, offered supportive services. Housing 2030 Small Scale Rental (“Housing 2030 Small Scale”): Housing 2030 Small Scale funds are available for new construction of income-eligible rental units for households earning up to 120% AMI. Developments must be no fewer than 5 and no more than 30 units. At least 51% of units in any funded developments must be affordable units that are secured with a deed restriction of at least 30 years. Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size.

	Housing 2030 Affordable Rental Housing New Development (“Housing 2030 New Rental”): Housing 2030 New Rental funds are available for new construction, rehabilitation, and/or adaptive reuse of income-eligible rental units. All applications must include 51% or more new construction units. Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size. Housing 2030 Preservation (“Housing 2030 Preservation”): Housing 2030 Preservation funds are available to preserve income-eligible rental units for households with incomes at or below 120% of AMI adjusted for family size. Housing 2030 Acquisition & Revitalization (“Housing 2030 ARP”): The purpose of the Housing 2030 Acquisition and Revitalization Program (“ARP 2030”) is to stabilize neighborhoods and communities by strategically targeting foreclosed and/or blighted* residential and commercial properties and vacant lots in need of redevelopment. Income of households assisted under the program is limited to 120% of Area Median Income (“AMI”). Redevelopment of blighted properties and vacant lots located in low- and moderate-income census tracts or QCTs will be prioritized. Eligible properties include residential, commercial and vacant lots located in Rhode Island that are determined to be blighted or are foreclosed and are part of a municipal revitalization plan or strategy #4 – Predevelopment Program - contact name changed to Benjamin Frost #5 – HOME – contact name changed to Lauren Farley #13 – Continuum of Care – contact name changed to Sarah Saint Laurent Other Resources – webpage links have been updated
Section 2 – Funding Process	No changes
Section 3 – Underwriting Guidelines & Development Standards	Chapter 1 – 10.0 Clerk of Works – changed to <i>“Allowable fees are outlined in the current Program Bulletin in Section 9 of the Developers Handbook”</i> Chapter 2 – changed

	<i>“State of Rhode Island intends to adopt the 2024 IECC” to “State of Rhode Island has recently adopted the 2024 IECC” and last sentence “Once adopted...” has been removed</i> Chapter 4 – <i>“All other items listed in SD & DD section are applicable” added to Note #1;</i> Note 2 added <i>“Moderated Rehab developments with building components that are still in serviceable condition and are not scheduled for replacement in the C.N.A. are not required to be replaced to meet the current Design and Construction Standards.”</i> Chapter 5 – 07 09 02 New Exterior Cladding Section E added <i>“LP SmartSide Siding with a 5-year full labor and materials warranty, a 15-year limited paint warranty on the finish, and a 50-year limited warranty on the substrate, for a total 5/15/50 limited warranty”</i> Chapter 5 09 02 01 – New Construction/New Flooring B – added <i>“or Porcelain Tile with ceramic or porcelain tile base, luxury vinyl tile (LVT) or plank (LVP) with minimal wear surface layer of 12 mils and 4” wood or vinyl/rubber base”</i> G – replaced <i>“Ceramic tile with ceramic tile base is strongly encouraged”</i> with <i>“Ceramic Tiles or Porcelain Tile with ceramic or porcelain tile base”</i> Chapter 5 10 01 02 – added <i>“Shall be installed at all new production developments and shall be distinct. Scattered side developments are exempt”</i> Chapter 5 10 02 01 – added <i>“Soap dish can be integrated into tub/shower surrounds”</i> Chapter 5 10 02 04 – changed to <i>“Each kitchen range hood, located in common areas and within units, shall be outfitted with a pair of fire-stop canisters to prevent kitchen fires. Architects to coordinate rangehood selection to accommodate fire-stop canisters.”</i> Chapter 5 12 01 01 – Changed HUD to KCMA Chapter 5 16 04 02 – Removed <i>“but at a minimum senior/assisted living developments shall pre-wire for future emergency call systems in all units and common bathrooms”</i> Accessibility Resource Manual and Build America Buy America Compliance and Implementation Plan moved from the Appendix

Section 4 – Management and Insurance Guidelines	Management Plan converted to Management Plan Checklist Insurance Requirements updated with 2025 Insurance Guidelines
Section 5 – Preservation Program	No Changes
Section 6 – Application & Certifications	Section 6.1 - Application checklist – Proforma version changed to V.13.1i Homeownership Proforma was removed Item 4.C – added <i>Full-size plans, along with a check for the application fee (if applicable), must be dropped off at RI Housing.</i> Item 9.B (MBE/WBE) has been replaced with the following: Minority Participation <i>RIHousing and its Program Partners encourage the participation of persons of color, women, persons with disabilities and members of other federally and State-protected classes. Describe your Project Team’s affirmative action program and activities. Include the number and percentage of members of federally and State-protected classes who are either principals, senior managers, contractor or sub-contractors on your Project Team, and the number and percentage of members of federally and State-protected classes on your Project Team who will work on RIHousing’s engagement and, if applicable, a copy of your Minority- or Women-Owned Business Enterprise state certification.</i> Section 6.2 - Certifications & Authorizations Item E – BroadBand Certification had been removed Item F – Additional Certifications – the following paragraph was added <i>Applicant’s president, chairman or CEO must certify below that (i) no member, employee, or agent of Applicant has made inquiries or contacts with respect to this application other than in an email or written communication to Melanie Brewer at mbrewer@rihousing.com seeking clarification on the requirements or programs set forth in this application, from the date the application is published through the date Applicant’s application is submitted, (ii) no member,</i>

	employee, or agent of Applicant will make any such inquiry or contact until the date the awards are approved by the Board of Commissioners (iii) all information in the application is true and correct to the best of your knowledge, (iv) no member, employee, or agent of Applicant gave anything of monetary value or promise of future employment to a RIHousing employee or Commissioner, or a relative of the same, based on any understanding that such person's action or judgment will be influenced, (v) Applicant did not consult with RIHousing in connection with the development of this RFP, and (vi) Applicant is in full compliance with Chapter 27 of Title 17 of the Rhode Island General Laws, Reporting of Political Contributions by State Vendors. <i>I certify that no member, employee, or agent of Applicant has made or will make any such inquiries or contacts; all information supplied is true and correct; no member, employee, or agent of Applicant has provided anything of value to influence RIHousing; and Applicant is in compliance with applicable political contribution reporting.</i> Section 6.3 - Self-Scoring Form – Updated to meet QAP changes
Section 7 – QAP	2026 Qualified Allocation Plan (QAP) signed by the Governor
Section 8 – Low Income Housing Tax Credit Compliance Manual	No changes
Section 9 – Program Bulletins	Clerk of Works Fees added (Clerk of the Works fee shall be based on total construction cost less contingency) 2.5% \$500,000 - \$2,000,000. 2.0 % \$2,000,0001 - \$5,000,000. 1.5% \$5000,001-\$10,000,000. 1.25% \$10,000,001 or Greater
Section 10 – Statistical Data & Forms	Updated to 2025 data
Section 11 – Proforma	Proforma Version V.13.1i Note: Only applications submitted with the correct proforma version will be reviewed.

Section 12 – Term Sheets	Capital Magnet Fund Term Sheet has been removed. The following term sheets have been added: Housing 2030 Permanent Supportive Housing Housing 2030 Small Scale Rental Housing 2030 Affordable Rental Housing New Development Housing 2030 Preservation Housing 2030 Acquisition & Revitalization
Section 13 – Cost Certification	No changes
~~Section 14 – Assisted Living~~	Assisted Living section has been replaced with Operating Subsidy – see below
Section 14 – Operating Subsidy	New section added for RIH-ELI Program guidelines, description, application requirements, and projection grid.



2026

Developer's Handbook for Affordable Housing

Introduction

Our Mission: RIHousing strives to ensure that all people who live or work in Rhode Island can afford a healthy, attractive home that meets their needs.

A good home provides the foundation upon which individuals and families thrive, children learn and grow, and communities prosper.

To achieve our mission, we:

- Offer fair, affordable, and innovative [lending programs](#).
- Provide housing-related [education](#) to consumers and others.
- Promote and finance sensible development that builds healthy, vibrant [communities](#).
- Provide housing [grants](#) and [subsidies](#) to Rhode Islanders with the greatest need.
- Team up with partners to improve everything we do.

RIHousing uses its resources to provide low-interest loans, grants, education, and assistance to help Rhode Islanders find, rent, buy, build, and keep a good home. Created by the General Assembly in 1973, RIHousing is a privately funded public-purpose corporation.

- Section 1 Resources: A wide variety of funding sources are available to Developers including first mortgage financing, subordinate debt, low-income housing tax credits (9% and 4%) (“LIHTC”), HOME Investment Partnerships Program, the Section 811 PRA demonstration program as well as several other sources.
- Section 2 Funding Process: This section outlines the process for working with RIHousing to secure a funding commitment.
- Section 3 Underwriting Guidelines and Development Standards: All Developers looking to receive funding through Rhode Island Housing are required to adhere to RIHousing’s Underwriting, Design & Construction and Environmental guidelines
- Section 4 Management and Insurance Guidelines.
- Section 5 Preservation Program: This section includes term sheets and information relevant for developers looking to sell, buy, or refinance existing Section 8 or LIHTC developments.

- Section 6 Applications and Certifications: The Application Section includes relevant applications and program regulations.
- Section 7 Qualified Allocation Plan
- Section 8 Low-Income Housing Tax Credit Program Compliance Monitoring Manual
- Section 9 Program Bulletin: This section includes our latest fees and updates to the Handbook.
- Section 10 Statistical Data and Forms: Always check our website www.rihousing.com for the latest information on income limits, tax credit rents, and utility allowances. This information is also available on the HUD website at www.huduser.org and the Novogradac website at www.novoco.com.
- Section 11 Proforma
- Section 12 Term Sheets
- Section 13 Cost Certification Templates: RIHousing required templates for final cost certification.
- Section 14 Operating Subsidy – RIH-ELI program guidelines and application requirements.

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- C. Applicant Self-Scoring Form

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1. **Publications**, you will find the following three that you will need for your application proforma:
 - Rhode Island Income Limits for Low- and Moderate-Income Households
 - Rhode Island Utility Allowances
 - HUD's Fair Market Rents
2. Exhibit 1: Difficult to Develop and Qualified Census Tract Areas Schedule
Exhibit 2: Housing Affordability by Community
Exhibit 3: Final Commitment Submission Requirements
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RIHousing Resources

1. **First Mortgage Financing:** Tax exempt and taxable first mortgage financing is available for both construction and permanent financing for a term of up to 40 years. Borrowers must be single-asset entities and must have a satisfactory credit history. First mortgages are non-recourse and may not exceed 90% of the as-built value as determined by an independent appraisal. Requests for tax-exempt financing which require an increase in bonding authorization from RIHousing are subject to approval by the RIHousing Board of Commissioners (the “Board”).
2. **Low Income Housing Tax Credits:** The Low Income Housing Tax Credit Program (“LIHTC”) is advantageous to owners of qualified rental housing, as the LIHTC is economically more attractive than a tax deduction. LIHTC is a direct dollar-for-dollar offset against a taxpayer’s federal income tax liability to be taken over a 10-year period. These tax credits are sold in exchange for equity investment in qualified low-income housing developments.

There are three types of LIHTCs that can be awarded to a development. The first type of credit is a 9% annual credit for the costs of new construction or substantial rehabilitation of an existing building without any federal subsidies and is part of the state’s annual allocation of LIHTC. The second type of credit, a 4% (approximate) annual credit for the cost of acquiring an existing building that involves substantial rehabilitation without federal subsidy is also part of the state’s annual allocation. The third type of credit is a 4% (approximate) annual credit for the costs of new construction or substantial rehabilitation of an existing building with a federal subsidy and is generated by the issuance of tax-exempt bond financing. The first and second types of credit are awarded annually through a competitive process outlined in the state’s Qualified Allocation Plan. Applications for the third type of LIHTC are part of the application for tax exempt bonding financing which are accepted on a rolling basis throughout the year and must also meet requirements outlined in the Qualified Allocation Plan. Developments financed with tax exempt bonds and 4% credits are subject to all requirements of this Handbook. **Applicants proposing Hybrid 9% and 4% transactions must conform to the Hybrid Transaction requirements in Section 12 of this Handbook.**

In order to qualify for LIHTCs, developments must set aside (i) at least 20% of the units for households earning 50% or less of the area median income, (ii) 40% of the units for households earning 60% or less of the area median income, or (iii) using Income Averaging, at least 40 percent of the units must be both rent-restricted and occupied by individuals whose incomes do not exceed the imputed income limitation designated by the taxpayer, but in no event to exceed 58% of AMI. In addition, LIHTC units must remain rent-restricted for a 30-year period. The Qualified Allocation Plan outlines the allocation process and criteria in detail.

In a situation where RIHousing is not the issuer of the tax-exempt bonds but is asked to allocate 4% credits, we reserve the right to deny an allocation if due diligence demonstrates that the financing package is not beneficial to the long-term viability of the development. Interested parties should contact Dean Harrison, Assistant Director of Real Estate Development, at (401) 450-1347 or dharrison@rihousing.com.

3. **State Low Income Housing Tax Credit:** The State Low Income Housing Tax Credit (“State LIHTC”) is a direct dollar-for-dollar offset against a taxpayer’s RI state income tax liability to be taken over a 5-year period. The State LIHTC is currently in the rule-making process and is expected to be available later in 2024. It is expected that the State LIHTC can be monetized two ways, either (i) sold to a syndicator or (ii) certificated directly with the state. Interested parties should contact Deborah Flannery, Deputy Director of the RI Department of Housing at (401) 525-4240 or Deborah.Flannery@housing.ri.gov.
 4. **Predevelopment Program:** The Predevelopment Program is an initiative designed to provide non-profit developers with the resources necessary to determine the feasibility of and obtain site control for an affordable housing development. Predevelopment loans are expected to be repaid at closing of construction or permanent financing. Predevelopment financing can be applied only to that percentage of a development that will be occupied by households at or below 80% of median income. In addition to site control costs, technical assistance costs that may be covered include architectural fees, financial packaging, legal costs, engineering, market analysis, application and bank fees, inspection, appraisal and survey fees, insurance, and title search and recording. Interested parties should contact Benjamin Frost, President of Proactive Development, at (401) 443-1608 or bfrost@rihousing.com.
 5. **HOME Investment Partnerships Program (HOME):** RIHousing is responsible for administering the federal HOME Program on behalf of the state. HOME funds may be used for acquisition, rehabilitation, and new construction of rental developments. Eligible applicants include nonprofit and for-profit developers, municipalities, and Public Housing Authorities. The minimum amount of assistance per unit is \$1,000. Developers must target households with income at or below 60% of area median income, and at least twenty percent (20%) of rental units in buildings containing five or more units must be occupied by households at or below 50% of area median income, adjusted for family size. RIHousing will not provide HOME funding for homeownership assistance. Interested parties should contact Lauren Farley, Assistant Director – Ancillary Programs, at (401) 457-1412 or lfarley@rihousing.com.
- *Note** – all HOME funded projects will be subject to the Build America Buy America (“BABA”) requirements as outlined in the Infrastructure Investment and Jobs Act signed into law on November 15, 2021
6. **National Housing Trust Fund (HTF):** RIHousing is responsible for administering the federal HTF Program on behalf of the state. HTF funds may be used for acquisition, rehabilitation, and new construction of rental developments. Eligible applicants include nonprofit and for-profit developers and Public Housing Authorities. The minimum amount of assistance per unit is \$1,000. Developers must target households with income at or below 30% of area median income. RIHousing will not provide HTF funding for homeownership assistance. Interested parties should contact Lauren Farley, Assistant Director – Ancillary Programs, at (401) 429-1412 or lfarley@rihousing.com.

Note – all HTF funded projects will be subject to the Build America Buy America (“BABA”) requirements as outlined in the Infrastructure Investment and Jobs Act signed into law on November 15, 2021

7. **Housing Production Fund (HPF):** HPF is a program funded through the state's real estate transfer tax. These funds may be used as second mortgage financing to write down the cost of developments but not as an operating subsidy. Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 80% of Area Median Income ("AMI") adjusted for family size with a priority for households either exiting homelessness or earning no more than 30% of AMI. Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities. Interested parties should contact Dean Harrison, Assistant Director of Real Estate Development, at (401) 450-1347 or dharrison@rihousing.com.
8. **Housing 2030 Permanent Supportive Housing ("Housing 2030 PSH"):** The purpose of Housing 2030 PSH is to provide funding for the development of 100% new permanent supportive housing ("PSH") multifamily projects for households with incomes at or below 30% of Area Median Income ("AMI"). Further, this initiative will prioritize funding small-scale developments that are too small for traditional low-income housing financing tools such as LIHTC. Housing 2030 PSH funds are available for new construction or rehabilitation of income-eligible, non-LIHTC rental units. Developments must be between 5 and 30 units. Eligibility for PSH requires having a documented disability or disabling condition and experiencing homelessness or unstable housing. Developments must benefit individuals and families with gross annual income at or below 30% of AMI adjusted for family size. Supportive services are required to be committed to the PSH units within the development as readily available and routinely offered to a PSH client; however, the client may choose whether or not to engage in the available, offered supportive services.
9. **Housing 2030 Small Scale Rental ("Housing 2030 Small Scale"):** Housing 2030 Small Scale funds are available for new construction of income-eligible rental units for households earning up to 120% AMI. Developments must be no fewer than 5 and no more than 30 units. At least 51% of units in any funded developments must be affordable units that are secured with a deed restriction of at least 30 years. Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size.
10. **Housing 2030 Affordable Rental Housing New Development ("Housing 2030 New Rental"):** Housing 2030 New Rental funds are available for new construction, rehabilitation, and/or adaptive reuse of income-eligible rental units. All applications must include 51% or more new construction units. Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size.
11. **Housing 2030 Preservation ("Housing 2030 Preservation"):** Housing 2030 Preservation funds are available to preserve income-eligible rental units for households with incomes at or below 120% of AMI adjusted for family size.
12. **Housing 2030 Acquisition & Revitalization ("Housing 2030 ARP"):** The purpose of the Housing 2030 Acquisition and Revitalization Program ("ARP 2030") is to stabilize neighborhoods and communities by strategically targeting foreclosed and/or blighted* residential and commercial properties and vacant lots in need of redevelopment. Income of households assisted under the program is limited to 120% of Area Median Income ("AMI"). Redevelopment of blighted properties and vacant lots located in low- and moderate-income census tracts or QCTs will be

prioritized. Eligible properties include residential, commercial and vacant lots located in Rhode Island that are determined to be blighted or are foreclosed and are part of a municipal revitalization plan or strategy

13. **HOME-ARP:** RIHousing is responsible for administering the federal HOME-ARP Program on behalf of the state. HOME-ARP is available to provide capital to developments providing housing for Qualifying Populations (QPs). QPs are defined as (i) individuals or households who are homeless or at risk of homelessness as defined under McKinney Vento, (ii) are fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking, as defined by HUD (iii) Other Populations where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability Interested parties should contact Lauren Farley, Assistant Director – Ancillary Programs, at (401) 429-1412 or lfarley@rihousing.com.
14. **RIH Extremely Low-Income Operating Reserve (RIH-ELI) and HPF-ELI Operating Reserve:** Under these two programs, funds will be awarded to capitalize a project operating reserve to ensure that developers can create and preserve affordable rental housing for families and individuals with very low income including those who are homeless or at risk of being homeless. These funds will bridge the gap between a residents' ability to pay 30% of their gross household income toward rent and the established 50% Low-Income Housing Tax Credit (LIHTC) rents for the applicable unit size. Interested parties should contact Michael DiChiaro, Director of Leased Housing, at (401) 457-1274 or mdichiaro@rihousing.com.
15. **Rental Subsidies:** Developers may be able to obtain a set-aside of Project Based Federal Section 8 contract authority from an administering housing authority.
16. **Construction Loan:** The Construction Loan Program is designed to provide financing for the construction or rehabilitation of rental and for-sale housing to low and moderate-income individuals and families. Interested parties should contact Dean Harrison, Assistant Director of Development, at (401) 450-1347 or dharrison@rihousing.com.
17. **LeadSafe Homes Program:** The LeadSafe Homes Program is designed to provide financial assistance to property owners or developers to make their properties lead safe. It can be used only for lead hazard reduction work. Work must be performed by a lead-certified contractor. Interested parties should contact Deborah Devine, Operations Improvement Specialist at (401) 450-11359 or ddevine@rihousing.com.
18. **Continuum of Care:** The Continuum of Care Programs formerly known as the Supportive Housing Program, Shelter Plus Care Program, and Section 8 SRO Moderate Rehabilitation Program. These HUD programs are administered by RIHousing and are intended to promote the development of supportive housing that assists individuals and families experiencing homelessness to obtain permanent housing. These funds may be used to finance the development and operation of permanent housing for individuals experiencing chronic homelessness. Funds may also be available for supportive services, rental assistance, and leasing. Interested parties should contact Sarah Saint Laurent, RI Continuum of Coordinator, at (401) 450-1303 or ssaintlaurent@rihousing.com.

19. **Qualified 501 (c) (3) Tax Exempt Bond Financing:** RIHousing has the ability to provide 501(c)(3) tax-exempt bond funding to qualified nonprofits to produce affordable housing. Interested parties should contact Dean Harrison, Assistant Director of Development, at (401) 450-1347 or dharrison@rihousing.com.

Other Resources

20. **Resources Available through Cities and Towns:** Developers are encouraged to explore with local planning and/or community development departments the availability of resources such as Community Development Block Grant funds, Section 108 funds, HOME funds and tax incentives.
21. **Federal Home Loan Bank:** The FHLB administers two programs, the Affordable Housing Program (AHP) and the Community Investment Program (CIP) to fund homeownership and rental housing proposals that benefit low and moderate-income individuals and families. Proposals for developments in New England must be submitted by a bank affiliated with the FHLB of Boston. Deadlines for applications are traditionally in April and September, but applicants should prepare to discuss proposals with their local bank prior to these deadlines. For more information, contact either your local member bank or the Housing and Community Investment Office of the FHLB of Boston.
22. **Federal Historic Tax Credits:** Developments that include substantial rehabilitation and meet certain standards for historic rehabilitation may qualify for Federal Historic Tax Credits. For information on these programs, please call the Historical Preservation and Heritage Commission at (401) 222-2678.
23. **ZEOS (Zero Energy for the Ocean State):** The ZEOS grant program is the result of a collaborative approach by The Office of Energy Resources and RIHousing to expand ZEB (Zero Energy Building) housing to low- and moderate-income housing. The Program seeks to incentivize projects that encompass four primary elements – design, explore, inform, and assess – meant to create a pathway for scaling ZEBs in low- and moderate-income residential sectors as a means of reducing greenhouse gas emissions. The housing units must employ solar PV and air-source-heat-pump (ASHP) technologies to achieve ZEB status. Grant funds are to be used for offsetting equipment costs, including mini splits, PV arrays, as well as other energy efficiency measures, and are not to be used for gap financing. ZEOS assisted projects must be completed within three years of commitment date or funds will be recaptured at the discretion of the Program Partners. For information about the program please contact zeosprogram@rihousing.com.

24. Energy Efficiency and Clean Energy Resources

Contact Information

CLEAResult: General Information 1-888-887-8841

Jonathan Harrison, New Construction/Substantial Rehabilitation 774-696-1377

Dana Beale, Low-Income Single-family (1-4 units) 508-365-3008

To set up a consultation for new or upcoming construction projects, use the online form below.

Online form: <https://www.rienergy.com/site/ways-to-save/save-money-with-rebates-and-incentives/new-residential-construction>

RISE Engineering: General Information 1-800-422-5365

Matt Piccerelli, Multifamily Coordinator

Email: MPiccerelli@therisegroupinc.com Office: 401-784-3700 ext. 6131

Brian Kearney, Director of Residential Services (Single Family)

Email: bkearney@therisegroupinc.com Office: 401-784-3700 ext. 6224

Use the online form or contact 1-800-422-5365 to request your no-cost energy assessment.

Online form: <https://www.riseengineering.com/get-started-1>

Definitions

The income-eligible multifamily sector is defined by properties that meet ONE of the following criteria:

- Owned by public housing authorities or community development corporations
- Receive affordable housing tax credits or any type of low-income funds/subsides from the state or federal government
- Consist of building units where a majority of customers qualify as income-eligible customers (receive utility service on the A-60 Low-Income rate and/or have a household income of less than 60% of the Area Median Income)

The RI Energy Rhode Island Multifamily Program

Eligible NGRIMP participants are defined as the following:

- Properties consisting of multiple (four or more) 1-4-unit buildings that meet both of the following requirements:
 - Are connected or neighboring to each other, or to a 5+ unit building, and
 - Are owned by the same individual or firm.
- Buildings with 5 or more units

A multifamily property may be eligible for services and incentives under both residential and commercial programs. While this adds program coordination complexity, the Multifamily Coordinator will manage the multi-layer program, so the building owner can receive a consolidated incentive for all efficiency work completed at the site.

Programs and Incentives

The RI Energy Rhode Island Multifamily Program

This program employs two lead vendors; RISE Group Inc. for existing retrofits and CLEAResult for new construction, that utilize a network of Rhode Island sub-contractors to serve all customers, including income eligible. (See definitions above to determine if your property is income eligible).

RISE Group Inc. for existing residential and commercial retrofits only.

- Provides no-cost energy assessments to identify possible capital improvements to increase building efficiency and provide energy savings.
- Buildings that show significant savings opportunities may be eligible for no-cost improvements through this program. Use the contact information above to learn more.

CLEAResult for new construction and substantial rehab only.

- Provides project consultation for energy code, testing and modeling.
- Administers the RI Residential New Construction Program.
- Provides project consultation for RI Energy Rebate/Incentive Programs.

Residential New Construction (RNC)

The program promotes the construction of high-performing energy-efficient single-family, multifamily, and low-income homes, as well as the education of builders, tradesmen, designers, and code officials.

Application: [Rhode Island Residential New Construction \(RNC\) and Renovation Program & Zero Energy Homes](#)

Field Guide: NationalGridus.com

RNC Performance Incentives:

Path to Energy Efficiency Incentives					
Energy Savings Levels	Air Leakage	1-4 Unit Bldg	5-10 Unit Bldg	11-30 Unit Bldg	31-75 Unit Bldg
Tier I 15-25% savings	≤ 5.0 ACH50	\$500	\$300	\$250	\$200
Tier II 26-39% savings	≤ 4.0 ACH50	\$1,500	\$750	\$600	\$500
Tier III 40%+ savings	≤ 3.0 ACH50	\$4,000	\$2,000	\$1,500	\$1,000
ENERGY STAR® Label (additional)		\$200	\$150	\$100	\$100
High Efficiency Electric Homes (additional)		\$1,000	\$500	\$250	\$250

Path to Zero Net Energy

To qualify for the additional incentives below (either Option A or Option B) projects must:

- Enroll during the early design phase
- Achieve Tier II or Tier III Path to Energy Efficiency incentive level (see above)
- Be Fossil Fuel Free*

Projects seeking Passive House certification (Option B) are eligible to receive incentives in three installments:

- PHIUS Enrollment/Design Charrette
- PHIUS Pre-certification
- PHIUS Certification

Path to Zero Energy Ready Incentives				
Zero Energy Ready Options	1-4 Unit Bldg	5-10 Unit Bldg	11-30 Unit Bldg	31-75 Unit Bldg
Option A: DOE Zero Energy Ready Home Certified ¹ , or Compliant with Current Version of the RI Stretch Code ²	\$1,000	\$750	\$500	\$500
Option B: Passive House Certified ³	\$1,500	\$1,500	\$900	\$750

Adaptive Reuse (e.g., mill building conversions) Incentives are also available through the 2024 RNC Program

Submit Plans and Project Application to RNC Program:

Email Anthony.Laine@clearesult.com or call 888-887-8841 for instructions.

Commercial and Industrial: Small Business Direct Install

Online Link: <https://www.riseengineering.com/small-businesses-1>

- The Small Business Direct Install Program provides direct installation of energy efficient lighting, non-lighting retrofit measures, and gas efficiency measures. Electric customers with *average monthly demand of less than 200 kW* are eligible to participate. There is no eligibility criterion for gas consumption. The program's lighting and non-refrigeration measures are currently delivered through RISE Group Inc. (www.riseengineering.com). The customer pays 30% of the total cost of a retrofit. This amount is discounted 15% for a lump sum payment or the customer has the option of spreading the payments over a two-year period interest free.

Commercial and Industrial: RI Energy Rebates and Incentives

Online Link: [Rebate Programs | Rhode Island Energy \(rienergy.com\)](https://rienergy.com)

- All commercial, industrial, and institutional customers are eligible to participate. RI Energy offers technical assistance to customers to help them identify cost-effective efficiency opportunities and pays incentives to assist in defraying part of the material and labor costs associated with the energy efficient measures.
- Large Commercial Retrofit is a comprehensive retrofit program designed to promote the installation of energy efficient equipment such as lighting, motors, and heating, ventilation, and air conditioning (HVAC) systems, thermal envelope measures, and custom measures in existing buildings.

ENERGY STAR Programs

ENERGY STAR® Lighting

This is an initiative implemented jointly with other regional utilities. It provides discounts to customers for the purchase of ENERGY STAR® lighting through instant rebates, special promotions at retail stores, mail-order catalog, pop-up retailer, and social marketing campaigns.

ENERGY STAR® HVAC Program

This program promotes the installation of high efficiency central air conditioners for electric customers and new energy efficient natural gas related equipment including boilers, furnaces, water heating equipment, thermostats, boiler reset controls, and furnaces equipped with high efficiency fans. The program provides training of contractors in installation, testing of the high efficiency systems, tiered rebates for new ENERGY STAR® systems, and incentives for checking new and existing systems. The program also includes the oil and propane heating equipment rebates.

To learn more about ENERGY STAR products, programs and resources visit:

[Energy Efficient New Homes and Apartments | ENERGY STAR](#)

Solar Incentive Programs

Commerce RI; REF Commercial Scale:

[REF Commercial Scale Flyer V5 2024 5822d3a1-e1a5-49f3-a4fe-d2b4a08b6df9.pdf](#)

REG Commercial Scale:

[2025-Small-Scale-Solar-RE-Growth-Program-One.ashx](#)

CPACE:

[Commercial Property Assessed Clean Energy – Rhode Island Infrastructure Bank](#)

Commerce RI; REF Small Scale:

[REF Small-Scale Program - Request for Projects](#)

REG Small Scale:

[2025 Renewable Energy \(RE\) Growth Program](#)

General Links & Resources

RI Energy:

<https://www.rienergy.com/site/ways-to-save/save-money-with-rebates-and-incentives>

RISE Engineering:

<https://www.riseengineering.com/financial-incentives>

CLEARresult:

<https://www.clearesult.com/about>

RI Office of Energy Resources:

<https://energy.ri.gov/incentives>

ENERGY STAR:

<https://www.energystar.gov/>

Rhode Island Stretch Code

[Rhode Island Stretch Codes | Rhode Island Office of Energy Resources](#)

Passive House/PHUIS:

<https://www.phius.org/home-page>

Zero Energy Ready Homes:

<https://www.energy.gov/eere/buildings/zero-energy-ready-homes>

FUNDING PROCESS

FUNDING PROCESS.....SECTION 2

RIHousing Funding Process

Generally, RIHousing has a two-step process for providing a commitment of financing:

- Upon receipt of an application for financing, RIHousing will review the proposal and begin a dialogue with the developer. When a financing package has been agreed upon, the financing request will be brought to the RIHousing Board of Commissioners for a Preliminary Commitment or Reservation of Funds. At RIHousing's discretion, awards may be conditioned upon successful completion of further due diligence within a specific time frame.
- Immediately following a Preliminary Commitment for financing, staff will meet with the developer to review the required items for Firm Commitment. During this phase, conditions of RIHousing's reservation are expected to be satisfied, and remaining issues related to the design, site, market, development team, and financial feasibility will be resolved. Upon satisfaction of these requirements, the request will again be brought to the Board of Commissioners for Firm Commitment.
- It is RIHousing's goal to move developments from Preliminary Commitment to Firm Commitment as quickly as possible. If it is determined that insufficient progress is being made on Firm Commitment submission target dates, the Preliminary Commitment or Reservation of Funds may be rescinded at any time.
- A Preliminary Commitment or Reservation of Funds from RIHousing is not a guarantee of financing. RIHousing reserves the right to rescind financing or reservations in the event that the development becomes infeasible as proposed or that a change in circumstances has materially altered the proposal as submitted and approved.
- Some RIHousing programs have specific application deadlines. The deadline for applications for 9% Low Income Housing Tax Credits is outlined in our Qualified Allocation Plan. Developers should contact their assigned Development Officer or review RIHousing's website for all other application deadlines.

2026 UNDERWRITING **GUIDELINES AND** **DEVELOPMENT STANDARDS**

UNDERWRITING GUIDELINES AND DEVELOPMENT STANDARDS.....SECTION 3

1. 2026 RIHousing Development Standards
2. Standards Compliance Checklist
3. Accessibility Resource Manual
4. Build America Buy America (BABA) Implementation Plan

2026 RIHousing Development Standards - Section 3



These Development Standards (referred herein as “Standards”) aim to establish a concise and predictable process, articulate program objectives, and document Design and Construction Standards for projects developed with RIHousing funds.

This document outlines specific requirements pertaining to all developments utilizing RIHousing funds, including new construction, existing buildings undergoing renovation/rehabilitation, and those utilizing Housing Trust Funds and/or HOME Program Funds. Where there are conflicts between individual requirements within this document, with other funding source requirements, and/or with the requirements of other state, federal, and local entities, the more stringent limitation or requirement shall always prevail.

Development Standards are organized into the following chapters:

Chapter 1	Underwriting Guidelines RIHousing’s criteria for evaluating a project’s financial feasibility	<u>Page 3</u>
Chapter 2	Regulation Compliance A summary of applicable codes, ordinances, and zoning requirements	<u>Page 12</u>
Chapter 3	Design and Construction Timeframe The primary steps from reservation to loan closing	<u>Page 15</u>
Chapter 4	Drawing and Specification Requirements Submission requirements at various project milestones	<u>Page 19</u>
Chapter 5	Design and Construction Standards Standards for the development of projects funded through RIHousing’s Rental Housing Production Program	<u>Page 26</u>
Chapter 6	Standards Compliance Checklist To aid the development team in complying with the Design and Construction Standards outlined in Chapter 5.	<u>Page 58</u>
Chapter 7	Supplementary General Conditions Segment 7A – Project Specifications Segment 7B – Equal Opportunity and Affirmative Action Rules and Regulations Segment 7C – Development Sign Specifications Segment 7D – Lead Hazard Reduction Policy	<u>Page 63</u> <u>Page 63</u> <u>Page 65</u> <u>Page 71</u> <u>Page 72</u>
Chapter 8	Environmental Guidelines Additional Guidance on Environmental Concerns and Policy Guidelines	<u>Page 74</u>
Chapter 9	National Housing Trust Fund (HTF) Rehabilitation Standards Additional Guidance on RIHousing HTF-funded rehabilitation projects Segment 9A – General Segment 9B – National HTF, Property Maintenance Code Inspection Form Segment 9C – RIH HTF Program, Capital Needs Assessment (CNA)	<u>Page 78</u> <u>Page 78</u> <u>Page 80</u> <u>Page 90</u>

Chapter 1 – Underwriting Guidelines

RIHousing's criteria for evaluating a submitted project's financial feasibility and underwriting assumptions:

1.0 General Guidelines

- 1.1 Rental Developments shall be located in the State of Rhode Island.
- 1.2 All Rental Development shall meet the 20/50, 40/60 or Income Averaging Section 42(g) Set-Asides. The Income Limits shall be adjusted for family size as detailed in the Income Limits and Maximum Rents Exhibit in the Statistical Data and Forms section of this Handbook.
- 1.3 Rental Developments shall be restricted for occupancy by low-income households for a minimum of 30 years.
- 1.4 Rental Developments shall provide a permanent structure for year-round residential use with rental units used on a permanent or transitional basis (non-LIHTC units only).
- 1.5 Rental Developments shall make all units available to the general public in accordance with federal, state, and local fair housing laws and statutes.
- 1.6 Rental Developments shall replace all existing deed-restricted affordable units being demolished on a one-for-one basis.
- 1.7 Rental Developments shall comply with applicable federal, state, and local building and health codes.
- 1.8 Rental Developments shall satisfy all other guidelines for the various resources that are made available. Where conflicts exist between requirements, the more stringent shall apply.

2.0 Affirmative/Action EEO Statement: RIHousing is committed to a policy of nondiscrimination in all fields and phases of employment

- 2.1 RIHousing maintains a strong commitment to goals established for affirmative action and equal employment opportunities for MBE/WBE businesses and workforce utilization. RIHousing will monitor developments for compliance with these goals.
- 2.2 All developments receiving funding or award of tax credits from RIHousing are required to maintain goals to (a) award at least 10% of the total construction contract dollar amount to MBEs/WBEs and (b) ensure that at least 10% of labor hours for all trades are performed by minorities and women.
- 2.3 At all times, Developers are encouraged to exceed the minimum hiring goals set by RIHousing. Note that only those businesses included in the Rhode Island Department of Administration's Directory of Certified Minority and Women Business Enterprises will be recognized in measuring the goals.

3.0 Costs Incurred in Submitting Proposals

- 3.1 RIHousing will not be responsible or liable in any manner for costs incurred by Developers in preparing a funding application.

- 3.2 RIHousing reserves the right to reject any or all proposals submitted and to announce additional criteria for program funds at a future date.
- 3.3 All proposals submitted by Developers shall become the property of RIHousing.
- 3.4 Predevelopment Loans for nonprofit developers may be available from RIHousing to assist in structuring proposals for financing.

4.0 Total Development Costs

- 4.1 RIHousing has developed Total Development Cost (TDC) caps by building type. The TDCs are outlined in the current Program Bulletin located in Section 9 of the Developer's Handbook.
- 4.2 To ensure that applicants are submitting realistic pricing for their proposals, if allocated LIHTC, the first 10% of construction cost overruns over and above the preliminary budget, will be absorbed by a like reduction in paid developer fee before any additional LIHTC or soft funds will be allocated to the project.

5.0 Construction Costs

- 5.1 Square foot costs are to be based on building gross square footage calculated to the outside face of exterior wall surfaces for all finished spaces. The following percentage of partial areas will be used: Garage = 2/3 of area; Unenclosed Porch = 1/2 of area; Enclosed Porch = 2/3 of area; Unfinished Basement = 1/2 of area; Canopies = 1/4 of area; and Two-story room = 1 1/2 of area.
- 5.2 Finished attics, where headroom is 5' or more, will be calculated at 100% of area. Unfinished attics will be excluded.

6.0 Bidding

- 6.1 Competitive bidding for a development will be required in most situations. In certain situations, RIHousing reserves the right to allow a negotiated bid if a strong argument can be made that it is cost-effective and will greatly assist the development. If, under a negotiated bid scenario, the cost of construction increases more than 10% after Preliminary Approval, the construction shall be put out to bid. Line-item bid results are to be provided for all negotiated contracts.
- 6.2 Recipients shall submit a project management plan with their application that outlines how the project will be managed (e.g. General Contractor (GC) competitive bid process using an AIA A101 Stipulated Sum Agreement or General Contractor (GC) open book, negotiated bid process using AIA A102 COST PLUS FEE with GMP agreement). Any changes to the project management operational structure that substantially varies from the plan provided to RIHousing at the time the funding is awarded requires prior notification to RIHousing staff.
- 6.3 RIHousing recognizes that in limited instances, stringent local code requirements, difficult site conditions, and/or special design considerations may necessitate costs in excess of the ranges established. In such instances, Developers will be required to justify higher costs by identifying and quantifying specific cost factors. Any deviation from ranges shall be explained in writing and a waiver shall be submitted to RIHousing for review. Developers should note that one factor considered in awarding a reservation of tax credits is the cost of construction on a project, unit and per square foot basis.

- 6.4 Developers whose proposal includes a community center as part of the development scope should separate the costs of that facility from the residential expenses. [NOTE: The term residential rental property includes any facilities that are functionally related and subordinate to the property. For example, swimming pools, parking lots and community rooms are considered residential rental property, may be included in eligible basis, and may generate tax credits for the owners of an affordable low-income property if no fee is charged.]
- 6.5 In mixed-income developments, if the cost of non-low-income units exceeds the cost of a low-income unit (using the average square foot cost and assuming the same size) by more than 15%, the entire cost of the non-low-income unit shall be excluded from the building's eligible basis.
- 6.6 Developments shall demonstrate that the lowest possible fixed-price contract has been obtained for the approved scope of work.

7.0 Architectural Fees

- 7.1 Allowable fees are outlined in the current Program Bulletin.
- 7.2 Architectural fees shall be calculated based on RIHousing's published fee percentages multiplied by the total construction cost, not including contingency, and shall be negotiated as a fixed price contract with reimbursable expenses included within this fee.
- 7.3 Architectural fees shall include all Mechanical, Plumbing, Electrical, Equipment and Structural Engineering fees as well as Civil Engineering and Landscape Architect fees for projects requiring minimal site design such as scattered site city lots or small infill lots.
- 7.4 Civil Engineering and Landscape Architect fees for large-scale developments with extensive road and utility improvements shall also be reviewed and approved by RIHousing. These fees will be assessed on a case-by-case basis and must be negotiated as fixed-price contracts with reimbursable expenses included as part of the fee.
- 7.5 Architectural fees for developments that have limited scopes of work or are moderate rehabilitation in nature shall be assessed on a case-by-case basis.
- 7.6 Architectural, Civil Engineering, and Landscape Architect Fees shall be charged at a maximum of 80% for design and 20% for construction administration.
- 7.7 All Architectural, Civil Engineering, Landscape Architect, and Design Consultant Contracts shall be reviewed and approved by RIHousing. All architectural firms executing contracts with borrowers/developers shall be licensed in the State of Rhode Island.
- 7.8 Notwithstanding any agreement to the contrary, contracts that exceed RIHousing's fee requirements will be the sole responsibility of the developer.

8.0 Bond Premium

- 8.1 Rates are outlined in the current Program Bulletin in Section 9 of the Developer's Handbook.

9.0 General Contractor Fees

- 9.1 Allowable fees are outlined in the current Program Bulletin in Section 9 of the Developer's Handbook.

10.0 Clerk of the Works

- 10.1 Developers who wish to use a Clerk of the Works for the duration of the construction period may do so if they demonstrate the value this will add to the development. The Clerk of the Works' qualifications, resume, and contract shall be reviewed and approved by RIHousing.
- 10.2 Allowable fees are outlined in the current Program Bulletin in Section 9 of the Developer's Handbook.

11.0 Base Developer Fee

The amount of the base developer fee will be calculated as per the current Program Bulletin with the following exceptions:

- 11.1 The per-unit developer fee for SRO, moderate rehabilitation, and Assisted Living properties will be determined case-by-case.
- 11.2 Developer fee for acquisition-only developments will be calculated at a maximum of 5% of the acquisition price.
- 11.3 Timing of fees: Up to 25% of the approved base developer fee may be paid at closing, provided that the remaining deferred and non-deferred fee is pledged to RIHousing unconditionally and irrevocably as a cost overrun/completion guarantee. To the extent that the assignment of the remaining developer fee is conditional or revocable, the allowable fee paid at closing may be reduced commensurably.
- 11.4 Developer fee calculated by the RIHousing proforma or through formula is a maximum fee. The actual developer fee earned by a developer is subject to adjustment by RIHousing based upon the development cost of a project, the availability of resources, and the financial contribution made by the developer.

12.0 Deferred Developer Fee

- 12.1 Deferred Developer fee will be recognized by RIHousing to the extent such fees are pledged to cover development costs approved by RIHousing.

13.0 Development Consulting Fees

- 13.1 Development consulting fees shall be paid by the developer from the approved developer fee and will be subject to the same restrictions as the developer fee.

14.0 Legal Fee Guidelines

- 14.1 Developers should consider negotiating a maximum price with their legal counsel(s).
- 14.2 Any request for an increase in this amount is subject to review and approval by RIHousing.

15.0 Income Targeting and Long-Term Affordability Provisions

- 15.1 All proposals shall include affordability provisions for a minimum of thirty years.
- 15.2 Developments targeting families at lower income levels than required by a particular funding source or that are serving a special needs population or homeless persons are a priority.

16.0 Calculation of Rent Levels

- 16.1 Proposals with Project-Based Rental Assistance: Evidence of the award of the rental assistance should be included with the application. If the rental assistance contract term is less than the terms of the First Mortgage, a thirty-year operating projection shall be submitted demonstrating how affordability will be preserved following the expiration of the contract. RIHousing will require FHA Risk Sharing Insurance for such proposals.

Note that under the FHA Risk Sharing Program, maximum first mortgage loans will be limited to the lesser of (1) an amount supportable by the actual Section 8 contract rent, or (2) an amount supportable by rent levels for comparable, unassisted units in the market locale.

- 16.2 Proposals without Project-Based Rental Assistance: Rents for units to be occupied by low-income persons will be limited to the specific requirements of the funding sources requested. Income Limits and Maximum Rents are updated annually and can be found on our website. www.rihousing.com
- 16.3 The maximum rents for each program include an allowance for RIHousing approved utility allowances. Utility Allowances are updated annually and can be found on our website. www.rihousing.com
- 16.4 Market Rate Units: Rent levels for market-rate units will be determined by RIHousing through analysis of market comparables, local demographics, and market conditions based on a RIHousing commissioned appraisal and/or market study for the property.

17.0 Financing Fees

- 17.1 RIHousing will assess financing fees as outlined in the current Program Bulletin and Term Sheets in this Developer's Handbook, which are specific to the Loan type.

18.0 Subsidy Layering

- 18.1 All developments that receive LIHTC and at least one other source of government assistance will be subject to the subsidy layering review guidelines of Section 911 of the Housing and Community Development Act of 1992. These requirements are designed to ensure that developers of affordable multifamily housing do not receive excessive compensation by combining various HUD housing assistance programs with assistance from other federal, state, or local agencies. RIHousing typically performs this subsidy layering review function for HUD. Please note that developments receiving either HOME funds or Housing Trust Funds will be subject to subsidy layering reviews established by each program instead of the Section 911 review process.

19.0 Syndication Proceeds

- 19.1 Developers shall provide a signed Letter of Intent, no older than 60 days, with a syndicator prior to Firm Commitment. The LOI shall, at a minimum, contain information regarding project information, capital contributions cost per credit, reserve requirements, cash flow waterfall, adjusters, operating guarantees, and guarantors.
- 19.2 RIHousing will work with the developer and the syndicator to agree on a mutually acceptable schedule for capital contribution payments.

20.0 Capital Improvements to Existing Affordable Housing Developments

- 20.1 RIHousing will consider proposals for capital improvements to existing affordable housing developments. In such cases, the Developer should be prepared to demonstrate what they will contribute to cover the cost of these improvements (including but not limited to development reserves, excess cash flow, pledged management fees, grants, or second mortgage loans) before requesting a contribution from RIHousing in the form of forbearance, an interest rate reduction on an existing RIHousing mortgage and/or Tax Credit Allocation. Wherever possible, the Developer is encouraged to consider the use of Tax-Exempt financing and 4% LIHTC for capital improvements to existing affordable housing.

21.0 Expense/Revenue Terms

- 21.1 Operating Expenses: Operating expenses will be determined on a case-by-case basis based on each development's unit mix, building type, systems and components, location, expected vacancy and turnover rates, management agent, and management plan. Specific operating expense ranges can be found in the Program Bulletin in Section 9 of the Developer's Handbook.
- 21.2 Trending Rates: Trending rates for rental income and operating expenses will be determined on a case-by-case basis based on each development's location, marketability, proposed rent levels, development design, and amenities.
- 21.3 Income will be trended at an annual rate of 2%, and operating expenses will be trended at an annual rate of between 3%.
- 21.4 Vacancy Rates: Residential vacancy rates used in underwriting will be determined on a case-by-case basis in relation to each development's location, marketability, proposed rent levels, development design, and amenities.
- 21.5 In general, residential vacancy rates of between 5% and 7% will be employed for both low-income and market-rate units.
- 21.6 For developments containing commercial space, the greater of 10% or actual market vacancy rates will be applied to any commercial income used to support debt and/or development operations.

22.0 Required Development Reserves

- 22.1 First-Year Insurance and Tax Escrows: Initial deposits to insurance and tax escrows shall be included as part of the overall development budget. RIHousing requires capitalization of 6 months of estimated insurance and tax payments. The initial deposit amounts may be adjusted depending on when monthly deposits to the escrow accounts are expected to commence.

- 22.2 Replacement Reserves: Required deposits to replacement reserves will be determined on a case-by-case basis. In general, annual replacement reserve deposits will be a minimum of \$325 per unit per year. Initial deposits to the Replacement Reserve will be, at a minimum, equal to one year of annual deposits for new production and \$2,000 per unit for preservation transactions. RIHousing reserves the right to increase the required initial deposit or the annual reserve contribution over the term of the loan based on underwriting. Typically, withdrawals from the replacement reserve account will not be considered until the total balance in said account has reached \$2,000 per unit.
- 22.3 Rent-Up/Absorption Reserve: A cash flow analysis will be completed to estimate anticipated operating losses incurred during the rent-up period (i.e., prior to stabilized occupancy). The cash flow will be based on the appraisal, market study, information submitted by the Developer, and analysis by RIHousing staff. If losses are anticipated, the developer shall provide cash or an irrevocable letter of credit (LOC) as security to cover anticipated losses and shortfalls in meeting the debt service coverage requirements. RIHousing staff shall approve all LOCs.
- 22.4 Operating Reserve: For new production transactions, borrowers will be required to capitalize at construction completion, an operating reserve equal to six months of operating expenses plus six months first mortgage debt service. For preservation transactions, the Operating Reserve is equal to six months of operating expenses plus six months first mortgage debt service minus the deposit into the Replacement Reserve. Fully funded operating reserves will be held by RIHousing for the term of the first mortgage to cover any potential shortfalls in revenues or to cure any operating defaults of the development.

23.0 Property Operations Terms

- 23.1 Property Management: During development operations, RIHousing will review the annual development budget to ensure that adequate funds are available to maintain the development at the required debt service coverage. An annual audit will be required of the owner, and periodic property inspections and reviews of tenant files will be performed by RIHousing. RIHousing reserves the right to require the replacement of the management agent for all developments financed by RIHousing.
- 23.2 Certification of Tenant Income: Unless a recertification Waiver 8877 has been granted by the IRS, a Certificate of Continuing Program Compliance declaring compliance with IRS regulations and requirements shall be filed annually with RIHousing. Developers or owners shall submit to the Secretary of Treasury an annual certification evidencing compliance with the low and moderate-income set-aside requirements.
- 23.3 A certification of lead-safe housing shall be maintained on file for review by RIHousing staff during its physical inspection of the development.

24.0 Other Underwriting Terms and Considerations

- 24.1 Underwriting Rates: RIHousing establishes mortgage interest rates for applications and underwriting purposes and updates them periodically via Program Bulletin.
- 24.2 Actual Rates: The actual interest rate applied to any mortgage loan offered by RIHousing will be determined at the time of the final loan commitment and can be higher or lower than the underwriting rate. RIHousing will address the impact on development feasibility of any variance between the underwriting rate and the actual rate on a case-by-case basis.

- 24.3 Risk Share: Following Preliminary Approval, RIHousing will assess the proposed development's risk and determine the level of HUD mortgage insurance (if any) required. If it is determined that Level II Risk Sharing insurance is required, the interest rate used for underwriting may be adjusted accordingly. Risk Share Guidelines are outlined in a Term Sheet included in Section 12 of the Developer's Handbook.
- 24.4 Credit Enhancement/Additional Fees: The Developer may be required to pay additional fees or post additional letters of credit when these are required by bond insurers and financial institutions that are providing credit for RIHousing's bonds.
- 24.5 Cost of Bond Issuance and Underwriter's Fees: Developers are responsible for the full cost of all Bond Issuance and Underwriter's Fees ("COI"). COI is an eligible project expense. Typically, the COI is paid in a lump sum at closing.
- 24.6 Acquisition Cost Limit: Approved acquisition costs will be limited to the lesser of the last actual arms-length transfer cost (including any carrying costs approved by RIHousing) or the acquisition value as determined by an independent appraisal commissioned by RIHousing.
- 24.7 Appraisal: Prior to firm commitment, an independent appraiser will be retained by RIHousing to determine the as-built fair market value of the property and to verify rent levels, marketability, and the rent-up/absorption period for the proposed development. The developer is responsible for paying the appraisal fee, which is an eligible financing expense. For developments involving the acquisition of property, an "as-is" valuation will also be required.
- 24.8 Market Analysis: RIHousing may require a comprehensive market study of the housing needs of low-income individuals served by the development. This market study will be commissioned by RIHousing and conducted by an independent party at the developer's expense. These costs may be reimbursed to the developer at the time of loan closing.
- 24.9 Market Study: For any development receiving LIHTC, a market study is required by law.
- 24.10 Commercial Space: For development proposals to be financed with taxable bonds, no more than 25% of the total square footage may be used for commercial purposes. Generally, no more than 3% of tax-exempt bond proceeds may be used to cover costs of developing commercial space. If included in the LIHTC partnership, all income from commercial space shall be guaranteed by a third-party master lease and a guarantee in an amount and form acceptable to RIHousing.
- 24.11 Applicants shall provide a commitment of financing for the commercial development regardless of whether the commercial space is part of the development or part of a separate ownership structure (i.e. a condominium).
- 24.12 Scattered Site Developments: Proposals for developments located on non-contiguous parcels of land are acceptable. For scattered site developments financed with tax-exempt bonds, each building on a non-contiguous parcel shall meet the applicable "20/50" test or "40-60" test.
- 24.13 Off-Site Improvements: Off-Site improvements are not eligible development expenses.
- 24.14 Debt Service Coverage: A minimum of 115% debt coverage is required on the first mortgage for 9% HTC deals. Tax-exempt bond financed developments will be underwritten at debt coverage of 120% with risk analysis enabling a higher or lower coverage ratio. Assisted Living Developments will be underwritten at higher ratios depending upon risk.

- 24.15 **Loan to Value:** The maximum allowable loan to value for all first mortgages is 90%. The final loan amount will be the lesser of (a) the maximum allowable loan to value or (b) the amount supportable by service coverage.
- 24.16 **Equity:** A minimum of a ten percent (10%) cash equity contribution will generally be required. If RIHousing is providing a construction loan, a minimum of fifteen percent (15%) cash equity contribution will be required.

Equity is defined as funds contributed by the general or limited partner(s) to pay approved development costs, but not including funds provided through state or federally funded programs. It may include cash, private charitable contributions, or syndication proceeds. In general, a maximum annual return on equity equal to the average yearly yield on thirty-year treasury bonds for the preceding calendar year plus 5% will be payable to the owner from surplus cash available after payment of debt service, operating expenses, required reserves, and required repayment of Deferred Payment Loan Funds (if applicable).

- 24.17 **Secondary Financing:** In general, soft second financing shall be fully subordinate to the RIHousing first mortgage, with no right of acceleration or foreclosure and payable only from surplus cash flow.
- 24.18 **Minimum Rehabilitation costs for Tax Exempt Financing:** Developments using tax-exempt financing shall include a minimum rehabilitation cost of at least 15% of the acquisition cost. Nonprofit mortgagors are exempt from the minimum rehabilitation requirements. Most development costs are eligible for funding under the first mortgage except: initial operating deficit reserves or other working capital, capitalized loan interest for the rent-up period, commercial space including commercial kitchens, syndication costs, and some legal expenses. Costs expended prior to a reservation of funds by the RIHousing Board of Commissioners are also ineligible and shall be funded from equity or a taxable capital source.
- 24.19 **Construction Financing Only Proposals:** RIHousing will consider construction financing for multifamily developments that obtain permanent take-out financing from other sources. Such proposals shall meet the program objectives outlined in this Handbook. In addition, the terms and conditions of the take-out financing shall be satisfactory in all respects to RIHousing.

25.0 Title

- 25.1 **Title and Recording Fees:** Borrowers are required to provide a Lender's Title Policy. Borrowers are responsible for all costs and fees associated with title and recording. By state law, there are no recording fees charged on documents recorded by or for the benefit of RIHousing.

Chapter 2 – Regulation Compliance

All work shall comply with applicable Federal, State, and local codes, ordinances, and zoning requirements. Projects shall be designed by licensed professionals per the Rhode Island Rules and Regulations for Design Professionals <https://bdp.ri.gov/>. Architects, Engineers, and other design professionals shall be registered and/or licensed in the State of Rhode Island and shall ensure full compliance with all the applicable Federal, State and local codes, ordinances, and zoning requirements.

While this Chapter aims to aid development teams in verifying applicable requirements, development teams are expected to conduct their due diligence to verify the full scope of applicable federal, state, and local requirements for their project. Given the normal course of regulation revision cycles, and routine website updates, this list of items may become outdated, and the development team shall ensure that full compliance is achieved with all applicable requirements. The Rhode Island Department of State maintains a list on its website of applicable regulations for the Building Code Commission, Fire Safety Code Board of Appeal and Review, and Department of Labor and Training. <https://www.sos.ri.gov/divisions/open-government-center/rules-and-regulations/building-and-fire-codes>

Note – The State of Rhode Island has recently adopted the 2024 International Energy Conservation Code (IECC).. It is anticipated that RNC Tier standards will be modified in the near future accordingly.,

Regulations Promulgated by the Building Code Commission:

- o RISBC-1 Rhode Island Building Code – 510-RICR-00-00-1
Incorporates the International Building Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-1>
- o RISBC-2 Rhode Island State One- and Two-Family Dwelling Code – 510-RICR-00-00-2
Incorporates the International Residential Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-2>
- o RISBC-3 Rhode Island Plumbing Code – 510-RICR-00-00-3
Incorporates the International Plumbing Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-3>
- o RISBC-4 Rhode Island Mechanical Code – 510-RICR-00-00-4
Incorporates the International Mechanical Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-4>
- o RISBC-5 Rhode Island Electrical Code – 510-RICR-00-00-5
Incorporates the National Electrical Code – 2020 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-5>
- o RISBC-6 Rhode Island Property Maintenance Code – 510-RICR-00-00-6
Incorporates the International Property Maintenance Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-6>

- o RISBC-8 State of Rhode Island Energy Conservation Code – 510-RICR-00-00-8
Incorporates the International Energy Conservation Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-8>
- o RISBC-9 Enforcement and Implementation Procedure – 510-RICR-00-00-9
<https://rules.sos.ri.gov/regulations/part/510-00-00-9>
- o RISBC-10 Code Interpretations – 510-RICR-00-00-10
<https://rules.sos.ri.gov/regulations/part/510-00-00-10>
- o RISBC-11 Rhode Island Certification of Building Officials, Building, Electrical, Plumbing and Mechanical – 510-RICR-00-00-11
<https://rules.sos.ri.gov/regulations/part/510-00-00-11>
- o RISBC-12 New Materials, Devices or Methods of Construction – 510-RICR-00-00-12
<https://rules.sos.ri.gov/regulations/part/510-00-00-12>
- o Rhode Island Swimming Pool and Spa Code – 510-RICR-00-00-14
Incorporates the International Swimming Pool and Spa Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-14>
- o RISBC-17 Public Meetings Accessibility Standard – 510-RICR-00-00-17
Incorporates the Uniform Federal Accessibility Standards, as published in the Federal Register, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-17>
- o RISBC-18 Use of Native Lumber – 510-RICR-00-00-18
<https://rules.sos.ri.gov/regulations/part/510-00-00-18>
- o RISBC-19 State Fuel Gas Code – 510-RICR-00-00-19
Incorporates the International Fuel Gas Code – 2018 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/510-00-00-19>
- o RISRC-1 State Rehabilitation Building & Fire Code for Existing Structures – 510-RICR-00-00-20
<https://rules.sos.ri.gov/regulations/part/510-00-00-20>
- o State Wide Permitting Fee – 510-RICR-00-00-21
<https://rules.sos.ri.gov/regulations/part/510-00-00-21>

Regulations Promulgated by the Fire Safety Code Board of Appeal & Review:

- o Fire Safety Code Sections 1 through 6 – 450-RICR-00-00-1
<https://rules.sos.ri.gov/regulations/part/450-00-00-1>
- o RI Fire Code – 450-RICR-00-00-7
Incorporates the Fire Code of the National Fire Protection Association, Inc., (NFPA 1) – 2018 Edition, by reference <https://rules.sos.ri.gov/regulations/part/450-00-00-7>
- o RI Life Safety Code – 450-RICR-00-00-8
Incorporates the Life Safety Code of the National Fire Protection Association, Inc., (NFPA 101) – 2018 Edition, by reference <https://rules.sos.ri.gov/regulations/part/450-00-00-8>
- o Rehabilitation Building and Fire Code for Existing Buildings and Structures – 450-RICR-00-00-9
<https://rules.sos.ri.gov/regulations/part/450-00-00-9>

- Rhode Island Fire Alarm Code – 450-RICR-00-00-10
Incorporates the National Fire Alarm & Signaling Code, (NFPA 72) – 2019 Edition, by reference
<https://rules.sos.ri.gov/regulations/part/450-00-00-10>

Regulations Promulgated by the Department of Labor and Training:

- Elevator Safety Code – 260-RICR-30-10-1
Incorporates the American Society of Mechanical Engineers Safety Code for Elevators and Escalators (ASME) – 2013, 2015, 2016, and 2017 Editions, by reference.
<https://rules.sos.ri.gov/regulations/part/260-30-10-1>
- Boiler and Pressure Vessel Inspection – 260-RICR-30-10-2
Incorporates the Code of Rules published by the American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors – 2017 Edition, by reference.
<https://rules.sos.ri.gov/regulations/part/260-30-10-2>
- Weights and Measures – 260-RICR-30-10-3 <https://rules.sos.ri.gov/regulations/part/260-30-10-3>

Regulations Promulgated by the Federal Government:

- Americans with Disabilities Act (ADA), Title II (for public entities), and Title III (for places of public accommodations) implemented at 24 CFR parts 35 and 36, and 2010 ADA Standard for Accessible Design and attendant Design Guide (DOJ) <https://www.ada.gov/law-and-regs/design-standards/2010-stds/>
- Fair Housing Act, which states in part that covered multifamily dwellings as defined by HUD’s implementing regulations of 24 CFR 100.201 must meet the design requirements of 24 CFR 100.205
<https://www.govinfo.gov/app/details/CFR-2022-title24-vol1/CFR-2022-title24-vol1-sec100-205>
<https://www.huduser.gov/portal/publications/pdf/fairhousing/fairfull.pdf>
- Renovation/Rehabilitation projects, if applicable, shall comply with Section 504 of the Rehabilitation Act of 1973 implemented by 24 CFR Part 8 https://www.hud.gov/program_offices/fair_housing_equal_opp/disabilities/sect504faq
- Uniform Federal Accessibility Standards (UFAS) for federally assisted new construction housing developments.
<https://www.access-board.gov/aba/ufas.html>

Additional Regulations Applicable to Historic Buildings:

- Section 106 of the National Historic Preservation Act <https://www.achp.gov/protecting-historic-properties>
- The Secretary of the Interior’s Standards for Rehabilitation
<https://www.nps.gov/subjects/taxincentives/secretarys-standards-rehabilitation.htm>
- The Secretary of the Interior’s Guidelines for Rehabilitation of Historic Buildings
<https://www.nps.gov/crps/tps/rehab-guidelines/rehabilitation-guidelines-1997.pdf>
- State of Rhode Island Preservation & Heritage Commission
Scopes of work shall be reviewed and approved by RIPHC, and local Historic District Commission (if applicable). Note that RIHPHC incentives require additional review. <https://preservation.ri.gov/>

Chapter 3 – Design and Construction Timeframe

The steps from reservation to loan closing:

Step 1 **Schematic Design (SD) Submission:** Development teams shall submit all required Schematic Design (SD) Submission materials for RIHousing Design and Construction staff, and Underwriting staff review. Upon completion of this review, RIHousing will issue a memorandum of all required revisions or clarifications. Funding commitments will occur once all items have been addressed.

Step 2 **Kick-off Meeting:**
RIHousing will meet with the Developer, the Architect, and the General Contractor, if selected, to review the requirements of the Standards. At this meeting, RIHousing will review any conditions attached to the approval of the Schematic Design submission and the drawing/specification requirements. As part of the kick-off meeting, a detailed list of the submissions required for firm commitment and closing will be reviewed. A generic list is attached at the end of this Chapter for reference.

Note that not all listed documents may be required. It is intended that the list be edited at the kickoff meeting to meet the specifics of the project. The development team will be required to establish a time frame with specific milestones for each submission and be prepared to discuss RIHousing review timelines.

Following the reservation of funds, and the approval of the Schematic Design submission, there are three submission milestones (refer to Chapter 4 for requirements):

Design Development (DD) – *Formerly the “Design Development 50% Review”*

90% Construction Documents (90% CD)

100% Construction Documents (100% CD)

The developer may not change these final 100% CD plans without written approval from RIHousing. Any drawing or specification changes shall be submitted as addenda with changes tracked with revision clouds. Changes will require additional review and confirmation that Standards are still being met. Scope under consideration for value engineering must be submitted to and approved by RIHousing.

Step 3 **Final Commitment:** Once a development has been designed, bids have been received, the total cost of the development has been determined, and all final commitment checklist items have been received, the proposal will be submitted to the RIHousing Board of Commissioners (“Board”) for final commitment of funds.

Step 4 **Loan Closing:** As part of the Loan Closing, all required documents will be finalized and certified by the Architect and General Contractor as necessary.

Step 5 **Pre-Construction Meeting:** Immediately following the Loan Closing, the Pre-construction Meeting shall be held. At the Pre-Construction Meeting, RIHousing shall review the construction process and requirements. The Owner, Architect, General Contractor, and RIHousing representative shall sign all plans and other required documents.

List of tentative submission requirements for discussion during “Step 2” Kick-Off Meeting:

Note that items are project specific and not all listed documents may be required.

Doc ID	Document	Phase
2000	Preliminary Approval Submissions	
2100	Architect Documents	
2101	Schematic Design w/ outline Specification	Preliminary
2102	Preliminary Narrative Work Write Up by Division	Preliminary
2103	AIA from B305 Qualification Statement	Preliminary
2200	Contractor Documents	
2201	Preliminary Construction Cost Breakdown (Schedule of Values)	Preliminary
2202	AIA Form A305 Qualification Statement	Before Firm
2300	Developer Documents	
2301	Preliminary Proforma	Preliminary
2302	CNA (less than 2 Yr Old)	Preliminary
2303	Comprehensive Master Plan Approval	Preliminary
2304	Master Plan Approval	Preliminary
2305	Preliminary Plan Approval	Preliminary
2306	Evidence of Property not in 100 year Flood Plain - FEMA Map	Preliminary
2307	Zoning Certificate	Preliminary
2308	Fire Code Report	Preliminary
2309	Geotechnical Report	Preliminary
2310	Structural Report - by Engineer	Preliminary
2311	Names of Prequalified Bidders (Provide AIA-305)	Preliminary
2312	Wetlands/Site Constraint Map	Preliminary
2313	REAC Inspection (most current inspection)	Preliminary
2314	HOME Program Property Maintenance Inspection Report	Preliminary
2315	NGRID & Energy Star Programs Status	Preliminary
2400	Environmental Exhibits	
2401	ESA Phase 1 (Within 6 Months)	Preliminary
2402	Asbestos Survey	Preliminary
2403	Lead Survey	Preliminary
2404	Radon Survey	Preliminary
2405	Mold Survey	Preliminary
2406	PCB Survey	Preliminary
2500	Equipment Testing	
2501	HVAC & Boiler Tests	Preliminary
2502	Elevator Inspection (ADA, Fire & Service)	Preliminary
2503	Generator Test	Preliminary
2504	Hot Water Heater (Boiler/Heater)	Preliminary
2600	Evidence of Utilities	
2601	Electric	Preliminary
2602	Heating Fuel (Gas, Propane, Oil) Evidence of Gas Service Capacity	Preliminary
2603	Water / Well Approval	Preliminary
2604	Evidence Fire Water Service & Flow Test	Preliminary
2605	Sewer / ISDS	Preliminary
2606	Storm water utility letter; NBC	Preliminary
2607	Cable/Broadband	Preliminary
2608	Telephone	Preliminary
2609	Trash	Preliminary
3000	Firm Approval Submissions	
3100	Architect Doc	
3101	Waiver of Corp. Design Req. (if applicable)	Before Firm
3102	Owner/Architect Agreement AIA/B101 - Draft	Before Firm
3200	Architectural Exhibit	

3201	Drawings 50% Complete	Before Firm
3202	Drawings 90% Complete	Before Firm
3203	Final Plans and Specs 100%	Before Firm
3300	Contractor Docs	
3301	Contractor Registration card	Before Firm
3302	Contractor's 3 Yr Financials	Before Firm
3303	Contractor's Credit Report	Before Firm
3304	Construction Schedule	Before Firm
3305	Owner/Contract Agreement - AIA - A101 w/ AIA A201 (bid) DRAFT	Before Firm
3306	Bid Results	Before Firm
3307	Owner/Contract Agreement - AIA - A102GMP w/ AIA A201 (neg) DRAFT	Before Firm
3308	Subcontract Line Item Bid Results	Before Firm
3309	RIH Affirmative Action Plan	Before Firm
3310	Construction Cost Breakdown - Signed SOV	Before Firm
3400	Environmental / Building Reports	
3401	Final CNA Reports	Before Firm
3402	Property Maintenance Inspection for Rehab Units	Before Firm
3403	Phase 2	Before Firm
3404	RIDEM Site Investigation Report (SIR)	Before Firm
3405	RIDEM RAWP With Approval Letter	Before Firm
3406	Asbestos O&M Plan	Before Firm
3407	Asbestos Abatement Plan w/DOH Approval	Before Firm
3408	Lead Remediation Plan	Before Firm
3409	Radon Remediation Plan	Before Firm
3410	PCB Remediation Plan (if applicable)	Before Firm
3411	Mold Remediation Plan	Before Firm
3412	UST RIDEM Certificate of Closure (if applicable)	Before Firm
3500	Surveys	
3501	Draft ALTA Survey	Before Firm
3502	Legal Description	Before Firm
3600	Site Approvals	
3601	Final Plan Approval	Before Firm
3602	Subdivision Approval	Before Firm
3603	Flood Zone Approval	Before Firm
3604	Wetland Approval	Before Firm
3605	CRMC Approval (if applicable)	Before Firm
3606	Building Variances	Before Firm
3607	Zoning Variances	Before Firm
3608	Impact Fee Variance (if applicable)	Before Firm
3609	Fire Code Variances / Approvals	Before Firm
3610	Curb Cuts	Before Firm
3611	Storm water Protection Permit / DEM Approval	Before Firm
3612	RIDOT Physical Alteration Permit	Before Firm
3613	RIDEM Insignificant Alteration Permit	Before Firm
3614	Historic 106 Approval	Before Firm
3615	Historic Part 1 Approval (if applicable)	Before Firm
3616	Historic Part 2 Approval (if applicable)	Before Firm
3617	Historic District Approval (if applicable)	Before Firm
3700	Additional Items	
3701	NGRID & Energy Star Programs Final Status/Agreement	Before Firm
3702	Statement of Davis Bacon Applicability	Before Firm
3703	Clerk of the Works Contract (if applicable)	Before Firm

3704	Security Plan	Before Firm
3800	RI Housing Documents	
3801	D&C to check construction related contracts against Final Proforma	Before Firm
3802	RIH Confirm Environmental Review	Before Firm
3803	Environmental issues sited in plans and specs?	Before Firm
4000	HOME / HTF D&C Requirements	
4100	Contractor Documents	
4101	Signed Bid Forms (if applicable)	Before Firm
4102	Bid Tally Sheet w/Recommendations (sub bids for negotiated contracts)	Before Firm
4200	Developer Documents	
4201	Capital Needs Assessment with Useful Life Expectancy and Reserve Analysis	Before Firm
4202	HOME Final Schedule of Values	Before Firm
4203	HUD Part 35 Risk Assessment Conducted	Before Firm
4204	HUD Part 35 Remediation Plan Incorporated into Specs	Before Firm
4205	HUD Part 35 Remediation Plan	Before Firm
4300	RI Housing Documents	
4301	HOME Construction and Related Fee Cost Reasonableness Analysis	Preliminary
4302	Contractor Debarment List Check	Before Firm
4303	Final Cost Reasonableness	Before Firm
5000	D&C Post Firm Approval Submissions	
5100	Architect Documents	
5101	Owner/Architect Agreement AIA/B101 - Final	Post Firm
5102	Architect Insurance Certificate	Post Firm
5103	Architect Design Certification (RIH form)	Post Firm
5104	Section 504/ADA/Fair Housing Approval - See Architect Design Cert	Post Firm
5105	Consent of Architect Agreement	Post Firm
5106	Architect's Fee Affidavit	Post Firm
5107	Final Plans, Specs & Addenda for DOCUSIGN	Post Firm
5200	Contractor Documents	
5201	Owner/Contract Agreement - AIA - A102GMP w/ AIA A201 (neg) FINAL	Post Firm
5202	Owner/Contract Agreement - AIA - A101 w/ AIA A201 (bid) Final	Post Firm
5203	List of Subcontractors (name, address, contact, WBE/MBE, \$ Amounts, if negotiated)	Post Firm
5204	Contractor's Insurance Certificate	Post Firm
5205	100% Payment & Performance Bonds AIA A-312 or 25% Letter of Credit	Post Firm
5206	Consent of Contractor	Post Firm
5207	Contractor's Fee Affidavit	Post Firm
5300	Environmental Documents / Building Reports	
5301	Phase 1 Update	Post Firm
5302	Asbestos Contractor License	Post Firm
5303	Lead Contractor License	Post Firm
5400	Surveys	
5401	Survey Report	Post Firm
5402	Survey Certificate	Post Firm
5403	Legal Description	Post Firm
5404	Property Easements / Agreements	Post Firm
5405	Final ALTA Survey	Post Firm
5500	Site Approval	
5501	Building Permits	Post Firm
5600	Owner Documents	
5601	Owner Insurance Policy with Builder's Risk Coverage or similar	Post Firm

Chapter 4 – Drawing and Specification Requirements

RIHousing requires specific drawings and documents for each design stage submission, which occurs at:

- o Schematic Design (SD)
- o Design Development (DD) – Formerly the “Design Development 50% Review”
- o 90% Construction Documents (90% CD)
- o 100% Construction Documents (100% CD)

RIHousing assumes that the Developer is wholly familiar with the plans and specifications, that the plans reflect the current financial model, and the Developer has approved the submission of the documents to RIHousing for review. Checklists have been developed to ensure that the Development Team is providing the required information with each submission. Full size hard copies and digital copies are required for all submissions.

1. Note – In lieu of schematic design (SD) and design development (DD) plan submissions, preservation and moderate rehab developments with no significant changes to design shall submit an outline specification and work write narrative broken down by CSI division sets that align with the project Capital Needs Assessment (C.N.A.) scope of work and 20-year positive reserve schedule. All other items listed in SD & DD section are applicable. The submission of 90% and 100% plan submissions will still be required for firm commitment.
2. Note – Moderate Rehab developments with building components that are still in serviceable condition and are not scheduled for replacement in the C.N.A are not required to be replaced to meet the current Design and Construction Standards.
3. Note – For projects exceeding 12 units, an engineer licensed in the State of Rhode Island shall be engaged for structural, HVAC, plumbing, electrical, and fire protection.
4. Note – For projects with 1 or 2 units, development teams shall refer to the RIHousing Homeownership Streamline Program. Contact RIHousing for additional information.

Schematic Design (SD)

These documents are to be submitted as part of the initial application (refer to Chapter 4 notes for exclusions)

Category	Requirement	✓
Cover Sheet	General – Indicate Site/Building Address, Submission Name, and Submission Date	
Cover Sheet	Building Details – Occupancy type, building size, and construction type designation	
Cover Sheet	Unit Distribution – Floor, area, bed/bath quantity, and accessible designations (i.e. Type A, Type A-UFAS, Type B, etc.)	
Cover Sheet	Zoning Summary Table – Indicate allowed by zoning compared to proposed use, parking ratios, setbacks, dimensional limitations, dwelling unit maximums, open space requirements, etc. as applicable with local requirements	
Cover Sheet	Areas – Residential, commercial, common & back of house (gross & net rentable)	
Cover Sheet	Site – Percentage occupied by building(s), and permeable/impermeable site features	
Cover Sheet	Standards – Confirm compliance and/or indicate waiver requests (if applicable)	
Cover Sheet	Code Review – Provide diagrams/tables of applicable code/dimensional requirements, including fire separation and egress travel distances and paths.	
Site Plan	Site Plan – Indicate lot lines, streets, existing buildings/structures, North arrow, etc.	
Site Plan	Existing Conditions – Indicate existing conditions, including: wetlands, ledge, dense vegetation, steep slopes and flood plains, and/or other site features as applicable	
Site Plan	Proposed Conditions – Proposed footprint, parking, site improvements (e.g. landscaping types/uses, fences, retaining walls, paving, etc. as applicable	
Site Plan	Zoning – Indicate setbacks, easements, and heights of adjacent buildings	
Floor Plan	Full Building – Each building level, roof, and basement at minimum 1/8" = 1' scale	
Floor Plan	Common Area – Enlarged plans of all common areas at minimum 1/4" = 1' scale	
Floor Plan	Units – Enlarged plans of each unique unit, with furniture at minimum 1/4" = 1' scale	
Elevations	Exterior – All elevations identifying: window types, exterior materials, and existing of new/existing buildings (if applicable) at a minimum of 1/8" = 1' scale.	
Section	Exterior Wall Sections – Include all typical sections, indicating building material/assemblies, and construction types at a minimum 1/2" = 1' scale.	
Specification	Outline and Narrative – CSI MasterFormat with all applicable divisions indicated. (Note that outline specification format is acceptable to be included only as part of the Schematic Design submission)	
Photovoltaic (PV) System	When Applicable – Include a Solar Photovoltaic array proposal from a qualified professional. The proposal should include a solar study indicating system size, percentage of anticipated development electrical consumption, return-on-investment analysis depicting up-front cost and life cycle savings, and meter narrative.	
Geotechnical	Subsoil Investigation Report – Include design recommendations by a licensed geotechnical professional. Include boring locations at a minimum: All foundations, underground utilities, catch basins/structures/galleys, randomly along roads, and parking areas. Test pits are an appropriate alternative at smaller scattered sites and urban infills. (Note that projects without soil disruption are exempt)	
Structure	Structural Narrative – To be prepared by a licensed engineer. For new construction and additions: Include a narrative describing structural systems and preliminary sizing. For renovations: Include a narrative describing the required structural work.	
MEP/FP	MEP/FP Narrative – To be prepared by a licensed engineer. Describe the general approach to systems and identify any options and/or outstanding decisions for the development team.	
Narrative	Renovation/Rehabilitation Allowances – Clearly indicating all existing condition assumptions, and detailed descriptions of all unforeseen condition allowances.	

Environmental Report	Phase I Environmental Site Assessment – Provide ASTM Standard Practice for Environmental Site Assessments, ASTM E1527-21. <i>(Note that scattered site developments are exempt)</i>	
Capital Needs Assessment	Renovation Developments – Provide Capital Needs Assessment no more than two years old with a positive 20-year Reserve Analysis.	
Checklist	Submit – Filled out Compliance Checklist – See Chapter 6	
Plan Review	Submit – One printed full-size set of drawings and specifications, and digital copies.	

Design Development (DD) – Formerly the “Design Development 50% Review” (refer to Chapter 4 notes for exclusions)

After the Pre-Processing Meeting, the Design Development submission shall be prepared to include the following:

Category	Requirement	✓
General	Include all items (and at scales) listed in the Schematic Design (SD) submission.	
Cover Sheet	Name & Address – Developer(s), Architect, and all Other Design Professionals.	
Cover Sheet	Schedule – Provide a Schedule/Index of Drawings.	
Site Plan	Plan – Utilities, Proposed landscaping including plant species, grading, and accessibility features at a minimum 1” = 30’ scale.	
RAWP	Remedial Action Workplan (if required) – Provide environmental/abatement narrative indicating all anticipated requirements.	
Demolition	Plan – Indicate all items planned for demolition at a minimum 1” = 30’ scale.	
Utility Plan	Existing Utilities – Indicate types/locations of all utilities (e.g. Water, Electric, Tel/Data, Gas, Sewer, Storm Water, etc.)	
Utility Plan	Proposed Utilities – Indicate types/locations of all utilities (e.g. Water, Electric, Tel/Data, Gas, Sewer, Storm Water, etc.)	
Floor Plan	Specificity – Include dimensions, Wall/door/window types, and area tabulations.	
Floor Plan	Specificity – Locate kitchen, Bathrooms, and utility rooms, and identify plumbing fixtures, appliances, boilers, tanks, and other large equipment.	
Sections	Unique Exterior Wall Sections – Including exterior wall assemblies, unit separations and fire walls (where applicable), foundation walls, and roofs.	
Sections	Unique Exterior/Interior Wall Sections – Indicating (or referencing assemblies) with sound insulation and thermal insulation indicating R-values.	
Details	Typical Exterior/Interior Details – Including wall Intersection Details for wall to roof, floor to wall, foundation to floor, and other critical envelope transitions as applicable.	
Elevations	Interior Elevations – For Kitchens, Bathrooms, Common Areas, including casework.	
Structural	Plans – Indicating structural framing and foundation plans, general notes including loading criteria, specifications, and typical details.	
MEP/FP	Preliminary Drawings –Including floor plans with major equipment/systems, updated solar photovoltaic (PV) study (if applicable), and projected electrical consumption.	
Specification	Full Specifications – CSI MasterFormat with all applicable divisions included. Indicate products and performance Standards (e.g. Energy Star, windows, etc.) (Note that moderate rehabilitation projects may be allowed a narrative exception.)	
Narrative	Construction Narrative – Indicating anticipated method(s) of construction, phasing, and identification of any prefabricated structural or mechanical components.	
Narrative	RNC Narrative – RIE/ClearResults sign-off on RNC Tier-level compliance.	
Narrative	Flood Resilience Narrative – Provide an analysis of adjacent flood plains and base flood elevation design accommodations per Chapter 5, item 04 01 01 (if applicable).	
Narrative	Renovation/Rehabilitation Allowances – Update per new findings (if applicable).	
Water Quality Testing	Incoming water shall be tested for hardness, dissolved solids, pH and Chloride. Domestic Hot Water System design shall reflect any necessary water filtration or treatment. Refer to Chapter 6, Section 15 05 07 for additional information.	
Memorandum	Provide a signed memorandum confirming that all RIHousing SD comments have been addressed in this Design Development (DD) Submission.	
Checklist	Submit – Filled out Compliance Checklist, updated per progress – See Chapter 6	
Plan Review	Submit – One printed full-size set of drawings and specifications, Construction Cost Breakdown Form (RIH CF-2328), and digital copies of each.	

90% Construction Documents (90% CD)

Once the Design Development plans have been approved, the Architect shall begin work on the Construction Documents. The Developer or Architect shall notify RIHousing in writing of any significant changes to approved Design Development plans. Such notification shall be made once the extent of the changes is known and impacts on construction cost are determined. The 90% Construction Documents submission shall include the following:

Section	Requirement	✓
General	Include all items (and at scales) listed in the Schematic Design (SD) and Design Development (DD) submissions.	
Cover Sheet	Signoffs – Provide space for signature/date of Owner, Architect, Contractor, & RIH.	
Survey	Existing Conditions Survey – Indicate lot lines, site dimensions, streets, existing site features (e.g. Fences, site walls, etc.), adjacent buildings' footprints & height, and Existing Buildings with dimensions to lot lines (if applicable).	
Survey	Existing Conditions Survey – Indicate setback dimensions, easement locations, zoning boundaries (if applicable), existing utilities (below grade and overhead), topography contours, wetlands, ledges, and vegetation (as applicable).	
Site Plan	Floor Elevations – At the ground floor, site, and roofs (as applicable).	
Site Plan	Spot Elevations – As necessary to identify scope, and along accessible routes.	
Site Plan	Landscape – Locations and Planting Schedule w/ Common Name, quantity, size/diameter, and details for all other landscape materials.	
Site Plan	Site Lighting & Site Utilities – Identify full project scope, with locations/schedules.	
Site Details	Details & Dimensions for all Site Features – Include for paving, curb cuts road /driveway radius, trash enclosures, recreational areas, etc.	
Elevations	Exterior Elevations – Identify ground floor, basement, and site grading elevations.	
Geotechnical	Subsoil Investigation Report – Update as required per project changes/revisions. Include required allowances for anticipated scope, per Engineer recommendations.	
RAWP	Remedial Action Workplan (if required) – Shall be approved by RIDEM. Documents shall indicate required soil allowances and environmental/abatement requirements.	
Elevations	Specificity – Indicate height of each Floor to Floor, parapet and/or Roof component.	
Sections	Interior/Exterior Wall Sections – Identifying all unique interior and exterior wall intersections, and all typical stair & elevator conditions.	
Sections	Specificity – Tag all typical interior walls, partitions/chases and floor assemblies, to identify locations of duct, plumbing, and fire protection in relation to structure.	
Sections and Details	MEP/FP – Identify the location/size of MEP/FP systems in relation to structural members, finished ceilings, and shaft enclosures. Diagram worst-case locations.	
Details	Exterior Envelope – Provide details of all unique conditions, including window/door openings, wall/roof penetrations, foundation transitions, overhangs, etc.	
Elevations	Kitchen and Bathroom - Indicate dimensions, materials, and mounting heights.	
Schedules	Finish, Door & Window Schedules – Key Elevations & Details to Plans & Elevations	
Schedules	Door Hardware – Indicate reference project Specification hardware set/heading.	
Schedules	Clothes Storage, Linen Closets – Key locations and indicate mounting heights.	
Schedules	Insulation and Windows – Indicate R-Values and NFRC window ratings.	
Structural	Structural Design – Provide all plans, sections, details, and notes sufficient to construct the building. Indicate all framing systems and component/member sizing.	
Structural	Design Loads – Indicate design criteria for wind, snow, and seismic loading.	
Structural	Codes – Indicate all governing codes, regulations, and applicable standards.	
Structural	Foundation Design – Responsive & coordinated with Subsoil Investigation Report.	
Mechanical	Mechanical Design – Provide all floor plans, indicating the location & type of heating elements, boilers, thermostats, controls, etc.	

Mechanical	Mechanical Details – Provide equipment schedules, ventilation diagrams, and sequence of operations for HVAC Controls and related components.	
Electrical	Complete Design – Provide all floor plans and schedules. Indicate location and specifications of all switches, receptacles, main service entrance, breaker panel and meter locations, and sequence of operation for lighting controls.	
Electrical	Photovoltaic (PV) Design – Coordinate scope with final study/design (if applicable).	
Plumbing	Complete Design – Provide all floor plans, schedules, riser diagrams, and details.	
Fire Alarm	Complete Design – Provide all floor plans, schedules, and riser diagrams.	
Fire Protection	Complete Design – Provide all plans, schedules, riser diagrams, & flow calculations.	
Narrative	Renovation/Rehabilitation Allowances – Update per new findings (if applicable).	
Specifications	RIHousing Appendix A – See Front End Specification Supplementary Conditions	
Specifications	Energy Efficiency Programs – Provide relevant information for all programs being pursued (e.g. RNC tier rating, EnergyStar, PHIUS, SERH requirements, etc.); Include a Division 1 specification section that outlines all project sustainability goals, and include all relevant materials as an appendix	
Plan Review	Submit – One printed full-size set of drawings and specifications, revised Construction Cost Breakdown Form (RIH CF-2328) signed and dated by Owner & Contractor), ALTA Boundary Outline Survey, Surveyors Report and Legal Description (RIH CF-141), and digital copies of each.	
Checklist	Submit – Filled out Compliance Checklist, updated per progress – See Chapter 6	

Final 100% Construction Documents (100% CD)

After the 90% Construction Documents have been reviewed and approved by RIHousing, the Architect shall prepare the Final Construction Documents. These drawings and specifications shall be consistent with the approved 90% Construction Documents, including the development construction costs established during the preliminary phase. The drawings shall essentially be the same as those submitted at the Construction Documents stage with all revisions and additions included to bring the drawings to a 100% level of completion for construction. The 100% Construction Documents submission shall include the following:

Section	Requirement	✓
General	Include all items listed in the Schematic Design (SD), Design Development (DD), and 90% Construction Documents (90% CD) submissions.	
General	Verification – All drawings and specifications are to be consistent with previously approved construction documents, including Development Construction Costs established during the Preliminary Phase.	
General	Any drawing or specification changes shall be submitted as addenda with changes tracked with revision clouds.	
General	Stamps and Signatures – The architect shall stamp and sign all Architectural Drawings, and relevant Engineers shall stamp and sign all Engineering Drawings. Digital stamps/signatures are permitted in place of wet stamps.	
General	Submission Date – All drawings and specifications are to be dated consistently, and to match owner/contract agreement exhibits.	
Plan Review	Submit – Current Davis Bacon Wage Determination for Developments using Federal Funds for Construction (if Applicable).	
Plan Review	Submit – (1) printed full-size set of drawings and specifications, (1) printed copy of the final Construction Cost Breakdown Form (RIH CF-2328) signed and dated by Owner & Contractor, (1) printed ALTA Boundary Outline Survey, (1) printed copy of Surveyors Report and Legal Description (RIH CF-141), and digital copies of each.	
Checklist	Submit – Final filled out Compliance Checklist – See Chapter 6	
Meeting	RIHousing to host a pre-construction meeting at loan closing to review process expectations and agency requirements.	

Chapter 5 – Design and Construction Standards

These Design and Construction Standards have been developed to ensure the long-term viability of housing developed under the RIHousing's Rental Housing Production Program. These Standards are based on experience from managing rental housing and are designed to ensure that the housing units developed are economical, comfortable, durable, healthy, energy-efficient, and attractive. These Standards are in addition to the Building Code requirements and any applicable federal, state, and local ordinances or regulations.

Sustainable, Healthy Homes Goals: RIHousing values and promotes healthy, durable, high-quality, affordable construction. Ultimately, RIHousing strives to cost-effectively combine sustainable building processes and affordable housing construction. Sustainable means long-lasting, high-performance housing. The goal is to use resources wisely to help establish a continuous cycle of use and renewal within the carrying capacity of the environment. The developer should consider long-term impacts and costs to the development as well as the environment.

The overall goal of these Standards is to produce affordable and attractive housing that is also:

- o Durable – Comes from both the quality of the building materials and the soundness of the building's design and construction. Materials should be long-lasting and able to withstand heavy use with minimal maintenance.
- o Energy Efficient – A modest upfront investment in materials and systems can result in lower operating costs over the life of a building while conserving natural resources.
- o Healthy – Significant aspects of health and quality of the indoor environment are to reduce conditions that can trigger asthma and other respiratory problems. Essential asthma reduction practices include:
 - o Clean – Dust can trigger allergic reactions. Design for ease of cleaning. Carpeting should be used only in exceptional circumstances.
 - o Combustion Product Free – Carbon monoxide et al. have adverse health consequences.
 - o Toxic Chemical free – Cleaning chemicals, pesticides, oil, and alkyd-based paints and solvents can release toxins into indoor air and exacerbate asthma and other pulmonary disease.
- o Safe – RIHousing encourages building and site designs that create safe spaces inside and outside. Safety includes shared spaces that are easily observable and monitored and provide clear physical and perceptual thresholds demarcating public space, semi-public space, and private space. Building and site designs should not include common areas, indoors or out, where activity cannot be observed regularly by residents and building management.

To encourage individuality and innovation, RIHousing will consider exceptions to these Standards, provided the intended results can be achieved by acceptable alternatives. "Innovation" may include but is not limited to: alternative project delivery processes, the use of new materials and building systems, prefabricated components, etc. Similarly, alternative design configurations of units and/or common spaces intended to serve unique populations may be considered. A request for an exception to the Standards may be made in writing to RIHousing's Design and Construction Team, and Underwriting Team for review.

RIHousing reserves the right to establish additional requirements on a case-by-case basis prior to final approval of the Construction Documents. RIHousing may periodically revise these Standards; however, these revisions will not affect a development that has received approval of the Construction Documents unless the change is necessary for the health and safety of the future occupants.

These standards are broken out in accordance with the Construction Specification Institute (CSI) format. Some standards are statements of policies or minimum requirements. When these policies and requirements do not directly relate to the CSI format, the policies and regulations are placed in the CSI Division in which the policy or regulation fits best.

Division 01 – General Requirements

01 01 Additional Resources

01 01 01 General – The following resources are strongly encouraged for incorporation into developments financed under the Rental Housing Production Program:

A Comprehensive Community Development – Developers and their designers shall familiarize themselves with Rhode Island Housing’s Comprehensive Community Development criteria as outlined in the Rhode Island Qualified Allocation Plan and design all development communities with as many of the Comprehensive Community Development design elements as possible.

B Crime Prevention Through Environmental Design – Development is designed using the key principles of CPTED. <https://www.cpted.net/>

C Low Impact Development and Storm Water Management – Development incorporates LID and Storm Water best practices into the site planning and landscape approach.
<https://www.epa.gov/nps/urban-runoff-low-impact-development>

D Indoor airPLUS – The development team recognizes the impact of indoor air quality on occupant health and comfort and incorporates best practices from the EPA’s Indoor airPLUS program into the development. <https://www.epa.gov/indoorairplus>

E Enterprise Green Communities – Development is designed using the program's best practices to create homes that are healthier, energy efficient, and climate-resilient.
<https://www.enterprisecommunity.org/impact-areas/resilience/green-communities>

01 02 Exterior Appearance

01 02 01 General – Proportion, scale, color, and arrangement of exterior openings, trim and materials create balanced and contextually appropriate designs. Development designs and details shall be simple yet attractive and designed with the following criteria in mind:

A Geometries – Avoid complicated framing details created by complex plan and roof geometries.

B Simplicity – Eliminate excessive or complicated trim details. Focus on building proportion, window proportion, window placement/size, and other more permanent design features.

C False Elements – Avoid elements serving no function e.g. false dormers, false chimneys, and fake mullions.

D Finishes – Specify modest finishes that are cost-effective, and limit more costly materials to locations where they are likely to have the greatest impact.

E Color Selections – Avoid garish or trendy colors that will appear dated or dirty prematurely.

01 03 Energy Efficiency and Sustainability

01 03 01 General – Applications will be assessed and evaluated based on RIHousing’s expectations outlined below. In general, applicants are required to provide all-electric equipment and appliances or be electric-ready. Moderate Rehabilitation projects may seek an exemption, which will be evaluated on a case-by-case basis and approved at the discretion of RIHousing.

- 01 03 02 Energy Efficiency Standards – R.I. Residential New Construction (RNC) Tier I standards under Rhode Island Energy’s program guidelines are the baseline requirement of RIHousing’s design and construction guidelines. The standards apply to new construction and gut rehabilitations and includes compliance with current Energy Star residential or multifamily programs.
- 01 03 03 Moderate Rehabilitation – Shall request an energy assessment and seek project rebates through Rhode Island Energy’s Multifamily Program, administered by RISE Engineering.
<https://www.rienergy.com/RI-Home/Energy-Saving-Programs/Multifamily>
<https://www.riseengineering.com/multifamily/get-started>
- 01 03 04 Substantial Rehabilitation – Are encouraged to achieve RIE’s RNC Tier II standards.
- 01 03 05 Mill Conversions and Historic Restorations – Are encouraged to achieve RNC Adaptive Reuse Level 1 at a minimum.
- 01 03 06 New Construction – Are strongly encouraged to achieve RIE’s RNC Tier II and minimum Energy Star 3.1 revision 11 standards for single-family and Energy Star 1.1 revision 2 standards for multi-family to obtain a higher level of documented energy efficiency. New construction projects that meet this criteria will score additional points during application review. Refer to Rhode Island Residential New Construction (RNC) Program & Zero Energy Homes:
<https://www.rienergy.com/media/ri-energy/pdfs/energy-efficiency/ri-energy-rnzero-energy-ready-program-description.pdf>
- 01 03 07 Blower Door Testing – Shall occur for all developments, with low whole building infiltration rates compatible with appropriate RNC tier. Report(s) to be furnished to RIH once testing is completed.
- 01 03 08 Compartmentalization – Individual dwelling units shall be individually compartmentalized, with penetrations between units avoided as feasible. Floors to be individually compartmentalized from each other as feasible.
- 01 03 09 Net Zero and Passive House – Projects intending to achieve program certification shall refer to:
<http://www.energy.ri.gov/policies-programs/lead-by-example/rhode-island-stretch-codes.php>
<https://www.energy.gov/energysaver/aim-zero-zero-energy-and-zero-energy-ready-homes>
<https://www.phius.org>
- 01 03 10 Photovoltaic Systems – RIHousing strongly encourages development that incorporates Photovoltaic (PV) panels or other renewables, including net metering (as defined in R.I.G.L. Chapter 39-26-5). Moderate Rehabilitation projects may seek an exemption, which will be evaluated on a case-by-case basis and approved at the discretion of RIHousing.

Developments shall be designed with the following criteria:

A Structural Considerations – Roof structures in new construction shall be designed to accommodate the structural loads associated with PV panels, supporting structure, and ballasts (if applicable).

B PV Ready – At a minimum, the building shall be PV ready including conduit pathways, circuit breaker accommodation in the electric service equipment, and upsized bus bar amperage rating to accommodate the future installation of a photovoltaic system.

C Capacity – Systems shall have enough capacity to offset a determined amount of annual operating cost as proposed by the developer in their application submission package.

D Configuration – Connecting the PV system as a load-side connection “behind the meter” is preferred where permitted by the local electrical utility company.

- 01 03 11 Geothermal and Wind – RI Housing discourages renewable energy systems such as geothermal and wind energy that require excessive ongoing maintenance, as they can have a negative impact on long-term operating costs.
- 01 03 12 Resources for Renewable Energy Programs – listed below:
- A REF Commercial Scale
<https://commerceri.com/wp-content/uploads/2018/03/REF-Commercial-Scale-Flyer-V3-11.25.19.pdf>
 - B REG Commercial Scale
<https://ngus.force.com/servlet/servlet.FileDownload?file=0156T00000FLwcM>
 - C CPACE
<https://riib.org/solutions/programs/commercial-property-assessed-clean-energy/>
 - D REF Small Scale
<https://commerceri.com/wp-content/uploads/2018/03/REF-Small-Scale-Flyer-V3-11.25.19.pdf>
 - E REG Small Scale
<https://ngus.force.com/servlet/servlet.FileDownload?file=0156T00000FLwcH>
- 01 03 13 LEED – Owners that intend to design their development to LEED or similar sustainability standards shall demonstrate that their project is cost-effective and shall seek non-federal or state funding for all third-party verifications and commissioning.
- 01 03 14 Utility benchmarking – Encouraged for all renovation and rehabilitation projects and shall cover all utilities, i.e. Energy Star's Portfolio Manager <https://www.energystar.gov/buildings/benchmark>
- 01 03 15 Healthy Home / Asthma-Free Design – Buildings shall be thoroughly ventilated before occupancy.

01 04 Flood Resilience Standards

- 01 04 01 General – Projects within 1/10th of a mile from a known Flood Plain, including coastal flooding and precipitation related flooding, shall meet at a minimum, the criteria established by HUD for flood resilience. <https://www.federalregister.gov/documents/2024/04/23/2024-06246/floodplain-management-and-protection-of-wetlands-minimum-property-standards-for-flood-hazard>
- A Coastal Flooding – For Development sites within or near coastal flood areas, refer to 'STORMTOOLS' for guidance on establishing an appropriate Design Flood Elevation (DFE). At a minimum, the Design Flood Elevation shall be no lower than 2 feet above the FEMA-defined Base Flood Elevation per minimums established by HUD. <https://stormtools-mainpage-crc-uri.hub.arcgis.com/>
 - B Inland and Precipitation Related Flooding – The Design Flood Elevation shall be no lower than 2 feet above the FEMA-defined Base Flood Elevation per minimum established by HUD.
 - C Building Systems – All critical building systems (i.e. HVAC, electrical, fire alarm, and fire protection) and living areas shall be located above the design flood elevation and designed to be protected from flood-related damage.
 - D Site and Egress – Parking, site egress, and building egress must be designed outside of the 100-year flood plain per the terms outlined in the QAP.
 - E Exceptions – Basis and exceptions may be made per the terms outlined in the QAP.
 - F HUD Regulations – Note that projects receiving federal funding are required to comply with the U.S. Department of Housing and Urban Development (HUD) Federal Flood Risk Management Standard,

which went into effect in May 2024. <https://www.federalregister.gov/documents/2024/04/23/2024-06246/floodplain-management-and-protection-of-wetlands-minimum-property-standards-for-flood-hazard>

01 05 Blasting

- 01 05 01 General – Blasting shall be performed in accordance with the rules and regulations of authorities having jurisdiction. Prior to any blasting, RIHousing requires that a pre-blast survey of surrounding structures be conducted by a qualified professional and submitted for review.

01 06 Structural Work in Renovations/Rehabilitations

- 01 06 01 General – Remediation of all substantial structural damage, deficiencies, and their cause shall be included and corrected in the development scope of work. A qualified professional shall examine each building's load bearing structure and assess its existing condition to determine suitability for continued use. Prior to final commitment, RIHousing reserves the right to require a structural survey by an approved licensed structural engineer to verify the adequacy of all structural members for current and proposed loads.

01 07 Attic Access

- 01 07 07 General – When attic access is provided for maintenance and/or inspection purposes, it shall occur from building common areas. Access shall have key locks and be sealed and insulated in accordance with the requirements of all applicable energy and building codes.

01 08 Dwelling Unit Requirements

- 01 08 01 Unit Area – Shall be within the following ranges, measured from the inside face of finished walls enclosing unit, and including mechanical spaces internal to the unit:

Unit Type	Unit Area
Studio (single level)	350 – 550 SQFT
1 Bedroom	550 – 650 SQFT
2 Bedroom	750 – 900 SQFT
3 Bedroom	950 – 1,150 SQFT
4 Bedroom	1,200 – 1,400 SQFT
Studio (loft)	Evaluated on a case-by-case basis
Townhouse	Add 50 – 100 SQFT

- 01 08 02 Layout – Dwelling unit areas will also be evaluated on a performance basis by RIHousing. Determining factors are the placement of furniture, tenant circulation, functional livability, and storage.

- 01 08 03 Rooms – Shall at a minimum meet the following:

Room	Minimum Area	Minimum Dimension	Comments
Primary Bedroom	120 SQFT	10'	Each apartment shall have one primary bedroom. All bedrooms shall have direct window access to the outdoors.

Additional Bedrooms	100 SQFT	9'-6"	
Living Room	120 SQFT	12'	
Dining Room	70 SQFT	8'	
Living/Dining Combination	180 SQFT	12'	
Kitchen	65 SQFT	8'	
Bathroom	50 SQFT		Or per code for accessible units

01 08 04 Kitchens – Shall at a minimum meet the following layout length requirements for cabinetry based on the unit's bedroom count:

Bedroom Count	Base Cabinet	Wall Cabinet
1, 2, & 3 Bedroom	minimum of 96"	minimum of 60"
4 Bedroom or larger	minimum of 144"	minimum of 96"

A Wall cabinets above refrigerators and shelf areas that are 74" or greater above finished floors shall not count towards required storage.

B Inside corner cabinets shall be counted as 50% of the shelf length.

C When revolving shelves (turntables) are used, the actual shelf length may be counted.

D Kitchen cabinet layouts with base cabinets that exceed 168" in length are strongly discouraged as they may incur unnecessary construction costs.

01 08 05 Bathrooms – Each unit shall have at least one full bathroom. Units with four or more bedrooms shall have a minimum of two full baths (one bath may have a shower instead of a shower/tub enclosure). Townhouse-style units, with three or more bedrooms, shall be equipped with a minimum of one full bath and one-half bath.

01 08 06 Hallways – Shall provide 42" minimum clear between wall bases. Note that this minimum width may be superseded by other project accessibility requirements that necessitate greater widths/clearances around doorways. Hallway widths of 48" or greater are strongly encouraged.

01 08 07 Storage – Each closet shall meet the following minimum requirements, per unit:

A Bedrooms – 4' wide by 2' deep

B Coat – 3' wide by 2' deep

C Linen – 2' wide by 1.5' deep

D Broom – 1' wide by 1.5' deep, may be provided as part of a kitchen cabinet system.

E Remote Storage – Lockable storage areas for larger items are desirable.

01 08 08 Furniture walls – Rooms shall provide minimum quantities of walls without windows:

A Living Room – 2 walls

B Bedrooms – 2 walls

C Dining room/area – 1 wall

D Corner units may contain rooms with fewer furniture walls provided the windows are located and sized in a way that allows for the functional arrangement of furniture.

01 08 09 Accessible Dwelling Units – Shall be designed and constructed in accordance with current requirements of the Fair Housing Act, Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, all applicable building codes, and the following requirements:

A UFAS “Accessible” – All New Construction and “Substantial” rehabilitation developments require a minimum of 5% of units (minimum of 1 unit) be “accessible” as defined by the Uniform Federal Accessibility Standards (UFAS), regardless of the use group exception contained in the Building Code.

B Visual and Hearing Impaired – All New Construction and “Substantial” rehabilitation developments require at least 2% of units (minimum of 1 additional unit) be designed as accessible to the visual and hearing impaired as defined by UFAS. Note that these units are in addition to those required to be “Accessible” as defined in item “A” above.

C Roll-in showers – Are required in a minimum of 1 out of every 5 accessible units. Roll-in showers are highly encouraged in all age-restricted units and 1-bedroom accessible units. Bathrooms with roll-in showers shall have tile floors with waterproofing membranes, and a central floor drain to capture bulk water outside of shower basin.

D In-wall blocking – Provide blocking that is structurally capable of supporting the future installation of grab bars and shower seats, at all unit bathrooms, at a minimum as defined below:

- o Toilet – Walls adjacent to and behind fixture, 6” beyond front/side, 31”-38” above finished floor
- o Tub – Walls on three sides from the top of tub to 60” above finished floor
- o Shower – Walls on three sides from the top of pan to 60” above the finished floor
- o Alternatives – Prefabricated shower/tub assemblies with integral grab bar reinforcing are acceptable in lieu of in-wall blocking, provided they are installed per manufacturer requirements.

E New Construction – All common spaces shall be made fully accessible.

F Substantial Rehabilitation – Note that “Substantial” rehabilitation projects are defined by the Uniform Federal Accessibility Standards (UFAS) as developments with 15 or more total units and the cost of rehabilitation is 75% or more of the replacement cost. For “Substantial” rehabilitation projects with common spaces, they shall be made accessible to the greatest extent feasible.

G Less-than-Substantial Rehabilitation – For projects with “less-than-substantial” rehabilitation (anything less than “substantial”), the project must be made accessible to the greatest extent feasible until 5% of the units are physically accessible, and common spaces made accessible to the greatest extent possible.

H 1 to 4 Unit Developments – All developments that do not trigger Uniform Federal Accessibility Standards (UFAS) compliance (i.e. developments with 4 or fewer units), are still strongly encouraged to meet these requirements. <https://www.access-board.gov/aba/ufas.html>

I Additional Requirements – Refer to divisions 8, 15, and 16 for additional dwelling unit accessibility related requirements.

01 08 10 Universal Design – Development teams shall review the following resource and familiarize themselves with the concept of Universal Design. <https://www.section508.gov/develop/universal-design/>

01 09 Building and/or Development Amenities

01 09 01 Management Office – Required for developments of 50 or more dwelling units and desirable for developments of less than 50 units. The management office shall be in close proximity to the building’s primary entry and lobby. If a dedicated community building is not provided, alternative spaces within the development shall be set aside for a required management office and adequate maintenance storage.

- 01 09 02 Community Facilities – Required for developments of 50 or more dwelling units, and strongly encouraged for developments of less than 50 units. Scattered site developments will be reviewed on a case-by-case basis. Developments shall incorporate the following:
- A Common meeting room – Minimum size of 12 square feet per dwelling unit or 600 square feet, whichever is greater.
 - B Kitchen – Separate fully equipped accessible kitchen, to service social functions held in the community room. Ranges are not required where wall ovens or microwave ovens are provided.
 - C Storage – Adequate area for folding chairs, tables, etc.
 - D Toilet Room – One gender-neutral accessible room adjacent to the community room, at a minimum, and any additional toilet rooms as required by code. Provide grab bars and a wall-mounted changing table in at least one toilet room and provide applicable signage.
 - E Proximity – All community rooms, fitness rooms, and amenity spaces for residents (excluding laundry rooms) shall be in close proximity to and visible from the lobby and the management office to deter use by non-residents.
 - F Age Restricted Developments – Provide backup generators to enable uninterrupted HVAC functionality in community rooms during power outages.
- 01 09 03 Laundry Rooms – Projects greater than 12 Units and not containing an elevator shall provide shared laundry facilities on each level or laundry hook-ups in each unit at a minimum.
- 01 09 04 Playground – Projects with 50 or more Units shall incorporate a playground as part of the development or demonstrate that existing playground facilities are in reasonable proximity. Equipment should comply with the latest edition of US Consumer Product Safety Commission playground guidelines, and meet playground regulations of the 2012 Americans with Disabilities Act Standards for Accessible Design. At a minimum, playgrounds shall be fenced with locking gate, well lit, located along an accessible route from the building, have an accessible route to the play equipment, have surfacing that complies with ASTM 1951, and furnished with at least one bench along an accessible route.
<https://www.ada.gov/law-and-regs/design-standards/2010-stds/>
<https://www.cpsc.gov/safety-education/safety-guides/playgrounds/public-playground-safety-checklist>
- 01 09 05 Outdoor seating – Developments with more than 1,000 square feet of usable open space shall provide outdoor seating as a minimum amenity. Outdoor gathering areas that include furniture and equipment for events and/or picnics are strongly encouraged. All seating shall be located along an accessible route.
- 01 09 06 Mail Delivery – Per requirements of the local postmaster. A storage room and/or storage locker system shall be provided for package delivery from both USPS and non-USPS carriers that are adequately sized for the number of residents. Developments shall provide a narrative for the receipt of packages from non-USPS carriers, including the location of drop-off spaces, access restrictions/requirements, and/or other management approaches.
- 01 09 07 Bicycle Storage – Secured, covered bicycle storage is required for all projects greater than 12 units. Storage capacity a minimum of .5 bicycles per unit. Where provisions for electrical bikes are provided, covered storage shall be in a separate detached structure to minimize risks associated with electrical fires.
- 01 09 08 Trash Collection – Facilities per local municipalities' requirements. Adequate space shall be allocated for the collection and storage of recyclable waste.

01 10 Elevator

01 10 01 General – Elevators are required in all developments four or more stories in height.

Division 02 – Site Work

02 01 General

02 01 01 Applicability – These requirements apply to both new construction and rehabilitation of existing buildings. Rehabilitation developments should identify those Site Construction items that are not applicable to the development and seek an exception from the requirement from RIHousing.

02 02 Site Layout

02 02 01 Parking – Locate at the building's rear or side where possible to minimize visibility from the street.

02 02 02 Entries, General – Where there are separate building entries, i.e. one from the front/street side and one from the parking at the side or rear, configure the siting of the building and the design of the lobby so that both entries lead directly to the main lobby/reception area.

02 02 03 Entries, Parking Areas – Design to be visually accessible and clearly distinguished from individual unit entries, egress doors, or other points of access.

02 02 04 Existing Mature Trees – Retain non-invasive mature trees where present.

02 02 05 Solar Orientation – Optimize the solar orientation of the building for photovoltaic panels and energy conservation.

02 03 Site Improvements

02 03 01 General – Site improvements shall be designed to minimize maintenance. Use paving, plantings, fences, and other elements to delineate clear boundaries between public and private spaces, and semi-private space such as shared open space amenities.

02 03 02 Sidewalks – Concrete walks to connect all units, parking, and amenities; minimum 4' width, minimum 4" thick concrete with a light broom finish. Ensure that sidewalks and other pedestrian areas that may experience occasional vehicular traffic for maintenance are appropriately reinforced to withstand the additional loads.

02 03 03 Roadways – Meet RIDOT-Class I and municipal standards.

02 03 04 Parking – Shall meet the following criteria:

A Standards – Meet RIDOT-Class II or better and municipal standards.

B Quantities – Where parking counts are not determined by local zoning, minimize parking spaces to reflect the likely rates of vehicle ownership of tenants.

C Screening – Configure parking and landscaping to ensure units are screened from headlights.

D Spaces – Shall be striped and have wheel stops. Wheel stops are not required in parking lots with perimeter curbing or in parking areas serving less than 3 dwelling units.

E New Construction – Plant one tree directly adjacent to or within parking area for every five spaces, to help mitigate heat island effect. Alternative shading strategies will be considered by RIHousing.

- 02 03 05 Accommodations for Electric Vehicles – 10% of all parking spaces must be “EV-Ready” including conduit with pull wire from the house panel to each space, clear wall area for equipment, capacity in electrical panels/switchgears, and transformer sized appropriately to take the additional load. At least one electric vehicle parking space must be along an accessible route from the building, but development teams should consult other requirements to verify if greater quantities are required.

Note that EV-Ready requirements are likely to increase with the incorporation of the new energy code, and development teams shall confirm requirements as appropriate. Parking areas serving projects with 3 or fewer dwelling units may seek an exemption, which will be evaluated on a case-by-case basis, and approved at the discretion of RIHousing.

- 02 03 06 Plantings – Landscape Architect or Designer to incorporate the following, as applicable:

A General – All plantings to be native or nativar species, non-invasive, and drought tolerant. Long-term maintenance costs shall be considered when specifying plantings.

B Accent landscaping – At the fronts of buildings and around amenities is required. Landscape Architect or designer to select a mix of deciduous and evergreen plantings and take into consideration established planting windows for all plantings.

C Warranty – Contractor to provide one (1) year warranty or guarantee for plants and shrubs. Lawn warranty shall start once lawns are established, and the contractor is responsible for two cuttings minimum for maintenance.

D Buffers – Planting buffers located between tenant yard spaces is strongly encouraged for privacy. Planting buffers should be used to shield trash enclosures, utility meters, transformers, generators, condensers, and all other site obstructions/equipment from view as feasible.

E Plantings – Size of plant material is more important than quantity when specifying buffers.

F Sod – The use of sod for lawn areas is encouraged, particularly in areas where seeding may be impractical due to traffic, surface drainage, etc.

G Alternatives – The use of lawn alternatives such as clover, “no-mow grass,” and perennial ground covers are encouraged for cost and maintenance savings and increased ecological benefit.

- 02 03 07 Irrigation – New plantings shall be provided with adequate irrigation to maintain plant health while being mindful of water conservation concerns. Underground lawn sprinkling system, if used, shall utilize a time clock, rain sensor, and an abatement meter. Soaker hoses may be used as an alternative to permanent underground sprinkler systems for the first 6 months to establish new plantings. Properties with site irrigation systems shall be equipped with water conservation elements including time clocks, rain sensors, abatement meters, and/or drip systems at plantings.

- 02 03 08 Fencing – Perimeter fencing, if installed, shall be either black vinyl-coated chain link fence including posts and rails or cedar privacy fencing with galvanized posts set in concrete on the back and side yards. Uncoated chain link fences are not permitted. Painted wood picket, ornamental galvanized steel, vinyl picket, painted or powder-coated aluminum, or wrought iron fence may be installed on the front yards.

Aluminum pickets are not permitted.

02 03 09 Lighting – Shall meet the following criteria:

A General – Residential in appearance for roadways, sidewalks, and building entrances.

B Efficiency – Provide high efficiency exterior light fixtures.

C Dark Spots – No dark spots at building entrances and in parking areas.

D Shielding – Lighting shielded/deflected away from living/sleeping area windows.

E Standards – Lighting standards in scale with development buildings.

F Building Signage– The permanent building entrance sign shall be illuminated.

G Light Levels – A minimum 1-foot candle of illumination in all parking areas, trash dumpsters, mailboxes, accessible routes, and building entrances.

H Dark Sky Compliance – Building and site lighting designed using Dark Sky compliant fixtures and shields to minimize light pollution and be configured to avoid glare at abutting properties.

02 03 10 Safety and Security – Tenant entry into exit stairways from exterior to be discouraged.

02 03 11 Outdoor Trash/Recycling Storage – Projects with 12 or more units, shall have concrete trash pads with protective bollards, located away from dwelling units, and fenced/screened on all sides with a latching gate at the front. Projects with fewer than 12 units shall have at a minimum, a dedicated tote storage area screened on 3 sides. Vinyl and other non-durable fence products are not permitted.

02 03 12 Site Drainage – Conform to all applicable local and state regulations. Wherever possible, use Low Impact Development approaches to manage stormwater. The use of large permeable pavement parking lots and private roadway areas that require excessive maintenance and protection are strongly discouraged.

02 03 13 Grading – Eliminate abrupt or excessive grade changes where possible. Design grading to avoid or minimize the need for retaining walls to control costs, with slopes no steeper than 33% where possible.

02 03 14 Debris – Remove debris, junk, and dead or dangerous tree growth. Dilapidated outbuildings, fences and other structures, unsafe structures, and visual nuisances shall be demolished and removed from the site. Repair or replace badly deteriorated essential paving. Remove nonessential deteriorated paving.

Division 03 – Concrete

03 01 Foundations

03 01 01 Existing foundations – Fill all holes and cracks and re-point as necessary.

03 01 02 New Foundations – Provide damp proofing and perimeter insulation per the Energy Code. Install a capillary break on top of the footing and the perimeter foundation wall. Slab on grade is exempt except in locations with a high water table.

03 02 Basement Slabs

- 03 02 01 Existing Slabs – Shall be cleaned in a manner to expose the existing surface. All visible structural cracks shall be repaired with an approved concrete/bondel mix.
- 03 02 02 New Slabs – Minimum 4” reinforced concrete installed over 10-mil minimum vapor barrier.
- 03 02 03 Crawl Spaces – Provide a minimum 2” thick concrete rat slab over the vapor barrier.

Division 04 – Masonry

04 01 Existing Masonry to Remain

- 04 01 01 Chimneys – In rehabilitated structures that are unsound, the chimney shall be repaired or removed entirely. When chimneys are being used for venting, they should be restored, and masonry re-pointed to a safe and operable condition, with flue liners installed as required by code.
- 04 01 02 Historic Masonry – Shall be restored to sound serviceable condition, and in accordance with Section 106 of the National Historic Preservation Act. Where masonry is considered historic, repairs will be carried out utilizing the Secretary of the Interior’s “Standards of Rehabilitation” and related NPS Preservation Briefs for “Repointing Mortar Joints on Historic Masonry Buildings”
<https://www.nps.gov/tps/standards/rehabilitation.htm>
- 04 01 03 Mortar – Joints shall be sound, and free of loose or deteriorated mortar, with no voids. Pointing of mortar joints shall be specified as necessary to assure the continued integrity of the structural assembly and prevent water intrusion.

Division 06 – Wood and Plastics

06 01 Rough Carpentry, Sheathing

- 06 01 01 Rating – All sheathing shall be rated at a minimum, Exposure 1 and Structural 1.
- 06 01 02 Pitched Roofs – Plywood/OSB with integral weather barrier such as Zip Roof sheathing.
- 06 01 03 Flat Roofs and Subfloors – Plywood or weather-rated product such as Advantech sheathing.
- 06 01 04 Exterior Structural Walls – Plywood or OSB with integrated weather barrier such as Zip sheathing.
- 06 01 05 Underlayment – Formaldehyde-free ULB, AC Plywood, or gypcrete. Particle board or Luan are not permitted.
- 06 01 06 Rehabilitated Unit Flooring – Replace damaged subfloor and install new underlayment (minimum 1/2”) or approved smooth surface underlayment in all existing bath and kitchen areas where glue-down resilient flooring is installed.

06 02 Stairs, Porches, and Stoops

- 06 02 01 General – Design and dimension per code.
- 06 02 02 Exterior – Provide rot-resistant, durable composite decking and railing systems.
- 06 02 03 Existing – Items intended to remain shall be reasonably level, even surfaces, and be provided with handrails and guardrails per code. Decking to remain shall be patched with matching materials.

06 03 Finish Carpentry

- 06 03 01 Exterior Woodwork and Trim – Shall meet the following criteria:
 - A Type – Pre-primed poly-ash, fiber cement, PVC, or clear wood products (e.g. premium grade, non-finger-jointed, clear cedar or redwood).
 - B Detailing – Eliminate miter cuts and provide chamfer details at exterior horizontal trims to shed water wherever possible. Only profiled moldings should be mitered; All other trim boards should have lap joints. Exterior miter joints inevitably open as wood shrinks, exposing the end grain of both boards to the weather. It is acceptable to join trim boards with scarf angle cuts.
 - C Finishing – Note that all trim materials, including PVC, require finished paint or stain as appropriate. Refer to Division 9 for finishing requirements.
- 06 03 02 Interior Trim – Baseboards, casings, moldings, and miscellaneous trim to be clear wood or pre-primed finger-jointed pine (FJP).
- 06 03 03 Interior Handrails – If wood, provide clear hardwood products.
- 06 03 04 Exterior Handrails – Newel posts and columns shall be a high-quality composite materials. On Historic projects clear wood (e.g. clear cedar, clear mahogany, or clear hemlock) are acceptable alternatives. Exterior handrails shall be painted steel, PVC-wrapped aluminum, mahogany, or clear douglas fir.
- 06 03 05 Repair of Historic Woodwork – In accordance with Secretary of the Interior's Standards for Rehabilitation. <https://www.nps.gov/subjects/taxincentives/secretarys-standards-rehabilitation.htm>
- 06 03 06 Closet Shelving – Vinyl-coated wire shelving attached to secure in wall blocking.

Division 7 – Thermal and Moisture Protection

07 01 Residential New Construction (RNC) Program

- 07 01 01 General – The architect shall submit plans and specifications to the program manager to ensure compliance with program regulations. The RNC Program will certify each building to determine successful completion of program requirements and will prepare a list of required items. Developments seeking RNC Tier II or higher are encouraged to use the services of an energy consultant. <https://www.rienergy.com/RI-Home/Energy-Saving-Programs/New-Construction>

07 02 Thermal Insulation, Air Barriers, and Vapor Control Layers

- 07 02 01 Air Barriers and Vapor Control Layers – Air barriers shall be provided at the entire building envelope, and be coordinated with construction type and insulative materials as appropriate. Vapor control layers shall be provided as required and permeability class shall be determined by building code depending on the wall construction and insulation materials used.
- 07 02 02 Embodied Energy – Low embodied energy insulative materials are strongly encouraged, including: cellulose, fiberglass, and mineral wool. High embodied energy insulation shall be avoided, including extruded polystyrene (XPS), and foam products with conventional blowing agents. Coordinate project specifications accordingly.
- 07 02 03 Global Warming Potential – Where spray foam products must be used, projects shall seek alternative insulation products with low Global Warming Potential (GWP) blowing agents, such as expanded polystyrene (EPS) or Low GWP XPS. Coordinate project specifications accordingly.
- 07 02 04 Resources – Development teams shall review the following resources and familiarize themselves with the concepts of low embodied energy materials and low global warming potential materials.
<https://www.greenbuildingadvisor.com/article/choosing-low-carbon-insulation>
<https://www.greenbuildingadvisor.com/article/does-your-insulation-have-low-embodied-carbon>

07 03 Under Slab Vapor Control

- 07 03 01 General – Minimum 10 mil polyethylene membrane vapor barrier. Architect to provide detailing to critical areas, including penetrations and perimeter conditions.

07 04 Sound Insulation

- 07 04 01 General – These minimum requirements apply to both new and rehabilitated projects:
- 07 04 02 Common Walls – Shall meet the following criteria:
- A Rating – STC 55 minimum at demising walls, stair walls, and mechanical walls.
 - B Joint Caulking – Shall occur at the base and top of walls on both sides of the wall to maintain the proper STC rating.
 - C Electrical Boxes – Electrical boxes and low-voltage boxes shall be sealed in electrical/acoustical putty and staggered a minimum of one stud bay from boxes in adjacent space to limit sound transmission.
- 07 04 03 Plumbing Walls – STC 52 minimum between bathrooms and kitchens, and external program and units.
- 07 04 04 Floors and Ceilings – STC of 55 and IIC 53 minimum. In new construction, wall and floor assemblies shall conform to rated UL assemblies.
- 07 04 05 Bedrooms – Stud cavities at perimeter of bedrooms and bedroom closets to be filled with acoustic batt at all adjacencies to other unit spaces. Bedroom common walls shall refer to 07 04 01 above.
- 07 04 06 Adaptive Reuse and Renovations – RIHousing shall evaluate all soundproofing techniques and methods on a case-by-case basis.

07 05 New Pitched Roofs

- 07 05 01 Slope – Provide a minimum roof slope ratio of 4/12; An exception may be granted if, as applicable to the project, the roof slope can be designed for consistency with the existing and/or historical character of the neighborhood.
- 07 05 02 Solar Reflectance Index – Minimum SRI 25, or as required to comply with Energy Code.
- 07 05 03 Manufacturer's Warranty – 30 years from the date of substantial completion.
- 07 05 04 Installer's Warranty – Minimum 2 years from the date of substantial completion.
- 07 05 05 Ice/Water Protection – Self-adhered bituthene product shall be installed at a minimum from the edge of the roof to 2' beyond the interior face of the exterior wall below, 3' on both sides of roof valleys, and 2' on the deck and 1' up the wall at roof/wall intersections prior to installing metal drip edge, felt paper and shingles. Locations not required to be covered by a self-adhered bituthene product per above, shall include a minimum 15 lb felt underlayment. Development teams shall consult roofing warranties for additional requirements.
- 07 05 06 Gutters and Downspouts – Aluminum with a minimum thickness of .032" for gutters and .032" for downspouts. Where downspouts are not hard piped to underground systems, provide concrete or stone splash pads pointing away from the path of travel.

07 06 New Flat Roofs

- 07 06 01 Material - EPDM or TPO with a minimum thickness of .060"
- 07 06 02 Solar Reflectance Index – Minimum 78
- 07 06 03 Manufacturer's Warranty – Minimum 20 years from date of manufacturer's final acceptance of the roofing system for wind speed as required by code or as indicated on the drawings.
- 07 06 04 Installer's Warranty – Minimum 2 years from the date of substantial completion.

07 07 Existing Roofs

- 07 07 01 Allowance – Carry an adequate allowance for replacement of all roofing/substrate components.
- 07 07 02 Damaged Decking/Sheathing – Replace or repair prior to installation of new roofing system.
- 07 07 03 Existing Flat Roof Systems – Shall be stripped in entirety to examine the existing decking for damage or deterioration. The overlay of existing flat roof systems is not allowed, although waivers may be granted pending the results of moisture testing of the sub-base.
- 07 07 04 Existing Roof Covering – Shall be replaced if blistered and the mineral covering is substantially deteriorated.
- 07 07 05 Missing Components – Repair or replace missing/leaking shingles and flashing on functional roofs.
- 07 07 06 Roof Shingles – All layers shall be stripped to the decking/sheathing when re-roofing. Decking/sheathing shall be examined for large gaps and/or spaces, cracked boards or deterioration. If

large gaps or spaces exist between boards or sheathing the roof shall be overlaid with 1/2" exterior plywood underlayment prior to installing new shingles. Rotted decking/sheathing shall be removed and replaced down to framing. The overlay of existing shingle or pitched roof systems is not allowed.

07 07 07 Slate Roofs – Existing historical roofs shall be repaired in accordance with the Secretary of the Interior's "Standards for Rehabilitation" project requirements if applicable.
<https://www.nps.gov/tps/standards/rehabilitation.htm>

07 07 08 Rooftop Equipment – All unutilized or damaged rooftop equipment shall be removed.

07 08 Photovoltaic System

07 08 01 Manufacturer's Warranty – Product and Performance are to be guaranteed for a minimum of 20 years from the date of installation. Performance to be warrantied to include a degradation of no greater than 10% of labeled output.

07 09 Exterior Cladding

07 09 01 Existing Buildings – Cladding and trim to remain shall be intact, free of any defects, and weatherproof. Siding requiring more than 40% replacement shall be entirely removed and replaced. All wood components shall have a continuous coat of paint or stain. Replace existing wood siding on historic buildings as necessary per the Secretary of the Interior's "Standards for Rehabilitation" requirements.
<https://www.nps.gov/tps/standards/rehabilitation.htm>

07 09 02 New Exterior Cladding – When located near high-traffic areas at ground level, cladding with greater durability shall be specified. Acceptable cladding materials include:

A Brick

B Wood Siding – Clear grade cedar clapboards of random lengths not less than 4' with an exposure of no more than 6". Finger jointed siding is not permitted.

C Wood Shingles – Either as panels (4" to 7" exposures, no. I grade vertical western red cedar panels available in 3-, 4-, and 5- course panels) or shingles (4" to 7" exposures, no. I grade vertical western red cedar shingles).

D Fiber Cement Siding – Reinforced with fiberglass mesh, with a typical thickness of 5/16" and a minimum thirty (30) year guarantee. The product shall have a minimum 15-year finish warranty.

E. LP SmartSide Siding with a 5-year full labor and materials warranty, a 15-year limited paint warranty on the finish, and a 50-year limited warranty on the substrate, for a total 5/15/50 limited warranty.

F PVC sheathing or Fiber Cement Panels – Joints covered by PVC or composite trim products.

G Back primed exterior paintable wood – Siding and trim materials, with primed cut ends to prevent moisture absorption (e.g. clear redwood or cedar). Note the use of pine for trim boards is not permitted.

H Alternative siding materials – Will be considered depending on the type of development and location, subject to RIHousing discretion, are as follows:

- o Stucco - Portland cement plaster with a minimum 3/4" thickness. Acceptable products: Florida stucco, California stucco. Where stucco or EIFS siding meets grade, utilize mulch beds or similar around the foundation to deter damage from weed whackers/landscaping equipment.

- o Vinyl Siding – .042" to .048" thick and has a twenty-five (25) year guarantee. All vinyl J channel, F channel, and other necessary vinyl accessories shall be concealed behind trim boards. If vinyl siding is used on the first floor, it shall be a heavy gauge premium vinyl or a more durable material (e.g. cement board siding, vinyl shingles, pre-primed clear cedar clapboards or shingles). Acceptable products: Wolverine, Alcoa, CertainTeed, Heartland, Allside. Similar products may be submitted to RIHousing for approval. All trim and corner boards shall PVC trim such as Azek and/or reinforced vinyl trim products with built-in 'J' channel.
- o Masonry – Alternative masonry products (i.e. CMU, stone, granite, precast panels, etc.)
- o Poly-ash or PVC Trim Products – Required for wet areas such as: water tables, window sills, door trim, and skirt boards in close proximity to grade, soffit facias, rakes, and trim boards along or in contact with roofs, etc.

Division 8 – Windows and Doors

08 01 Windows

08 01 01 Performance – Windows and doors shall be Energy Star certified.

08 01 02 New Construction or Replacement – Shall meet the following:

A Frames – Fiberglass, vinyl/uPVC, vinyl-clad, or aluminum that are thermally broken with a minimum thickness of frame wall – 3mm .12" or 1/8". If the building is located in a historic district or is listed on the National Register, the appropriate authority shall approve the type of window used. Note that wood frames are permitted on historic buildings.

B Warranty – Minimum ten (10) years on frames, twenty (20) years on glazing, ten (10) years on finishes, and two (2) years on hardware, from the date of substantial completion.

C Screens – Operable half screens for single and double-hung windows, full screens for tilt-turn or casement windows.

D Testing – In projects with 12 or more units, a qualified independent testing and inspecting agency shall perform field air and water infiltration testing of 3 or more fully installed and flashed windows in compliance with AAMA 502. Windows are to be selected by the Architect and include a sampling of different window types, locations, and cladding types as is feasible.

E Flashing – Install full-depth flashings on the rough openings of all windows and exterior doors. Windows, doors, and corner board locations, mechanical and plumbing penetrations shall have self-adhered flashing installed to all perimeters and sills for protection against air, water, and moisture.

F Living and Bedrooms – To have a minimum of one operable window with locking hardware. Windows shall have one operable sash to minimize maintenance issues, if permitted by code.

G Limiters or Guards – Install in all windows lower than 18" from the finish floor to prevent falling. New construction shall meet code including window guards or limiters.

H Accessible Units – Window controls within all accessible units shall be located within accessible reach ranges no more than 54" above the finished floor. Window controls are strongly encouraged to be located within accessible reach ranges within all units, and no more than 48" above the finished floor at accessible units. Note that other funding requirements may differ, and the most stringent

requirement shall be enforced.

08 01 03 Existing Windows to Remain – Structures with existing windows may be allowed to remain when storm windows and screens are installed. To be reviewed on a case-by-case basis. Minimum criteria includes:

A Performance – Capable of providing adequate seal against air infiltration, the elements, and deemed to be appropriately energy efficient in order to meet the standards set by the development's overall energy efficiency strategy.

B Weather Stripping – Install new weather stripping to provide a seal against weather elements and air infiltration.

C Air Seal – Within shim spaces and window weight pockets as feasible

D Restore and Modify – As required to provide useful life. Windows shall have lead free friction surfaces and panned sills.

E Testing – Shall be tested and modified as necessary to operate smoothly/properly per code.

F Historic Windows - If designated to remain shall be restored to sound serviceable condition, and in accordance with the Secretary of the Interior's "Standards for Rehabilitation" project requirements.

G Hardware – Shall be intact and operational, or be replaced with new hardware as required

08 02 Doors

08 02 01 Exterior Common Entrance – Shall provide at a minimum:

A Doors – Minimum 1-3/4" thick, 18-gauge raised panel steel insulated doors with 16-gauge steel frame or 1-3/4" solid core wood raised panel door suitable for exterior locations. 1-4 unit developments may use 20-gauge doors. Aluminum Storefront Systems are an acceptable alternative for larger projects, provided they meet the requirements of the Energy Code.

B Door Width – Minimum 36" wide, with a 32" clear opening when door leaf is open 90 degrees.

C Hardware – Shall include lever style handle, self-locking mechanism, closers, and weather-stripping.

D Auto Door Openers – Shall be included at all primary building entrances, including entrances to Community Buildings.

08 02 02 Exterior Unit Entrance Doors – Shall provide at a minimum:

A Doors – High-quality fiberglass doors with Energy Star ratings for non-fire rated unit entry doors, which open directly to the building exterior. In 1-4 unit residential developments solid wood frames are an acceptable alternative. Hardware to include lever style handle.

B Storm Doors – Shall be provided that include: self-closer, full vision panel with self-storing screen, safety chain to prevent tear outs in high winds, and installed with frame fastened back to wall framing using long screws. Note that Rhode Island State Law requires that exterior entrances opening directly into dwelling units be equipped with a screened door. Refer to RI Law: R.I.G.L. 45-24.3-6&10.
<http://webserver.rilin.state.ri.us/Statutes/TITLE45/45-24.3/INDEX.htm>

C Door Width – Minimum 36" wide, with a 32" clear opening when door leaf is open 90 degrees.

08 02 03 Exterior Sliders/Patio Doors – Aluminum or protected wood shall be at minimum double-glazed and provided with a thermal break and screens.

08 02 04 Interior Doors – Shall provide at a minimum:

A Door Construction – 1-3/8" solid wood or solid/ semi-solid core high-density fiberboard (HDF). Hollow core doors are acceptable at closets only.

B Door Width – Minimum 34" wide, with a 32" clear opening when door leaf is open 90 degrees. 36" wide doors are strongly encouraged.

C Hardware – Provide lever style handles throughout, and include privacy locks with "coin turn" overrides at all bedrooms and bathrooms.

D Hollow Core Doors – In existing units shall be replaced, if damaged or scheduled for replacement within the first two (2) years as indicated on the projects Capital Needs Assessment.

E Stops – Base trim-mounted doorstops shall be supplied for all doors. Floor-mounted stops are only acceptable where base trim-mounted stops are not feasible. Wall-mounted bumpers/stops and hinge stops are not acceptable.

F Auto Door Openers – Required at primary interior community room entrances. Pre-wiring for the future installation of auto door openers is strongly encouraged at all other common programs (such as laundry rooms, meeting rooms, fitness centers, etc.)

08 02 05 Unit Entrances – Shall provide double-locking interconnected locksets with lever style hardware. Regardless of the manufacturer, the operation of the lockset shall include the following features:

A From the exterior, key unlocks both latch and deadbolt.

B From the interior, turning knob disengages both latch and deadbolt at the same time.

C Single deadbolt locking interconnected locksets are an acceptable alternative.

08 02 06 Renovation / Rehabilitation – Restore doors as required to provide a useful life. Test and modify as necessary to operate properly. Install new weather stripping and sweeps to provide seal against weather elements and air infiltration. Historic doors designated to remain shall be restored to sound serviceable condition, and in accordance with the Secretary of the Interior's "Standards for Rehabilitation" project requirements.

Division 9 – Finishes

09 01 Interior Finish Coatings

09 01 01 New Construction – Shall provide:

A Paint – One coat of primer paint and two coats of finish paint

B VOCs – Paints, stains, and varnishes to have low (<50g/L) or no volatile organic compounds

C Substrate – Skim coat plaster on walls and ceilings over imperial drywall

D Finishes – Walls to have eggshell finish; Ceilings to have flat finish; Trims, baseboards, casings, and doors to have semi-gloss finish.

E Wet Spaces – Bathrooms, plumbing wet walls in kitchens, laundry rooms/closets, mechanical closets, and basement walls and ceilings shall provide moisture/mold resistant finishes and substrates, including:

Mildew-resistant eggshell finish paint on walls and ceilings (in lieu of general finishes above).

Moisture/mold resistant drywall, mold/mildew resistant fiberglass faced gypsum wallboard, cementitious backer board, or a skim coat plaster finish on walls/ceilings over an Imperial Drywall.

09 01 02 Renovation / Rehabilitation – Shall provide:

A Renewed Coatings – New paint, stain, or varnish coatings if provided at interior ceiling, wall, and trim surfaces shall have low (<50g/L) or no volatile organic compounds.

B Existing Walls, Ceilings and Trim – To be free from peeling paint and loose or cracked plaster. Deteriorated or stained paint or wallpaper shall be removed prior to preparation and painting. Solid plaster or wallboard that has uneven but sound surfaces may remain.

C Fire Rated Assemblies – Where existing finishes are proposed to remain as part of a fire-rated assembly, the State Preservation & Heritage Commission Office shall assist in making a determination as to the suitability. Refer to codes as they pertain to archaic materials and relevant NPS Preservation Briefs.

D Existing Trim – Shall be repaired and restored to usable condition, free of deterioration which compromises its use. Repair of historic woodwork & trims shall be in accordance with the Secretary of the Interior's "Standards for Rehabilitation" project requirements.

<https://www.nps.gov/tps/standards/rehabilitation.htm>

09 02 Floor Coverings

09 02 01 New Construction / New Flooring – Shall Provide:

A Unit Bedrooms, living areas, and kitchens – luxury vinyl tile (LVT) or plank (LVP) with minimal wear surface layer of 12 mils and 4" wood or vinyl/rubber base; Engineered wood/hardwood flooring is permitted throughout the dwelling unit except for kitchens and bathrooms, provided project funding is available.

B Unit Bathrooms – Ceramic Tiles or Porcelain Tile with ceramic or porcelain tile base, luxury vinyl tile (LVT) or plank (LVP) with minimal wear surface layer of 12 mils and 4" wood or vinyl/rubber base; C Corridors, Community Rooms, and Foyers of scattered site developments – LVT or LVP with minimal wear surface layer of 20 mils and 4" wood or vinyl/rubber base. While discouraged, if carpet is proposed at corridors, it shall have a rating of ≥ 3.5 TARR ("Severe").

D Stairs – Rubber or vinyl stair treads and risers the full width of the tread. The use of rubber stair treads is strongly encouraged. Vinyl/rubber base at landings. While discouraged, if carpet is proposed it shall have a rating of ≥ 3.5 TARR ("Severe"). Contrasting color shall occur at treads, risers, and stair landings to aid the visually impaired.

E Entrance Foyers /Vestibules – Impervious tile and base with entrance mat is strongly encouraged. Alternatively, carpet with wood or vinyl/rubber base is permitted, provided that carpet is glued-down berber weave or similar, with a rating of ≥ 3.5 TARR ("Severe").

F Office – LVT, LVP, or Carpet with 4" wood or vinyl/rubber base. Carpet shall have a rating of ≥ 3.0 TARR ("Severe").

G Public Restrooms Ceramic Tiles or Porcelain Tile with ceramic or porcelain tile base, –. Alternatively, VCT of .080-gauge minimum thickness with vinyl/rubber cove base is permitted.

H Basements and Ground Level Utility Rooms – 4" minimum concrete floors treated with hardener/sealer or painted

09 02 02 Renovations / Rehabilitation – Shall meet the following criteria:

A Existing Finishes – Existing hardwood, terrazzo, etc. may remain in order to maintain the same characteristics as previously installed or those of adjacent finishes.

B Existing Wood Flooring – In good condition should be repaired, sanded, and refinished.

C Substrate – All new flooring shall be installed over suitable substrates per manufacturer's specifications.

09 02 03 Thresholds/Transitions – Thresholds shall not exceed ½ inch height as measured from finished face of adjacent floor surfaces and shall be beveled on both sides with a slope no greater than one-in-two (1:2). Flooring transitions shall have an edge strip or threshold that is beveled at a ratio of one-in-two (1:2).

09 03 Exterior Finish

09 03 01 Wood, Poly-ash, or PVC Trim Products – One coat of primer, and two coats of finish acrylic paint, or solid wood stains.

09 03 02 Pressure-Treated Wood – Two coats of compatible stain.

09 03 03 Trim, Doors, and Rails – Semi-gloss finish, with paint product compatible with substrate.

09 03 04 Siding – Satin/eggshell finish. Flat finishes are strongly discouraged.

09 03 05 Renovation / Rehabilitation Projects – All exterior surfaces to be free from peeling paint and deteriorated/stained finishes. Remove all loose paint and address all sources of moisture that may compromise the lifespan of the finish prior to recoating. Bare wood must be primed with stain-concealing primer. Use only coating systems compatible with underlying paint/material.

Division 10 – Specialties

10 01 Signage

10 01 01 Temporary Construction Signage – In conformance with RIHousing standards, temporary construction signage shall be furnished and installed by the Contractor, who will remove it when construction is complete. Refer to Chapter 7 “Supplementary Conditions”, Segment C for details.

10 01 02 Permanent Building and Unit Identification Signage – Shall meet the following requirements:

A Permanent Development Signs – Shall be installed at all new production developments and shall be distinct, well-designed, easily readable, and maintenance-free. Scattered site developments are exempt.

B Interior Signage – All rooms and interior unit entries shall be marked with high-contrast typeface, tactile numbers, and braille. Refer to the 2010 ADA standards for Accessible Design, Section 703 “Signs” for guidance. <https://www.ada.gov/law-and-regs/design-standards/2010-stds/#703-signs>

C Exterior Unit Signage – Exterior unit entries shall provide 4” minimum aluminum or brass numerical signage in compliance with local signage requirements, as applicable.

10 02 Accessories

10 02 01 Unit Bathrooms – Shall meet the following requirements:

A In-wall Blocking – required at all accessory locations.

B Accessories – Furnish and install the following:

- o Medicine cabinet with light (recessed cabinet where feasible), or surface mounted mirror with overhead light and additional enclosed storage within bathroom.
- o Towel bars 24" in length, minimum two, with at least one in close proximity to tub/shower.
- o Soap/Shampoo dish or shelf at showers. Soap dish can be integrated into tub/shower surrounds.
- o Double robe hook
- o Shower Rod
- o Toilet paper roll holder

10 02 02 Common Area Bathroom Accessories – Shall meet the following requirements:

A In-wall Blocking – required at all accessory locations.

B Accessories – Furnish and install the following:

- o Electric hand dryer
- o Mirror behind sink
- o Changing Table, fold-down style
- o Soap Dispenser
- o Toilet paper roll holder
- o Trash receptacle
- o Coat and bag hooks

10 02 03 Mailboxes – Mailboxes shall be in accordance with United States Postmaster requirements. See Division 1 requirements for package delivery narrative.

10 02 04 Fire Stop Canisters—Each kitchen range hood, located in common areas and within units, shall be outfitted with a pair of fire-stop canisters to prevent kitchen fires. Architects to coordinate rangehood selection to accommodate fire-stop canisters.

10 02 05 Fire Extinguishers – Extinguishers shall be furnished and installed in all common areas and corridors per code. Alternatively, dedicated extinguishers may be installed in each unit kitchen in lieu of corridor extinguishers when permitted per code.

Division 11 - Equipment

11 01 Appliances

11 01 01 Energy Star – Provide certified refrigerators, range hoods, washers, dryers, and dishwashers.

11 01 02 Refrigerator/Freezer – Shall be frost-free, two-door style; At one-bedroom units provide with minimum 14.5 cubic feet, and at two or more bedroom units provide a minimum 18.0 cubic; At accessible units refrigerator/freezer shall be compliant with UFAS/ADA requirements.

- 11 01 03 Range – 30” minimum width electric range with integral oven. At accessible units, range shall be equipped with front controls and a self-cleaning oven. Gas ranges/ovens are not permitted.
- 11 01 04 Range Hood – To have washable grease filters. At accessible units, locate switch at apron of base cabinet within UFAS/ADA reach ranges. Re-circulation type hoods are encouraged, but only permitted when paired with a balanced central ventilation system.
- 11 01 05 Dishwashers – Required in all units containing one or more bedrooms.
- 11 01 06 Washer/Dryer – See “Laundry Facilities” under Division 15.
- 11 01 07 Non-Standard Equipment – Combination microwave range hood and garbage disposals are not considered standard equipment. However, if the development has sufficient non-RIHousing subordinate resources available, then these appliances can be included within each apartment.

Division 12 – Furnishings

12 01 Kitchens and Bathrooms

- 12 01 01 Kitchen Casework – Shall meet requirements for KCMA severe use. Acceptable alternatives shall be made of solid wood and plywood, without the use of MDF or particle board. Cabinet doors shall have raised or recessed panels and accessible door pulls. The use of flat panel cabinet doors shall be reviewed on a case-by-case basis.
- 12 01 02 Countertops – If laminate, one piece with rolled front edge and backsplash. More durable materials such as Quartz are permitted where not cost-prohibitive. Cultured stone vanity tops are acceptable in bathrooms. Contrasting color shall exist between counter tops and casework to aid the visually impaired.
- 12 01 03 Bathroom Vanities – Provide below sink storage are required in all dwelling units full and half-bathrooms except accessible units requiring clear knee space and rehabilitated units utilizing existing lavatories not adaptable to vanity arrangements. Cabinet doors shall have raised or recessed panels and accessible door pulls. The use of flat panel cabinet doors shall be reviewed on a case-by-case basis.

12 02 Window Treatments

- 12 02 01 Type – Non-dust collecting types, such as fiberglass reinforced shades. Mini blinds are an acceptable alternative for projects with cost constraints. Provide vertical blinds at sliding patio doors, where present.
- 12 02 02 Openness – Opaque (e.g. “blackout”, or similar) window treatments are encouraged at bedrooms, especially in developments with adjacent street or site lighting. Shades with greater openness are encouraged at common areas and amenities to increase visibility.

Division 13 – Specialty Construction

13 01 Lead Safe Construction

13 01 01 General – Renovation work shall be completed in a lead-safe manner as defined by the RI Rules and Regulations for Lead Poisoning Prevention (216-RICR-50-15-3). Furthermore, HUD Lead Safe Housing Rule (24 CFR, Part 35) requires various levels of evaluation and treatment of lead paint hazards when federal money is used for housing rehabilitation. All friction surfaces within units shall be made lead-free as defined by the aforementioned regulations. In addition, contracting firms shall become certified with the EPA and shall successfully complete an EPA-accredited renovator course for its workers. Furthermore, prior to tenant occupancy, post-abatement clearance testing shall be required for all units, soils, exteriors, common areas and water. The developer is responsible for the hiring of an independent Rhode Island licensed lead inspector to conduct all pre and post-abatement lead testing and clearance. Refer to Chapter 8 – “Lead Hazard Reduction Policy” for additional requirements.

13 02 Existing Asbestos

13 02 01 General – For renovations and rehabilitations, project must be assessed for the existence of asbestos-containing building materials by qualified professionals.

13 03 Radon Protection

13 03 01 General – All new construction and gut rehabilitation projects are required to install passive radon systems with wiring for future exhaust fans. All units with higher than EPA permissible exposure limits of 4.0 pci/l for radon gas exposure are required to install active radon systems. In addition, community buildings, office buildings, maintenance buildings, and other auxiliary buildings where tenants or personnel occupy shall also comply with current radon guidelines. Radon testing is required pre and post construction in conformance with HUD, EPA and RIHousing protocols.

Division 15 – Plumbing and HVAC

15 01 General

15 01 01 Design Team – All Mechanical and Plumbing systems shall be designed by an Engineer licensed in the State of Rhode Island.

15 01 02 Assumptions and Calculations – In developments with 12 or more units design documents shall clearly state assumptions and results/calculations of HVAC and plumbing system design.

15 01 03 Housekeeping Pads – At grade, provide a 4” thick concrete pad below all mechanical equipment. At wood framed floors and roofs provide support systems per manufacturer requirements.

15 01 04 Commissioning – Plan for a commissioning process in buildings with 12 or more units, to ensure that heating, ventilating, and air-conditioning (HVAC) systems perform in conformity with design intent. Commissioning Agent to provide testing and balancing reports/commissioning of systems in large multi-unit buildings (i.e. Heating and Cooling Systems greater than 200,000 BTU’s will require commissioning). At a minimum, manufacturer start-up reports shall be required for all new furnace, boiler, and HVAC equipment regardless of project size.

- 15 01 05 Final Commissioning Report – To be submitted to RIH for review and approval.
- 15 01 06 Water Damage Protection – Equipment storing any amount of water shall be located in rooms with floor drains and water-resistant floor coverings or drip pans with hard piped overflows. All boiler rooms are to be equipped with floor drains.
- 15 01 07 Refrigerant Piping – When located outdoors shall be jacketed for UV protection and sealed weather tight. The use of line set enclosures to hide/protect multiple line sets is encouraged.
- 15 04 08 Magnetic Filters – Systems that are retrofitted with new high efficiency boilers and new variable speed pumps with electronically commutated motors shall have magnetic filters installed to capture ferrous impurities in the piping system.

15 02 HVAC, New Construction and New Equipment

- 15 02 01 Ductwork – Seal all seams and joints with liquid mastic. Duct systems that cross compartmentalization boundaries shall be sealed to the following standards, based on SMACNA HVAC Air Duct Leakage Test Manual 2012: Seal Class A, Leakage Class 2 for round ductwork and Leakage Class 4 for rectangular ductwork. Ductwork to be pressure tested per Energy Star Requirements. The use of fiberglass/fibrous duct liner and duct-board is not permitted.
- 15 02 02 Concealment – Soffited, boxed, or concealed above ceilings within all dwelling unit living spaces. Exposed spiral ductwork will be reviewed on a case-by-case basis and is encouraged in mill conversion buildings and commercial areas with high ceilings.
- 15 02 03 Mechanical Penetrations – Seal all penetrations with corrosion and rodent-proof materials.
- 15 02 04 Unconditioned Spaces – Equipment and Ductwork is not permitted in unconditioned spaces located outside the thermal envelope.
- 15 02 05 Testing – Ducts shall be tested with duct blaster to be $\leq 8\%$ total leakage and $\leq 4\%$ leakage to outside. Submit duct test results to ClearResult for compliance.
- 15 02 06 Exterior Vents – Install mechanical vents that penetrate buildings on painted blocking and locate at side or rear elevations, or roof areas of the building wherever possible. Vents should be modest in scale and color that blends into the façade and aligned from floor to floor where possible to avoid a random appearance.
- 15 02 07 Controls and Thermostats – Individual wall-mounted controls and thermostats are required. Wireless controls are discouraged. Controls/Thermostats shall be mounted with operable portion of screen/device no higher than 48" above the finished floor. In Type A and visual/hearing impaired accessible units all controls and thermostats shall be located in places unlikely to be obstructed by furniture and include simple interface with large text. Controls and thermostats are strongly encouraged to be located in places unlikely to be obstructed by furniture at all units.
- 15 02 08 Sound and Vibration Isolation – All condensers attached to buildings or located on rooftops shall be installed with isolation pads or other means to prevent sound and vibration transmission to the interior.

- 15 02 09 Maintenance Utilities – Condenser and other similar equipment located on rooftops shall have a frost-proof hose bib and power outlet for maintenance measures.
- 15 02 10 Screening – Provide screening of large rooftop equipment located in highly visible locations or historically sensitive communities. Locate at-grade equipment so views and egress are not impeded and conceal with plant buffers or other screening at visible locations.
- 15 02 11 Balanced Ventilation – 24/7 balanced ventilation systems with air-to-air recovery are encouraged for all dwelling units. When Energy Recovery equipment is provided, its sensible recovery performance shall be greater than 80% and latent recovery greater than 50%.
- 15 02 12 Filters – Minimum MERV 13 filtration required on all incoming air streams and fan coils with recirculated air.
- 15 02 13 Electrical Rooms – Engineer to ensure that operational temperatures within all electrical rooms are controlled to ensure the safe operation and maintenance of all electrical equipment. As buildings move towards full-electrification and incorporate equipment related to electric-vehicle charging, the risk of uncomfortable and/or less efficient operational temperatures increases. As such, climate control of all electrical rooms is strongly encouraged.

15 03 HVAC, Renovation and Rehabilitation

- 15 03 01 Air Conditioning – In projects without central HVAC systems, provide heavy-duty air conditioning brackets for future window installations. Specified brackets shall not void window warranties. In addition, developments that have only one egress window located in any unit area, shall utilize code-compliant air conditioners that do not restrict window egresses in accordance with HUD's Uniform Physical Condition Standards (UPCS). Dedicated air conditioner outlets shall be installed underneath or directly adjacent to at least one living room and one primary bedroom window.
- 15 03 02 Bathroom Fans – Energy Star rated continuous run or Smart Flow technology exhaust fan and light with integral timer and timer controls, or as required by code. A separate ceiling exhaust fan and light fixture with same function are acceptable alternatives. Sones: ≤ 1 for continuous run fans and ≤ 3 for intermittent fans. Verify exhaust approach meets code.
- 15 03 03 Exhaust – Unless prohibited by the Energy Code or performance certification criteria, exhaust kitchen and bath moisture and odors to the exterior. The bathroom fan does not have to be continuously run if there is an alternate ERV system. Recirculating range hoods are only acceptable if an ERV system is present.
- 15 03 04 Existing Heating Systems – When inoperative, hazardous, or inefficient (under 75% efficiency per test) they shall be repaired to perform at a minimum of 80% efficiency or be replaced. Ductwork and piping shall be enclosed in all habitable areas. Boilers and furnaces shall be located in fire-resistant/rated areas per code.
- 15 03 05 Finned Tube Radiation – Where used, shall be high output with heavy gauge enclosure. Baseboard finned tube radiation is recommended to provide a more durable product with a longer expected useful life. Replace existing ones as appropriate.

15 04 Heating Systems

- 15 04 01 All Electric Heat Pumps – All-electric, Air-Source Heat Pump systems are required for space heating, and shall meet the following criteria:
- A Type – Equipment to be “cold climate” type that operates down to -13F (Fahrenheit) and sized to provide the required heat on a design heating day (currently +5F in Rhode Island).
 - B Capacity – Heat pumps shall be sized per its derated capacity and not its nominal capacity.
 - C Snow Considerations – Exterior equipment shall be located carefully to be above expected snow height/drifts, and to facilitate periodic snow removal.
 - D Alternative Systems – Ground-source heat pump systems may be considered but require RIHousing review and approval.
 - E Hardship Request – Renovation/rehabilitation projects with limited intervention of building enclosure (i.e. no continuous exterior insulation) may not benefit from heat pump systems in the same way that new construction can. Development teams may submit a written request to demonstrate hardship, which shall be reviewed and approved/rejected at the discretion of RIHousing.
- 15 04 02 Electric Resistance Heat – Shall be limited to select areas such as: stairwells, utility closets, and other locations where it is used only as emergency, backup, or for limited freeze protection. Tamper-proof thermostats shall be installed and set for minimal heating.
- 15 04 03 Motors and Pumps – Premium efficiency motors with variable speed capability.
- 15 04 04 Controls – Control wiring and control strategies with outdoor temperature reset, if applicable.
- 15 04 05 Unoccupied Zones – Avoid unnecessary heating of unoccupied spaces, such as storage, mechanical, and utility areas where permitted by code.
- 15 04 06 Equipment Placement – Locating heating equipment in basements is strongly discouraged.

15 05 Domestic Hot Water Supply

- 15 05 01 All Electric Ready – At a minimum provide electric conduit with pull wire, an appropriately sized electrical panel, appropriately sized room(s), and ventilation to accommodate the future installation of air-source heat pump domestic hot water systems.
- 15 05 02 Water Heater – Equipment shall be all electric heat pumps or high efficiency, condensing, and direct vent combustion equipment. See Item 01 03 01 for minimum future electrification provisions. Atmospheric combustion is not permitted. System to supply the following minimum storage requirements:
- Efficiency, one and two-bedroom units – 30-gallon water heater or central heating system.
 - Three-bedroom unit – 40-gallon water heater or central water heating system.
 - Four-bedroom unit – 55-gallon water heater or central water heating system.
- Acceptable Alternatives – Properly sized/engineered high-efficiency on-demand water heaters are acceptable alternatives to standard tank systems so long as they provide equivalent capacity.

- 15 05 03 All Electric Heat Pump Water Heaters – All-electric, Air-Source Heat Pump systems are strongly encouraged for water heating, and if provided shall meet the following criteria:
- A Type – Equipment to be “cold climate” type that operates down to -13F (Fahrenheit) and sized to provide the required heat on a design heating day (currently +5F in Rhode Island).
 - B Capacity – Heat pumps shall be sized per its derated capacity and not its nominal capacity.
 - C Snow Considerations – Exterior equipment shall be located carefully to be above expected snow height/drifts, and to facilitate periodic snow removal.
 - D Refrigerant – The use of R744 refrigerant is strongly encouraged (Carbon Dioxide with a Global Warming Potential of 1).
- 15 05 04 Electric Resistance Water Heaters – Shall be avoided to ensure the required RNC Tier Rating and Energy Star Certification are met.
- 15 05 05 Hybrid Heat Pump Type Water Heaters – Are strongly discouraged within dwelling units due to equipment noise and risk of cold drafts.
- 15 05 06 System Design – Locate equipment in close proximity to kitchens and bathrooms to minimize piping runs and increase overall system efficiency. Recirculation piping systems, where present, shall be optimized to limit system length, utilize variable speed pumps, and include self-balancing thermostatic balancing valves.
- 15 05 07 Water Quality – The plumbing system design shall include water quality treatment to meet the water heater manufacturer’s requirements and avoid the buildup of calcium carbonate scale. Water treatment may include filtration, chemical and/or electronic systems. Incoming water shall be tested for hardness, dissolved solids, pH and Chloride during the design phase of the project. Existing domestic hot water piping shall be flushed to remove built up scale.

15 06 Plumbing

- 15 06 01 Water Conservation – All newly installed fixtures (except kitchen faucets) shall meet the current published EPA water sense standards. Water-conserving plumbing fixtures, showerheads, and faucet aerators are required. Toilets may not exceed 1.28 gallons per flush. <https://www.epa.gov/watersense>
- 15 06 02 Exterior Walls – The installation of supply or drain piping within exterior walls is not permitted, except where serving an exterior fixture.
- 15 06 03 Main Shutoff – Provide a labeled shutoff for each dwelling unit located either in the unit or interior to the structure and easily accessible.
- 15 06 04 Hose Bibs – Exterior frost-proof hose bibs are required adjacent to landscape areas.
- 15 06 05 Supply Piping Insulation – Insulation and vapor jacketing to be provided per code.
- 15 06 06 Accessible Units – All exposed supply and drain piping below sinks, shall be insulated with a protective insulative jacket.
- 15 06 07 Acoustic Insulation – Roof drain “rain leaders” and domestic drain lines shall be insulated for acoustic considerations when traveling through dwelling units or amenity spaces.

- 15 06 08 Vent Stacks – Install plumbing stacks biased to rear roof areas as feasible to limit visibility. Consider black finished piping at pitched roofs, and white finished piping at flat roofs.
- 15 06 09 Sink, Shower, and Tub Faucet Hardware – Shall be single lever/handle style, with no knobs.
- 15 06 10 Toilet Levers – Shall be located on the access side of the toilet.
- 15 06 11 Accessible Bathrooms and Kitchens – All newly installed fixtures in accessibly designated units and all common areas shall be ADA-compliant (including Type A adaptable units, UFAS accessible units, public restrooms, community spaces, and similar. Toilets located within all accessible unit and common area bathrooms shall locate the top of the toilet seat between 17-19 inches above the finished floor.

15 07 Laundry Facilities

- 15 07 01 General – Accessible central laundry facilities shall be provided in all developments, at a ratio of one set of washer/dryer per 14 units, and one additional washer/dryer to be ADA compliant). The ADA-compliant facilities shall be located to be accessible by residents in accessible units. Energy Star rated washers and dryers shall be used if supplied at common laundry rooms. The building manager or developer shall contract out or purchase and install coin-operated equipment.
- 15 07 02 Gas Dryers – Are not permitted.
- 15 07 03 Dwelling Unit Laundry – Clothes washer and dryer connections shall be provided within each accessible dwelling unit where no central laundry facility is provided or is not easily accessible. If connections are supplied in every unit, the tenants are responsible for furnishing and installing laundry appliances.
- 15 07 04 Scattered Site Properties – Laundry equipment hook-ups (hot and cold water, electrical duplex outlet, 220V electrical dryer outlet, dryer vent to exterior) shall be installed in the basements.
- 15 07 05 Water Damage Protection – Central laundry rooms shall have floor drains and water-resistance floor coverings. In-unit washing machines shall have hard piped drip pans. All washing machines shall have water leak detection shut-off devices, and easily accessible shut-off valves.
- 15 07 06 Stacked Laundry Equipment – Vertical washer and dryer stacked combination units are discouraged due to cost but will be considered on a case-by-case basis.

Division 16 – Electrical

16 01 Power Supply System

- 16 01 01 All Electric Ready – At a minimum all electrical service, equipment, and related room(s) to be sized to accommodate a future conversion to all-electric heating and domestic hot water systems.
- 16 01 02 Service – Per code, with a minimum 100-amp service for each dwelling unit.
- 16 01 03 Meters – Shall be installed on the sides and rears of buildings and buffered with plantings, as permitted by the electrical utility company and state electrical code.

- 16 01 04 Existing Components – The designer, in concert with the State electrical inspector, shall examine the system and equipment. Substandard or critical non-code-compliant components shall be replaced. Open circuit breakers, knockouts, and/or gaps in the electrical panel, junction boxes, and other fixtures shall be properly capped/blanked.
- 16 01 05 Existing Service Entrance – Shall have a minimum capacity of 100 amps and be in good condition and sized to safely service all outlets, fixtures, and appliances proposed to remain or be newly installed during the rehab. Essential motors requiring 240 volts shall have a separate dedicated circuit and outlet.
- 16 01 06 Commercial Devices – In dwelling units of projects with 12 or more units, commercial grade receptacles, switches, and all other wiring devices shall be installed.
- 16 01 07 Low Vision Lighting – Provide low-level floor surface lighting tied to a photoelectric sensor at all hallways and bathrooms within visual/hearing impaired units.

16 02 Lighting and Convenience Outlets

- 16 02 01 Switches – Provide decora/rocker style switches centered no higher than 48” above finished floor.
- 16 02 02 Convenience Outlets – Shall be centered no higher than 18” above the finished floor, except at kitchen countertops, bathroom vanities, or as required by specialty equipment/appliances.
- 16 02 03 Energy Star Lighting - All new light fixtures shall be LED Energy Star Compliant.
- 16 02 04 Lighting Fixtures – Provide the following:
- A In every habitable room – At least one light fixture or outlet controlled by a wall switch.
 - B Stairways within dwelling unit – Fixture(s) controlled by a three-way switch
 - C Common stairways/hallways – Fixtures controlled by a three-way switch or occupancy devices.
 - D Exterior stairs – Fixture(s) to illuminate exit discharge per code.
 - E Dining areas – Ceiling light fixture.
 - F Bathrooms – Ceiling light fixture, medicine cabinet light fixture, and exhaust fan. A GFI duplex convenience outlet is to be located close to the sink.
 - G Kitchens – Minimum of one overhead light fixture and one light fixture located above the sink area with separate switches.
 - H Closets – Ceiling light fixture at walk-in closets, laundry closets, and mechanical closet areas.
 - I Building Security – Flood lights shall be equipped with motion sensors and/or photocell/timeclock controllers. Parking lighting shall be on photocell/timeclock controllers.

16 03 Telecommunications

- 16 03 01 Telephone – Pre-wire for telephone service in accordance with the current regulations of the utility company. Include the installation of terminal boxes and interconnects resulting in a system ready for operation. Provide one phone jack in each dwelling unit, and at management office(s) as required.
- 16 03 02 Cable/Data – Install rough wiring and jacks for CATV outlets in each dwelling unit living room, all bedrooms, management office, and in any common spaces including community rooms, lounges, and

fitness rooms if provided. Cable services provided to developments shall have broadband capability compatible with the most current federal upload and download feed standards.

16 04 Security

16 04 01 Security Plans – Shall be provided for all developments.

16 04 02 Emergency Call Systems – In senior/assisted living developments, the installation of a fully operational call system is encouraged,

16 04 03 Security Systems – Projects containing more than 12 units and buildings that house the elderly, shall install security alarm and camera monitoring systems.

16 05 Doorbells and Intercoms

16 05 01 Scoping – Developments shall comply with the following as applicable:

A 1-3 units or exterior townhouse entries – Install doorbells.

B 4-12 units – Install intercom systems with electronic buzzers and door strikes in buildings with two or more floors.

C More than 12 units and two or more floors – Provide video intercom at all units.

D Hearing impaired units – Provide doorbells with combination strobe/sounder devices in all living spaces, bedrooms, and bathrooms within the unit.

16 05 02 Mounting Height – Mount doorbells centered no higher than 48” above the finished floor. Mount video intercoms (where required above) with operable portions of screen/device no higher than 48” above the finished floor.

16 06 Fire Alarms

16 06 01 General – Install per code. All fire alarm wiring shall be concealed in walls, ceilings, floors, and chases, where possible. In Historic or renovation projects, electrical metallic tubing (EMT) that cannot be concealed shall be installed along the perimeter of the room in inconspicuous locations and painted to match adjacent ceiling and/or wall areas.

16 06 02 Visual and Hearing-Impaired Units – Install devices tied to primary and local building fire alarm. Provide combination strobe/sounder devices in living rooms and bedrooms, and strobe devices in bathrooms.

Division 21 – Fire Suppression

21 01 Sprinklers

21 01 01 General – System do be designed and installed per the following criteria:

A Verification – Install sprinklers per code.

B Scoping – Each riser should include tamper and flow switches tied to a central station alarm or fire department.

C Concealment – All fire protection piping shall be concealed in walls, ceilings, floors, and chases, where possible. In Historic or renovation projects, piping that cannot be concealed shall be installed along the perimeter of the room in inconspicuous locations and painted to match adjacent ceiling and/or wall areas.

D Escutcheon Plates – Are to be installed at all wall/pipe penetrations.

E Sprinkler Heads – Shall be clean and free of paint or other materials that may compromise water flow.

Chapter 6 – Standards Compliance Checklist

This Standards Compliance Checklist shall be submitted along with the Chapter 4 Drawing and Specification Requirement Checklists relevant to your design stage submission and be submitted to RIHousing for review. Consult the “Directions for Submitter” description for guidance on filling out this document. RIHousing shall furnish an excel version of this checklist for development team use.

Chapter 6 - Standards Compliance Checklist

Project Name:

Submission:

Date:

Submitter:

Directions for Submitter: Complete this Standards Compliance Checklist along with the Chapter 4 Drawing Checklists relevant to your design stage Submission, and submit it to RIHousing. Regardless of submission, all items shall be filled out, with items that are in full compliance indicated with a check mark (✓) and out of compliance or not applicable items indicated with an “X”. Reference location in specifications and/or drawings shall be indicated to aid RIHousing Staff in compliance verification. Any comments required to explain why the project is out of compliance with a particular item or any scoping clarifications shall be indicated in the relevant column. The right most column shall be left blank for RIHousing Responses. Any questions in filling out this document shall be directed to RIHousing prior to your submission of this checklist.

Standards Reference	Requirement	✓	Reference Location	Comments and Clarifications	RIHousing Responses (Staff Use Only)
Division 01 - General Requirements					
01.01	Additional Resources				
01.01.01	General				
	A Comprehensive Community Development				
	B Crime Prevention Through Environmental Design				
	C Low Impact Development and Storm Water Management				
	D Inboard atPLUS				
	E Enterprise Green Communities				
01.02	Exterior Appearance				
01.02.01	General				
	A Geometrics				
	B Simplicity				
	C Color Elements				
	D Finishes				
	E Color Selections				
01.03	Energy Efficiency and Sustainability				
01.03.01	General				
01.03.02	Energy Efficiency Standards				
01.03.03	Moderate Rehabilitation				
01.03.04	Substantial Rehabilitation				
01.03.05	MHI Conventions and Historic Restorations				
01.03.06	New Construction				
01.03.07	Blower Door Testing				
01.03.08	Computerization				
01.03.09	Net Zero and Passive House				
01.03.10	Photovoltaic Systems				
	A Structural Considerations				
	B PV Ready				
	C Capacity				
	D Configuration				
01.03.11	Geothermal and Wind				
01.03.12	Resources for Renewable Energy Programs				
	A REE Commercial Scale				
	B REE Commercial Scale				
	C CPACT				
	D REE Small Scale				
	E REE Small Scale				
01.03.13	LEED				
01.03.14	Utility Benchmarking				
01.03.15	Healthy Home / Asthma Free Design				
01.03 -	Efficiency Certification Placeholder			Insert a row for each environmental/sustainability certification to be achieved, for tracking purposes	
01.04	Flood Resilience Standards				
01.04.01	General				
	A Coastal Flooding				
	B Inland and Precipitation Related Flooding				
	C Building Systems				
	D Site and Upland				
	E Exceptions				
	F HUD Regulations				
01.05	Housing				
01.05.01	General				
01.06	Structural Work in Renovations / Rehabilitations				
01.06.01	General				
01.07	Arise Access				
01.07.01	General				
01.08	Dwelling Units				
01.08.01	Unit Area				
01.08.02	Layout				
01.08.03	Rooms				
01.08.04	Kitchens				
01.08.05	Bathrooms				
01.08.06	Hallways				
01.08.07	Storage				
	A Bedrooms				
	B Coat				
	C Linen				
	D Bedroom				
	E Remote Storage				
01.08.08	Furniture Walls				
	A Living Room				
	B Bedrooms				
	C Dining room/area				
	D Counter Units				
01.08.09	Accessible Dwelling Units				
	A UFAS "Accessible"				
	B Visually and Hearing Impaired				
	C Roll in Showers				
	D In wall blocking				
	E New Conversions				
	F Substantial Rehabilitation				
	G Less-than-Substantial Rehabilitation				
	H 1 to 4 Unit Developments				
	I Additional Requirements				
Per Code	Confirm grab bars are in compliance with NHPA 101				
Per Code	Confirm grab bars are in compliance with UFAS				
01.08.10	Universal Design				
01.09	Building and/or Development Amenities				
01.09.01	Management Office				
01.09.02	Community Facilities				
	A Common Meeting Room				
	B Kitchen				
	C Storage				
	D Toilet Room				
	E Proximity				
	F Age Restricted Developments				
01.09.03	Laundry Rooms				

01 09 04	Playground				
01 09 05	Outdoor Seating				
01 09 06	Mail Delivery				
01 09 07	Bicycle Storage				
01 09 08	Trash Collection				
01 10	Elevator				
01 01 01	General				
Division 02 - Site Work					
02 01	General				
02 01 01	Applicability				
02 02	Site Layout				
02 02 01	Parking				
02 02 02	Entrances, General				
02 02 03	Furnish, Parking Areas				
02 02 04	Existing Mature Trees				
02 02 05	Solar Orientation				
02 03	Site Improvements				
02 03 01	General				
02 03 02	Sidewalks				
02 03 03	Roadways				
02 03 04	Parking				
A	Standards				
B	Quantities				
C	Screening				
D	Spaces				
E	New Construction				
02 03 05	Accommodations for Electric Vehicles				
02 03 06	Plantings				
A	General				
B	Accent Landscaping				
C	Waterway				
D	Barriers				
E	Plantings				
F	Soil				
G	Alternatives				
02 03 07	Irrigation				
02 03 08	Fencing				
02 03 09	Lighting				
A	General				
B	Efficiency				
C	Dark Spots				
D	Shielding				
E	Standards				
F	Building Signage				
G	Light Levels				
H	Dark Sky Compliance				
02 03 10	Safety and Security				
02 03 11	Outdoor Trash/Recycling Storage				
02 03 12	Site Drainage				
02 03 13	Grading				
02 03 14	Debris				
Division 03 - Concrete					
03 01	Foundations				
03 01 01	Existing Foundations				
03 01 02	New Foundations				
03 02	Basement Slabs				
03 02 01	Existing Slabs				
03 02 02	New Slabs				
03 02 03	Crawl Spaces				
Division 04 - Masonry					
04 01	Existing Masonry to Remain				
04 01 01	Chimneys				
04 01 02	Historic Masonry				
04 01 03	Mortar				
Division 06 - Wood and Plastics					
06 01	Rough Carpentry, Sheathing				
06 01 01	Roofing				
06 01 02	Pitched Roofs				
06 01 03	Flat Roofs and Subfloors				
06 01 04	Exterior Structural Walls				
06 01 05	Underlayment				
06 01 06	Rehabilitated Unit Flooring				
06 02	Stairs, Porches, and Stoops				
06 02 01	General				
06 02 02	Exterior				
06 02 03	Existing				
06 03	Finish Carpentry				
06 03 01	Exterior Woodwork and Trim				
06 03 02	Interior Trim				
06 03 03	Exterior Handrails				
06 03 04	Exterior Handrails				
06 03 05	Repair of Historic Woodwork				
06 03 06	Closet Shelving				
Division 07 - Thermal and Moisture Protection					
07 01	Residential New Construction (RNC) Program				
07 01 01	General				
07 02	Thermal Insulation				
07 02 01	Air Barriers and Vapor Control Layers				
07 02 02	Embodied Energy				
07 02 03	Global Warming Potential				
07 02 04	Resources				
07 03	Under Slab Vapor Control				
07 03 01	General				
07 04	Sound Insulation				
07 04 01	General				
07 04 02	Common Walls				
A	Rating				
B	Joint Caulking				
C	Electrical Boxes				
07 04 03	Plumbing Walls				
07 04 04	Floor and Ceilings				
07 04 05	Bedrooms				
07 04 06	Adaptive Reuse and Renovations				

[illegible]

Division 10 - Specialties

10 01 Signage

- 10 01 01 Temporary Construction Signage
- 10 01 02 Permanent Building and Unit Identification Signage
 - A Permanent Development Signs
 - B Interior Signage
 - C Exterior Unit Signage

10 02 Accessories

- 10 02 01 Unit Bathrooms
 - A In-Wall Blocking
 - B Accessories
- 10 02 02 Common Area Bathroom Accessories
 - A In-Wall Blocking
 - B Accessories
- 10 02 03 Mailboxes
- 10 02 04 Fire Stop Canisters
- 10 02 05 Fire Fittings/ashers

Division 11 - Equipment

11 01 Appliances

- 11 01 01 Freezer/Star
- 11 01 02 Refrigerator/Freezer
- 11 01 03 Range
- 11 01 04 Range Hood
- 11 01 05 Dishwashers
- 11 01 06 Washer/Dryer
- 11 01 07 Non-Standard Equipment

Division 12 - Furnishings

12 01 Kitchens and Bathrooms

- 12 01 01 Kitchen Casework
- 12 01 02 Countertops
- 12 01 03 Bathroom Vanities

12 02 Window Treatments

- 12 02 01 Type
- 12 02 02 Opencness

Division 13 - Specialty Construction

13 01 Lead Safe construction

- 13 01 01 General

13 02 Existing Asbestos

- 13 02 01 General

13 03 R Radon Protection

- 13 03 01 General

Division 15 - Plumbing and HVAC

15 01 General

- 15 01 01 Design Team
- 15 01 02 Assumpstions and Calculations
- 15 01 03 Housekeeping Pads
- 15 01 04 Commissioning
- 15 01 05 Final Commissioning Report
- 15 01 06 Water Damage Protection
- 15 01 07 Refrigerant Piping
- 15 01 08 Magnetic Filters

15 02 HVAC, New Construction and New Equipment

- 15 02 01 Ductwork
- 15 02 02 Casework/element
- 15 02 03 Mechanical Penetrations
- 15 02 04 Unconditioned Spaces
- 15 02 05 Testing
- 15 02 06 Exterior Vents
- 15 02 07 Controls and Thermostats
- 15 02 08 Sound and Vibration Isolation
- 15 02 09 Maintenance Utilities
- 15 02 10 Sealing
- 15 02 11 Balance Ventilation
- 15 02 12 Filters
- 15 02 13 Electrical Rooms

While discouraged, if combustion heating is proposed, appliance shall be sealed with external combustion air.

15 03 HVAC, Renovation and Rehabilitation

- 15 03 01 Air Conditioning
- 15 03 02 Bathroom Fans
- 15 03 03 Exhausts
- 15 03 04 Existing Heating Systems
- 15 03 05 Finned Tube Radiation

15 04 Heating Systems

- 15 04 01 All Electric Heat Pumps
 - A Type
 - B Capacity
 - C Snow Considerations
 - D Alternative Systems
 - E Hardship Request
- 15 04 02 Electric Resistance Heat
- 15 04 03 Motors and Pumps
- 15 04 04 Controls
- 15 04 05 Unoccupied Zones
- 15 04 06 Equipment Placement

15 05 Domestic Hot Water Supply

- 15 05 01 All Electric Ready
- 15 05 02 Water Heater
- 15 05 03 All Electric Heat Pump Water Heaters
 - A Type
 - B Capacity
 - C Snow Considerations
 - D Refrigerant
- 15 05 04 Electric Resistance Water Heaters
- 15 05 05 Hybrid Heat Pump Type Water Heaters
- 15 05 06 System Design
- 15 05 07 Water Quality

15 06 Plumbing

- 15 06 01 Water Conservation
- 15 06 02 Exterior Walls
- 15 06 03 Main Shutoff
- 15 06 04 Hose Bibs
- 15 06 05 Supply Piping Installation
- 15 06 06 Accessible Units
- 15 06 07 Acoustic Insulation
- 15 06 08 Vent Stacks

15.06.09	Sink, Shower, and Tub Faucet Hardware				
15.06.10	Toilet Fixtures				
15.06.11	Accessible Bathrooms and Kitchens				
15.07 Laundry Facilities					
15.07.01	General				
15.07.02	Gas Dryers				
15.07.03	Dwelling Unit Laundry				
15.07.04	Scattered Site Properties				
15.07.05	Water Damage Protection				
15.07.06	Stacked Laundry Equipment				
Division 16 - Electrical					
16.01 Power Supply System					
16.01.01	All Electric Ready				
16.01.02	Service				
16.01.03	Meters				
16.01.04	Existing Components				
16.01.05	Existing Service Entrance				
16.01.06	Commercial Devices				
16.01.07	Low Voltage Lighting				
Per Code	Metering				Provide individual apartment metering in developments exceeding 10 dwelling units, per RI State Law.
16.02 Lighting and Convenience Outlets					
16.02.01	Switches				
16.02.02	Convenience Outlets				
16.02.03	Emergency Lighting				
16.02.04	Lighting Fixtures				
A	Every Habitable Room				
B	Stairways within Dwelling Units				
C	Common Stairways/Hallways				
D	Exterior Stairs				
E	Dining Areas				
F	Bathrooms				
G	Kitchens				
H	Closets				
I	Building Security				
Per Code	Commissioning				Provide commissioning of lighting controls system, per code.
16.03 Telecommunications					
16.03.01	Telephone				
16.03.02	Cable/Data				
16.04 Security					
16.04.01	Security Plans				
16.04.02	Emergency Call Systems				
16.04.03	Security Systems				
16.05 Doorbells and Intercoms					
16.05.01	Scoping				
16.06 Fire Alarms					
16.06.01	General				
16.06.02	Visual and Hearing Impaired Units				
Division 21 - Fire Suppression					
21.01 Sprinklers					
21.01.01	General				
A	Verification				
B	Scoping				
C	Concurrence				
D	Escutcheon Plates				
E	Sprinkler Heads				

Chapter 7 – Supplementary General Conditions

7A – Project Specifications

The following are to be incorporated into the project specifications:

- 1 The Owner and Contractor acknowledge and understand that the work to be performed under this contract is to be financed by a construction loan to be secured by a mortgage. The terms of said loan are set forth in a Construction Loan Agreement between the Owner as a Borrower and RIHousing or another Construction Lender.
- 2 Changes in the Drawings and Specifications or any terms of the Contract Documents, or orders for extra work that add or delete from the work which will result in any construction cost change, or will change design, may be effectuated only with the prior written approval of the Owner and RIHousing and under such conditions as RIHousing may establish. RIHousing will allow the following combined overhead and profit for additional work resulting from approved change orders:
 - o To the General Contractor, for work performed by its own forces 12%
 - o To any Subcontractor, for work performed by its own forces 12%
 - o To any General Contractor, for work performed by its Subcontractor 8%

Note: All Change order requests must be submitted with itemized labor, materials, equipment and contract mark-ups for proper analysis. Mark-up on insurance is not allowed. The mark-up on bonds shall be limited to the percentage paid for the bond.

- 3 The date of substantial completion shall be the date RIHousing endorses the final Development Inspection Report (RIHousing Form HF-30 “Permission to Occupy”).
- 4 The Contractor shall attach to each request for payment its acknowledgment of payment and all subcontractor’s and suppliers’ acknowledgments of payment for work done and materials, equipment and fixtures furnished through the date covered by the previous payment. Concurrent with the final payment, the contractor shall execute a waiver or release of lien for all work performed and materials furnished thereunder, and the Contractor shall obtain similar waivers or releases from all subcontractors and suppliers.
- 5 Upon completion of construction, the Contractor shall furnish to the Owner an “as-built” survey showing the location of all improvements constructed thereon, and showing the location of all water, sewer, gas, electrical, and telephone lines and mains, storm sewers, and of all existing utility easements. Such survey shall be prepared by a licensed surveyor who shall certify that the work is installed and erected entirely upon the land covered by the Mortgage and within any building restriction lines on said land and does not overhang or otherwise encroach upon any easement or right-of-way of others.
- 6 The Contractor shall furnish and pay the premium for Performance and Payment Bonds equal to 100% of the contract price. Said bonds shall be in Dual Obligatee form to the Owner and RIHousing. In lieu of said bonds, a letter of credit equal to 15% of the total construction cost may be provided by a bank approved by RIHousing.
- 7 RIHousing and its agents or assigns, at all times during construction, have the right of entry and free access to the development and the right to inspect all work done and materials, equipment and fixtures furnished, installed or stored in and about the development.
- 8 RIHousing reserves the right to request one (1) copy of all approved shop drawings, catalog cuts, samples, etc.
- 9 RIHousing will be furnished one (1) copy of all change orders. The Owner and Contractor acknowledge and understand that funding of approved change orders during construction are the responsibility of the Owner and must be obtained from sources outside of the Mortgage Loan. RIHousing will have the exclusive right of determination.

- 10 The Architect will perform field inspection services of a nature and frequency determined by construction progress and sound professional judgment. Field inspections will encompass all disciplines (e.g. architectural, mechanical, electrical, site, etc.).
- 11 Field and laboratory testing service requirements to be paid for by the Contractor shall be incorporated into the technical specifications. These shall include, but not necessarily be limited to, soil compaction and analysis, concrete design, mix, concrete compression, pile load test. RIHousing shall be provided with copies of all test reports as these reports are available.
- 12 AIA Forms G702 and G703 (latest editions) will be utilized for Contractor requisitions.
- 13 Notwithstanding any agreements to the contrary between the Owner and the Contractor, the Lender will advance for construction monthly from mortgage proceeds 95% of the value of work in place (including fees), and material stored on the development site. With the concurrence of the Owner, and upon written request, the Lender will consider a reduction of the retainage percentage from 5% to 2.5% upon Substantial Completion of the work included in the contract. Retainage can be further lowered to 1% at Occupancy. Developments with multiple buildings shall be allowed to use these retainage provisions on a building by building and contractual basis.
- 14 Notwithstanding any agreement to the contrary between the Owner and the Architect, the Lender will advance requisitions for architectural services during the construction administration/ supervision phase in increments proportional to the Contractor's progress billings. In no event will the Supervising Architect be paid in full prior to development final completion and project close-out.
- 15 Construction Completion – Mortgagors of all developments must assume financial responsibility for the completion of construction. Any cost overruns shall be the sole responsibility of the mortgagor.
- 16 Cost Certification – Cost certification for the developer and general contractor must be submitted at the completion of the construction period prior to the final advance of funds.
- 17 In-state Subcontractor Requirements – A minimum of fifty percent (50%) of the value of the construction contract shall be awarded to Rhode Island construction firms. A Rhode Island construction firm shall be defined as a contractor/subcontractor whose place of business is located in the State of Rhode Island and is registered and/or licensed in the State of Rhode Island.
- 18 Non-Resident (Out of State) Contractor Tax Compliance – Notwithstanding anything herein to the contrary provided, in the event that any contractor or subcontractor is a “non-resident contractor” as that term is used in Section 44-1-6 of the General Laws of Rhode Island, as amended, Lender shall withhold 3% of the cumulative value of these contracts until such time as the Borrower has complied with the provisions of this Section. All non-resident (out of state) contractors or subcontractors shall be required to furnish a “No Tax Due” affidavit issued by the R.I. Division of Taxation as evidence of compliance with this law.
- 19 For projects that have received funds generated from state and Local Fiscal Recovery Funds, the following section will be applicable:

American Rescue Plan Act (“ARPA”) Reporting and Maintenance of and Access to Records: Owner and Contractor agree to comply with any reporting obligations established by RIHousing and Treasury as they relate to use of ARPA and State and Local Fiscal Recovery Funds (“SLFRF”). Owner and Contractor shall maintain records and financial documents sufficient to evidence compliance with Treasury regulations implementing ARPA, and guidance issued by Treasury regarding ARPA. RIHousing, the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Owner and Contractor in order to conduct audits or other investigations. Records shall be maintained by Owner and Contractor for a period of five (5) years. Owner and Contractor's reporting obligations shall include, without limitation, reporting on the following:

 - A To the extent applicable, certification that all laborers and mechanics employed by contractors and subcontractors for such projects are paid wages of at least the prevailing wage rate as determined by the U.S.

Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. Chapter 31, Subchapter IV) as applicable to Rhode Island.

If such certification is not provided, Owner and Contractor must provide a project employment and local impact report detailing each of the following:

- o The number of employees of contractors and subcontractors working on the project;
 - o The number of employees on the project hired directly and hired through a third party;
 - o The wages and benefits on the project by classification; and
 - o Whether those wages are at rates less than those prevailing.
- B To the extent applicable, a certification that a project includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

If such certification is not provided, the Owner and Contractor must provide a workforce continuity plan detailing each of the following:

- o How the Owner and Contractor will ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project including a description of any required professional certifications and/or in-house training;
 - o How the Owner and Contractor will minimize the risk of labor disputes and disruptions that would jeopardize the timeliness and cost effectiveness of the project;
 - o How the Owner and Contractor will provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers; and
 - o Whether workers on the project will receive wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market.
- C Whether the project prioritizes local hires.
- D Whether the project has a Community Benefit Agreement, with a description of any such agreement.

7B – Equal Opportunity and Affirmative Action Rules and Regulations

Section 1 – Purposes of Procedures:

RIHousing has determined that a need exists to ensure that recipients of its funds under the Rental Housing Production Program do not discriminate in their hiring or contract practices on the basis of race, sex, national origin, age, religion, sexual orientation, handicap or status as a veteran. RIHousing has also determined that it is necessary to take affirmative action to eliminate the vestiges of past societal discrimination and to ensure equal employment opportunities and social advancements for minorities and women. These Rules and Regulations set forth requirements established by RIHousing to ensure non-discrimination and affirmative action by Developers, Contractors, and Subcontractors, and shall be construed and applied so as to accomplish the objective stated above.

Section 2 – Construction of Rules and Regulations and Definitions:

Unless otherwise defined herein or unless a different meaning is required from the context in which they are used herein, all words and terms used in these Rules and Regulations are as defined in the Act.

- 1 “Act” means the Housing and Mortgage Finance Corporation Act more particularly set forth in R.I.G.L. 42-55 as amended.

- 2 “Affirmative Action Officer” (AAO) means the individual(s) appointed by the Executive Director to serve as AAO under these Rules and Regulations.
- 3 “Board of Commissioners” means the Board of Commissioners of the RI Housing and Mortgage Finance Corporation.
- 4 “Contractor” means an individual, corporation or partnership retained by a Developer to serve as a general contractor or construction manager in the construction of a development.
- 5 “Corporate Office” means 44 Washington Street, Providence, Rhode Island 02903.
- 6 “Development” means a multi-family residential housing complex developed under the Program.
- 7 “Executive Director” means the Executive Director of RI Housing.
- 8 “Hearing Officer” means the individual or individuals appointed by the Executive Director to serve as a Hearing Officer under these Rules and Regulations.
- 9 “Minorities” or “Minority” means person or persons who is included in any of the following racial and ethnic categories:
 - a African American/Black – A person having origins in any of the black racial groups of Africa.
 - b American Indian or Alaskan Native – A person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.
 - c Asian or Pacific Islander – A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands.
 - d Hispanic/Latino – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- 10 “Minority and Female Owned” means businesses in which at least fifty-one percent (51%) of the ownership interest is held by, and which are managed and controlled by minorities and/or women, and which have obtained written certification thereof from the state in which their principal office is located or from such other governmental or non-governmental office, board, commission, department, agency or entity satisfactory to RI Housing.
- 11 “Mortgage Loan” means a loan made to a Developer for the purpose of providing construction or permanent financing, or both, for a Development.
- 12 “Program” means the RI Housing Rental Housing Production Program.
- 13 “Proposal” means a written proposal for the construction, development and/or rehabilitation of a development.
- 14 RI Housing means RI Housing and Mortgage Finance Corporation, a public corporation organized and existing under the Act.
- 15 “Developer” means corporations, individuals, joint ventures, partnerships, limited partnerships, trusts, firms, associations, or other legal entities or any combination thereof, whether organized for profit or not, qualified either to own, construct, acquire, develop or rehabilitate a Development.
- 16 “Subcontractor” means individuals, corporations, joint ventures, partnerships, limited partnerships, associations, or other legal entities retained by a Developer or Contractor to render services, or services and material in connection with the construction or rehabilitation of a Development.
- 17 “Suspension” means disqualification of a Developer from participation in RI Housing’s programs and suspension of Developer’s rights to disbursements from Mortgage Loan.
- 18 “Total Construction Cost” means the total funds expended on the construction or rehabilitation of the Development.

- 19 “Total Work Force Hours” means the total number of worker-hours expended on the construction or rehabilitation of the Development.

Section 3 – Affirmative Action Obligations:

- 1 Through affirmative action activities provided for herein, the developer and or contractor shall use all reasonable efforts to ensure that ten percent (10 %) of the Total Work Force Hours are provided by Minorities and women.
- 2 The Developer and or Contractor shall always use its best efforts to ensure that at least ten percent (10%) of the Total Construction Costs shall be paid to Minority and/or females Contractors and Subcontractors, or Minority and/or Female Owned Contractors and Subcontractors.
- 3 The Developer and or Contractor shall utilize Minorities and females, and Minority and Female Owned businesses, as Contractors and Subcontractors to the greatest extent practicable in the construction of the Development. The Developer and or Contractor shall include a statement regarding its non-discriminatory and affirmative action policies in all solicitations for Contractors and Subcontractors issued in connection with the Development.
- 4 The Developer and or Contractor shall maintain records relating to all such solicitations, all responses received to solicitations (specifically identifying responses received from Minority and Female Owned businesses), and all awards made based on such solicitations and the reasons therefore. The Developer and or Contractor shall provide RIHousing with a schedule of anticipated awards to be made to Minority and Female Owned Contractors and Subcontractors prior to the initial closing of the Mortgage Loan.
- 5 Contractual Obligations – All contracts with a contract price of \$50,000.00 or more executed in connection with the Rental Housing Production Program development shall:
 - 6 Post a written notice of at least 8 inches by 11 inches in size in a conspicuous place in its principal office stating that it is an equal opportunity employer and does not discriminate on the basis of race, sex, national origin, age, religion, sexual orientation, handicap or status as a veteran;
 - 7 Abstain from harassment, intimidation and coercion of employees based on race, sex, national origin, age, religion, sexual orientation, handicap or status as a veteran;
 - 8 Establish and maintain a current list of recruitment sources for Minority and female employees, provide written notification to such sources of employment opportunities, and maintain a record of each organization’s response to each such notification;
 - 9 Maintain a record of the name, address and telephone number of each Minority and female applicant for employment, which record shall contain a statement regarding the action taken with respect to the application;
 - 10 To the extent feasible, participate in area-based training programs for Minorities and women;
 - 11 Provide notice of its obligations under these Rules and Regulations to any union(s) with which it has entered a collective bargaining agreement, and to entities regularly conducting training programs within the area of its principal place of business, and request the assistance of such unions and entities in its compliance with these Rules and Regulations;
 - 12 Include a statement of its non-discriminatory practices in any company manuals, collective bargaining agreements it enters, and company newspapers or newsletters it produces;
 - 13 Notify the Developer in writing when signatory unions and bargaining agreements it has entered prohibit or deter its equal employment and affirmative action recruiting activities;
 - 14 Ensure that all facilities and activities under its control are non-segregated, except for the segregation by sex of toilet and changing facilities;

- 15 Where feasible, employ Minority and female workers in summer employment and on-the-job training programs;
- 16 Take such other steps as necessary to ensure that equal employment policies are implemented, and that recruitment job classifications and other employment procedures do not have a direct, or indirect discriminatory effect on Minority or female employees or applicants.

Section 4 – Preliminary Information:

Once funds have been reserved for a Rental Housing Production Program development, the AAO shall provide the Developer with a summary of the equal opportunity and affirmative action requirements contained in these Rules and Regulations, and a list of Minority and female contractors. Said list was compiled by the State of Rhode Island and amended by RIHousing.

Section 5 – Pre-Construction Conference:

At the Pre-Construction Meeting, RIHousing shall discuss the requirements of these Rules and Regulations and the Developer's affirmative action goals for the Rental Housing Production Program development with the Developer and all contractors chosen as of that date.

Section 6 – Utilization Reports:

The Developer shall submit to RIHousing monthly, a report of the total construction cost as of the date of said report, and shall specify therein, the total amount paid to Minority and female contractors and subcontractors or Minority and Female Owned contractors and subcontractors.

Section 7 – Review Conference and On-Site Inspections:

RIHousing may, anytime during construction or rehabilitation of a development, conduct such on-site inspection(s), reviews of the Developer's records and all contracts relating to the development, and conferences with Developer, contractors and subcontractors as it deems necessary to ensure compliance with these Rules and Regulations.

Section 8 – Report of Discrimination Charges Filed:

The Developer shall promptly notify RIHousing, in writing, of any charges it becomes aware of which have been filed with the Rhode Island Commission of Human Rights, the United States Equal Employment Opportunity Commission or any other agency alleging discrimination by the Developer, or any Contractor or Subcontractor in connection with the development.

Section 9 – Suspension of Developers and/or Contractors:

- 1 Generally – Suspension is a measure which may be invoked by RIHousing either to exclude or to disqualify a Developer and/or a Contractor from participation in any of the RIHousing's programs. Suspension shall be used to ensure compliance with these Rules and Regulations and not for punitive purposes. The exclusion or disqualification of a Developer and/or a Contractor from participation in RIHousing's programs, and the reconsideration of such measures, shall be based upon all available evidence and facts. Investigations required to accumulate such facts and evidence shall be conducted by the AAO or by such other individuals as may be designated by the Executive Director from time to time.
- 2 Notice of Violation – In the event that it is determined that a Developer and/or a Contractor is in violation of these Rules and Regulations, the AAO shall notify the Developer and/or a Contractor of such violation(s) in writing by certified or registered mail. Said notice shall: specify the violation(s); request the developer and/or

contractor to correct the violation(s) within fifteen (15) business days from receipt of said notice; and inform the Developer and/or Contractor of possible suspension for failure to rectify the violation(s) within said period. The Developer and/or Contractor shall, within the allotted time, rectify the violation(s) and provide evidence of compliance satisfactory and acceptable to the AAO. In the event the Developer and/or Contractor fails to rectify the violations and produce sufficient evidence of compliance, the AAO may recommend to the Executive Director that the Developer and/or Contractor be suspended.

- 3 Suspensions – The Executive Director shall review all findings and recommendations of the AAO and may suspend any developer and/or contractor who fails to comply with these Rules and Regulations. Said suspension shall be in full force and effect until the Developer and/or Contractor can demonstrate, to the satisfaction of the Executive Director, that the violation(s) has been corrected and that steps have been taken to insure future compliance with these Rules and Regulations.
- 4 Effects of Suspension – The Developer and/or Contractor may not obtain any advances or payments due under any existing loan agreement with RIHousing nor participate in any RIHousing programs. The Executive Director may waive these limitations if it is determined that the limitations will adversely affect the community to be served, the development/proposal has some unique value or that the limitations are not in the best interest of the public.
- 5 Notice of Suspension – The Developer and/or Contractor shall be served by certified mail, return receipt requested, with a written notice of suspension within five (5) days prior to the effective date of the suspension. The notice shall state: the basis for the suspension; that the suspension is effective until compliance has been documented; that the Developer and/or Contractor may not participate in any program of RIHousing during the term of the suspension; that all rights of the Developer and/or Contractor under all loan agreements with RIHousing shall be suspended until reinstatement of the Developer and/or Contractor; and, that the Developer and/or Contractor may request a hearing and be represented by counsel at the hearing.

Section 10 – Hearings:

- 1 Requests for Hearings – The Developer and/or Contractor may request a hearing on the suspension and may be represented by counsel at the hearing. The hearing request shall be made in writing, addressed to RIHousing at the Corporate Office and to the attention of AAO. The Developer and/or Contractor shall have ten (10) days from receipt of notification of suspension to request a hearing. If no request is received by RIHousing within the time period, the Developer and/or Contractor shall be deemed to have waived its right to be heard, and final action on the proposed suspension may be taken.
- 2 Notice and Procedures – Upon receipt of a request for a hearing, the AAO shall arrange a prompt and timely hearing. Notice of the time and place of such hearing shall be in writing, and delivered to all interested parties by certified mail, return receipt requested, together with a statement indicating the nature of the proceedings. All hearings shall be conducted in accordance with Section 42-35 of the General Laws of the State of Rhode Island of 1956, as amended, by a Hearing Officer. All witnesses shall testify under oath or affirmation and shall be subject to cross-examination.
- 3 Determination by Hearing Officer in Suspension Hearings – The Hearing Officer shall make a written determination and recommendation to the Executive Director based on all evidence presented at the hearing. All interested parties shall be notified of said determination by certified mail, return receipt requested. The Executive Director shall review the findings of the Hearing Officer and issue a final determination on suspension of the Developer and/or Contractor within thirty (30) days from the date of the hearing. Notice of the Executive Director's determination shall be given to all interested parties in writing, signed by the Executive Director and transmitted by registered mail, return receipt requested.
- 4 Powers of Hearing Officer – While conducting hearings, the Hearing Officer shall have all powers necessary to conduct hearings in an expeditious and fair manner. The powers of the Hearing Officer shall include, but not be limited to, the power to:

- a Hold conferences to settle, simplify, or fix the issues in a proceeding, or to consider other matters that may aid in the expeditious disposition of the proceeding by consent of the parties or upon his own motion;
- b Require parties to state their position with respect to the various issues in the proceeding;
- c Require parties to produce for examination those relevant witnesses and documents under their control;
- d Rule on motions and other procedural items on matters pending before him/her;
- e Regulate the course of the hearing and conduct of the participants therein;
- f Receive, rule on, exclude, or limit evidence, and limit lines of questioning of testimony which are irrelevant, immaterial or unduly repetitious;
- g Fix time limits for submission of written documents in matters before him/her;
- h Impose appropriate sanctions against any party or person failing or refusing to follow or to obey an order under these procedures which sanctions may include;
- i Refusing to allow the party to support or oppose designated claims or defenses, or prohibiting him/her from introducing designated matters in evidence,
- j Excluding all testimony of an unresponsive or evasive witness,
- k Expelling any party or person from further participation in the hearing.
- l Take official notice of any material fact not appearing in evidence in the record, which is among the traditional matters of judicial notice.

Section 11 – Rescission and Reinstatement:

The Developer and/or Contractor against which a suspension has been invoked may request reinstatement in writing. Reinstatement proceedings shall be conducted by the AAO. All recommendations of the AAO for reinstatement shall be submitted to the Executive Director for final approval. Reinstatements may only be granted upon the determination that the matter or matters resulting in suspension have been rectified, and that the suspended party shall comply with all requirements of these Rules and Regulations in the future. When a suspension has been rescinded, the Executive Director shall forward notice of reinstatement to the Developer and/or Contractor by certified mail, return receipt requested.

Section 12 – Substitute Policies or Procedures:

A Developer and/or Contractor subject to other equal employment and affirmative action laws, regulations, procedures or policies (“Substitute Regulations”) of any federal or state agency, board or commission may request that RIHousing accept compliance with such Substitute Regulations in lieu of compliance with these Rules and Regulations if such Substitute Regulations are substantially similar to the requirements of these Rules and Regulations. All such requests shall be made in writing to the Executive Director of RIHousing and shall set forth the requirements of such Substitute Regulations. All decisions of the Executive Director regarding such Substitute Regulations shall be final and binding on the parties.

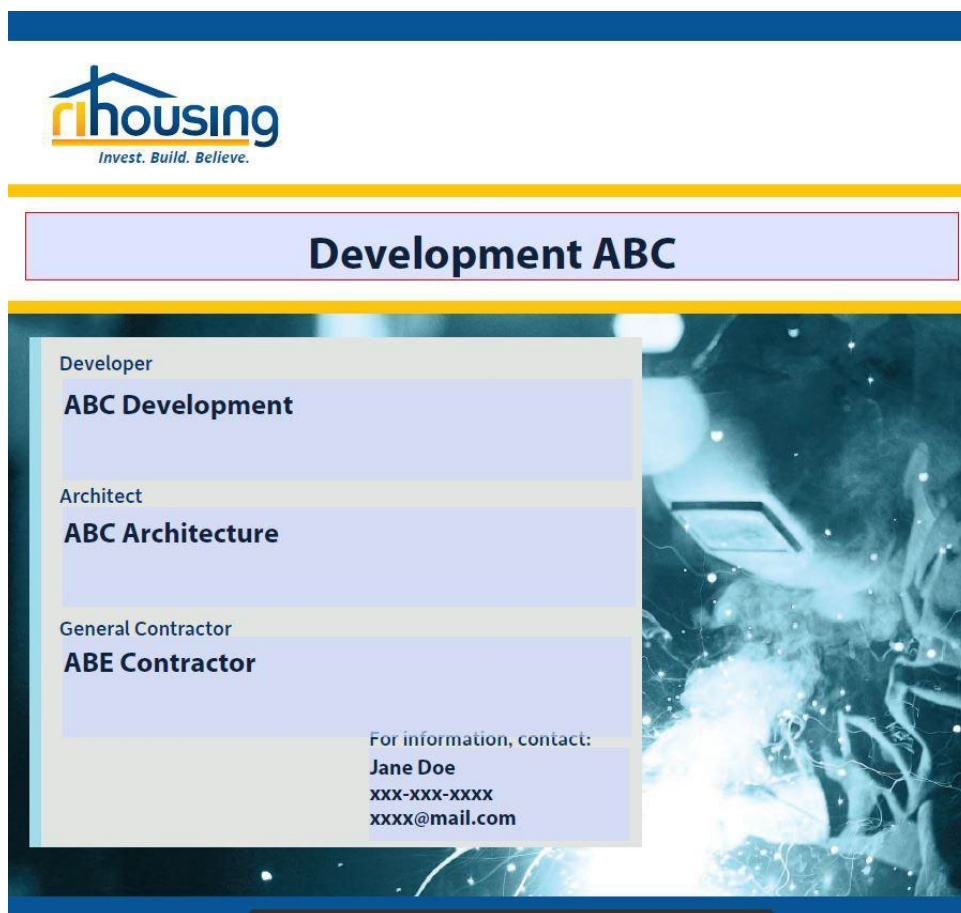
NOTE: Projects with Federal Funding will require additional supplementary conditions pertaining to Section 3 Reporting and may require Davis Bacon reporting requirements.

7C – Development Sign Specifications

We require that a development sign be displayed at each job site in order to provide proper development identification and furnish information to assist prospective residents. A layout of the mandatory design is below.

Prior to the start of construction, the Contractor and/or the Developer shall contact the Development Officer for the development to order the development sign. RIHousing will design and order the development sign for installation. The contractor is responsible for installing the development sign provided by RIHousing at the development site. Contractors will be billed for the cost of the development sign and should budget at least \$1,000 for the sign. Contractors and developers should contact RIHousing for the most current signage pricing.

In addition, the sign shall be placed not less than 36” from grade, with no obstructions between sign and adjacent public ways. Signposts shall be 4’ x 4’ with horizontal bracing as needed. The sign location must be approved by RIHousing. Developers may erect an additional sign, but its location must be more than 10’ from the RIHousing sign.



7D – Lead Hazard Reduction Policy

Any building constructed prior to 1978 may have lead-based paint (LBP). Sponsors seeking financing from RIHousing will be required to have appropriate testing of painted surfaces performed, and if positive results are obtained, will be required to perform lead hazard reduction and/or abatement in accordance with the most stringent state or federal requirements.

All units receiving financing from RIHousing must comply with the State of Rhode Island Rules and Regulations for Lead Poisoning Prevention. In all cases involving work on existing buildings, lead-safe construction techniques shall be utilized. Demolition and rehabilitation work creates potentially dangerous situations for workers as well as children living in abutting properties. Therefore, construction work financed by RIHousing will be expected to comply with state law, Rhode Island Department of Health Regulation Lead Poisoning Prevention (216-RICR-50-15-3) of RI General Laws Chapter 23-24.6 PB and federal regulation under Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, Title X regarding lead-safe hazard reduction.

<https://rules.sos.ri.gov/regulations/part/216-50-15-3>

7D.1 – Projects Not Utilizing Federal Funds

All units financed through RIHousing with only state funding and no HUD funds in the project will be subject to the following minimum lead clearance standards depending on the type of construction:

- o All new construction: analytical testing to determine lead in soil and water supply lines; units are assumed to be lead-free.
- o Mixed new construction and rehabilitation: lead-safe or Full lead safe (formerly known as lead-free) certificates for all units and common areas, building exterior, soil and water supply lines.
- o Rehabilitation: lead-safe or Full lead safe (formerly known as lead-free) certificates for all units and common areas, building exterior, soil and water supply lines.

Lead-safe or Full Lead-Safe Certificate (formerly known as Lead-free certificates) must be issued for all units and common areas, building exterior, soil and supply line water prior to tenant occupancy.

The following types of properties may be exempt from this regulation. However, RIHousing will assess if a property is exempt on a case-by-case basis.

- o Housing built after 1978 (when lead paint was banned for residential use).
- o Housing exclusively for the elderly or people with disabilities unless a child under age 6 is expected to reside there.
- o Zero-bedroom dwellings, including efficiency apartments, single-room occupancy, or dormitory housing, unless a child under the age of 6 is expected to reside there.
- o Property that has been found to be free of lead-based paint by a certified environmental lead inspector.
- o Unoccupied housing that will remain vacant until it is demolished.
- o Non-residential property.
- o Any rehabilitation or housing improvement that does not disturb a painted surface.

Units determined to have lead hazards may be eligible for State and Federal Lead Hazard Reduction funding. Contact RIHousing at 401-450-1350 to discuss eligibility. All lead hazard reduction work must be performed in accordance with state law and the Rhode Island Department of Health Regulation R 23-24.6 PB, which requires the use of state-licensed lead contractors and inspectors.

Note: For general lead related questions or questions related to the rehabilitation of public housing and Section 8 related rehabilitation, please contact Christine Hunsinger (chunsinger@rihousing.com) for more information on the additional HUD LBP standards required under Part 35.

7D.2 – Projects Utilizing HOME and/or other Federally Funded Programs

In addition to meeting State requirements as stated above, Sponsors seeking financing or assistance through federally funded programs must also comply with federal regulations at §24 CFR Part 35 <https://www.ecfr.gov/current/title-24/subtitle-A/part-35> . For RIH administered funds, this includes HUD-funded project-based and tenant-based rental assistance as well as HOME, the Housing Trust Fund (HTF) and other programs used to fund the acquisition, rehabilitation or construction of affordable housing.

For HOME and HTF funded rehabilitation of housing, pre-1978 properties that are not determined to be exempt are subject to the HUD LBP standards at 35.900 - .930, which requires (beyond State lead requirements):

- o Risk assessments of the entire property by a certified risk assessor (when federal rehabilitation assistance exceeds \$5,000 per unit).
- o Abatement of lead hazards by a certified abatement contractor (when federal rehabilitation assistance exceeds \$25,000 per unit); and
- o Clearance under federal standards.

For questions about our HOME and HTF lead hazard reduction policy contact Tony A’Vant (401-457-1103) or (tavant@rihousing.com).

Chapter 8 – Environmental Guidelines

Environmental concerns have recently emerged as one of the most potentially serious problems facing the real estate industry. Recognizing this, RIHousing finds it necessary to establish policy guidelines to be followed in connection with its underwriting and administrative processes applicable to the Rental Housing Production Program. These guidelines are intended to address, but not necessarily be limited to, RIHousing's concern with the environmental effects of the following:

- o Hazardous waste deposits
- o Lead based paint
- o Asbestos
- o Radon
- o Underground storage tanks (UST's)
- o Noise pollution
- o Air Quality
- o Ground water quality
- o Mold
- o Polychlorinated biphenyl (PCB's)

APPLICATION – All applications for financing must include a signed statement from the Developer which shall include a disclosure of the Developer's knowledge of any past or present environmental impact on the proposed site, a summary of corrective action previously taken or proposed to be taken, if applicable and a list of authorities having jurisdiction (i.e. DEM, EPA, etc.).

RIHousing will routinely conduct a site inspection of each property submitted as part of its underwriting process. Part of this inspection will involve a physical survey of the site and abutting areas to identify any potential or suspicious environmental problems. Based on the conclusions of the survey, RIHousing will determine minimum requirements, if necessary, for further investigation and/or corrective action.

HAZARDOUS MATERIAL DEPOSIT – As lender, RIHousing will exercise due diligence to sufficiently satisfy itself that the loan collateral is free from any negative environmental impact. This will be accomplished by requiring (1) an environmental assessment of the property prior to Firm Commitment and (2) ongoing confirmation, subsequent to closing that the property is maintained in an environmentally sound manner.

The environmental assessment requirement will consist of the following:

- 1 An evaluation of any disclosures submitted by the Developer with the loan application.
- 2 An evaluation based on the observations made during RIHousing's site inspection.
- 3 A Phase I environmental site assessment based upon the ASTM E1527-21 standards.
- 4 Depending on the conclusions and recommendations of the Phase I assessment, a Phase II site assessment may be required. Both Phase I and II assessments are further described below.
- 5 Phase I Environmental Site Assessment (ESA) - The report must have been within the last 180 days (or 6 months). It can be updated between 6-12 months. A new report is required after 12 months.

A Phase I environmental site assessment is principally a screening process to quickly determine if sufficient information is available to clearly evaluate the environmental status of the property and focuses on: (1) a review of available documents; (2) interviews with persons familiar with site operations; and (3) a physical inspection of the site and adjoining properties. The site assessment must follow the most recently revised version of ASTM. In cases where the Phase I conclusions are of an adverse or questionable nature, a Phase II assessment is required. A Phase II assessment involves a more detailed site inspection and review of historical records. The purpose of this assessment is to determine the presence or absence of a questionable hazard (i.e. asbestos, lead, radon, mold, leaking UST, PCB) or

to quantify the extent of an observed or suspected hazard, such as ground water contamination. Based on the results and conclusions of the Phase II assessment, further testing and/or investigation may be necessary, usually to identify specific hazards and sources.

Both Phase I and II assessments must be performed by professionals qualified in the field of environmental consulting. Consultants shall demonstrate the firm's personnel have adequate and appropriate education and training to carry out the required tasks. In addition, consultants must be able to demonstrate successful experience in their areas of expertise, such as letters of reference, certification, or licensing by a professionally recognized or governmental authority, or successful completion of work of a similar nature to that proposed to be done. Unacceptable, for instance, would be a situation where a firm having experience only in asbestos abatement is proposed to perform ground water tests.

It should be noted that some properties may have conditions which are either acceptable (i.e., within established safe limits as determined by authorities having jurisdiction) or have been corrected in an approved manner but must be monitored for the term of the loan by instituting an operations and maintenance program (O & M program). An example of a condition requiring an O & M program is the confirmed existence of asbestos, the hazard having been corrected by approved encapsulation. While the danger from the asbestos material has been acceptably abated, measures must be undertaken to ensure that the protective covering is maintained in an undamaged condition and that people are made aware of the potential hazard. Such O & M programs will be required to be incorporated into any approved Management Plan.

The approved Management Plan and Management Agreement shall contain provisions requiring the agent to monitor and report any suspected environmental threat or condition which could have an adverse impact on the property or residents. In addition to notifying RIIHousing, all actions necessary to ensure that any known violations of applicable environmental statutes are reported to the appropriate local, state or federal authorities shall be taken.

LEAD SAFE HOUSING RULE – U.S. Department of Housing and Urban Development Office of Health Homes and Lead Hazard Control, Washington DC 20410 (www.hud.gov/offices/lead) Revised June 21, 2004. The Lead Safe Housing Rule applies to the Low-Income Housing Credit Program when the HUD Uniform Physical Conditions Standards (UPCS) are used by the state housing agency for monitoring purposes. The Lead Safe Housing Rule is part of the UPCS [24 CFR 5.703(f)]. Resources for information about lead hazards and prevention: (1) National Lead Information Center (800-424-LEAD, www.epa.gov/lead/nlic.htm): Information about lead hazards and prevention (EPA, HUD, CDC); (2) Lead Listing (www.leadlisting.org): Lists of certified firms, training providers, etc.; (3) Lead Regulations Hotline: 202-402-7698 and lead_regulations@hud.gov; (4) HUD lead website (www.hud.gov/offices/lead): Regulatory and guidance information, general lead information; and (5) EPA lead website (www.epa.gov/lead): Info about lead, lead hazards, and protective steps. Any building constructed prior to 1979 may have lead-based paint. Developers seeking financing from RIIHousing will be required to have appropriate testing of painted surfaces performed, and if positive results are obtained, will be required to perform lead-paint hazard reduction in accordance with the most rigid local, state or federal requirements.

All units receiving financing from RIIHousing must comply with the Rhode Island Rules and Regulations for Lead Poisoning Prevention. In all cases, lead safe construction techniques shall be utilized. Demolition and rehabilitation work creates potentially dangerous situations for workers as well as children living in abutting properties. Therefore, construction work financed by RIIHousing will be expected to comply with State law, RI Department of Health Regulation R 23-24.6PB and Federal regulations under sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, Title X regarding lead hazard reduction. HUD Lead Safe Housing Rule (24 CFR, Part 35) requires various levels of evaluation and treatment of lead paint hazards when federal money is used for rehabilitation of target. More information is available at: http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12347.pdf

In addition, On April 22, 2008, EPA issued [a rule requiring the use of lead-safe practices](#) and other actions aimed at preventing lead poisoning. Under the Renovation, Repair, and Painting Rule (RRP), beginning in April 2010, contractors performing renovation, repair and painting projects that disturb lead-based paint in homes, childcare facilities, and schools built before 1978 must be certified and must follow specific work practices to prevent lead contamination. Contracting firms must become certified with the EPA and must successfully complete an EPA-accredited renovator course for its workers.

In addition, all units financed through RI Housing programs will be required to achieve a minimum of lead-safe status as defined in Section c.1.0 of the Rhode Island Rules and Regulations for Lead Poisoning Prevention. All friction surfaces (i.e. windows and doors) shall be addressed by the lead hazard reduction methods, as defined in the RIDOH regulation 12.1(d). A lead-safe certificate is required for each unit prior to final disbursement of funds.

The following types of properties may be exempt from these regulations. However, RIHousing will assess if a property is exempt on a case-by-case basis.

Housing built after 1979 (when lead paint was banned for residential use).

- o Housing exclusively for the elderly or people with disabilities unless a child under age 6 is expected to reside there.
- o Zero-bedroom dwellings, including efficiency apartments, single-room occupancy, or dormitory housing, unless a child under the age of 6 is expected to reside there.
- o Property that has been found to be free of lead-based paint by a certified lead-based paint inspector.
- o Unoccupied housing that will remain vacant until it is demolished.
- o Non-residential property.
- o Any rehabilitation or housing improvement that does not disturb a painted surface.

RADON – Existing buildings proposed to be rehabilitated and proposed new construction sites shall be surveyed for the existence of radon levels exceeding the maximum safe limits as established by local, state or federal authorities. For those locations considered at risk due to elevated radiation, appropriate design and construction requirements will be imposed to mitigate the problem. Radon testing must be completed in strict conformance with HUD, EPA, Rhode Island Department of Health and RIHousing Requirements. Determination of any radon hazard with an acceptable remediation strategy will be made during the initial (preliminary) loan underwriting period.

UNDERGROUND STORAGE TANKS – Underground storage tanks (USTs) must be registered with the Rhode Island Department of Environmental Management (DEM) in accordance with current rules and regulations. It should be noted that USTs of any size which contain diesel oil must be registered. For USTs holding other materials, the requirement for registration depends on the tank size.

RIHousing requires that all USTs be pressure tested for integrity at least once per year or more frequently if required by other authorities having jurisdiction. Test results that show leakage in excess of the maximum allowed by local, state or federal requirements shall be promptly reported to RIHousing and DEM. Immediate corrective action shall be taken to ensure compliance with existing regulations.

NOISE POLLUTION – Based on the initial site inspection by RIHousing, a determination shall be made on the necessity to conduct a noise survey. Survey results that exceed the maximum acceptable noise readings established by local, state or federal standards will be mitigated, if possible, by incorporating appropriate design and construction requirements into the structure.

AIR QUALITY – The initial site inspection generally will determine the necessity of requiring an air quality survey; however, results of either a Phase I or II environmental site assessment could disclose factors or conditions which would indicate that an air quality study should be performed. As a rule, RIHousing will discourage the establishment or financing of developments in areas of demonstrated poor or unacceptable air quality.

GROUND WATER QUALITY – A determination of the potential hazard from substandard ground water shall be based on the conclusions of a Phase I or II environmental site assessment.

MOLD HAZARDS – A determination of the potential hazard of mold shall be based on the conclusions of a Phase I environmental assessment. If the Phase I assessment does not address mold hazards, then a separate environmental hazmat survey for mold will be required and all findings must be properly treated and/or abated.

POLYCHLORINATED BIPHENYL (PCBs) – A determination of the potential hazard and required abatement provisions for identified PCBs shall be based on the conclusions of a Phase I or II environmental site assessment.

These guidelines are intended to provide direction to the Developer/applicant and the remainder of the development team. They do not necessarily address each and every possible environmental situation or condition, which may be encountered. For any cases not specifically covered, RIHousing reserves the right to review and establish requirements on a case-by-case basis.

Nothing in these guidelines is to be interpreted as superseding or conflicting with applicable codes, laws, ordinances or regulations issued by legally established authorities.

Chapter 9 – National Housing Trust Fund (HTF) Rehabilitation Standards

9A – General

PURPOSE OF STANDARDS

- 1 The National Housing Trust Fund Rehabilitation Standards (known herein as the “HTF Standards”) are designed to outline the requirements for building rehabilitation for all RIHousing National Housing Trust Fund (HTF) funded multi-family housing projects. The HTF Standards are applicable to all RIHousing HTF-funded rehabilitation projects. The HTF Standards, though required specifically for the development entity in direct receipt of RIHousing HTF funding, are written to provide guidance to all relevant members of a project development team.
- 2 The goal of the RIHousing HTF program is to provide functional, safe, affordable and durable housing that meets the needs of the tenants and communities in which the housing is located. The purpose of the HTF Standards is to ensure that property rehabilitation puts each building in the best possible position to meet this goal over its extended life and that, at a minimum, all health and safety deficiencies are addressed.
- 3 If a project is out of compliance with the HTF Standards, the recipient shall bring to the attention of RIHousing staff the specific portion of the project that does not comply, stating the reasons for non-compliance. RIHousing staff will make a determination as to whether an exception to the HTF Standards shall be granted.

ADDITIONAL STANDARDS

- 1 Standards: In addition to the requirement that recipients of National Housing Trust Fund funding must conform to these HTF Standards, developments must also conform to RIHousing Development Standards’ (“RIH Standards”). Where conflicts exist between these HTF Standards and the RIH Standards, the most stringent standards shall apply. The HTF Standards and the RIH Standards include the following:
 - A The Housing Trust Fund Standards (HTF Standards) include three guidance documents:
 - **Segment 9A: General (this Exhibit)**
 - **Segment 9B (formally Exhibit A):** The Property Maintenance Code Inspection Form, also known as the “Inspectable Items and Observable Deficiencies form”.
 - **Segment 9C (formally Exhibit B):** The Capital Needs Assessment (CNA) Guidance.
 - 2 The implementation of the most stringent standards to the design and construction of the housing rehabilitation (Segment B1 above) is the responsibility of both the HTF recipient and RIHousing:
 - A HTF recipients are required to use both these HTF Standards, Exhibit A and Exhibit B of these HTF Standards, and the RIH Standards, as guides in developing construction documentation (in coordination with architects and engineers) to be included in project applications.
 - B RIHousing Design and Construction staff will review construction documents (required per § 93.301(a)(2)(iv) and § 93.301(b)(2) of HTF Regulations) to make sure that the most stringent standards have been applied to all design, construction and health and safety components of the project. The Design and Construction staff will use these HTF Standards to check the standards against the

referenced sections of the RIH Guidelines. The analysis of most stringent standards application will occur at the following project timeframe milestones:

- o The Scope and Cost Review process during the application review period;
- o Construction contract documents review process between preliminary award and funding commitment;
- o And all phases of inspection (required prior to processing funding requisitions, upon unit occupancy, etc.)

SCOPE OF WORK DETERMINATION

- 1 In developing scopes of work, HTF recipients will work with RIHousing to ensure that all requirements are satisfied under these HTF Standards (and its exhibits) and RIHousing Guidelines, and that the proposed scope of work meets the goals of Part I above.
- 2 RIHousing approval of all scopes of work is required in accordance with RIHousing standard practice as outlined in RIHousing Policy & Procedures for Project Underwriting.
- 3 While it is required that a project application include a preliminary scope of work, RIHousing staff will review and propose revisions to the scope of work between the preliminary award of HTF funds and the commitment of HTF funds to a project.

EXPECTED USEFUL LIFE / REHABILITATION SCOPE & CAPITAL PLANNING

- 1 In developing scopes of work on housing rehabilitation projects, HTF recipients will consider the remaining expected useful life of all building components with regards to building long-term sustainability and performance. Specifically, each building component with a remaining expected useful life of less than the applicable HTF period of affordability (30 years) shall be considered for replacement, repair or otherwise updated. Additionally, new building components with an expected useful life of less than 30 years shall be considered for future replacement (for entire expected useful life requirements, see Exhibit B, Appendix I).
- 2 The industry standard period for Capital Needs Assessments (CNAs) is 20 years; however, project CNAs must be updated every five years during the life of the project to ensure projected capital needs through the 30-year HTF affordability period are anticipated and planned for. The initial CNA will cover years 1-20. The first 5-year update will be done in year 5 and cover years 6-25. The second 5-year update will be done in year 10 and will cover years 11-30.
- 3 Once a scope of work has been developed by the HTF recipients and their development team, the HTF recipient must also develop a capital plan in compliance with RIHousing policy on Capital Needs Assessments. Whether or not a particular building component has been replaced, repaired or otherwise updated as part of the rehabilitation scope of work, all building components and major systems must demonstrate adequate replacement reserves funding to be viable for at least 20 years (the length of the capital plan), with subsequent updates every five years during the 30-year affordability period.
- 4 Example #1: Kitchen cabinets with a remaining useful life of 8 years may be permitted to remain in place and not included in the rehabilitation scope. However, adequate funding shall be demonstrated in the building capital plan to replace those cabinets in year 8 of the post-rehabilitation capital plan.
- 5 Example #2: If a building component such as a new roof is installed during the rehabilitation and this roof has an expected useful life of 25 years, it will not show up on the initial CNA as needing replacement during that 20-year period. However, since RIHousing requires updates of CNA's to be performed every 5 years, it will show up on the next 20-year CNA which will be performed in year 5 of the project and cover years 6-25.

During these 5-year CNA updates, the project reserve contributions will be reviewed to ensure all future capital expenditures articulated in the CNA are adequately funded through the 30-year affordability period.

- 6 Monthly replacement reserves contributions of at least \$25 per unit per month (pum) are required through the 30- year affordability period. If the initial 20-year CNA and capital plan (and/or any subsequent 5-year updates) indicate that replacement costs for the period exceed the amount generated by a \$25 pum contribution, a higher pum contribution will be required.
- 7 HTF recipients and their development teams should ensure that all building components are analyzed as part of a comprehensive effort to balance rehabilitation scope and capital planning in a way that maximizes long-term building performance as much as possible within the parameters of both development and projected operational funding available.

9B – National Housing Trust Fund (HTF), Property Maintenance Code Inspection Form

Segment 9B is designed to exceed the Rhode Island Property Maintenance Code SBC-6-2015 and the Uniform Physical Condition Standards (UPCS). The form, also called the “Inspectable Items and Observable Deficiencies form”, includes descriptions of the types and degrees of deficiency for each item that any HTF-assisted project must address, at a minimum. Deficiency categories are: minor (Level 1), major (Level 2) or severe (Level 3). If the housing is occupied at the time of construction or rehabilitation, any life-threatening deficiencies must be identified and addressed immediately, per the instructions noted herein. All other deficiencies found will need to be addressed in the project’s scope of work per coordinated review with RIHousing staff.

Notes to HTF Recipients on the Requirements/Directions in Using this Form:

- 1 Inspections using this form are required to be conducted on 10% of units (if development is in one building) or in at least 1-unit per building (if development includes multiple buildings).
- 2 HTF recipients are required to address Level 1, Level 2, or Level 3 Non Life Threatening deficiencies in the scope of work approved by RIHousing staff between preliminary award and commitment of funds (See Section V. Scope of Work Determination in HTF Rehab Standards document).
- 3 “NOD” means No Observed Deficiency and “NA” means that the inspectable item is not present in that unit/building. If there is no observed deficiency for that item, check mark the “NOD” box; if the inspectable item listed is not present at that site then check-mark “NA”.
- 4 One box must be checked for each observable deficiency row in this Form.
- 5 If there is a deficiency found at any level and the H&S (Health and Safety) column is grayed-out, then the deficiency is not considered a health and safety hazard. If the H&S column contains an “NL/T”, then a marked deficiency is non-life threatening and correction of that deficiency can be included in the scope of work.
- 6 Level 3 Deficiencies noted as Life Threatening (LT) Hazards in the H&S column of this report must be corrected immediately within 12 hours, if the housing is occupied. RIH requires a written response and completed work orders within 24 hours of repairs.
- 7 In instances in which the Level 1, 2 or 3 deficiency is grayed-out, then this level of deficiency is not applicable for that inspectable item for the Final Dictionary of Deficiency Definitions (link in

footer, below table).

- 8 In order to accurately categorize a deficiency as a "Level 1", "Level 2" or "Level 3" (including independent Health & Safety items), you must refer to the Final Dictionary of Deficiency Definitions (PASS) Version 2.3, dated 03/08/2000. This document can be found at https://www.hud.gov/sites/documents/DOC_26281.PDF
- 9 Additional clarification to these definitions is contained in the REAC PASS Compilation Bulletin which can be found at https://portal.hud.gov/hudportal/documents/huddoc?id=CompBullet4Ver2_31515.pdf

PLEASE NOTE: RIHousing will conduct an initial inspection to confirm the deficiencies that must be addressed and will conduct progress and final inspections to determine that work was done in accordance with work write-ups.

Inspectable Area: Site Page: of

Building Number: _____ Inspection Date: _____

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Uniform Physical Condition Standards – Comprehensive Listing

Inspectable Area: Building Exterior

Page: ____ of ____

Property ID/Name: _____

Building Number: _____ Inspection Date: _____

Inspectable Item	Observable Deficiency	NOD	Level				H&S
			1	2	3	NA	
Doors	Damaged Frames/Threshold/Lintels/Trim						NLT
	Damaged Hardware/Locks						
	Damaged Surface (Holes/Paint/Rusting/Glass)						
	Damaged/Missing Screen/Storm/Security Door						NLT
	Deteriorated/Missing Caulking/Seals						
	Missing Door						
Fire Escapes	Blocked Egress/Ladders						LT
	Visibly Missing Components						LT
Foundations	Cracks/Gaps						
	Spalling/Exposed Rebar						
Health and Safety	Electrical Hazards - Exposed Wires/Open Panels						LT
	Electrical Hazards - Water Leaks on/near Electrical Equipment						LT
	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable						LT
	Emergency Fire Exits - Missing Exit Signs						NLT
	Flammable/Combustible Materials - Improperly Stored						NLT
	Garbage and Debris - Outdoors						NLT
	Hazards – Other						NLT
	Hazards - Sharp Edges						NLT
	Hazards - Tripping						NLT
	Infestation - Insects						NLT
	Infestation - Rats/Mice/Vermin						NLT
Lighting	Broken Fixtures/Bulbs						
Roofs	Damaged Soffits/Fascia						
	Damaged Vents						
	Damaged/Clogged Drains						
	Damaged/Torn Membrane/Missing Ballast						
	Missing/Damaged Components from Downspout/Gutter						
	Missing/Damaged Shingles						
	Ponding						
Walls	Cracks/Gaps						
	Damaged Chimneys						NLT
	Missing/Damaged Caulking/Mortar						
	Missing Pieces/Holes/Spalling						
	Stained/Peeling/Needs Paint						
Windows	Broken/Missing/Cracked Panes						NLT
	Damaged Sills/Frames/Lintels/Trim						
	Damaged/Missing Screens						
	Missing/Deteriorated Caulking/Seals/Glazing Compound						
	Peeling/Needs Paint						
	Inoperable/Not Lockable						
	Security Bars Prevent Egress						LT

Inspectable Area: Building Systems Page: of

Building Number: _____ Inspection Date: _____

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			Level				
Inspectable Item	Observable Deficiency	NOD	1	2	3	NA	H&S
Health & Safety	Air Quality - Mold and/or Mildew Observed						NLT
	Air Quality - Propane/Natural Gas/Methane Gas Detected						LT
	Air Quality - Sewer Odor Detected						NLT
	Electrical Hazards - Exposed Wires/Open Panels						LT
	Electrical Hazards - Water Leaks on/near Electrical Equipment						LT
	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable						LT
	Emergency Fire Exits - Missing Exit Signs						NLT
	Flammable/Combustible Materials - Improperly Stored						NLT
	Garbage and Debris - Indoors						NLT
	Garbage and Debris - Outdoors						NLT
	Hazards – Other						NLT
	Hazards - Sharp Edges						NLT
	Hazards - Tripping						NLT
	Infestation - Insects						NLT
	Infestation - Rats/Mice/Vermin						NLT
Pools and Related Structures	Fencing - Damaged/Not Intact						
	Pool - Not Operational						
Trash Collection Areas	Chutes - Damaged/Missing Components						

Inspectable Area: Community/Public Spaces Page: of

Building Number: _____ Inspection Date: _____

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Inspectable Item	Observable Deficiency	NOD	Level				H&S
			1	2	3	NA	
Storage	Outlets/Switches/Cover Plates - Missing/Broken						LT
	Pedestrian/Wheelchair Ramp						
	Plumbing - Clogged Drains						NLT
	Plumbing - Leaking Faucet/Pipes						NLT
	Range Hood /Exhaust Fans - Excessive Grease/Inoperable						
	Range/Stove - Missing/Damaged/Inoperable						
	Refrigerator - Damaged/Inoperable						
	Restroom Cabinet - Damaged/Missing						
	Shower/Tub - Damaged/Missing						
	Sink - Missing/Damaged						NLT
	Smoke Detector - Missing/Inoperable						LT
	Stairs - Broken/Damaged/Missing Steps						NLT
	Stairs - Broken/Missing Hand Railing						NLT
	Ventilation/Exhaust System - Inoperable						
	Walls - Bulging/Buckling						
	Walls - Damaged						
	Walls - Damaged/Deteriorated Trim						
	Walls - Peeling/Needs Paint						
	Walls - Water Stains/Water Damage/Mold/Mildew						
	Water Closet/Toilet - Damaged/Clogged/Missing						
	Windows - Cracked/Broken/Missing Panes						NLT
	Windows - Damaged Window Sill						
	Windows – Damaged/Missing Screens						
	Windows - Inoperable/Not Lockable						NLT
	Windows – Missing/Deteriorated Caulking/Seals/Glazing Compound						
	Windows – Peeling/Needs Paint						
	Windows – Security Bars Prevent Egress						LT

Inspectable Area: Unit Page: of

Building Number: _____ Inspection Date: _____

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Inspectable Item	Observable Deficiency	NOD	Level				H&S
			1	2	3	NA	
Health & Safety (continue)	Garbage and Debris - Indoors						NLT
	Garbage and Debris - Outdoors						NLT
	Hazards - Other						NLT
	Hazards - Sharp Edges						NLT
	Hazards - Tripping						NLT
	Infestation - Insects						NLT
	Infestation - Rats/Mice/Vermin						NLT
Hot Water Heater	Misaligned Chimney/Ventilation System						LT
	Inoperable Unit/Components						NLT
	Leaking Valves/Tanks/Pipes						
	Pressure Relief Valve Missing						NLT
	Rust/Corrosion						NLT
HVAC System	Convection/Radiant Heat System Covers Missing/ Damaged						
	Inoperable						
	Misaligned Chimney/Ventilation System						LT
	Noisy/Vibrating/Leaking						
	Rust/Corrosion						
Kitchen	Cabinets - Missing/Damaged						NLT
	Countertops - Missing/Damaged						NLT
	Dishwasher/Garbage Disposal - Inoperable						
	Plumbing - Clogged Drains						NLT
	Plumbing - Leaking Faucet/Pipes						NLT
	Range Hood/Exhaust Fans - Excessive Grease/Inoperable						
	Range/Stove - Missing/Damaged/Inoperable						
	Refrigerator-Missing/Damaged/Inoperable						NLT
	Sink - Damaged/Missing						NLT
Laundry Area (Room)	Dryer Vent - Missing/Damaged/Inoperable						
Lighting	Missing/Inoperable Fixture						NLT
Outlets/Switches	Missing						LT
	Missing/Broken Cover Plates						LT
Patio/Porch/Balcony	Baluster/Side Railings Damaged						
Smoke Detector	Missing/Inoperable						LT
Stairs	Broken/Damaged/Missing Steps						NLT
	Broken/Missing Hand Railing						NLT
Walls	Bulging/Buckling						
	Damaged						
	Damaged/Deteriorated Trim						
	Peeling/Needs Paint						
	Water Stains/Water Damage/Mold/Mildew						
Windows	Cracked/Broken/Missing Panes						NLT
	Damaged Window Sill						
	Damaged/Missing Screens						
	Missing/Deteriorated Caulking/Seals/Glazing Compound						
	Inoperable/Not Lockable						NLT
	Peeling/Needs Paint						
	Security Bars Prevent Egress						LT

9C – RIH Housing Trust Fund (HTF) Program, Capital Needs Assessment (CNA)

Segment 9C is a tool for HTF recipients to plan for the long-term physical health of the affordable housing properties constructed or rehabilitated using HTF funding. The completion of a Capital Needs Assessment is critical to determining the scope of work, and thus in determining the project’s capital expenses. Further, the CNA is critical to determining the expected useful life of all building systems, and thus in determining the needed replacement reserves for maintenance expenses.

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This joint document has been developed by the Rhode Island Housing Finance Agency (RIHOUSING) as guidance for housing developers, asset managers and property managers that receive funding through the National Housing Trust Fund Program (and thus serve as HTF recipients). HTF recipients are required to conduct capital needs assessments as a tool for the long term physical health of affordable housing properties.

For the purpose of this document, capital expenses (also referred to as Physical Condition Assessments – PCAs) are considered expenses involving the replacement of building components over time. They are not annually recurring expenses and differ from routine building maintenance expenses in this way.

Definition of Capital vs. Maintenance Operating Expense

Capital Expense – Major capital improvements to maintain the physical integrity and upkeep of a property are usually funded from the Replacement Reserve account. Funds from this account should be restricted for uses consistent with the CNA unless otherwise approved by the funding agencies. Typical uses include: new appliances, heating equipment, hot water heaters, re-shingling roofs, exterior painting and repair, kitchen and bathroom fixtures, doors and windows, flooring, plumbing equipment, kitchen cabinetry, elevators, grounds maintenance equipment, major site-work modifications, septic/sewer line repair, sprinkler and alarm systems, electrical equipment, and similar improvements or replacements.

Maintenance Expense – any and all regular and recurring expenses associated with maintaining the physical integrity and upkeep of a property not otherwise considered a capital expense.

Turnover Expense – the costs of interior painting, cleaning and unit prep (exclusive of carpet, appliance and cabinetry replacement) should be maintenance expenses and not capital expenses.

Capital Needs Issues to Consider During the Development Process

Several critical areas play an important role in assuring both new and existing properties are able to meet future capital replacement costs. They include:

- o When acquiring and/or rehabbing an existing building, the scope of rehabilitation work and CNA must be in sync so that the CNA for a rehabbed property reflects the new infrastructure and systems. This will also result in establishing accurate replacement reserve deposit levels so reserves can accumulate prior to the need for replacement of building components.
- o Funds for completing the first post-construction or rehabilitation CNA should be included in the development budget.
- o Accurate assumptions in the development and underwriting phase are critical to a property's ability to fund reserves in the required amount. Income, expense and trending estimates must be realistic and based on experience of asset management staff using the most similar properties' actual history.

Pre-Capitalized Reserves and Completion of Initial CNA

- o The funding agencies strongly encourage and, in some cases, may require the capitalization of a replacement reserve account initially during the development stage in combination with required ongoing deposits in order to help match the future funds needed with actual replacement costs.
- o New loan/grant applications for existing buildings not undergoing substantial rehabilitation must include a CNA to support the budgeted reserve deposit levels. For the purpose of this document, substantial rehabilitation is defined as rehabilitation that involves the upgrading or replacement of the majority of building components to achieve a "like new" condition. Moderate rehabilitation is defined as selective replacement of building components that have come to the end of their useful life or are within five years of coming to the end of their useful life, or need to be upgraded to meet current building code requirements. In general, the cost of construction in a building undergoing moderate rehabilitation is less than 25% of the total development cost (consult with funders' staff on a case by case basis).
- o New construction and/or substantial rehab properties must also complete a Capital Needs Assessment as part of RIHousing's firm commitment due diligence process. If the CNA is provided prior to loan closing, the replacement reserve deposit levels in the operating budget should reflect the amount indicated in the CNA.

General CNA Report Requirements

- o Initial CNAs on all projects must be completed by an approved third party who does not have an identity of interest relationship with the HTF recipient.
- o Initial CNAs on projects that are not new construction or substantial rehab must not be older than two years of the loan application date. Site inspection must confirm that project's physical condition is consistent with the findings of the CNA.
- o Each CNA report must cover a period of 20 years for both existing (rehab.) projects and new construction.

- o Each CNA report must include a cash flow model, in spreadsheet format, providing an analysis of existing capital reserves and a detailed year by year schedule of expected repairs and replacement costs incurred. An inflation factor that is consistent with actual experience and historical data shall also be built into future replacement cost projections. It is recommended that an electronic copy of the spreadsheet be provided to the HTF recipient so that it can be used as an interactive record of capital costs and reserve balances moving forward.

CNA Updates

Each CNA must be updated every five years for the life of the project. Updated CNAs should be incorporated into the yearly annual budget process as an integral part of capital planning and should reflect any changes in federal, state or local codes which may impact on future capital needs.

HTF recipients will have two options for fulfilling the requirement for five year CNA updates:

Option one: HTF recipients will hire a third party approved CNA provider to provide a new/updated CNA every five years.

Option two: HTF recipients who show the interest and capacity (in the opinion of funders) to perform an “in house” CNA review and update will be permitted to do so at the 5, 15, 25, etc. year review period. The requirement for a formal third party CNA will be for years 1, 10, 20, etc. HTF recipients wishing to pursue Option two shall perform the following:

- 1 Submit a letter of intent to the Asset Management Staff of your funding agency outlining the property to be reviewed, the name(s) of the in house staff tasked with performing the review, the qualifications of this/these staff member/s to perform a CNA review, and the current reserve balance surplus/shortfall projection based on the previous formal third party CNA which is to be reviewed and updated.
- 2 In house staff in performing the CNA review/update shall assess all appropriate building systems. Estimated Useful Life (EUL) estimates provided with these guidelines together with on-site experience and other sources shall be utilized to extend the review period an additional five (5) years maintaining a 20 year projection time horizon.
- 3 Upon completion of the update/review process a report shall be submitted to RIHousing Development staff outlining the findings of the CNA update/review together with a projection spreadsheet reflecting the new extended 20 year time horizon. This report shall be reviewed and signed by the HTF recipient’s Director of Asset Management (or equivalent) as well as by the HTF recipient’s Executive Director.

Required Components of a Capital Needs Assessment (CNA)

An effective CNA is composed of the following elements:

The inventory component must include all of the building systems, not just those that may require attention during the 20 year report period. Any item that has recently been replaced, and may not be expected to need attention again for the next 20 years or more, should still be listed for reference. If the assessor has made an assumption that a particular item represents an operating cost concern, the analysis should be shown to facilitate discussion and remediation.

Each system or item included must have its age identified. In older properties, ages of components may not coincide with the development’s age. Ages may vary widely between items and even across a single item. i.e., Unit flooring may have been installed over a five-year period, which began eight years ago.

Expected useful life (EUL) estimates are the key to replacement timing. Capital planning is built on the idea that even systems that operate properly now will eventually fail. EULs should be adjusted from the norms found in various tables to the actual conditions at each development. EULs should be adjusted for climate, original materials and installation, maintenance practices, and resident demographic profiles. For example, elderly and family occupancy

present different issues. Tables for typical estimated useful life cycles may be found on the Fannie Mae website and are attached as Appendix I of this document.

Cost estimating is a critical part of capital planning and the CNA consultant should take into account replacement costs adjusted for the local area. The ability to adjust costs for individual building circumstances and the relative purchasing power of the HTF recipient are equally important. *RS Means* and *Marshall and Swift* are reliable resources for this information.

A detailed year-by-year cost summary of all of the anticipated capital needs should list not only how much needs to be spent but when. While a steady level may be desirable from a financial viewpoint, peaks and valleys will more accurately describe the real needs of the property, especially at single-building developments.

Narrative presentations should describe the current condition, maintenance history, and the rationale behind the consultant's cost and timing decisions, therefore, an Executive Summary is especially helpful. Narratives allow for a description of the cause of current problems, details on location of problems, or discussion of alternatives like rebuilding a pump motor instead of replacing the whole pump.

Photographs are required and are an invaluable tool when the report has a non- technical audience or is shared with a third party. These readers may never have been in a boiler room or crawl space and may be unfamiliar with technical terms. Photographs can also support the findings and recommendations of the consultant. Showing the extent of the siding damage or the width of the foundation cracks can overcome a lot of resistance.

Capital Need Assessments must incorporate plans to install or maintain required building code requirements and improvements required under ADA, Section 504 and/or Fair Housing Guidelines.

Optimum Energy Efficiency is critical. In today's escalating and volatile utility markets, properties must be as energy efficient as possible and meet the highest standards possible to assure long-term operating sustainability. Recommendations on energy and utility efficiency improvements must be included as an essential part of the CNA. RHODE ISLAND Energy Conservation Code SBC-8-2013 and RIHousing Sustainability Standards and Water Conservation Standards, which can be found in RIHousing HTF Rehabilitation Standards, Section VII-C should be used as a frame of reference in achieving optimum energy efficiency.

RIHOUSING shall evaluate past and current operating and maintenance practices for consistency with the project's operating pro forma and most recent CNA, and to ensure practices are consistent with the findings of the most recent physical inspection.

Life Safety Issues. The CNA must report the presence of potentially hazardous materials, waste or toxic substances including but not limited to the presence of mold, asbestos, lead, urea formaldehyde, etc. if observed.

Most importantly, the CNA must evaluate existing capital reserves and annual contributions to reserves against the long-term spending plan. This analysis, presented as a spreadsheet cash flow analysis, will indicate the optimum annual contribution to reserves in a way that can be convincingly presented to funding agencies. The reserve plan should reflect real life constraints that are at odds with making the "optimum" contribution. Please go to www.on-site-insight.com, or [Forms | Fannie Mae Multifamily](#) for detailed information and an example of acceptable CNA formatting.

Requirements of a Capital Needs Assessment Consultant

The CNA Consultant must meet minimum qualifications, professional education, training and experience to perform site visits and prepare CNA reports.

Professional Experience

- o CNA Consultant, its personnel and subcontractors must be independent third-parties, unrelated to, and not have any financial or economic interest in the property; or

- o CNA Consultant must not be an affiliated entity of the HTF recipient unless previously approved by RIHOUSING.
- o CNA Consultant must not be under suspension or debarment by HUD or Fannie Mae, involved as a defendant in criminal or civil action with HUD or Fannie Mae, and not be an Federal Housing Finance Agency (FHFA) prohibited party.
- o Five years of professional experience in one or more of the following disciplines:
 - architecture;
 - engineering (structural, mechanical or civil); or
 - Construction management and cost estimating (which may include cost estimating experience associated with the preparation of a CNA Report). Three years of experience performing multifamily property condition physical needs assessments, completed a minimum of five property inspections, and reporting of property condition assessment findings in a manner consistent with these Instructions or ASTM E2018-08 “Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process”; or
 - Knowledge and experience with ASTM E2018-08; or
 - Minimum of three years history providing CNA reports acceptable to RIHOUSING either directly or through a RHODE ISLAND approved CNA Consultant.
- o RIHOUSING may approve new CNA Consultants based on a review of a resume, sample reports and references.

Education Requirements

CNA Consultants must possess or have completed one of the following programs:

- Bachelor of Science degree in engineering, architecture, construction management, historic preservation, construction/building science or building facilities management.
- Property Inspection Risk Management course offered by the MBA;
- Real Estate Assessment Center (“REAC”) for the Department of Housing and Urban Development (“HUD”) as a Certified Home Inspector;
- Building Performance Institute (BPI);
- American Society of Home Inspectors (“ASHI”);
- National Association of Home Inspectors (“NAHI”);
- At least five years assessing multifamily properties and preparation of ASTM E2018-08 compliant reports; or
- Other approved professional certifications, registrations, or training recognized by a Government Sponsored Enterprise (GSE) or HUD.

Insurance Requirements

The CNA Consultant must provide evidence of the following insurance coverage to RHODE ISLAND as an exhibit to the CNA report:

- Commercial General Liability Insurance with limits of at least \$1 million per occurrence and \$2 million aggregate with a maximum deductible amount of \$35,000.
- Professional Liability Insurance with limits of \$1 million per claim and \$2 million aggregate with a maximum deductible amount of \$100,000;
- Worker’s Compensation insurance; and
- Automobile Liability Insurance for all owned (if any), non-owned and hired vehicles of \$1 million per accident.

The CNA Consultant should have appropriate insurance coverage in place for traveling to and from the Property and conducting work at the Property.

‘Appendix F’ Estimated Useful Life (EUL) Tables



INSTRUCTIONS FOR PERFORMING A MULTIFAMILY PROPERTY CONDITION ASSESSMENT (VERSION 2.0)

APPENDIX F – ESTIMATED USEFUL LIFE TABLES

These Estimated Useful Life Tables for multifamily property systems and components are intended to represent standardized average estimated useful life (“EUL”) values and are not intended to replace the professional judgment of the PCA Consultant in determining the Effective Age and Remaining Useful Life of the systems and components at the Property. The PCA Consultant should consider preventive maintenance practices, as well as environment, geographic, resident, and other factors when determining Effective Age and Remaining Useful Life of the systems and components of a multifamily Property. In addition to providing guidance on EUL values typically considered capital expenditure items, the EUL tables may include items that are typically considered general maintenance and repair items to be handled by in-house maintenance staff.

Estimated Useful Life (EUL) Tables			
FLATWORK, PARKING AREAS AND WALKWAYS	Multifamily / Coop	Seniors	Students
Asphalt pavement	25	25	25
Asphalt seal coat	5	5	5
Concrete pavement	50	50	50
Curbing, asphalt	25	25	25
Curbing, concrete	50	50	50
Parking, stall striping	5	5	5
Parking, gravel surfaced	15	15	15
Security gate (site ingress/egress) - rolling gate / lift arm	10	10	10
Sidewalk, asphalt	25	25	25
Sidewalk, brick paver	30	30	30
Sidewalk, concrete	50	50	50
SITE LIGHTING	Multifamily / Coop	Seniors	Students
Building mounted exterior lighting	10	10	10
Building mounted High Intensity Discharge (HID) lighting	10	20	10
Lighting (pole mounted)	25	25	25
SITE FENCING AND RETAINING WALLS	Multifamily / Coop	Seniors	Students
Bulkhead (barrier) / partition wall / embankment	10	20	10
Fencing, chain-link (4' height)	40	40	40
Fencing, concrete masonry unit (CMU)	30	30	30
Fencing, dumpster enclosure (wood)	12	15	10
Fencing, PVC (6' height)	25	25	25
Fencing, Tennis Court (10' height)-Chain link	40	40	40
Fencing, wood privacy (6' height)	15	20	10
Fencing, wrought iron (4-6' height and decorative)	50	50	50
Retaining walls, 80 lb block type	50	50	50
Retaining walls, concrete masonry unit (CMU) with brick face	40	40	40

Retaining walls, timber (railroad tie)	25	25	25

STRUCTURAL FRAME AND BUILDING ENVELOPE

BUILDING STRUCTURES	Multifamily / Coop	Seniors	Students
Carports	40	40	40
Canopy, concrete	50	50	50
Canopy, wood / metal	40	40	40
Garages	50	50	50
Storage Sheds	30	30	30
Penthouse (mechanical room)	50	50	50

FOUNDATIONS	Multifamily / Coop	Seniors	Students
Foundations	50+	50+	50+
Waterproofing (foundations)	50+	50+	50+

FRAMING	Multifamily / Coop	Seniors	Students
Brick or block	40	40	40
Precast concrete panel (tilt-up)	40	40	40
Wood floor frame	50+	50+	50+

BUILDING ENVELOPE / CLADDING / EXTERIOR WALL FINISHES	Multifamily / Coop	Seniors	Students
Aluminum Siding	40	40	40
Brownstone	40	40	40
Brick or Stone Veneer	50+	50+	50+
Cement-board siding (Hardi-plank)/ Cementitious (mfg) siding	45	45	45
Exterior Insulation Finishing Systems (EIFS)	20	20	20
Glass block	40	40	40
Granite block	40	40	40
Insulation, wall	50+	50+	50+
Metal/ glass curtain wall	30	30	30
Painting, Exterior	5-10	5-10	5-10
Pre-cast concrete panel	45	45	45
Stucco systems	50+	50+	50+
Vinyl siding	25	25	25
Wood shingle/ clapboard/ plywood, stucco, composite wood	20	20	20

ROOF SYSTEMS	Multifamily / Coop	Seniors	Students
Asphalt shingle (3-tab)	20	20	20
Built-up roof - Ethylene Propylene Diene Monomer (EPDM) / Thermoplastic Polyolefin (TPO)	20	20	20
Metal	40	40	40
Parapet wall	50+	50+	50+

Caps, copings (aluminum/ terra-cotta) - Parapet	25	25	25
Roof drainage exterior (gutter/ downspout)	10	10	10
Roof drainage interior (drain covers)	30	30	30
Roof railing	25	25	25
Roof structure	50+	50+	50+
Roof hatch	30	30	30
Roof skylight	30	30	30
Slab	50+	50+	50+
Slate, clay, concrete tile	40	40	40
Soffits (wood/ stucco)	20	20	20
Soffits (aluminum or vinyl)	25	25	25
Wood shingles (cedar shake)	25	25	25

DOORS AND WINDOWS	Multifamily / Coop	Seniors	Students
Exterior common door, aluminum and glass	30	30	30
Exterior common door, solid core wood or metal clad	25	25	25
Exterior unit door, solid wood/ metal clad	25	30	20
Residential Sliding Glass Doors	25	30	20
Residential French Glass Doors	25	30	20
Ceilings, open or exterior	30	30	30
Service door (roof)	25	30	20
Storm/ screen doors	7	10	5
Storm/ screen windows	10	15	7
Windows (frames and glazing), vinyl or aluminum	30	30	30

APPURTENANCES	Multifamily / Coop	Seniors	Students
Chimney	40	40	40
Exterior stairs, wood	15	20	15
Exterior stairs, metal pan- concrete filled	30	30	30
Exterior stairs, concrete	50	50	50
Fire Escapes	40	40	40
Porches, concrete	50	50	50
Wood Decks	20	20	20

AMENITIES	Multifamily / Coop	Seniors	Students
Basketball court	25	25	25
Mail kiosk	10	15	10
Mail facility, interior	20	25	20
Pool deck	15	15	15
Pool/ spa plaster liner	8	8	8
Tennis court / basketball court surface (paint markings)	5	7	5

Tennis court Surface (acrylic emulsion)	10	12	10
Tot-lot (playground equipment)	10	15	10
Tot-lot, uncompressed ground cover	2+	3+	2+

MECHANICAL/ELECTRIC/ PLUMBING SYSTEMS

WATER DISTRIBUTION AND DOMESTIC HOT WATER SYSTEMS	Multifamily / Coop	Seniors	Students
Feedwater only (hydronic)	10	10	10
Condensate and feedwater (steam)	cluded boiler	cluded boiler	cluded boiler
Cooling Tower	25	25	25
DHW Circulating Pumps	by size	by size	by size
Domestic Hot Water (DHW) - supply / return	30	30	30
Tank only, dedicated fuel	10	10	10
Exchanger in storage tank	15	15	15
Exchanger in boiler	15	15	15
External tankless	15	15	15
Instantaneous (tankless type)	10	10	10
Domestic Hot Water Storage Tanks, Small (up to 150 gallons)	15	15	15
Domestic Hot Water Storage Tanks, Large (over 150 gallons)	15	15	15
Domestic Cold Water Pumps	15	15	15
Heating Water Circulating Pumps	by size	by size	by size
Heating Water Controller	15	15	15
Hot and Cold Water Distribution	50	50	50
Solar Hot Water	20	20	20
Water Softening and Filtration	15	15	15

SANITARY WASTE AND VENT	Multifamily / Coop	Seniors	Students
Purchased Steam Supply Station	50+	50+	50+
Sanitary Waste and Vent System	50+	50+	50+
Sewage Ejectors	50	50	50

SUMP PUMP	Multifamily / Coop	Seniors	Students
Residential Sump Pump	7	7	7
Commercial Sump Pump	15	15	15

HEATING/COOLING SYSTEM AND CONTROLS	Multifamily / Coop	Senior	Student
Pad/ roof condenser	20	20	20
A/C window unit or through wall	10	10	10

Evaporative Cooler	15	15	15
Fan coil unit, electric	20	20	20
Fan coil unit, hydronic	30	30	30

Furnace (electric heat with A/C)	20	20	20
Furnace (electric heat with A/C)	20	20	20
Furnace (gas heat with A/C)	20	20	20
Packaged terminal air conditioner (PTAC)	15	15	15
Packaged HVAC (roof top units)	20	20	20
Heat pump condensing component	20	20	20
Heater, electric baseboard	25	25	25
Heater, wall mounted electric or gas	20	20	20
Hydronic heat/ electric A/C	20	20	20
Line Dryers	15	15	15
Master TV System	10	10	10
Motorized Valves	12	12	12
Outdoor Temperature Sensor	10	10	10
Pneumatic lines and Controls	30	30	30

BUILDING HEATING WATER TEMPERATURE CONTROLS	Multifamily / Coop	Seniors	Students
Chilled Water Distribution	50+	50+	50+
Chilling Plant	15	15	15
Cooling Tower	25	25	25
Fuel Oil Storage	25	25	25
Fuel Transfer System	25	25	25
Gas Distribution	50+	50+	50+
Heat Sensors	15	15	15
Heat Exchanger	35	35	35
Heating Risers and Distribution	50+	50+	50+

VENTILATION SYSTEMS	Multifamily / Coop	Seniors	Students
Combustion Air, Duct with fixed louvers	30	30	30
Combustion Air, Motor louver and duct	25	25	25
Flue Exhaust	w/boiler	w/boiler	w/boiler
Free Standing Chimney	50+	50+	50+

ELECTRICAL SYSTEMS	Multifamily / Coop	Seniors	Students
Common area	15	15	15
Buzzer/Intercom, central panel	20	20	20
Central Unit Exhaust, roof mounted	15	15	15
Compactors	15	15	15
Dumpsters	10	10	10

Electrical distribution center	40	40	40
Electric main	40	40	40
Emergency Generator	25	25	25

Gas lines	40	40	40
Gas main	40	40	40
Heating supply/ return	40	40	40
Power distribution	40	40	40
Transformer	30	30	30

BOILER ROOM EQUIPMENT	Multifamily / Coop	Seniors	Students
Blowdown and Water Treatment	25	25	25
Boiler Room Pipe Insulation	Included in boiler	Included in boiler	Included in boiler
Boiler Room Piping	Included in boiler	Included in boiler	Included in boiler
Boiler Room Valves	15	15	15
Boiler Temperature Controls	Included in boiler	Included in boiler	Included in boiler

VERTICAL TRANSPORTATION - ELEVATORS	Multifamily / Coop	Seniors	Students
Electrical Switchgear	50+	50+	50+
Electrical Wiring	30	30	30
Elevator, Controller, dispatcher	15	20	10
Elevator, Cab	15	20	10
Elevator, Machinery	30	30	30
Elevator, Shaft-way Doors	20	20	20
Elevator, Shaft-way Hoist rails, cables, traveling	25	25	25
Elevator, Shaft-way Hydraulic piston and leveling	25	25	25

BOILERS	Multifamily / Coop	Seniors	Students
Oil-fired, sectional	22	22	22
Gas/ dual fuel, sectional	25	25	25
Oil/ gas/ dual fired, low MBH	30	30	30
Oil/ gas/ dual fired, high MBH	40	40	40
Gas fired atmospheric	25	25	25
Electric	20	20	20

FIRE SAFETY AND FIRE PROTECTION SYSTEMS	Multifamily / Coop	Senior	Student
Call station	10	15	10
Emergency Generator	25	25	25

Emergency Lights	8	10	5
Fire Extinguisher	10	15	5
Fire Pumps	20	20	20
Fire Suppression	50+	50+	50+
Smoke and Fire Detection System, central panel	15	15	15

INTERIOR ELEMENTS (COMMON AREA / DWELLING UNIT)			
INTERIOR / COMMON AREA FINISHES	Multifamily / Coop	Seniors	Students
Common area doors, interior (solid wood/ metal clad)	20	20	20
Common area floors, ceramic / quarry tile, terrazzo	50+	50+	50+
Common area floors, wood (strip or parquet)	30	30	30
Common area floors, resilient tile or sheet	15	15	15
Common area floors, carpet	5	5	5
Common area floors, concrete	50+	50+	50+
Common area railing	20	20	20
Common area ceiling, concrete	50+	50+	50+
Common area ceiling, acoustic tile (drop ceiling), drywall / plaster	10	10	10
Common area countertop and sink	20	20	20
Common area, refrigerator	10	10	10
Common area dishwasher	15	15	10
Common area disposal	5	7	3
Common area kitchen cabinets, wood	15	20	10
Common area walls	15	25	10
Interior railings	20	25	15
Interior lighting	15	20	10
Public bathroom accessories	7	12	5
Public bathroom fixtures	15	20	10

DWELLING FIRE, SAFETY AND SECURITY	Multifamily / Coop	Seniors	Students
Unit Smoke/Fire Detectors *	5	5	5
Unit Carbon Monoxide Detectors *	5	5	5
Unit Buzzer/Intercom	20	20	20

*Tested annually, batteries changed annually.

DWELLING UNIT CEILINGS	Multifamily / Coop	Seniors	Students
Concrete	50+	50+	50+
Acoustic Tile / Drywall / Plaster	10	15	10

DWELLING UNIT FIXTURES	Multifamily / Coop	Senior	Students
Bathroom: Vanity	10	15	10
Bathroom: Fixtures / Faucets	15-20	20+	15-20
Bathroom: Fiberglass Bath / Shower	20	25	18
Bathroom: Toilet	50+	50+	40
Bathroom: Toilet Tank Components	5	5	5
Bathroom: Vent / Exhaust	10	10	10
Interior Doors	15	30	10
Kitchen: Cabinets (wood construction)	20	25	15
Kitchen: Cabinets (particle board)	15	20+	13
Kitchen: Dishwasher	5-10	10-12	5-8
Kitchen: Microwave	10	12	8
Kitchen: Range	15	25	15
Kitchen: Range-hood	10	20	10
Kitchen: Refrigerator	10	20	10
Window covering	3	5	1+

DWELLING UNIT FLOORS	Multifamily / Coop	Senior	Students
Ceramic / Tile / Terrazzo	20	25	20
Wood (strip/ parquet)	15	20	20
Resilient Flooring	10	15	7
Carpet	7	10	3+
Concrete	50+	50+	50+

DWELLING UNIT HVAC AND MECHANICAL EQUIPMENT	Multifamily / Coop	Senior	Students
A/C window unit or through wall	10	10	10
Evaporative cooler	15	15	15
Fan coil unit, electric	20	20	20
Fan coil unit, hydronic	30	30	30
Furnace (electric heat with A/C)	20	20	20
Furnace (gas heat with A/C)	20	20	20
Packaged terminal air conditioner (PTAC)	15	15	15
Packaged HVAC (roof top unit)	15	15	15
Heat pump condensing component	15	15	15
Heater, electric baseboard	25	25	25
Heater, wall mounted electric or gas	20	20	20
Hydronic heat/ electric AC	20	20	20
Unit Electric Panel	50+	50+	50+
Unit Level Boiler	25	25	25
Unit Level Domestic Hot Water	10	15	10
Unit Level Hot Air Furnace	25	25	25
Unit Radiation - Steam/ Hydronic (baseboard or freestanding)	30	30	30
Unit Wiring	30	30	30

Chapter 6 - Standards Compliance Checklist

Project Name:
Submission:
Date:
Submitter:

Directions for Submitter: Complete this Standards Compliance Checklist along with the Chapter 4 Drawing Checklist relevant to your design stage Submission, and submit it to RIHousing. Regardless of submission, all items shall be filled out, with items that are in full compliance indicated with a check mark (✓) and out of compliance or not applicable items indicated with an "O". Reference locations in specifications and/or drawings shall be indicated to aid RIHousing Staff in compliance verification. Any comments required to explain why the project is out of compliance with a particular item or any scoping clarifications shall be indicated in the relevant column. The right most column shall be left blank for RIHousing Responses. Any questions in filling out this document shall be directed to RIHousing prior to your submission of this checklist.

Standards Reference	Requirement	✓		Reference Location	Comments and Clarifications	RIHousing Responses (Staff Use Only)
		Specification	Drawing			
Division 01 - General Requirements						
01 01	Additional Resources					
01 01 01	General					
	A Comprehensive Community Development					
	B Crime Prevention Through Environmental Design					
	C Low Impact Development and Storm Water Management					
	D Indoor airPLUS					
	E Enterprise Green Communities					
01 02	Exterior Appearance					
01 02 01	General					
	A Geometries					
	B Simplicity					
	C False Elements					
	D Finishes					
	E Color Selections					
01 03	Energy Efficiency and Sustainability					
01 03 01	General					
01 03 02	Energy Efficiency Standards					
01 03 03	Moderate Rehabilitation					
01 03 04	Substantial Rehabilitation					
01 03 05	Mill Conversions and Historic Restorations					
01 03 06	New Construction					
01 03 07	Blower Door Testing					
01 03 08	Compartmentalization					
01 03 09	Net Zero and Passive House					
01 03 10	Photovoltaic Systems					
	A Structural Considerations					
	B PV Ready					
	C Capacity					
	D Configuration					
01 03 11	Geothermal and Wind					
01 03 12	Resources for Renewable Energy Programs					
	A REF Commercial Scale					
	B REG Commercial Scale					
	C CPACE					
	D REF Small Scale					
	E REG Small Scale					
01 03 13	LEED					
01 03 14	Utility Benchmarking					
01 03 15	Healthy Home / Asthma-Free Design					
01 03 -	Efficiency Certification Placeholder					
				Insert a row for each environmental/sustainability certification to be achieved, for tracking purposes		
01 04	Flood Resilience Standards					
01 04 01	General					
	A Coastal Flooding					
	B Inland and Precipitation Related Flooding					
	C Building Systems					
	D Site and Egress					
	E Exceptions					
	F HUD Regulations					
01 05	Blasting					
01 05 01	General					
01 06	Structural Work in Renovations / Rehabilitations					
01 06 01	General					
01 07	Attic Access					
01 07 01	General					
01 08	Dwelling Units					
01 08 01	Unit Area					
01 08 02	Layout					
01 08 03	Rooms					
01 08 04	Kitchens					
01 08 05	Bathrooms					
01 08 06	Hallways					
01 08 07	Storage					
	A Bedrooms					
	B Coat					
	C Linen					
	D Broom					
	E Remote Storage					
01 08 08	Furniture Walls					
	A Living Room					
	B Bedrooms					
	C Dining room/area					
	D Corner Units					
01 08 09	Accessible Dwelling Units					
	A UFAS "Accessible"					
	B Visually and Hearing Impaired					
	C Roll-in Showers					
	D In-wall blocking					
	E New Construction					
	F Substantial Rehabilitation					
	G Less-than-Substantial Rehabilitation					
	H 1 to 4 Unit Developments					
	I Additional Requirements					
Per Code	Confirm grab bars are in compliance with NFPA 101					
Per Code	Confirm grab bars are in compliance with UFAS					
01 08 10	Universal Design					
01 09	Building and/or Development Amenities					
01 09 01	Management Office					
01 09 02	Community Facilities					
	A Common Meeting Room					
	B Kitchen					
	C Storage					
	D Toilet Room					
	E Proximity					
	F Age Restricted Developments					
01 09 03	Laundry Rooms					
01 09 04	Playground					
01 09 05	Outdoor Seating					
01 09 06	Mail Delivery					
01 09 07	Bicycle Storage					

01 09 08	Trash Collection				
01 10	Elevator				
01 01 01	General				
Division 02 - Site Work					
02 01	General				
02 01 01	Applicability				
02 02	Site Layout				
02 02 01	Parking				
02 02 02	Entries, General				
02 02 03	Entries, Parking Areas				
02 02 04	Existing Mature Trees				
02 02 05	Solar Orientation				
02 03	Site Improvements				
02 03 01	General				
02 03 02	Sidewalks				
02 03 03	Roadways				
02 03 04	Parking				
	A Standards				
	B Quantities				
	C Screening				
	D Spaces				
	E New Construction				
02 03 05	Accommodations for Electric Vehicles				
02 03 06	Plantings				
	A General				
	B Accent Landscaping				
	C Warranty				
	D Buffers				
	E Plantings				
	F Sod				
	G Alternatives				
02 03 07	Irrigation				
02 03 08	Fencing				
02 03 09	Lighting				
	A General				
	B Efficiency				
	C Dark Spots				
	D Shielding				
	E Standards				
	F Building Signage				
	G Light Levels				
	H Dark Sky Compliance				
02 03 10	Safety and Security				
02 03 11	Outdoor Trash/Recycling Storage				
02 03 12	Site Drainage				
02 03 13	Grading				
02 03 14	Debris				
Division 03 - Concrete					
03 01	Foundations				
03 01 01	Existing Foundations				
03 01 02	New Foundations				
03 02	Basement Slabs				
03 02 01	Existing Slabs				
03 02 02	New Slabs				
03 02 03	Crawl Spaces				
Division 04 - Masonry					
04 01	Existing Masonry to Remain				
04 01 01	Chimneys				
04 01 02	Historic Masonry				
04 01 03	Mortar				
Division 06 - Wood and Plastics					
06 01	Rough Carpentry, Sheathing				
06 01 01	Rating				
06 01 02	Pitched Roofs				
06 01 03	Flat Roofs and Subfloors				
06 01 04	Exterior Structural Walls				
06 01 05	Underlayment				
06 01 06	Rehabilitated Unit Flooring				
06 02	Stairs, Porches, and Stoops				
06 02 01	General				
06 02 02	Exterior				
06 02 03	Existing				
06 03	Finish Carpentry				
06 03 01	Exterior Woodwork and Trim				
06 03 02	Interior Trim				
06 03 03	Interior Handrails				
06 03 04	Exterior Handrails				
06 03 05	Repair of Historic Woodwork				
06 03 06	Closet Shelving				
Division 07 - Thermal and Moisture Protection					
07 01	Residential New Construction (RNC) Program				
07 01 01	General				
07 02	Thermal Insulation				
07 02 01	Air Barriers and Vapor Control Layers				
07 02 02	Embodied Energy				
07 02 03	Global Warming Potential				
07 02 04	Resources				
07 03	Under Slab Vapor Control				
07 03 01	General				
07 04	Sound Insulation				
07 04 01	General				
07 04 02	Common Walls				
	A Rating				
	B Joint Caulking				
	C Electrical Boxes				
07 04 03	Plumbing Walls				
07 04 04	Floor and Ceilings				
07 04 05	Bedrooms				
07 04 06	Adaptive Reuse and Renovations				
07 05	New Pitched Roofs				
07 05 01	Slope				
07 05 02	Solar Reflectance Index				
07 05 03	Manufacturer's Warranty				
07 05 04	Installer's Warranty				
07 05 05	Ice/Water Protection				
07 05 06	Gutters and Downspouts				
07 06	New Flat Roofs				

07 06 01	Material				
07 06 02	Solar Reflectance Index				
07 06 03	Manufacturer's Warranty				
07 06 04	Installer's Warranty				
07 07 Existing Roofs					
07 07 01	Allowance				
07 07 02	Damaged Decking/Sheathing				
07 07 03	Existing Flat Roof Systems				
07 07 04	Existing Roof Covering				
07 07 05	Missing Components				
07 07 06	Roof Shingles				
07 07 07	Slate Roofs				
07 07 08	Rooftop Equipment				
07 08 Photovoltaic System					
07 08 01	Manufacturer's Warranty				
07 09 Exterior Cladding					
07 09 01	Existing Buildings				
07 09 02	New Exterior Cladding				
A	Brick				
B	Wood Siding				
C	Wood Shingles				
D	Fiber Cement Siding				
E	PVC or Fiber Cement Panels				
F	Back Primed Exterior Wood				
G	Alternative Siding Materials				

Division 08 - Windows and Doors

08 01 Windows					
08 01 01	Performance				
08 01 02	New Construction or Replacement				
A	Frames				
B	Warranty				
C	Screens				
D	Testing				
E	Flashing				
F	Living and Bedrooms				
G	Limiters or Guards				
H	Accessible Units				
08 01 03	Existing Windows to Remain				
A	Performance				
B	Weather Stripping				
C	Air Seal				
D	Restore and Modify				
E	Testing				
F	Historic Windows				
G	Hardware				
Per Code	Window Egress Sizing			Ensure that windows satisfy egress sizing requirements per code.	
08 02 Doors					
08 02 01	Exterior Common Entrance				
A	Doors				
B	Door Width				
C	Hardware				
D	Auto Door Openers				
08 02 02	Exterior Unit Entrance Doors				
A	Doors				
B	Storm Doors				
C	Door Width				
08 02 03	Exterior Sliders/Patio Doors				
08 02 04	Interior Doors				
A	Door Construction				
B	Door Width				
C	Hardware				
D	Hollow Core Doors				
E	Stops				
F	Auto Door Openers				
08 02 05	Unit Entrances				
08 02 06	Renovation / Rehabilitation				
Per Code	General Door Hardware			Provide lever type hardware at all public/common, and accessible unit doors per ADA/UFAS.	
Per Code	Unit Entry Peep Holes			Provide peep hole at all unit entries, and 2 peep holes per ADA at accessible units.	
Per Code	Unit Entry Stormdoors			Provide storm doors with retractable screens at exterior unit entries per RI Law: R.I.G.L. 45-24-3-6&10	

Division 09 - Finishes

09 01 Interior Finish Coatings					
09 01 01	New Construction				
A	Paint				
B	VOCs				
C	Substrate				
D	Finishes				
E	Wet Spaces				
09 01 02	Renovation / Rehabilitation				
A	Renewed Coatings				
B	Existing Walls, Ceilings, and Trim				
C	Fire Rated Assemblies				
D	Existing Trim				
09 02 Floor Coverings					
09 02 01	New Construction / New Flooring				
A	Unit Bedrooms, Living Areas, and Kitchens				
B	Unit Bathrooms				
C	Corridors, Community Rooms, and Scattered Site Foyers				
D	Stairs				
E	Entrance Foyers and Vestibules				
F	Office				
G	Bathrooms				
H	Basements and Ground Level Utility Rooms				
09 02 02	Renovations / Rehabilitation				
A	Existing Finishes				
B	Existing Wood Flooring				
C	Substrate				
09 03 Exterior Finish					
09 03 01	Wood, Poly-ash, or PVC Trim Products				
09 03 02	Pressure-Treated Wood				
09 03 03	Trim, Doors, and Rails				
09 03 04	Siding				
09 03 05	Renovation / Rehabilitation Projects				

Division 10 - Specialties

10 01 Signage					
10 01 01	Temporary Construction Signage				
10 01 02	Permanent Building and Unit Identification Signage				
A	Permanent Development Signs				
B	Interior Signage				
C	Exterior Unit Signage				
10 02 Accessories					
10 02 01	Unit Bathrooms				
A	In-Wall Blocking				

11 01 Appliances

[illegible]

12 01 Kitchens and Bathrooms

13.01 Lead Safe construction

[illegible]

15 01 General

[illegible]

While discouraged, if combustion heating is proposed, appliance shall be sealed with external combustion air.

[illegible]

[illegible]

16 01 Power Supply System

Provide Individual apartment metering in developments exceeding 10 dwelling units, per RI State Law.

16 02 Lighting and Convenience Outlets

[illegible]

16 03 Telecommunications

16 04 Security

16 05 Doorbells and Intercoms

16 06 Fire Alarms

Division 21 - Fire Suppression

21 01 Sprinklers

Schematic Design

Design Development

90% Construction Documents

100% Construction Documents



0

2025 RIHousing

Accessibility Resource Manual





Overview

The purpose of this manual is to assist developers receiving funding through RIHousing to improve accessibility standards in their developments. The manual complements the accessibility requirements in the Design Standards with the inclusion of a list of additional recommended best practices as well as a comprehensive list of resources for a variety of project types and sizes, including small rehabs and larger new construction. More specifically, the broad goal of the manual is to enhance accessibility, visitability, and adaptability in projects supported by RIHousing.

While this manual aims to aid development teams in verifying applicable requirements, development teams are expected to conduct their due diligence to verify the full scope of applicable federal, state, and local requirements for their project. Where there are conflicts between individual requirements within this document, with other funding source requirements, and/or with the requirements of other state, federal, and local entities, the more stringent limitation or requirement shall always prevail.

Minimum accessibility requirements are governed by the applicable State and National codes, including the accessibility requirements of the 2021 Rhode Island State Building Code, which references IBC 2018/A117.1-2009 (RISBC), the Americans with Disabilities Act (ADA), the design and construction requirements of the Fair Housing Act (FHA), and Section 504 of the Rehabilitation Act of 1973 (504). Each of these four standards establishes minimum requirements for accessible housing, though the scoping for where and how these standards apply varies. It varies based on whether the project is part of a state or local government program, the number of units, and whether it is new construction or an alteration. The accessibility requirements of the RISBC are part of the building code and enforceable by local building officials. The other three standards, (ADA, FHA, 504), are federal requirements enforceable through federal civil rights legislation.

These standards are substantially similar but not exactly the same. Where differences occur, the standard requiring the greatest access is the prevailing requirement and must be followed.

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Section 1 – General Requirements of Accessible Standards

The following is a discussion of the general requirements of each of the four accessible design and construction standards that apply to newly constructed as well as renovated multi-family housing projects. Determining which of these standards applies to your project will depend on: A) The development's sources of funds; B) Whether the development is part of a state/ local government program; C) Whether the development is new construction, alteration, or reconstruction; and D) The number of units in the proposed development.

Section 504 of the Rehabilitation Act of 1973 (504)

This regulation is applied by HUD to any project that receives federal financial assistance. In addition, this regulation is referenced in some other affordable housing policies, including some of RIHousing's policies (e.g. Low-Income Housing Tax Credits). Section 504 requires owners to perform a Self-Evaluation and, if necessary, formulate a Transition Plan.

Section 504 requires new construction and substantial alterations to conform to the Uniform Federal Accessibility Standards (UFAS). For federally funded projects, the 2010 ADA Standards are permitted to be used in place of UFAS (with some exceptions) per HUD's May 23, 2014, Deeming Notice. However, some of RIHousing policies reference UFAS for Section 504 compliance, therefore UFAS is still the recommended applicable standard on many RIHousing projects.

Uniform Federal Accessibility Standard (UFAS)

The 2010 ADAS and UFAS are similar, but not the same. There are currently many projects in RI required to comply with both UFAS and the 2010 ADAS. Projects that are part of a state or local government program, such as a housing authority, are required to comply with the 2010 ADAS (see more thorough description in the Section 1 part 4). Projects that are required to comply with Section 504 must comply with UFAS per RIHousing policies. Therefore, projects that are part of a local housing authority and required to comply with Section 504 per RIHousing, are required to comply with both the 2010 ADAS and UFAS. UFAS requires:

- **Dwelling Units:** In new construction with 5 or more units, at least 5% of units (minimum 1), are required to provide mobility-accessible features as described in UFAS 4.34. Mobility-accessible residential units must be dispersed among the types of units provided in the facility, and provide choices of residential dwelling units comparable to and integrated with those available to other residents. An additional 2% of units (minimum 1), must provide accessible communication features, including visual alarms and notification devices, as described in UFAS 4.28.
- **Common-Use Areas:** All common-use areas are required to comply with UFAS.
- **Alterations:** All alterations are required to comply with UFAS to the maximum extent feasible depending on the determination by the 504 Self Evaluation and Transition Plan. In addition, substantial alterations consisting of 15 or more units must fully comply with UFAS.

2021 Rhode Island State Building Code

All new construction Group R-2 multifamily with four or more units must comply. Alteration projects must also comply unless it is technically infeasible – in which case the alteration must provide the maximum extent technically feasible. This code references IBC 2018/A117.1-2009 (RISBC).

- **Type A Units:** If the project has more than 20 dwelling units, at least 2% of the units are required to conform to the A117.1-2009 requirements for Type A units. The total number of units on site must be used when calculating the number of Type A units required and must be dispersed among the various types of units provided.

Type A units are often labeled as ‘accessible’ units or ‘ANSI’ units. They have additional requirements for door maneuvering clearances, turning space in all rooms, and accessible bathroom fixtures to accommodate the needs of occupants who require such space due to their disability. These units are similar to – but not the same as – accessible residential dwelling units under UFAS or the 2010 ADAS.

In alteration projects, Type A units are required unless they are individually owned – in which case they may conform to Type B. See RISBC 3411.6 Exception 3.

- **Type B Units:** If a project has four or more units, all units in elevator buildings and ground-floor units in non-elevator buildings are required to meet the technical requirements for Type B units per A117.1-2009. Note: multistory units without elevator service are not required to be Type B units.

Type B units are often labeled ‘adaptable units,’ and have features that can be modified without structural change to meet the specific functional needs of an occupant with a disability. For example, the walls are required to have reinforcing for the future installation of grab bars at toilets and bathing fixtures, appliances and fixtures are required to provide adjacent clear floor space, and doors are required to provide a nominal 32” of clear width.

In alteration projects, Type B units are exempt in buildings changing occupancy in conjunction with alterations where the work area is fifty percent or less of the aggregate area of the building.

- **Public and Common Use Areas:** Public and common areas are required to be accessible in new construction or alterations.

Public and common-use spaces are spaces inside or outside of a building that are used by residents and/ or visitors. They include, but are not limited to, community facilities, meeting rooms, recreation spaces, health facilities, mailboxes, pools, toilet rooms, laundry areas, trash areas, storage areas, walkways, parking, entrances, and lobbies.

- **Optional Type C (visitable) Units:** Type C units are not required by RISBC. However, A117.1-2009 includes criteria for Type C dwelling units for individual jurisdictions to adopt to ensure a minimal level of accessibility for new single-family homes and duplexes and to allow for persons to stay in their homes longer. A few states/ municipalities have adopted Type C unit requirements into the codes/standards. Type C units require features for aging-in-place and visitability, such as a zero-step entry, a bathroom and habitable space on the entry level, circulation routes, and doors that meet clear width and threshold requirements. Although not yet technically required by RISBC, projects are encouraged to include Type C units in both new construction and alterations.

The Fair Housing Act (FHA)

In 1988, Congress amended the Federal Fair Housing Act to extend civil rights protections to include people with disabilities. HUD developed regulations and guidelines that specify the minimum design and construction requirements for multifamily housing that can be used – or adapted – by many people with disabilities. HUD also developed the “Fair Housing Act Design Manual” to provide more specific guidance on how to comply with the FHA’s non-discrimination requirements when designing multifamily housing. HUD currently recognizes 15 safe harbors to meet FHA regulations, including *A117.1-2009 used with the Fair Housing Act, HUD’s regulations, and the Guidelines*, which aligns closely with the RISBC requirements.

FHA applies to new construction of apartment and condominium complexes with four or more units in a building. In buildings with elevators, all units are covered and required to conform with the FHA safe harbor. In buildings without an elevator, only the units on the ‘ground floor’ are covered and required to conform with the FHA safe harbor. When using A117.1-2009 as a safe harbor, covered dwelling units must meet Type B design requirements.

Alterations are not covered by the design and construction requirements of the FHA. The design and construction requirements of the FHA only apply to new construction of buildings built for first occupancy after March 13, 1991. Note: alterations to covered multifamily dwellings constructed after March 13, 1991, must comply.

The Americans with Disabilities Act (ADA)

Title III of the ADA applies to the portions of a multi-family project that are open to the general public, such as the leasing office and its associated facilities (parking, toilet rooms, etc.) and any retail/ commercial spaces. Title II of the ADA applies to all programs and services provided or made available by public entities (such as a local housing authority). ADA Title II requires owners to perform a Self-Evaluation and, if necessary, formulate a Transition Plan. If a project has areas open to the general public, those areas are subject to Title III of the ADA. If a project is part of a state/ local government program, it is subject to Title II of the ADA.

The technical requirements for areas covered under Title II & III of the ADA are the 2010 Americans with Disabilities Act Standards (ADAS). Alterations are subject to the 2010 ADA Standards' alteration requirements.

- **Dwelling Units:** At least 5%, or at least one of the total number of dwelling units, are required to provide mobility-accessible features as described in ADAS 809.2 through 809.4. An additional 2% of the dwelling units, or at least one unit, whichever is greater, must provide accessible communication features as described in ADAS 809.5. Mobility-accessible residential units and units with accessible communication features must be dispersed among the types of units provided in the facility and provide choices of residential dwelling units comparable to and integrated with those available to other residents.
- **Common-Use & Leasing Office Areas:** All common-use, Leasing Office, and retail/ commercial space areas must comply with 2010 ADA Standards.

Figure 1 – The following figure summarizes the accessible design standards that apply based on the development’s number of units and whether it is new construction or an alteration. Note, that this chart is cumulative as the number of units increases. For example, the new developments with 20+ units covered under RISBC are also covered by the previous rows for new construction.

# of Units	New Construction	Alterations
1+ state & local government housing only	Regulation: ADA Title II Scope: covers all state and local government housing. Technical Reqs: 2010 ADAS	Regulation: ADA Title II Scope: covers all state and local government housing. Dependent on determination by ADA SETP. Technical Reqs: 2010 ADAS
4+	Regulation: RISBC & FHA Scope: covers public and common use areas, all units in buildings with elevators, and all ground floor units in buildings without elevators. Type B units are required. Technical Requirements: A117.1-2009	Regulation: RISBC Scope: required to comply unless technically infeasible. Type B units are exempt in buildings undergoing a change in occupancy in conjunction with alterations where the work area is fifty percent or less of the aggregate area of the building. Technical Requirements: A117.1-2009
5+ Federally funded housing only	Regulation: Section 504 Scope: covers all federally funded housing. Technical Reqs: UFAS	Not applicable
15+ Federally funded housing only	Not applicable	Regulation: Section 504 Scope: new construction standards are triggered with substantial alterations (renovation costs exceed 75% of replacement value). Technical Requirements: UFAS
20+	Regulation: RISBC Scope: 2% and no less than one of the total number of units must be designed to conform with Type A unit requirements. Technical Requirements: A117.1-2009	Regulation: RISBC Scope: required to comply unless technically infeasible. In alteration projects, Type A units are required to be provided unless they are individually owned – in which case they may conform to Type B. Technical Requirements: A117.1-2009

Section 2 – Applicable Codes

A117.1-2009

A117.1-2009 is the technical accessibility standard incorporated by reference in the 2018 Rhode Island State Building Code. This is where the technical accessibility requirements for specific elements can be found.

(<https://codes.iccsafe.org/content/icca117-12009>)

2010 ADAS

The 2010 Americans with Disabilities Act Accessibility Standards (ADAS) are the technical accessibility standards issued under the Americans with Disabilities Act. This is where the technical and scoping accessibility requirements can be found. (<https://www.access-board.gov/ada/>)

ADA Title II

Title II of the ADA applies to all programs and services provided or made available by public entities (such as a local housing authority). If a project is part of a state/ local government program, it is subject to Title II of the ADA. The technical requirements for areas covered under ADA Title II are the 2010 Americans with Disabilities Act Standards (ADAS). ADA Title II also requires owners to perform a Self-Evaluation and, if necessary, formulate a Transition Plan.

(<https://www.ada.gov/law-and-regs/regulations/title-ii-2010-regulations/>)

ADA Title III

Title III of the ADA applies to the portions of a multi-family project that are open to the general public, such as the leasing office and its associated facilities (parking, toilet rooms, etc.) and any retail/ commercial spaces. If a project has areas open to the general public, those areas are subject to Title III of the ADA. The technical requirements for areas covered under Title III of the ADA are the 2010 Americans with Disabilities Act Standards (ADAS).

(<https://www.ada.gov/law-and-regs/regulations/title-iii-regulations/>)

HUD Programs Subject to Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973

This document provides a list of HUD programs subject to Section 504. The programs listed in this document may use the 2010 ADAS as the technical standard instead of UFAS per HUD's May 23, 2014 Deeming Notice. Note: RIHousing projects are required to comply with UFAS.

(<https://www.federalregister.gov/documents/2006/07/28/06-6516/list-of-hud-programs-subject-to-title-vi-of-the-civil-rights-act-of-1964-and-section-504-of-the>)

HUD Deeming Notice - May 23, 2014

This document permits HUD recipients to use the 2010 ADAS, with exceptions, as an alternative accessibility standard in lieu of UFAS for the purpose of Section 504.

(<https://www.federalregister.gov/documents/2014/05/23/2014-11844/nondiscrimination-on-the-basis-of-disability-in-federally-assisted-programs-and-activities>)

RISBC

The 2018 Rhode Island State Building Code is the current building code in the State of Rhode Island. It incorporates the 2018 International Building Code, by reference. The accessibility requirements can be found in Chapter 11 of the Rhode Island State Building Code. This is where the scoping requirements for projects can be found.

(<https://codes.iccsafe.org/content/IBC2018P6>)

Section 504

This regulation is applied by HUD to any project that receives federal financial assistance. In addition, this regulation is referenced in some other affordable housing policies, including some of RIHousing's policies (e.g. Low-Income Housing Tax Credits). Section 504 also requires owners to perform a Self-Evaluation and, if necessary, formulate a Transition Plan. Section 504 requires new construction and substantial alterations to conform to the Uniform Federal Accessibility Standards (UFAS). For federally funded projects, the 2010 ADA Standards are permitted to be used in place of UFAS (with some exceptions) per HUD's May 23, 2014, Deeming Notice.

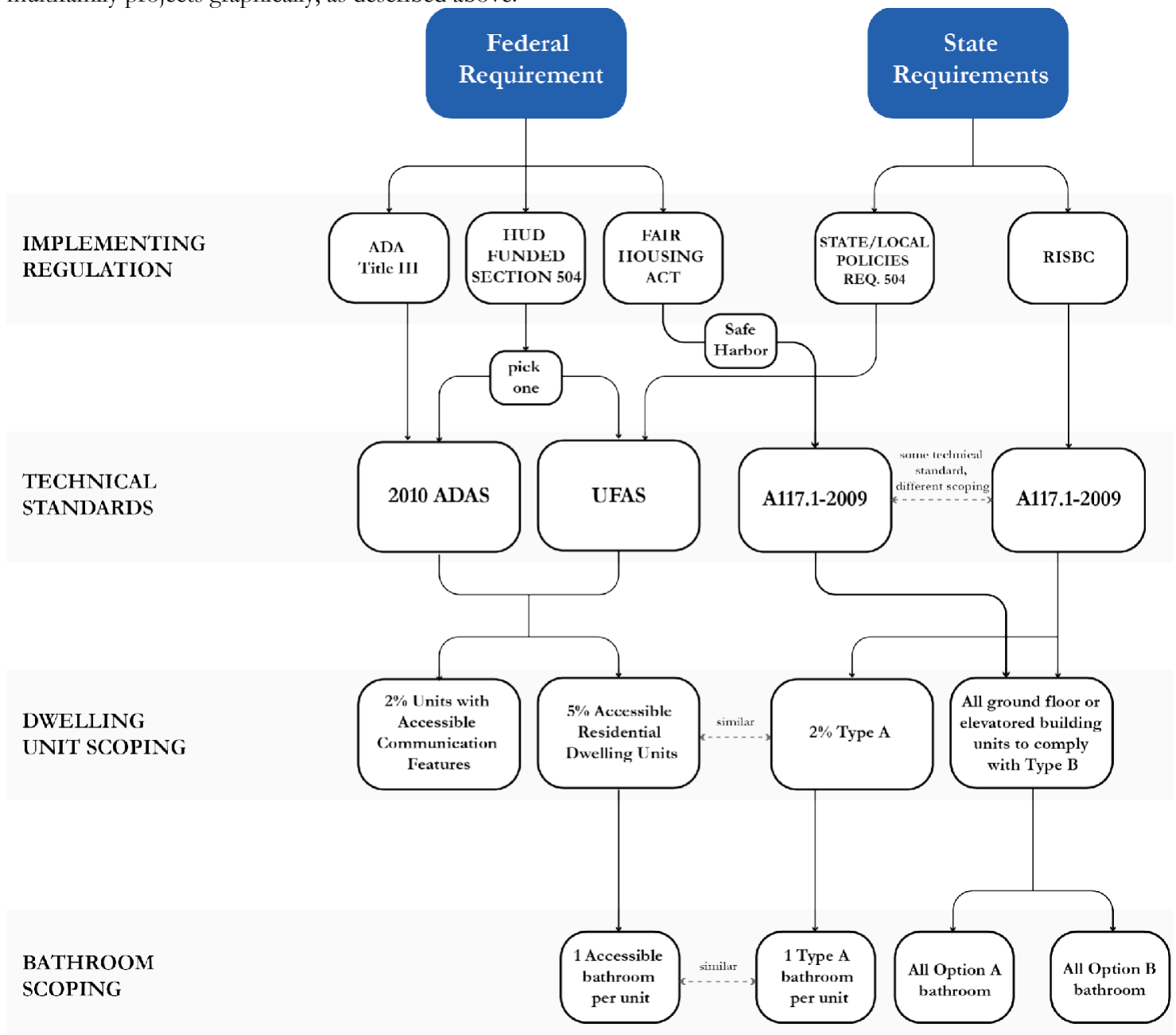
(https://web.archive.org/web/20250204094325/https://www.hud.gov/program_offices/fair_housing_equal_opp/disabilities/sect504faq)

Uniform Accessibility Standards

The Uniform Accessibility Standards (UFAS) are the technical accessibility standards issued under Section 504 and referenced by RIHousing. This is where the technical and scoping accessibility requirements can be found.

(<https://www.access-board.gov/aba/ufas.html>)

Figure 2 – The following figure summarizes and compares the applicable state and federal requirements for multifamily projects graphically, as described above:



Section 3 – Minimum Requirements and Recommendations

While the aforementioned codes ensure a base level of accessibility, particularly in larger new construction, many project types are exempt due to size thresholds or existing conditions. Based on feedback from residents, developers, property managers, and architects, RIHousing has incorporated select, low-cost / high-impact requirements into the Design and Construction Standards to enhance day-one accessibility as well as longer-term adaptability. The following table is an itemized list of requirements split into three columns organized by portions of the building:

- **Short Hand Minimum Code Requirements:** this column identifies the minimum requirements per FHA, A117.1-2009, UFAS, & 2010 ADAS. Alternative options are available if a project chooses to deviate from following certain codes because they are not required by funding/ policies. However, this is a concise summary to ensure all potentially applicable codes are met.
- **RIHousing Standards:** this column includes requirements that go above and beyond minimum code compliance that all RIHousing projects must meet, as outlined in the Standards.
- **Enhanced Accessibility Recommendations:** In addition to the required elements in the Standards, RIHousing has compiled a list of recommended best practices to assist designers and developers in identifying potential areas for further consideration. Not all recommendations will apply to a particular project, but the comprehensive nature of the list offers many ways in which accessibility-related approaches can be enhanced in meaningful ways for both new construction and rehab. Developers and Architects are encouraged to review the list in detail and develop an approach for adopting relevant elements. Many recommendations are cost-neutral and with proper consideration at the appropriate design phase can be easily adopted.

This table provides a comprehensive overview of the minimum requirements of the codes and RIHousing Standards, as well as many recommendations on how to go above and beyond the minimums. The goal is to ensure future RIHousing projects are not only meeting the minimum requirements but exceeding them. This is a tool that provides information on how to do that:

SITE	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Exterior Accessible Routes - width	36" wide, with 60" passing space every 200', to each accessible common-use element.	No additional requirements	Provide 60" clear width.
Exterior Accessible Routes - slope	Running slopes maximum 5% or 1:20; Cross slopes maximum 2% or 1:50; Ramps can have running slopes up to 8.3% or 1:12 so long as the overall rise is a maximum of 30" between landings, there are 60" landings at the top and bottom, and the required handrails/ handrail extensions are provided	No additional requirements	Walkway slopes to be less than 5% (1:20) in travel direction, and no greater than 2% (1:50) cross slopes.
Exterior surfaces	Stable, firm, slip-resistant surface with gaps max. 1/2" wide.	No additional requirements	Poured material or large unit pavers with tight spacing.

SITE	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Detectable Warnings	Detectable warnings are required at curb ramps serving public transit facilities, Federal Highway Administration (FHWA) funded projects, public sidewalks, and at raised marked crossings.	No change.	Provide detectable warnings at all curb ramps and locations where the accessible route crosses a vehicular way. Detectable warnings must not function as Tactile Directional Indicators (TDI) - A surface feature intended for wayfinding.
Benches	If benches are provided, locate at least one in each area on an accessible route	Benches at 1,000 GSF open spaces and playgrounds.	Benches every 100'.
Lighting	No change.	Minimum 1-foot candle at accessible routes, building entrances, etc.	Combination of bollard and overhead lighting, along all exterior paths.
Wayfinding	Required at inaccessible entrances.	No change.	Signage and/or maps at strategic decision points.
Accessible Parking	Distributed accessible parking at locations close to entrances, including visitor/ guest parking.	No change.	No change.
Vehicular Drop-Offs Ground Surface	Meet minimum dimensional requirements (20' x 5' long marked aisle) and located on an accessible route.	No change.	Flush conditions at vehicular drop-off areas.
Vehicular Drop-Offs – overhead	114" of vertical clearance at drop-off and routes leading to/ from it	No change.	Cover over access aisle and accessible route.
Accessible vehicle charging	Minimum 1 space along an accessible route.	No change.	No change.
Crosswalks	Connect to accessible route and no cross slopes >2%.	No change.	Raised crossings where the pedestrian route crosses the vehicular way.
Seating	Provide accessible seating spaces in each area where tables (movable or built-in) are provided.	Required in developments with 1,000 SF or more of usable open space.	Combination of fixed and moveable seating in gathering areas.
Shade	No change.	No change.	Sufficient shade - trees or structures.

SITE	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Playground accessibility	If provided, the accessible surface must be stable, firm, and slip-resistant. Provide the required number of elevated and ground-level play components.	Required in developments with 50 or more units. Equipment to comply with US Product Safety Commission's playground guidelines and 2012 ADA regulations.	If provided, construct an accessible route to and around all play structures. Provide play equipment that does not require transferring out of the wheelchair. Provide a variety of play equipment for different sensory needs. Use ramps instead of transfer systems.

BUILDING ENTRANCES	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Approach	60% of all public entrances and at least one entrance per building must be accessible.	No change.	No step, with sufficient interior and exterior maneuvering areas.
Wayfinding	No change.	No change.	Visible and intuitively recognizable from PROW and/or parking.
Weather & Lighting	No change.	Minimum 1-foot candle at building entrances	Covered & sufficiently lit.
Seating	No change.	No change.	Provided with adequate seating to wait for rides/ arrivals.
Door Hardware	Within an accessible reach range, operable, and on an accessible route.	Automatic door openers are required at all primary Building Entrances.	Coordinated fob access, intercom, auto door opener, and other controls.

INTERIOR CIRCULATION	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Layout	No change.	No change.	Simple, intuitive building layout with clear sight lines.
Acoustics	No change.	No change.	Acoustic sensitivity in material selections - reduce ambient noise, and improve intelligibility of speech.

INTERIOR CIRCULATION	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Wayfinding	Permanent rooms/ spaces require tactile/ braille signage on the latch side of the door.	No change.	• Wayfinding signage/ building directories that include digital information. • Consistent views of the exterior for wayfinding. • Color/theme-coded floors and elevator lobbies for wayfinding. • Redundant elevators are visible from building entrances.
Travel Distance	No change.	No change.	Minimized travel distance from entry to elevator to accessible units.
Seating	No change.	No change.	Sufficient seating in the entry lobby and elevator lobbies.
Stairs	Requirements for stairs along egress routes, including treads, nosings, handrails, etc.	Contrast between stair risers/landings and treads.	No change.
Common Corridors	Minimum 36", minimum 42" at push side of doors with no closers, larger clearances at 180-degree turns, and passing space every 200'.	No change.	Minimum 6' wide interior corridors.
Door Hardware	All resident controls are within an accessible reach range, operable, and on an accessible route.	Lever hardware is required throughout. Automatic door openers at the primary community room, and pre-wire at all others.	Coordinated fob access, intercom, auto door opener, and other controls.
Stairs	Requirements for stairs along egress routes, including treads, nosings, handrails, etc.	Contrast between stair risers/landings and treads.	No change.

COMMON AREAS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Backup Power	No requirements.	Required for Community Room HVAC in age-restricted developments.	Backup power for all common-use areas in age-restricted developments.

COMMON AREAS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Laundry	No requirements to provide laundry; if provided, appliances must be accessible in common areas and in accessible units. If a folding table is provided, ensure it is a maximum 34" AFF with knee/ toe clearance for a forward approach.	Accessible laundry equipment in common laundry rooms or within all accessible units.	Accessible common laundry or hookups for laundry at tenant request in non-accessible units. Include a folding table with a 34" counter height within all common laundry rooms.

UNIT INTERIOR - GENERAL	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Townhouses	No requirements in non-elevated buildings UFAS/ ADAS/ A117.1 Type A units are required to be provided per Section 504, ADAS, and RISBC.	No change.	Townhouse units - providing floor space (i.e., large, stacked storage closet on two levels) to facilitate the install of future elevator lifts, similar to MA townhouse requirement in all townhouse style units.
Doorbell and Intercom	If provided, located within reach range (15"-48" AFF)	Doorbells shall be centered no higher than 48" AFF and operable portions of intercoms no higher than 48" AFF	No change.
Entry Door	32" clear opening. Maneuvering clearance on both sides of the door. Operable hardware. 1/2" threshold beveled at maximum 1:2.	No change.	Provide visual contrast at unit entries along corridors.
Interior Doors	UFAS/ ADAS/ A117.1 Type A units: maneuvering clearance on both sides of the door and operable hardware. All units: 1/2" threshold beveled at maximum 1:2.	No change.	No change.
Unit Interior Door Width	A minimum 32" clear width is required at all doors intended for user passage in UFAS/ ADAS/A117.1 Type A units. Note: type B units permit a nominal 32" opening; A typical 34" door leaf will not provide a minimum 32" of clear width.	36" door (min. 32" clear) at all building and unit entrances, in all common use spaces, and in UFAS/ ADAS/ A117.1 Type A units. 34" door (provides nominal 32" clear) is encouraged at all A117.1 Type B and non-covered unit interior doors.	Provide 36" doors in all units and to all closets >24" deep.

UNIT INTERIOR - GENERAL	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Hallways	Required to be wide enough to provide sufficient door maneuvering clearance in UFAS/ ADAS/ A117.1 Type A units, which is a minimum 42” for a latch side approach. No requirements for Type B units.	42” minimum clear between wall base. 48” or greater encouraged.	Provide minimum 48” wide corridors.
Windows	In Type A units, operable window accessibility is required if for natural ventilation or emergency.	Controls are required to be located no more than 48” AFF and within accessible reach ranges at all units.	Require controls at accessible reach ranges in all units.
Outlets	Located within reach range (15”-48” AFF) measured to the CL of the lowest/ highest receptacle.	No change.	No change.
Temperature controls	Maximum 48” AFF to highest operable part in all covered units.	Individual unit temp controls are required, with operable no higher than 48” AFF.	Simple, large text in all units.
Switches	Maximum 48” AFF to highest operable part in all covered units.	Rocker switches.	No change.
Lighting	No change.	No change.	Multiple zones of task-specific overhead lighting in all units.
Light Sensors	No change.	Provide low-level floor surface lighting tied to photoelectric sensors in hallways and bathrooms within visual/hearing units.	Provide light sensors or wiring for light sensors in all units in hallways, bathrooms, etc.
Electrical Panels	If intended for resident use, controls within reach range (15”-48” AFF)	No change.	Electrical panels are within reach range and unlocked.
Control Locations	No change.	Type A and visual/hearing impaired unit controls are located in places unlikely to be obstructed by furniture.	Unit controls are located in places unlikely to be obstructed by furniture in all units.

UNIT INTERIOR - GENERAL	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Laundry	In UFAS/ ADAS/ A117.1 Type A units: Operable parts within reach range (15"-48" AFF). Top loading machines maximum 36" AFF. Front loading machine openings 15"-34". Clear floor space centered on appliances.	Clothes washer and dryer connections shall be provided within each accessible dwelling unit where no central laundry facility is provided or is not easily accessible.	Provide side-by-side appliances. If located in closets, ensure the closet doors open 180 degrees.
Communication Features	UFAS/ ADAS require communication features are required at the 2% of the units complying with 2010 ADAS 809.5, including audible/ visible alarms per ADAS 702; a hard-wired doorbell complying with ADAS 809.5.5.1	No change.	Provide additional units with communication features.
Storage	If provided in UFAS/ ADAS/ A117.1 Type A units, hanging rods/ shelves within reach range (15"-48" AFF)	No change.	Provide storage space for large medical equipment in all units.
Turning Space	5' turning space or T-shaped turning space is required in one bathroom and all other rooms in UFAS/ ADAS/ A117.1 Type A units.	No change.	67" Turning Diameters in kitchens, bathrooms, and bedrooms in all units.
Colors	No change.	Contrast between counters and walls/ floors in all units	No change.

UNIT INTERIOR - KITCHENS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Counter Clearance	40" minimum between counters in passthrough kitchen. 60" minimum between counters in U-shaped kitchen	No change.	No change.
Counter Height	Counters in UFAS/ ADAS/ A117.1 Type A units should be a maximum of 34" AFF or adjustable. In Type B units, in the option B bathroom they should be a maximum of 34".	No change.	Counter height - design/ construct to be more adaptable in height

UNIT INTERIOR - KITCHENS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Work Surface	Required in UFAS/ ADAS/ A117.1 Type A units. 30" wide x 34" AFF with knee/toe clearance for forward approach. Removable cabinet is permitted. Required next to oven.	No change.	No change.
Sink	In UFAS/ ADAS/ A117.1 Type A units: Maximum 34" AFF with knee/ toe clearance for a forward approach. Removable cabinetry is permitted; Operable sink hardware; Maximum 6 ½" deep bowl.	Lever handles at all fixtures.	Provide all sinks at a maximum of 34" AFF.
Extended Finish Floor	Extend floor finish under cabinets to facilitate adaptation – required at UFAS/ ADAS/ A117.1 Type A unit sinks and work surfaces. Required at Type B units when a centered parallel approach is not provided.	No change.	Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
Cooktop/ Oven	UFAS/ ADAS/ A117.1 Type A units: Controls within reach range (15"-48" AFF); Centered clear floor space for a forward or parallel approach; Adjacent countertop to one side of oven; Controls that do not require reaching over the burners; Pull out shelf adjacent to side hinged ovens. Type B units: centered parallel clear floor space at ranges.	ADA ranges are required at accessible units. At accessible units, the range shall be equipped with front controls and a self-cleaning oven; locate switch at apron of base cabinet within UFAS/ADAS/ A117.1 reach ranges.	Provide a separate cooktop and wall oven in Accessible/ Type A units. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
Refrigerator	In UFAS/ ADAS/ A117.1 Type A units, either a side-by-side type or an over-under type with 50% of the freezer space below 54" AFF and 100% of the refrigerator space/ controls below 54" AFF. In all units, clear floor space for a forward or parallel approach	At accessible units, the refrigerator/freezer shall be compliant with UFAS/ADAS/ A117.1 requirements.	No change.
Storage	In UFAS/ ADAS/ A117.1 Type A units, 50% of kitchen storage is within an accessible reach	No change.	Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.

UNIT INTERIOR - KITCHENS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
	range.		
Casework Hardware	In UFAS/ ADAS/ A117.1 Type A units, operable with one hand without tight grasping, pinching, or twisting of the wrist	Pull hardware at kitchen casework in all units.	No change.

UNIT INTERIOR - BATHROOMS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Scoping	UFAS/ ADAS/ A117.1 Type A units: One bathroom per unit to meet requirements. Type B units: All bathrooms meet Option A or one bathroom meets Option B.	No change.	No change.
Reinforcement	Generally, 32"-38" AFF, with some more at bathing fixtures. UFAS requirements are the most stringent, requiring continuous blocking. However, ADAS & A117.1 are more stringent requiring shower seat reinforcing.	Required from floor to 60" at tubs/showers and 31-38" at toilets.	Continuous blocking in bathrooms between 24" and 72" AFF.
Lighting in Bathroom	No change.	Two fixtures are required – Ceiling and medicine cabinet.	Minimum three lights in bathroom: vanity, shower, and general - each individually controlled and separate from fan switch in all units.
Doors	In UFAS/ ADAS/ A117.1 Type A units, the door shall not swing into clear floor space required for any fixture	No change.	No change.

UNIT INTERIOR - BATHROOMS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Lavatory	In UFAS/ ADAS/ A117.1 Type A units: Maximum 34" AFF with knee/ toe clearance for a forward approach.; Operable sink hardware. In Type B units: Maximum 34" AFF in Option B bathrooms; Centered parallel or forward clear floor space.	Lever handles at all fixtures.	No change.
Casework Hardware	In UFAS/ ADAS/ A117.1 Type A units, operable with one hand without tight grasping, pinching, or twisting of the wrist	Pull hardware at bathroom casework in all units.	No change.
Extended Finish Floor	Extend floor finish under cabinets to facilitate adaptation – required at UFAS/ ADAS/ A117.1 Type A unit lavatories. Required at Type B units when a centered parallel approach is not provided.	No change.	Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
Toilet Clearance & Centerline	In UFAS/ ADAS/ A117.1 Type A units: 60" wide x 56" deep clearance or 60" wide x 66" deep if adjacent to a lavatory (Note: a lavatory with removable cabinetry is permitted to overlap); Centerline: 18" from the sidewall & minimum 18" from the adjacent lavatory. In Type B units: Minimum 56" deep clearance or minimum 66" deep clearance for a forward approach; Centerline: 16"-18" from the sidewall & minimum 15" from the adjacent lavatory.	No change.	No change.
Toilet Seat Heights	In UFAS/ ADAS/ A117.1 Type A units, the toilet seat shall be 15"-19" AFF.	17"-19" seat height in all common and accessible bathrooms	17"-19" seat height in all bathrooms.

UNIT INTERIOR - BATHROOMS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Toilet Flush Controls	Toilet flush levers located on the access side of the toilet at UFAS/ ADAS/ A117.1 Type A bathrooms.	Levers located on the access side of the toilet.	Toilet flush levers located on the access side of the toilet in all unit bathrooms.
Tub	In UFAS/ ADAS/ A117.1 Type A units: 30” wide clearance full length of tub. Removable cabinetry is permitted at the control end; Offset controls on the end wall between the (future) grab bar and tub rim and offset between the CL and the open side. Type B units: Option A bathrooms permit a forward 30”x48” approach to the tub; Option B bathrooms require a parallel 30”x48” approach measured flush from the control wall; Controls should not obstruct the future installation of a grab bar	No change.	Tub rim between 16”-18” and offset controls in all units.
Roll-in Showers Scoping	No change.	1 out of every 5 accessible units to have a roll-in shower, encouraged in all age-restricted and 1-bedroom accessible units.	Increase the number of roll-in showers for aging in place.

UNIT INTERIOR - BATHROOMS	Short-hand Minimum Code Requirements (FHA, ANSI A117.1, UFAS, & 2010 ADAS)	RI Housing Standards	Enhanced Accessibility Recommendations
Roll-in Shower Requirements	In UFAS/ ADAS/ A117.1 Type A units: Roll-in shower clear floor space minimum 30"x60". Lavatory permitted to overlap one end of roll-in-shower opposite the seat. Roll-in controls – different codes have different requirements: ADAS/ A117.1-2009: above the grab bar- 48" AFF on the long wall maximum 16"-27" from the seat wall.; UFAS: above the grab bar-48" AFF on an end wall between the CL and a maximum 18" towards the opening; Thresholds: maximum 1/2" beveled at maximum 1:2; Shower spray unit on 60" hose is required.	No change.	No change.
Transfer Shower Requirements	In UFAS/ ADAS/ A117.1 Type A units: Transfer or roll-in type showers permitted; Transfer showers are finite 36"x36" in size with a clear floor space minimum 36"x48" measured flush from the control wall; Transfer controls: 38"-48" AFF opposite the seat between the CL and maximum 15" towards the opening. Thresholds: maximum 1/2" beveled at maximum 1:2. Shower spray unit on 60" hose required.	No change.	No change.
Type B Unit Showers	If only bathing fixture in the unit – minimum 36"x36"; Parallel 30"x48" clear floor space measured flush from the control wall.	No change.	No change.

Section 4 – Resources

Code Compliance Technical Resources

Federal Access Board

The Access Board is an independent federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards. Their website provides information on the federal guidelines and standards, as well as contact information for their technical assistance team. (<https://www.access-board.gov/>)

Fair Accessibility Housing First

Fair Housing Accessibility FIRST is an initiative designed to promote compliance with the Fair Housing Act design and construction requirements. The program offers comprehensive and detailed instruction programs, useful online web resources, and a toll-free information line for technical guidance and support.

(https://web.archive.org/web/20250201050750/https://www.hud.gov/program_offices/fair_housing_equal_opp/accessibility_first_home)

ICC Technical Support Services

Code Council Members can receive free technical assistance issued by Code Council staff through this link. ICC staff are available to provide guidance on IBC and A117.1.

(<https://www.iccsafe.org/products-and-services/technical-services/>)

New England ADA Center

The New England ADA Center is one of 10 regional ADA Centers comprising the ADA National Network. They provide information, guidance, and training on the Americans with Disabilities Act (ADA), tailored to meet the needs of businesses, governments, and individuals at local, regional, and national levels. Their website includes information on how to contact their technical assistance team. (<https://www.newenglandada.org/>)

State / Local / Federal Resources

CO Title 9 Accessibility Requirements

Colorado State Statute Title 9, Article 5, was designed to make multi-family developments, more specifically residential-based multi-family developments such as townhomes, more accessible to users and their guests. This Statute includes a points system, which can serve as a precedent for identifying ways to incorporate more accessibility into projects. (<https://leg.colorado.gov/sites/default/files/images/olls/crs2023-title-09.pdf>)

Existing HUD programs (HUD 202)

The Section 202 program helps expand the supply of affordable housing with supportive services for the elderly. This document is a checklist for the minimum design requirements for HUD 202 recipients, which go above and beyond the minimum code requirements.

([https://www.hud.gov/sites/dfiles/CFO/images/duc%20change%20FY2023%20Section%20202%20Supportive%20Housing%20for%20the%20Elderly_FR-6700-N-52%20\(7\).pdf](https://www.hud.gov/sites/dfiles/CFO/images/duc%20change%20FY2023%20Section%20202%20Supportive%20Housing%20for%20the%20Elderly_FR-6700-N-52%20(7).pdf))

MA EOHLC Requirements for CBH Units

Projects that receive Community Based Housing funding in Massachusetts are required to conform with additional design standards that go above and beyond the code minimums. This resource has a helpful checklist at the end, which highlights the requirements and can serve as a guide towards creating more inclusive projects. (<https://www.mass.gov/doc/dhcd-design-requirements-for-cbh-units/download>)

MA Accessibility code: 521 CMR

521 CMR is a specialized section of the Massachusetts State Building Code, which is enforced by the Massachusetts Architectural Access Board. This code has technical and scoping requirements that are different from those required in RI. (<https://www.mass.gov/law-library/521-cmr>)

NYC HPD Design Standards

This document describes NYC Housing Preservation and Development's (HPD) most current understanding of accessibility requirements and is intended as a guide for navigating through all the layers of accessibility regulations that apply to multifamily housing. (<https://www.nyc.gov/site/hpd/services-and-information/design-guidelines.page>)

VT Accessibility Code

The Vermont Accessibility Code includes requirements for visitability in housing, that go above and beyond most state requirements. This can be used as a reference to guide how to incorporate visitability into projects. (https://firesafety.vermont.gov/sites/firesafety/files/files/rules/dfs_rules_accessammended-current.pdf)

Best Practices Resources

The Kelsey Inclusive Design Standards

The Inclusive Design Standards aim to equip designers, builders, and developers with guidelines and frameworks for disability-forward housing creation. The Inclusive Design Standards consist of over 300 Elements that reflect design and operations choices that support accessibility and inclusion. (<https://thekelsey.org/design/>)

Universal Design Guidelines for Homes in Ireland

The Universal Design Guidelines for Homes in Ireland are a first step in the process of raising awareness and inspiring people to think differently about the benefits of Universally Designed homes and the potential opportunity to address some of the global challenges society faces by future-proofing our homes through embracing Universal Design thinking. These guidelines provide a framework for including Universal Design elements in multifamily projects. (<https://universaldesign.ie/built-environment/housing>)

US Green Building Council: Visibility and Universal Design Requirements

To receive Indoor Environmental Quality LEED credits, designers can utilize the Visitability and Universal Design requirements linked below. These requirements include design features for dwelling units to facilitate universal design as well as design options for visitability, including the incorporation of ICC A117.1 Type C dwelling units noted earlier in this Resource Manual. (<https://www.usgbc.org/credits/eq11-0?view=language>)

Enterprise AIP Guidelines & Toolkit

The Aging In Place Design Guidelines serve as a resource for both new construction and renovations of existing buildings, by providing best practice strategies that allow individuals the flexibility to age in their current residence and remain a vibrant part of the community. This can be a resource for designing beyond minimum code compliance and incorporating aging in place. (https://www.greencommunitiesonline.org/sites/default/files/aging_in_place_design_guidelines.pdf)

Georgia's "Easy Living Homes" Program

This now-discontinued program encouraged easy access to homes for everyone. There are a multitude of resources in these links for incorporating universal design, especially in single-family developments. (<https://web.archive.org/web/20110203093345/http://www.easylivinghome.org/>)

Habitat US Construction Standards Manual

This document outlines Habitat for Humanity’s current US Construction Standards Manual, which includes some requirements for aging in place. This can be a resource for folks working primarily in single-family developments. (Reach out to your local Habitat for Humanity affiliate for a copy of their current US Construction Standards Manual)

2Life Communities AIP Guidelines

These guidelines outline how 2Life Communities’ physical spaces exemplify their values and support aging in the community. They are intended to provide architects of future 2Life projects a design baseline that will streamline the design process and avoid “reinventing the wheel” with each new project. They also can serve as a resource for other developers of senior housing.

(https://2lifecommunities.org/sites/default/files/attachments/2021-10/2Life_Design_Guidelines_for_Aging_in_Community.pdf)

RI Public Schools recently set benchmarks for projects requiring outside accessibility consultants

This document outlines the benchmarks set by RI Public Schools for when an outside third-party accessibility review is required for their projects. This can serve as precedent for when third-party reviews should be considered for affordable housing projects.

(<https://gcd.ri.gov/sites/g/files/xkgbur846/files/2023-03/NE%20ADA%20Newsletter%203-2-23.pdf>)

Figure 3 – This chart summarizes the accessible design standards that apply based on the funding sources and/ or whether the development is part of a state/ local government program. The X marks indicate when each regulation is triggered.

Project Type	RISBC	ADA Title II	FHA	504
Receiving Federal Financial Assistance or receiving assistance from a RI Housing program that references Section 504, including: HUD Programs including: HOME Investment Partnership Program (HOME), Community Development Block Grants (CDBG), Housing Choice Voucher Program Section 8, etc. State & Local Programs that Reference 504: Low-Income Housing Tax Credit	X	N/A	X	X
Part of a State/ Local Government Program, including: Local Housing Authority	X	X	X	N/A
Market Rate	X	N/A	X	N/A

Note: projects can have multiple types.

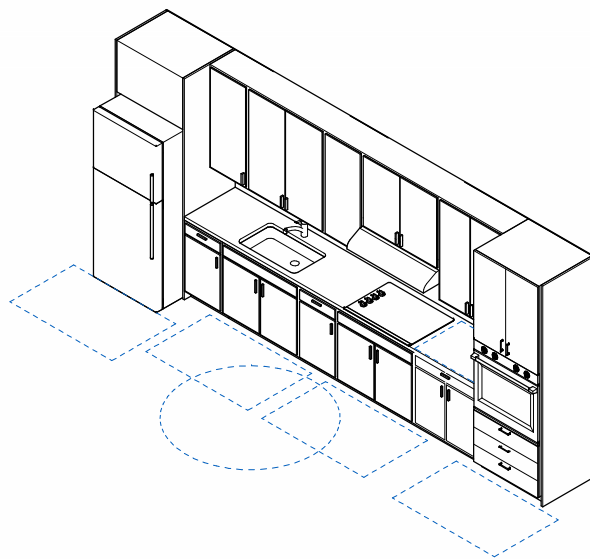
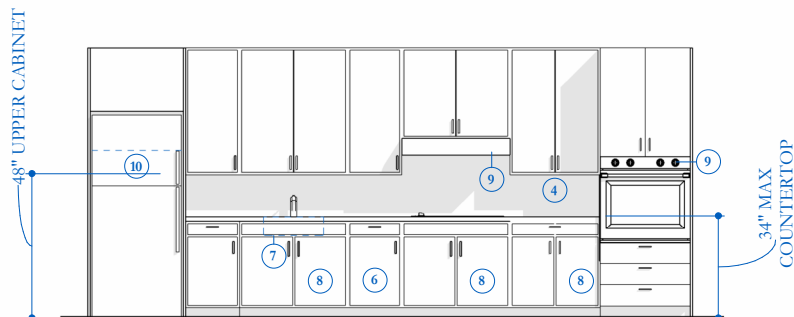
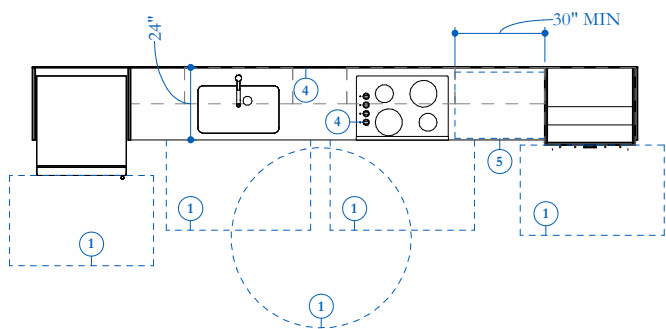
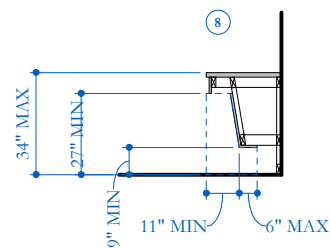
TYPE A - One-Sided Galley Kitchen

Accessibility Requirements (A)

1. Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
2. Wheelchair Turning Radius (60" Diameter Clear)
3. (1) Inaccessible Outlet Max
4. Outlets & Controls within Reach Range (24" Max From Leading Edge Of Counter, 44" Max A.F.F.)
5. Work Surface Adjacent to Oven (30" Min)
6. 50% Of Storage (Measured in Linear Feet) Must Be Within Reach Range (15" - 48" Aff)
7. 6-1/2" Sink Bowl Depth Max
8. Removable Cabinetry (Or Built-In Knee Clearance) At Sink, Work Surface and Cooktop
9. Controls Within Reach Range (15" - 48" A.F.F.)
10. Either A Side-By-Side Refrigerator or An Over-Under Refrigerator With 50% Of the Freezer Space Below 54" Aff And 100% Of The Refrigerator Space/ Controls Below 54" Aff.

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



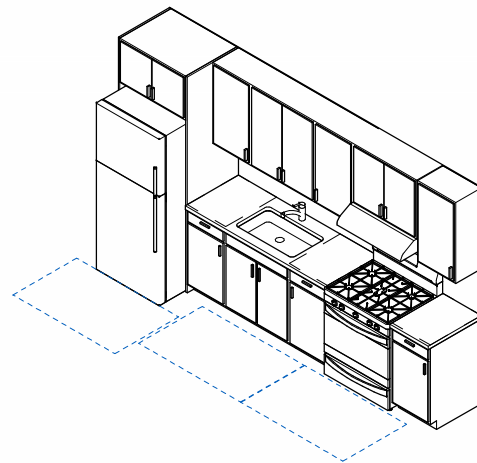
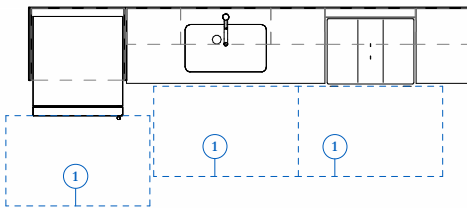
TYPE B - One-Sided Galley Kitchen

Accessibility Requirements (B)

- 1 Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
- 2 (1) Inaccessible Outlet Max

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



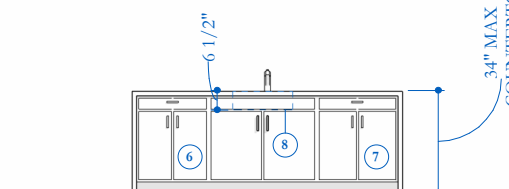
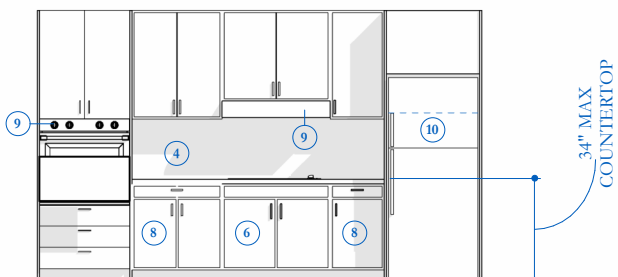
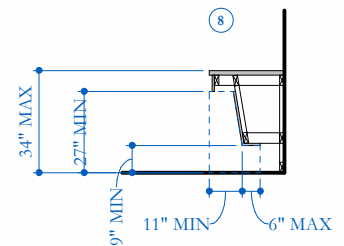
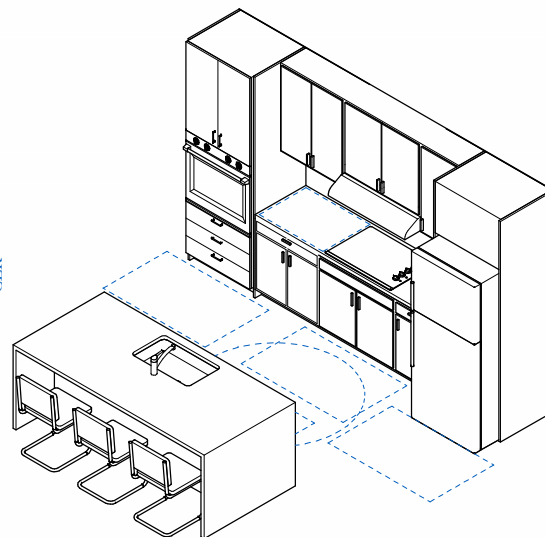
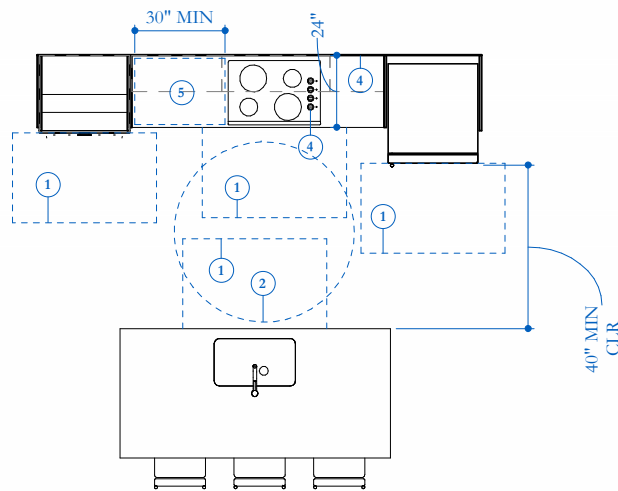
TYPE A - 2-Sided Galley Kitchen

Accessibility Requirements (A)

1. Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
2. Wheelchair Turning Radius (60" Diameter Clear)
3. (1) Inaccessible Outlet Max
4. Outlets & Controls within Reach Range (24" Max From Leading Edge Of Counter, 44" Max A.F.F.)
5. Work Surface Adjacent to Oven (30" Min)
6. 50% Of Storage (Measured in Linear Feet) Must Be Within Reach Range (15" - 48" Aff)
7. 6-1/2" Sink Bowl Depth Max
8. Removable Cabinetry (Or Built-In Knee Clearance) At Sink, Work Surface and Cooktop
9. Controls Within Reach Range (15" - 48" A.F.F.)
10. Either A Side-By-Side Refrigerator or An Over-Under Refrigerator With 50% Of the Freezer Space Below 54" Aff And 100% Of The Refrigerator Space/ Controls Below 54" Aff.

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



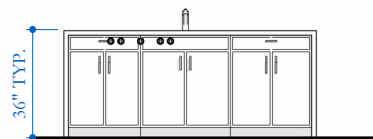
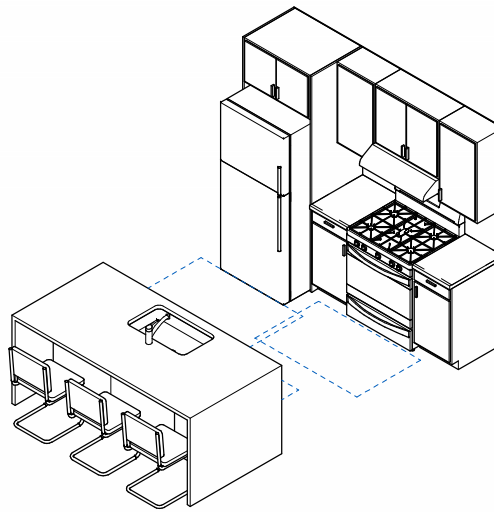
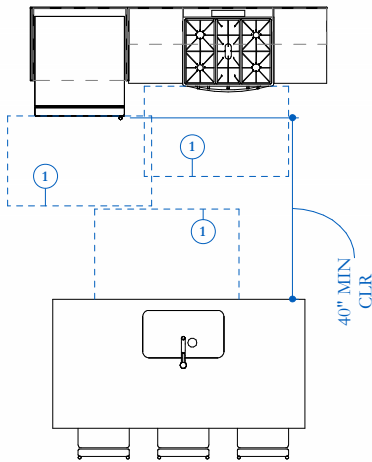
TYPE B - 2-Sided Galley Kitchen

Accessibility Requirements (B)

1. Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
2. (1) Inaccessible Outlet Max

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



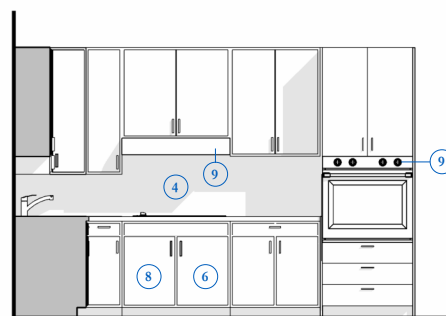
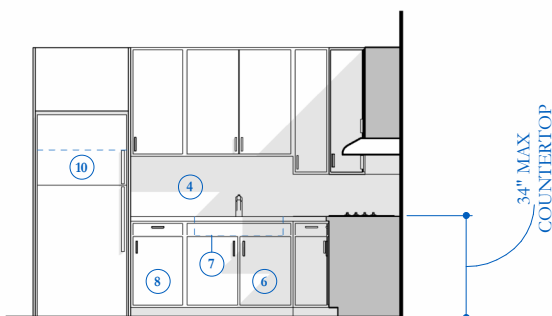
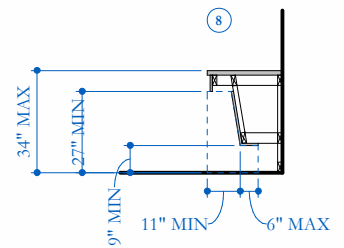
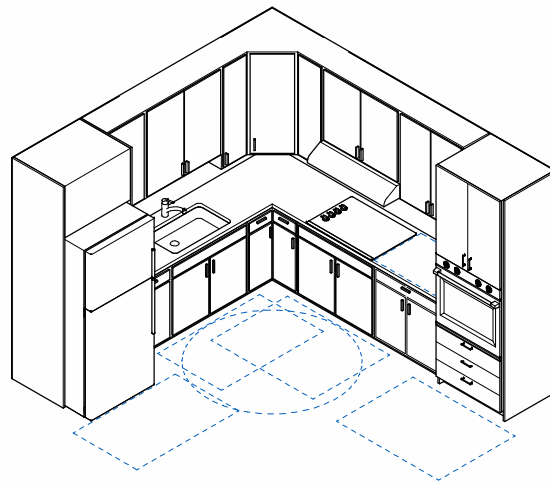
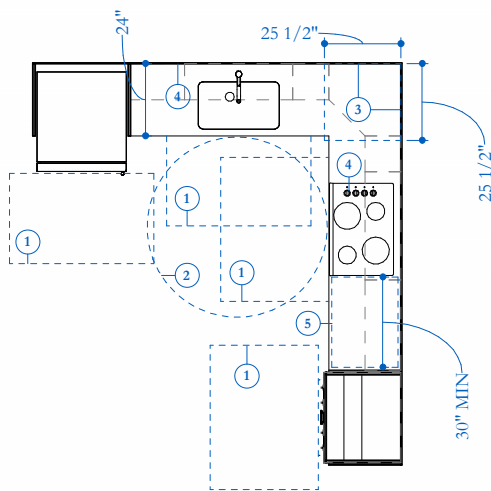
TYPE A - L-Shaped Kitchen

Accessibility Requirements (A)

1. Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
2. Wheelchair Turning Radius (60" Diameter Clear)
3. (1) Inaccessible Outlet Max
4. Outlets & Controls within Reach Range (24" Max From Leading Edge Of Counter, 44" Max A.F.F.)
5. Work Surface Adjacent to Oven (30" Min)
6. 50% Of Storage (Measured in Linear Feet) Must Be Within Reach Range (15" - 48" Aff)
7. 6-1/2" Sink Bowl Depth Max
8. Removable Cabinetry (Or Built-In Knee Clearance) At Sink, Work Surface and Cooktop
9. Controls Within Reach Range (15" - 48" A.F.F.)
10. Either A Side-By-Side Refrigerator or An Over-Under Refrigerator With 50% Of the Freezer Space Below 54" Aff And 100% Of The Refrigerator Space/ Controls Below 54" Aff.

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



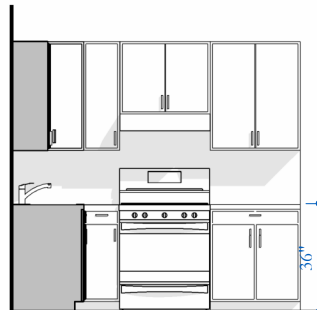
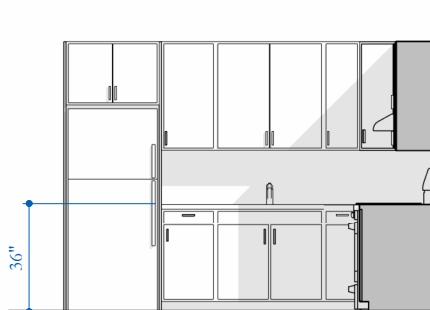
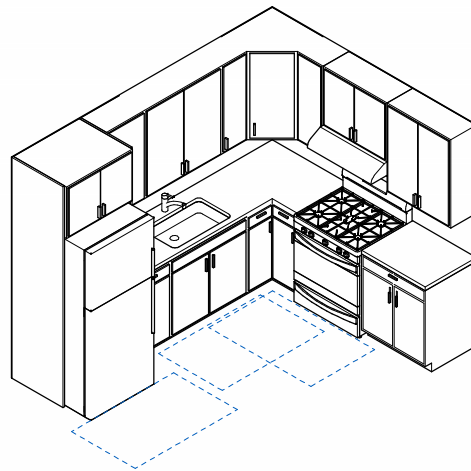
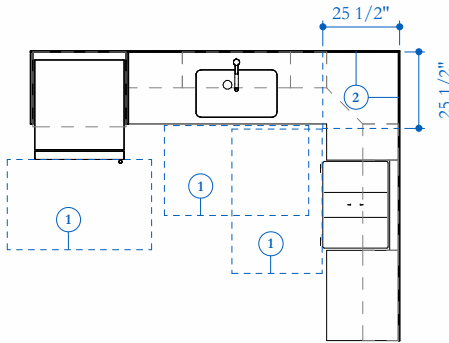
TYPE B - L-Shaped Kitchen

Accessibility Requirements (B)

- 1 Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
- 2 (1) Inaccessible Outlet Max

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



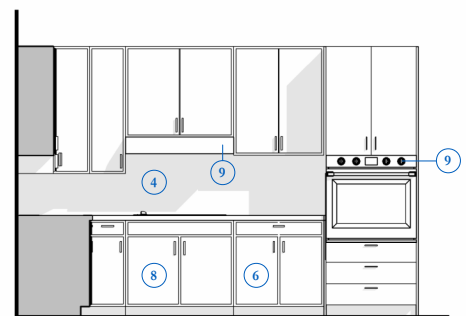
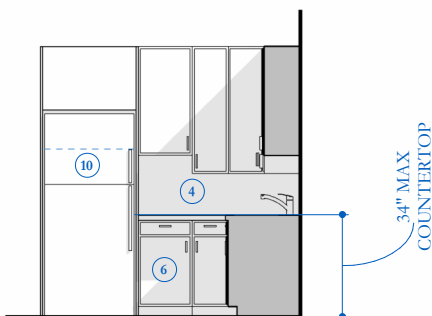
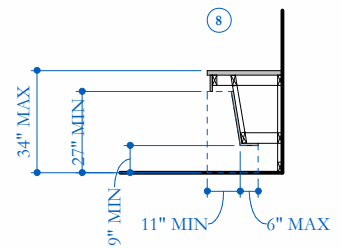
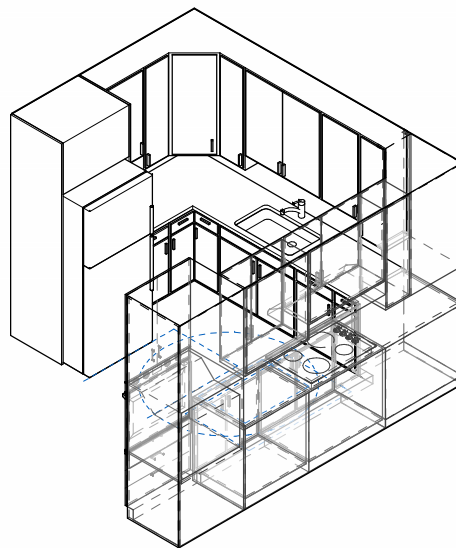
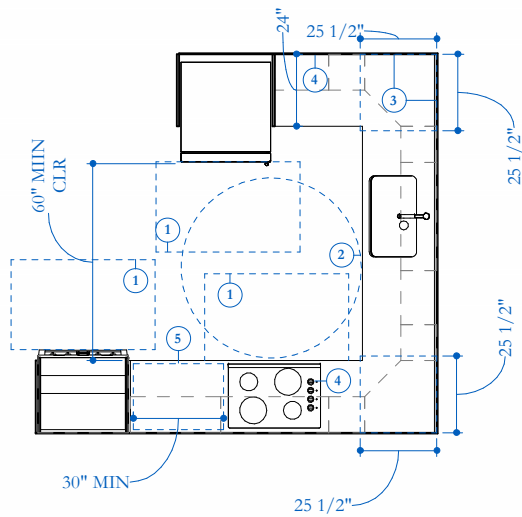
TYPE A - U-Shaped Kitchen

Accessibility Requirements (A)

1. Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
2. Wheelchair Turning Radius (60" Diameter Clear)
3. (1) Inaccessible Outlet Max
4. Outlets & Controls within Reach Range (24" Max From Leading Edge Of Counter, 44" Max A.F.F.)
5. Work Surface Adjacent to Oven (30" Min)
6. 50% Of Storage (Measured in Linear Feet) Must Be Within Reach Range (15" - 48" Aff)
7. 6-1/2" Sink Bowl Depth Max
8. Removable Cabinetry (Or Built-In Knee Clearance) At Sink, Work Surface and Cooktop
9. Controls Within Reach Range (15" - 48" A.F.F.)
10. Either A Side-By-Side Refrigerator or An Over-Under Refrigerator With 50% Of the Freezer Space Below 54" Aff And 100% Of The Refrigerator Space/ Controls Below 54" Aff.

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



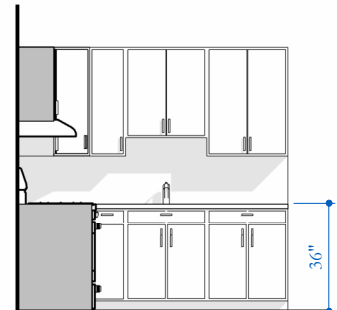
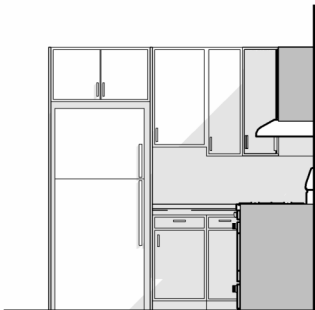
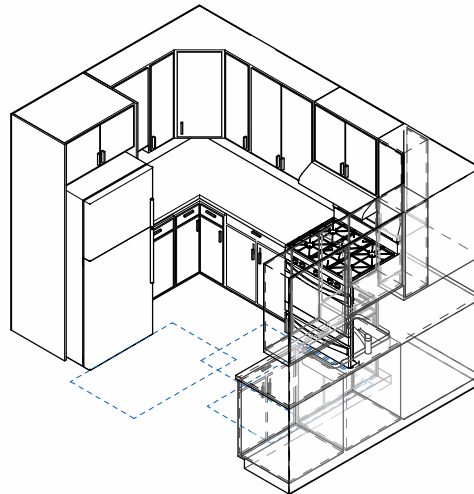
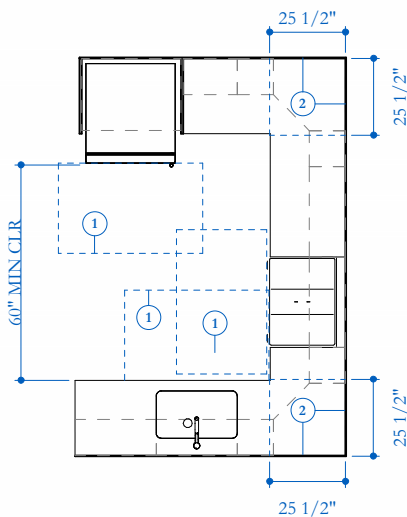
TYPE B - U-Shaped Kitchen

Accessibility Requirements (B)

- 1 Floorspace for Parallel Approach in Front of Sink & Appliances (30" X 48" Clear)
- 2 (1) Inaccessible Outlet Max

Best Practice Recommendations:

1. 67" Turning Diameters
2. Counter height - design/ construct to be more adaptable in height.
3. Lever handles at all fixtures.
4. Provide all sinks at a maximum of 34" AFF.
5. Extend floor finish under cabinets to facilitate adaptation at all sinks/ lavatories.
6. Provide a separate cooktop and wall oven in Accessible/ Type A units.
7. Provide appliances that do not require reaching over the burners and adjacent counter space in all units.
8. Provide at least one upper cabinet shelf in Type B units maximum 48" AFF.
9. Pull hardware at kitchen casework in all units.



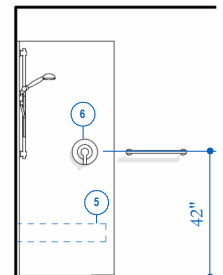
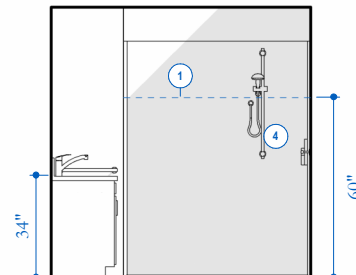
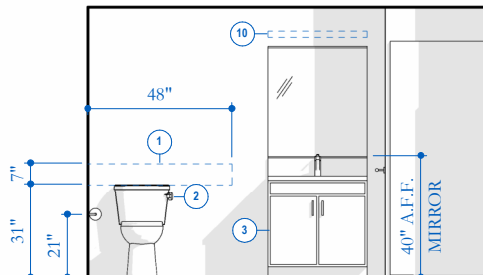
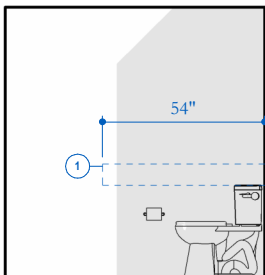
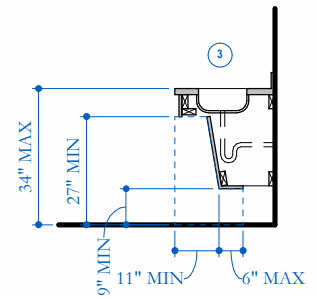
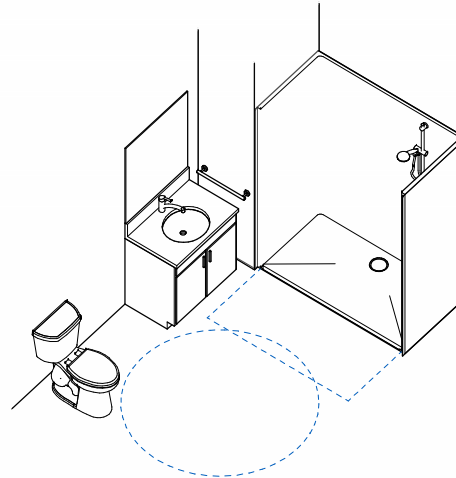
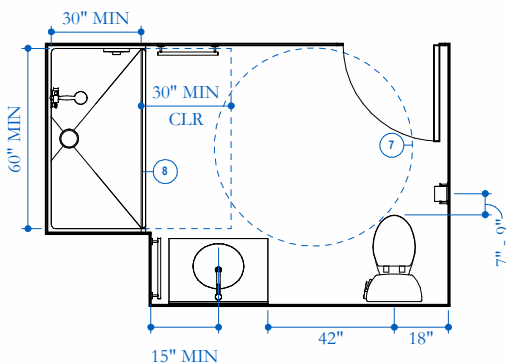
TYPE A - Bathroom w/ Shower

Accessibility Requirements - Bathrooms (A)

- 1 Provide In-Wall Blocking to Support Future Grab Bar Installation
- 2 Flush Control on Open Side
- 3 Provide Removable Cabinetry or Built-In Knee Space Fascia
- 4 Shower Faucets and Spray Shall Be Located 16" - 27" From Seat Wall
- 5 Provide In-Wall Blocking to Support Future Seat Installation
- 6 Provide Shower Controls on End Wall
- 7 5' 6" Min Floor Clearance
- 8 1/2" max threshold (Beveled 1:2 Slope)
- 9 Tub Controls to be Located Between Future Grab Bar and Tub Rim, Offset Between Tub Centerline and Open Side
- 10 Two Lights are Required (One Ceiling Fixture + One Medicine Cabinet Fixture)

Best Practice Recommendations:

1. 67" Turning Diameters
2. Continuous Blocking in Bathrooms Between 24" And 72" Aff.
3. Minimum Three Lights in Bathroom: Vanity, Shower, And General - Each Individually Controlled and Separate from Fan Switch in All Units.
4. Extend Floor Finish Under Cabinets to Facilitate Adaptation at All Sinks/ Lavatories.
5. 17"-19" Seat Height in All Bathrooms.
6. Tub Rim Between 16"-18" And Offset Controls in All Units.
7. Lever Handles at All Fixtures.
8. Pull Hardware at Bathroom Casework in All Units.
9. Consider Properly Pitched Floor Drain, Waterproof Mastic and Flooring, Typ.
10. A Third Light Fixture is Recommended above the Shower / Tub.



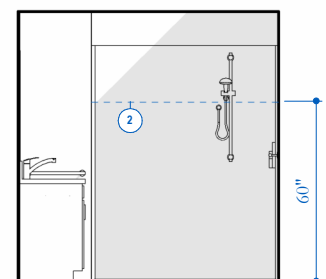
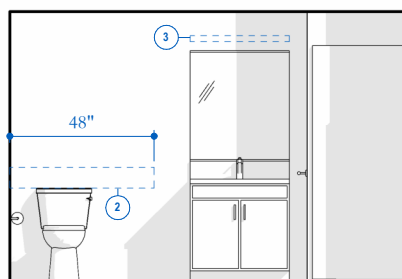
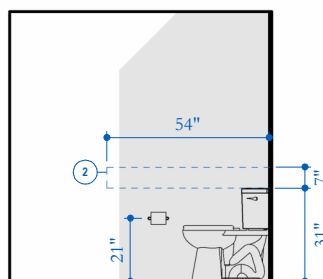
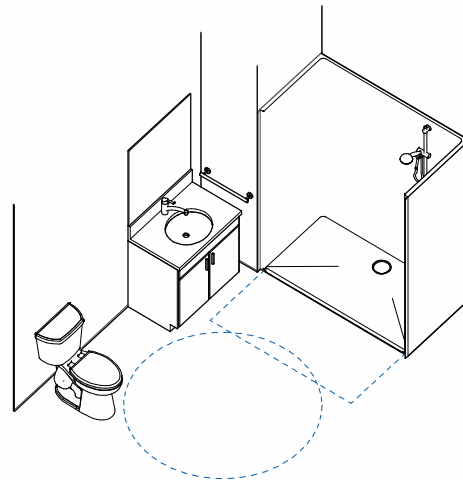
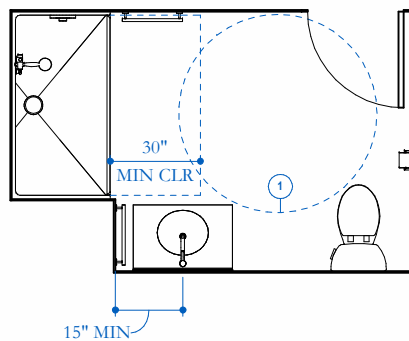
TYPE B - Bathroom w/ Shower

Accessibility Requirements - Bathrooms (B)

- 1 5' 6" Min Floor Clearance
- 2 Provide In-Wall Blocking to Support Future Grab Bar Installation
- 3 Two Lights are Required (One Ceiling Fixture + One Medicine Cabinet Fixture)
- 4 Tub Controls to be Located Between Future Grab Bar and Tub Rim, Offset Between Tub Centerline and Open Side

Best Practice Recommendations:

1. 67" Turning Diameters
2. Continuous Blocking in Bathrooms Between 24" And 72" Aff.
3. Minimum Three Lights in Bathroom: Vanity, Shower, And General - Each Individually Controlled and Separate from Fan Switch in All Units.
4. Extend Floor Finish Under Cabinets to Facilitate Adaptation at All Sinks/ Lavatories.
5. 17"-19" Seat Height in All Bathrooms.
6. Tub Rim Between 16"-18" And Offset Controls in All Units.
7. Lever Handles at All Fixtures.
8. Pull Hardware at Bathroom Casework in All Units.
9. Consider Properly Pitched Floor Drain, Waterproof Mastic and Flooring, Typ.
10. A Third Light Fixture is Recommended above the Shower / Tub.



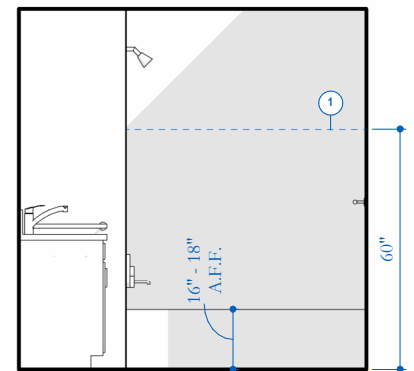
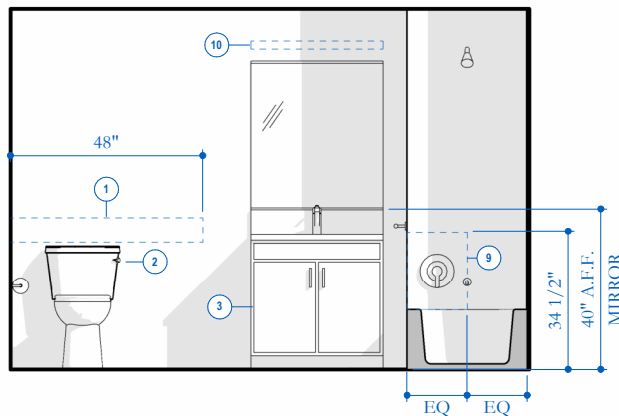
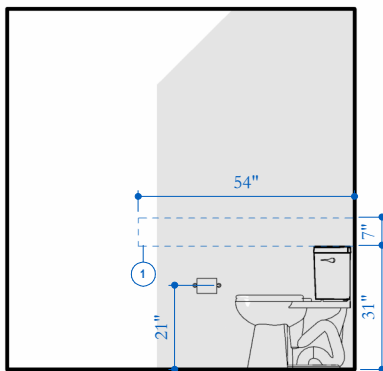
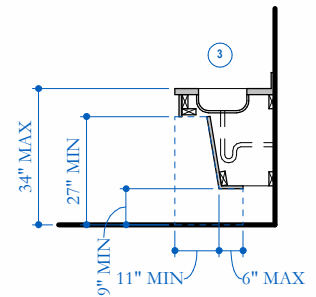
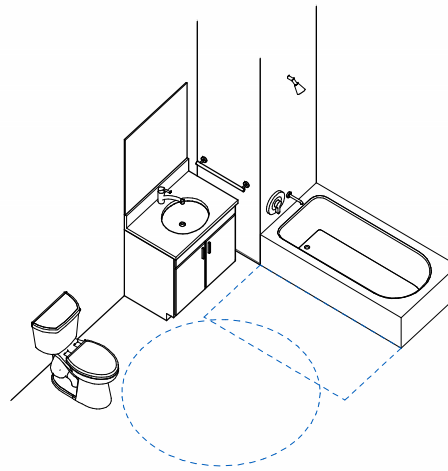
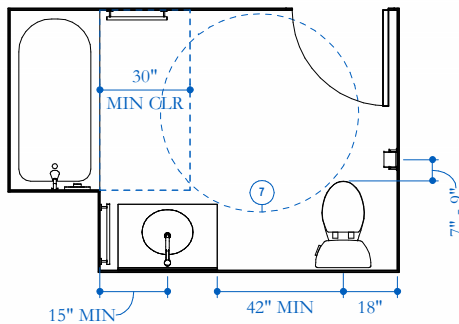
TYPE A - Bathroom w/ Tub

Accessibility Requirements - Bathrooms (A)

- 1 Provide In-Wall Blocking to Support Future Grab Bar Installation
- 2 Flush Control on Open Side
- 3 Provide Removable Cabinetry or Built-In Knee Space Fascia
- 4 Shower Faucets and Spray Shall Be Located 16" - 27" From Seat Wall
- 5 Provide In-Wall Blocking to Support Future Seat Installation
- 6 Provide Shower Controls on End Wall
- 7 5' 6" Min Floor Clearance
- 8 1/2" max threshold (Beveled 1:2 Slope)
- 9 Tub Controls to be Located Between Future Grab Bar and Tub Rim, Offset Between Tub Centerline and Open Side
- 10 Two Lights are Required (One Ceiling Fixture + One Medicine Cabinet Fixture)

Best Practice Recommendations:

1. 67" Turning Diameters
2. Continuous Blocking in Bathrooms Between 24" And 72" Aff.
3. Minimum Three Lights in Bathroom: Vanity, Shower, And General - Each Individually Controlled and Separate from Fan Switch in All Units.
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5. 17"-19" Seat Height in All Bathrooms.
6. Tub Rim Between 16"-18" And Offset Controls in All Units.
7. Lever Handles at All Fixtures.
8. Pull Hardware at Bathroom Casework in All Units.
9. Consider Properly Pitched Floor Drain, Waterproof Mastic and Flooring, Typ.
10. A Third Light Fixture is Recommended above the Shower / Tub.



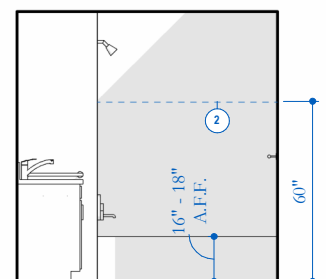
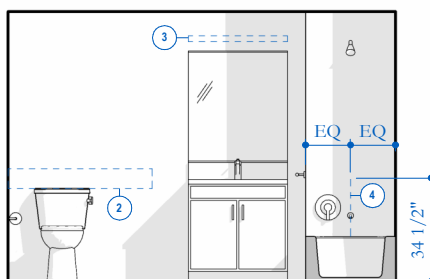
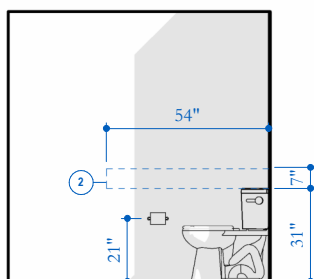
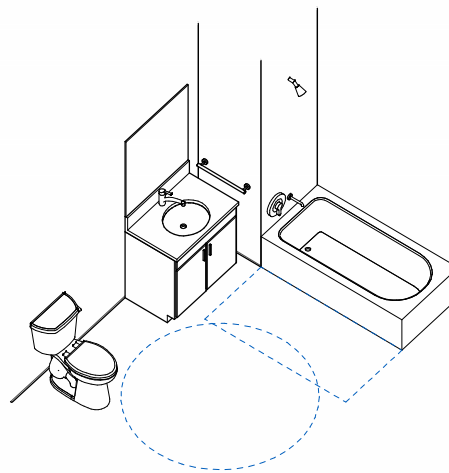
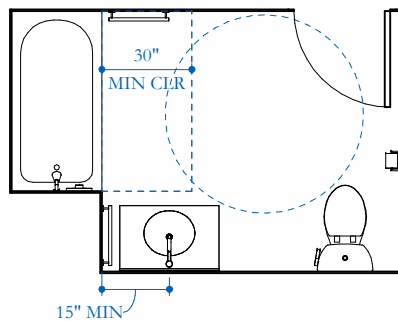
TYPE B - Bathroom w/ Tub

Accessibility Requirements - Bathrooms (B)

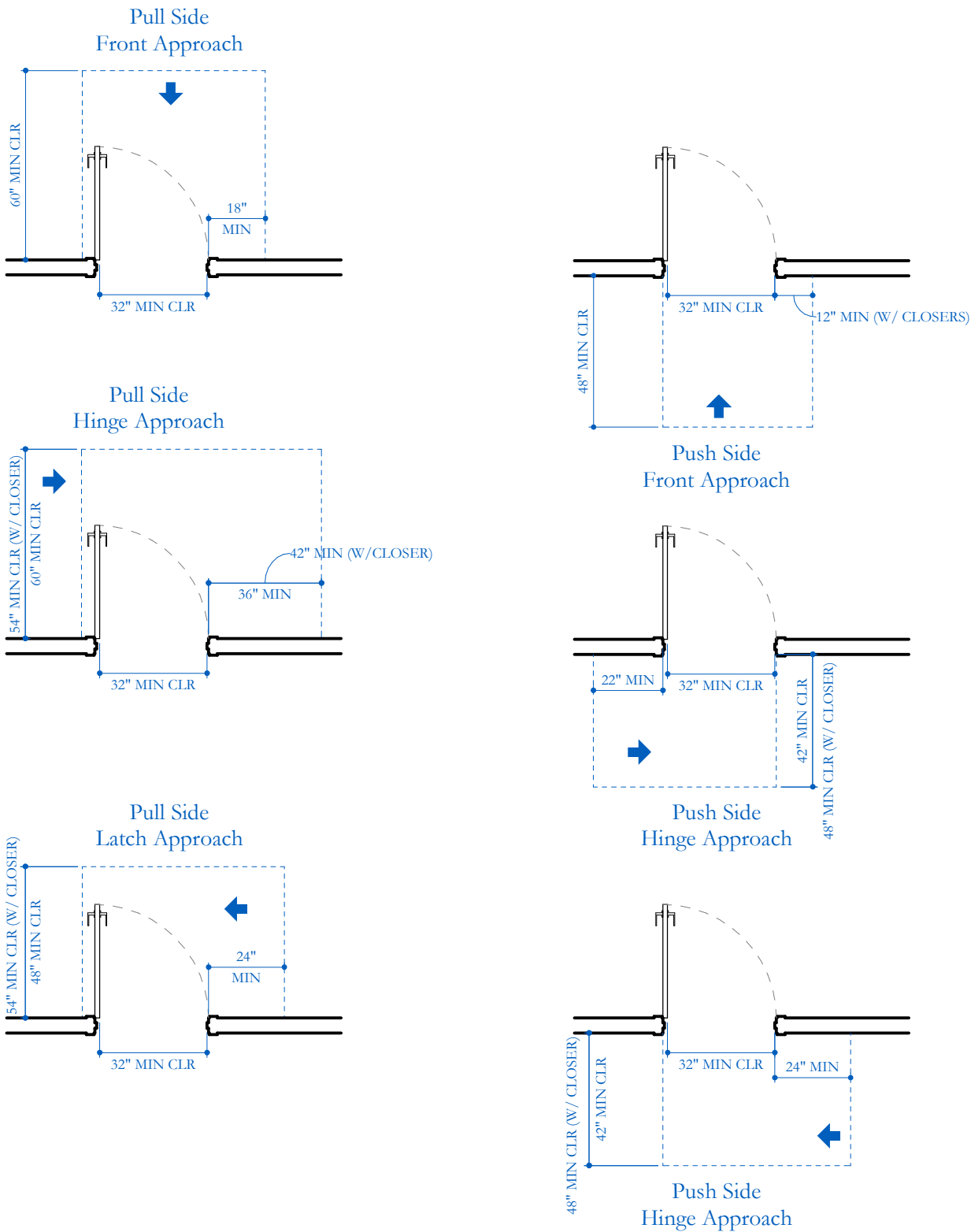
- 1 5' 6" Min Floor Clearance
- 2 Provide In-Wall Blocking to Support Future Grab Bar Installation
- 3 Two Lights are Required (One Ceiling Fixture + One Medicine Cabinet Fixture)
- 4 Tub Controls to be Located Between Future Grab Bar and Tub Rim, Offset Between Tub Centerline and Open Side

Best Practice Recommendations:

1. 67" Turning Diameters
2. Continuous Blocking in Bathrooms Between 24" And 72" Aff.
3. Minimum Three Lights in Bathroom: Vanity, Shower, And General - Each Individually Controlled and Separate from Fan Switch in All Units.
4. Extend Floor Finish Under Cabinets to Facilitate Adaptation at All Sinks/ Lavatories.
5. 17"-19" Seat Height in All Bathrooms.
6. Tub Rim Between 16"-18" And Offset Controls in All Units.
7. Lever Handles at All Fixtures.
8. Pull Hardware at Bathroom Casework in All Units.
9. Consider Properly Pitched Floor Drain, Waterproof Mastic and Flooring, Typ.
10. A Third Light Fixture is Recommended above the Shower / Tub.



Door Clearance Requirements



RIHousing Compliance and Implementation Plan for Build America, Buy America (“BABA”)

Effective March 20, 2025

This Compliance and Implementation Plan is intended to comply with the Federal requirements established by the Department of Housing and Urban Development.

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Overview

The Build America, Buy America Act (“BABA”) was signed into law by President Biden on November 15, 2021, as part of the Infrastructure Investment and Jobs Act as Sections 70901-52 of Pub. L. No. 117-58. The intent of BABA is to stimulate private sector investments in American manufacturing, bolster critical American supply chains, and support the creation of jobs so America’s workers and firms can compete and lead globally for years to come.

BABA requires that certain materials purchased in connection with infrastructure projects funded by Federal financial assistance programs be produced in the United States. This requirement is known as the Buy America Preference (“BAP”). An infrastructure project is defined as any project that includes construction, alteration, maintenance, or repair of: buildings and real property; utilities; water systems (drinking water and wastewater); electrical transmission facilities and systems; broadband infrastructure; and transportation infrastructure. Any federally funded infrastructure project that uses iron and steel, manufactured products, and/or construction materials must ensure the materials are produced in the United States.

The BAP applies to an entire infrastructure project, even if it is funded by both Federal and non-Federal funds under one or more awards. In other words, if an infrastructure project receives a Federal award, the BAP applies to both the Federal funds and non-Federal funds used for the infrastructure project.

Definitions

- A. Build America, Buy America Act is defined in 2 CFR § 184.3 and means division G, title IX, subtitle A, parts I–II, sections 70901 through 70927 of the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58).
- B. Buy America Preference (“BAP”) is defined in 2 CFR § 184.3 and means the “domestic content procurement preference” set forth in section 70914 of BABA, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.
- C. Categorization of Articles. The term “categorization of articles” refers to the requirement that articles, materials, and supplies should only be classified into one of the following categories.
 - i. Iron or steel products;
 - ii. Manufactured products;
 - iii. Construction materials; or
 - iv. Section 70917(c) materials.

Each article, material, or supply should be classified in only one of the categories listed above. In some cases, an article, material, or supply may not fall under any of the categories listed in this paragraph. The classification of an article, material, or supply as falling into one of the categories listed in this paragraph must be made based on its status at the time it is brought to

the work site for incorporation into an infrastructure project. In general, the work site is the location of the infrastructure project at which the iron, steel, manufactured products, and construction materials will be incorporated.

- D. Component is defined in 2 CFR § 184.3 and means an article, material, or supply, whether manufactured or unmanufactured, incorporated directly into: a manufactured product; or, where applicable, an iron or steel product.
- E. Construction Materials is defined in 2 CFR § 184.3 and means articles, materials, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2) of this definition. To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material.
- (1) The listed items are:
- i. Non-ferrous metals;
 - ii. Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
 - iii. Glass (including optic glass);
 - iv. Fiber optic cable (including drop cable);
 - v. Optical fiber;
 - vi. Lumber;
 - vii. Engineered wood, and
 - viii. Drywall.
- (2) Minor additions of articles, materials, supplies or binding agents to a construction material do not change the categorization of the construction material.
- F. Covered Materials includes the following when used in connection with an Infrastructure Project:
- i. all iron and steel;
 - ii. all Manufactured Products; and
 - iii. all Construction Materials.
- G. Covered CPD Programs mean any Federal financial assistance administered by the U.S. Department of Housing and Urban Development Office of Community Planning and Development (“CPD”) that is used for public infrastructure projects, excepting expenditures related to pre and post disaster or emergency response.
- H. Federal Financial Assistance (FFA) has the meaning given to the term in 2 CFR 200.1 (or successor regulations) and includes all expenditures by a Federal agency to a Non-Federal Entity for an Infrastructure Project, except that it does not include:
- i. expenditures for assistance authorized under section 402, 403, 404, 406, 408, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a, 5170b, 5170c, 5172, 5174, or 5192) relating to a major disaster or emergency declared by the President under section 401 or 501, respectively, of such Act (42 U.S.C. 5170, 5191); or

- ii. pre and post disaster or emergency response expenditures.
- I. The U.S. Department of Housing and Urban Development (“HUD”) Programs. The term “HUD Programs” means any Federal financial assistance administered by HUD that is used for infrastructure purposes, excepting expenditures related to pre and post disaster or emergency response. HUD also refers to this as “Covered CPD Programs.”
- J. Infrastructure is described in 2 CFR 184.4(c) and encompasses public infrastructure projects in the United States, which includes, at a minimum: the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging. See also 2 CFR 184.4(d).
- K. Infrastructure Project is defined in 2 CFR 184.3 and means any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project. This includes housing projects developed with RIIHousing and funded by Federal Financial Assistance programs, which includes the HUD Programs laid out below.
- L. Iron and Steel Products is defined in 2 CFR 184.3 and means an article, material, or supply that consists wholly or predominantly of iron or steel, or a combination of both.
- M. Predominantly of iron or steel or a combination of both is defined in 2 CFR 184.3 and means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.
- N. Made in America Office or “MIAO” means the office at the office of Management and Budget, established by section 70923 of BABA, that is charged with implementing the BAP and establishing the procedures to review waiver requests.
- O. Manufactured Products is defined in 2 CFR 184.3 and means:
 - i. Articles, materials, or supplies that have been:
 - a. Processed into a specific form and shape; or
 - b. Combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies.
 - ii. If an item is classified as an iron or steel product, a construction material, or a section 70917(c) material under 2 CFR 184.4(e) and the definitions set forth in this section, then it is not a manufactured product. However, an article, material, or supply classified as a manufactured product under 2 CFR 184.4(e) and paragraph (1) of this definition may include components that are construction materials, iron or steel products, or section 70917(c) materials.

Manufacturer is defined in 2 CFR 184.3 and means the entity that performs the final manufacturing process that produces a manufactured product.

- P. Not Listed Construction Materials refers to the category of construction materials that are subject to the BAP, but not included in HUD's specifically listed construction materials, as defined in the Phased Implementation Waiver. This includes:
- i. plastic and polymer-based products other than composite building materials or plastic and polymer-based pipe or tube;
 - ii. glass (including optic glass); and
 - iii. drywall.
- Q. Obligate means an action taken by HUD that creates a legal liability of the government for the payment of goods and services ordered or received or that administratively recognizes a legal duty on the part of the HUD that could mature into a legal liability by virtue of actions outside of HUD's control. The milestone in the FFA award process that establishes an obligation date depends on each program but for many Covered CPD Programs, such as HOME and HTF, the obligation date occurs upon HUD's execution of the grant agreement with RHHousing.
- R. OMB Guidance refers to 2 CFR Part 184, the "Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure" (M-24-02), issued October 25, 2023, by the Office of Management and Budget, and any subsequent guidance to rescind or replace M-24-02. This guidance is applicable to the heads of all Federal agencies for the implementation of BABA's Buy America Preference.
- S. Pre and Post Disaster or Emergency Response Expenditures means Federal funding authorized under section 402, 403, 404, 406, 408, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) relating to a major disaster or emergency declared by the President under section 401 or 501, respectively. The BAP does not apply to pre and post disaster or emergency response expenditures authorized by statutes other than the Stafford Act and made in anticipation of or in response to an event that qualifies as an emergency or major disaster within the meaning of the Stafford Act.
- T. Produced in the United States is defined in 2 CFR 184.3 and means:
- i. In the case of iron or steel products, all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
 - ii. In the case of manufactured products:
 - a. The product was manufactured in the United States; and
 - b. The cost of components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product. See 2 CFR 184.2(a). The costs of components of a manufactured product are determined according to 2 CFR 184.5.
 - iii. In the case of construction materials, all manufacturing processes for the construction material occurred in the United States. See 2 CFR 184.6 for more information on the meaning of "all manufacturing processes" for specific construction materials.

U. Project. The term “project” means the construction, alteration, maintenance, or repair of infrastructure, including housing, in the United States (Section 70912(7) of BABA).

V. Section 70917(c) Materials. The term “section 70917(c) materials” is defined in 2 CFR 184.3 and means cement and cementitious materials; aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

The Federal Register Notice implementing new BABA regulations at 2 CFR 184 (88 FR57787) clarifies that all categorizations of Covered Materials should be made based on the status of the material when it arrives at the work site. Section 70917(c) materials that are used at the work site, such as wet concrete or hot asphalt, are not subject to the BAP. However, Section 70917(c) materials may be components of manufactured products if, for example, they are used to produce precast concrete products before being transported to the work site.

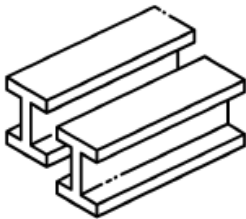
W. Specifically listed construction materials. The term “specifically listed construction materials” for HUD programs includes:

- i. non-ferrous metals;
- ii. lumber;
- iii. composite building materials; and
- iv. plastic and polymer-based pipe and tube.

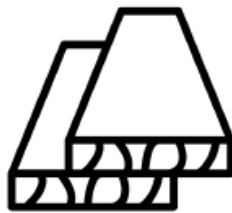
Product Classification

Under BABA, the head of each Federal agency must ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States. Products should be classified based on their status when they arrive at a project site. Products should be classified into one of the three following categories, but not more than one category:

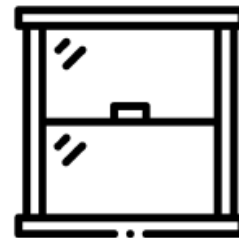
Iron and Steel



Construction Materials



Manufactured Products



Iron and Steel

Definition: means the product consists wholly or predominantly of iron or steel, or a combination of both, meaning the cost of the iron or steel content exceeds 50% of the total cost of the product components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.

Production Requirements: All manufacturing, from initial melting through application of coatings, must occur in the United States.

Examples: Rebar, Steel playground slide

Construction Materials

Definition: Construction materials are divided into two categories:

1. **Specifically Listed Construction Materials:** Non-ferrous metals, lumber, plastic- and polymer-based composite building materials, pipe, and tube.
2. **Not Listed Construction Materials:** All other plastic- and polymer-based materials, glass, fiber-optic cables, optical fiber, engineered wood, and drywall.

Production Requirements: All manufacturing processes must occur in the United States. Minor additions of materials or binding agents to a construction material do not change the categorization of the material.

Manufactured Products

Definition: **articles, materials, or supplies** that have been processed into a specific form or shape OR materials combined with other items to create a product with different properties than the individual articles, materials, supplies.

Production Requirements: The final product must be manufactured in the United States AND at least 55% of the cost of the product must come from components that were mined, produced, or manufactured in the United States.

Examples: Pre-fabricated window (combines glass and fiberglass), precast concrete (processed into a specific form before arriving at a job site).

Excluded Materials

The BAP is not applicable to the following types of materials:

Section 70917(c) Materials

Definition: means cement and cementitious materials; aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

Requirements: Not considered construction materials and generally exempt unless they are used to produce a manufactured product.

Equipment, Supplies and Furnishings

Definition: means tools, equipment, supplies, such as temporary scaffolding brought to a construction site and removed at or before completion of the infrastructure project. Also includes equipment and furnishings, such as chairs, desks and computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

Requirements: Exempt from the BABA requirements.

Other Excluded Costs

- Technical Assistance and Management Costs
- Design and Planning Costs
- Labor

BAP Applicability to RIHousing Programs

In order to determine if the BAP applies to a project, all RIHousing and non-RIHousing funding source(s) must be identified and analyzed to determine if the project must comply with BABA.

There is Federal Government-wide Guidance on BABA, including final rules for 2 CFR Parts 184 and 200; however, each Federal agency is tasked with implementing the BAP by identifying which programs or FFA are subject to BABA, by providing agency-specific guidance, and by issuing waivers.

RIHousing administers a number of sources of FFA, including certain HUD programs and certain U.S. Department of Treasury programs such as Low-Income Housing Tax Credits (“LIHTC”), State and Local Fiscal Recovery Funds (“SLFRF”), and Capital Magnet Fund (“CMF”). **As of the effective date of this Plan, Infrastructure Projects funded solely with these U.S. Treasury sources are not subject to BABA.** Therefore, this Compliance and Implementation Plan will focus generally on Federal Government-wide and HUD compliance requirements unless and until RIHousing determines that additional agency compliance requirements are applicable to RIHousing-funded projects.

HUD Programs/Covered CPD Programs Covered by the BAP

The BAP currently applies to the following HUD Programs, which RIHousing administers, subject to change:

- **Continuum of Care (CoC)**
- **FY23 Permanent Supportive Housing (PSH) Funds**
- **HOME Investment Partnerships Program (HOME)**
- **Housing Trust Fund (HTF)**
- **Lead-Based Paint Hazard Reduction in High Impact Neighborhoods and Healthy Homes Supplemental Funding**

The BAP also applies to additional HUD Programs which are not currently administered by RIHousing:

- Community Development Block Grant Formula Programs (CDBG)
- Section 108 Loan Guarantee
- Recovery Housing Program (RHP)
- Emergency Solutions Grants (ESG)
- Housing Opportunities for Persons With AIDS (HOPWA)
- Self-Help Homeownership Opportunity Program (SHOP)
- Special NOFA for unsheltered and rural homeless
- Veterans Housing Rehabilitation and Modification Program (VHRMP)
- Community Project Funding (CPF)/Economic Development Initiatives (EDI)
- Section 4 Capacity Building
- Rural Capacity Building
- Pathways to Removing Obstacles to Housing (PRO Housing)
- Preservation and Reinvestment Initiative for Community Enhancement (PRICE)

BABA applies to any project that involves the construction, alteration, maintenance, or repair of public infrastructure, regardless of whether infrastructure is the primary purpose of the project. Since the term “infrastructure” includes the structures, facilities, and equipment for “buildings and real property”, the BAP generally applies to Covered CPD Program funds provided for housing projects. OMB acknowledged at 2 CFR 184.4(d) that some projects may be “private” in nature and are not considered public infrastructure subject to BABA. An example OMB provided in M-24-02 is a project consisting solely of the purchase, construction, or improvement of a private single-family home for personal use.

In Notice CPD-25-01, HUD further clarified that:

1. Housing projects with one to four units are considered “private,” consistent with HUD’s definition of single-family housing. Housing projects with one to four units, including onsite utilities and related activities are therefore not considered public infrastructure and are not subject to the BAP.
2. Housing projects with five or more units are considered public infrastructure. Housing projects with five or more units are therefore subject to the BAP unless another BABA waiver or exemption applies.

Covered Materials incorporated into the public infrastructure project are subject to the BAP, regardless of the specific project costs for which Covered CPD Program funds are expended. To determine the scope of an individual public infrastructure project for BABA purposes, RIHousing will use the definition of a project as determined by the Covered CPD Program in question. For example, 24 CFR 92.2 defines a HOME project as “a site or sites together with any building (including a manufactured housing unit) or buildings located on the site(s) that are under common ownership, management, and financing and are to be assisted with HOME funds as a single undertaking under this part. The project includes all the activities associated with the site and building.”

Where no program-specific definition of a project exists, RIHousing will use the definition of a “project” at 24 CFR 58 to assist with determining project scope: “an activity or group of integrally related activities designed by the recipient to accomplish, in whole or in part, a specific objective.” Infrastructure Projects cannot be split to avoid application of the BAP to the project, such as by dividing procurements, subgrants, cooperative agreements, etc., into separate and smaller awards or contracts, particularly where the procurements, subgrants, cooperative agreements, etc., are integrally and proximately related to the whole.

The list of Covered HUD Programs is subject to change if there are any changes to the eligible uses of funds or the establishment of new programs that fund infrastructure and are covered by BABA.

NOTE: While each of the HUD programs listed above is subject to BABA, HUD issued a Phased Implementation Waiver that may have delayed the applicability of the BAP to certain grants obligated to RIHousing prior to a certain date. As discussed in further detail below, RIHousing will determine whether the applicability of the BAP has been delayed by such waiver and will inform the Developer.

HUD Programs and Funding Not Covered by the BAP

The BAP does not apply to Federal funds for “pre and post disaster or emergency response.” The following list of CPD funds are administered for disaster or emergency-related purposes and therefore the BAP does not apply to them.

- Community Development Block Grant – Disaster Recovery Funds (CDBG-DR)
- Community Development Block Grant – Mitigation (CDBG-MIT)
- Community Development Block Grant – National Disaster Resilience Competition (CDBGNDR)
- Community Development Block Grant CARES Act (CDBG-CV)
- HOME Investment Partnerships American Rescue Plan Program (HOME-ARP)
- Housing Opportunities for Persons With AIDS CARES Act (HOPWA-CV)
- Emergency Solutions Grants CARES Act (ESG-CV)
- Rapid Unsheltered Survivor Housing (RUSH)

In addition to the funding sources listed above, the BAP does not apply to projects funded solely with program income generated through any Covered CPD Program. Program income is not considered FFA.

BABA does not apply to projects that do not include any construction, alteration, maintenance, or repair of public infrastructure. Equipment, tools, and supplies that are brought to a construction site and removed upon completion of the project or furnishings used within the finished project that are not permanently affixed to the public infrastructure project are not covered by the BAP.

Process for Documenting BABA Compliance

For all projects receiving FFA, RIHousing must document the BABA process to analyze if the BAP applies to a project. RIHousing will use the approach as outlined in the CPD-25-01 Notice, issued January 13, 2025.

Prior to preliminary approval, RIHousing will use the RIHousing HUD BABA Checklist, attached hereto as **Appendix A**, to document BABA Compliance for each project. This Checklist will be completed for every project to determine if BABA applies and RIHousing will retain the Checklist with the project file.

Developers will be required to have all bidders for a project complete a Bidder Certification Form, attached hereto as Appendix B, acknowledging that the project is subject to BABA. RIHousing must receive these forms prior to firm approval of financing.

Developers must include the following language on the project's plans and specifications to inform all parties of the BABA requirements:

Pursuant to the Build America, Buy America Act (BABA), enacted as part of the Infrastructure Investment and Jobs Act (IIJA). Pub. L. 117-58, 41 U.S.C. § 8301 note, the Federal Financial Assistance used to fund this infrastructure project is required to apply a domestic content procurement preference (the "Buy America Preference" or "BAP") for all construction, alteration, maintenance, or repair of infrastructure, including buildings and real property, unless application of the BAP has been waived by HUD. Additional details on fulfilling the BABA requirements can be found at <https://www.hud.gov/baba>.

BABA requires that all iron, steel, manufactured products, and construction materials used for federally funded infrastructure projects are produced in the United States, unless otherwise exempt or subject to an approved waiver. Developer is responsible for documenting compliance and ensuring that all contractors and subcontractors provide the required information to document compliance. Please see RIHousing's Compliance and Implementation Plan for Build America, Buy America and CPD-25-01 Notice, issued January 13, 2025, for more information.

In addition, developers must include, and ensure the inclusion of, the foregoing language in all contracts, including subcontracts, requests for proposals, purchase orders, and procurement and bid

documents for work or products for the project to notify all parties that the requirements of BABA flow down to all tiers.

Developers will be responsible for documenting compliance with BABA and ensuring that all contractors and subcontractors comply with BABA. All Contractors and Subcontractors will be required to complete the AIA G702 Certification Addendum when requesting payment. The AIA G702 Certification Addendum is attached hereto as Appendix C. Payment will not be made until this certification is provided.

Developers must ensure that Contractors identify the materials that will be used in the project and properly classify the products as either iron or steel, construction materials, or manufactured products. Contractors will submit a HUD Build America, Buy America Construction Submittal Log, a form of which is attached hereto as Appendix D, prior to the start of construction that will be updated monthly on either the 1st or the 15th of the month depending on what the Developer selects for a requisition schedule. The HUD Build America, Buy America Construction Submittal Log should classify products as they arrive on site.

The Developer and/or Contractor must include as part of the payment requisition package certifications for each product certifying that such products are made in America. Acceptable forms of certification include documentation evidencing products are “Made in America”, such as certifications from manufacturers and suppliers. Sample Made In America certifications can be found at Appendix E. Any such certification must have the BABA language, must be on the company’s letterhead, and must list the products with enough specificity to determine compliance. Once a product has been certified, Developer will not be required to recertify the product every time it is used. Developer may refer back to the original certification for compliance.

Payment of a specific requisition will be conditioned on providing the HUD Build America, Buy America Construction Submittal Log, the AIA G702 Certification Form, and required Made In America certifications. RIHousing will withhold payment if the Developer is not in compliance with BABA requirements. If the Developer is not submitting a requisition for a specific month, the Developer is still expected to submit the HUD Build America, Buy America Construction Submittal Log and Made In America certifications for that month.

Failure to comply with the BABA requirements and this Compliance and Implementation Plan may result in a default, a loss of project funding, and may result in a loss of funding for future projects. Failure to comply may also require repayment of the financial assistance on the development.

Upon completion of construction, prior to final payment, the Developer will execute a HUD Build America, Buy America Self-Certification, attached hereto as Appendix F, certifying and affirming the requirements of BABA have been met. RIHousing will withhold the final payment until it receives the executed Self-Certification as well as any required back-up documentation.

Records will be retained in accordance with existing records retention requirements for the applicable HUD Program. If there are no HUD program-specific records requirements, RIHousing will follow 2 C.F.R. § 200.334.

Waivers

The BAP applies to all Federal financial assistance where funds are appropriated or otherwise made available and used for a project for infrastructure. The BAP can be waived in very limited circumstances.

Under Section 70914(b), HUD is able to issue, after consultation with OMB's Made In America Office, general waivers and project-specific waivers to the BAP.

HUD General Waivers

If RIHousing determines, in its sole discretion, that any of the HUD general waivers apply, RIHousing may waive the BAP for a project or a portion of a project. No formal request to HUD is needed to use these waivers. RIHousing is responsible for maintaining documentation that demonstrates the applicability of the waiver to a project, consistent with the BABA requirements.

As of 2025, HUD has established two general waivers that may be applicable to RIHousing-funded projects:

1. Exigent Circumstances Waiver
2. *De Minimis* and Small Grants Waiver (described separately below)

Exigent Circumstances Waiver (Effective until November 23, 2027)

Requirements: The BAP may be waived if projects must be completed immediately to protect life, ensure safety, or prevent the destruction of property.

Example: Following a tornado, CDBG funds are used to repair public facilities made structurally unsound during the disaster. Stabilizing these buildings is critical to prevent further destruction of property.

For Exigent Circumstances Waivers, RIHousing will approve a request for a waiver if RIHousing determines, in its sole discretion, that there is an urgent need to immediately complete the project because of a threat to life, safety, or property of residents and the community.

De Minimis Waiver (Effective until November 23, 2027)

Requirements: The BAP can be waived for a portion of the materials used in a project if the cost of those materials comprises no more than 5% of the total cost of the iron, steel, construction materials and manufactured products used in the project (not to exceed \$1 million) and there is a justification for the waiver, such as the materials are not domestically produced. "Total cost" does not include labor or other materials that are exempt from the BAP.

Example: construction of a new playground, where almost all the materials can be found domestically except for a \$20,000 slide. The total cost of the materials used in the project is \$500,000. Since the cost of the slide is less than 5% ($\$500,000 \times .05 = \$25,000$) of the total

cost of the materials, the *de minimis* waiver can be used on the slide. **Note the BAP would still apply to the other materials used in the project.**

For *De Minimis* Waivers, RIHousing will approve a request for a waiver if the cost of the materials for which the waiver is sought comprises no more than 5% of the total cost of the iron, steel, construction materials and manufactured products used in the project (not to exceed \$1 million) and RIHousing determines, in its sole discretion, that the justification is reasonable and defensible under HUD guidance.

Small Grants Waiver (Effective until November 23, 2027)

Requirements: The BAP can be waived for a project if the **total project cost** (including all sources of funding, both Federal, State and other) is \$250,000 or less. “Total project cost” means the total cost of development (all the work that goes into the project).

Example: A grantee is using \$200,000 in ESG funding to rehabilitate the bathroom facilities in an emergency shelter. The grantee is also contributing \$25,000 in local funds. Because the total cost of the project is less than the \$250,000 threshold, the Small Grants waiver applies.

For projects whose total project cost (including all sources of funding, materials and labor) is less than \$250,000, RIHousing will approve a Small Grants Waiver. RIHousing reserves the right to deny such a waiver if RIHousing determines, in its sole discretion, that the project has been artificially divided or phased so as to reduce the total project cost.

HUD previously issued a Phased Implementation Waiver which established a schedule for when the BAP will apply to HUD Programs. The Phased Implementation Waiver applies to projects based on the funding a project receives. RIHousing will not require a request for a Phased Implementation Waiver and will inform Developers whether or not BABA applies to their project based on what grant funds are allocated to the project.

HUD Project-/Product-Specific Waivers

In addition to the HUD General Waivers, project-/product-specific waivers may be available for projects where the BAP would otherwise apply.

HUD will review project-/product-specific waivers on a case-by-case basis. In order for HUD to consider a project-/product-specific waiver request and be able to review it with OMB and the Made In America Office, the waiver must include a detailed written explanation and allow for the public to comment for at least 15 days, as required under Section 70914(c).

There are currently three project-/product-specific waivers available:

1. Public Interest
2. Nonavailability
3. Unreasonable Cost

If a project has multiple sources of federal funding and HUD is not the largest portion of that funding, waivers should be submitted to the federal agency with the largest source of funds.

Public Interest Waiver

Requirements: A Public Interest Waiver may be available when applying the BAP would be inconsistent with the public interest.

Applying for a Waiver: When applying for this waiver, the developer should explain how waiving the BAP for the project or product serves the public interest and should demonstrate definite impacts on the community if specific items, products, or materials are not utilized in an infrastructure project.

Example: The Environmental Protection Agency (“EPA”) is working to upgrade the nation’s water infrastructure, to increase the resilience of communities and ecosystems, and to effectively implement infrastructure appropriations in a timely and cost-effective manner. Applying the BAP to this project would increase project and construction costs, delay compliance with the Clean Water Act and Safe Drinking Water Act Requirements, delay achieving water quality and other public health goals, require re-evaluation of design decisions, and result in a decline of the use of EPA funds. Applying the BAP would be inconsistent with the public interest and therefore a waiver would be justified.

Nonavailability Waiver

Requirements: A Nonavailability Waiver may be available when a particular iron or steel product, construction material, or manufactured product is not produced in the United States in sufficient quantities or of a satisfactory quality.

Applying for a Waiver: When applying for this waiver, the developer should demonstrate that they have conducted market research and adequately considered qualified alternative items and describe the due diligence performed, including information, quotes, and/or responses from manufacturers, distributors, or suppliers.

Example 1: A Developer, through market research, which included contacting ten potential manufacturers, discovered that none of the manufacturers were able to produce a BABA-compliant window that met the technical specifications for the project. The Developer proposes procuring the window from a manufacturer in Canada as no domestic alternative products were identified through the market research.

Example 2: A Developer, through market research, which included contacting ten potential manufacturers, discovered that only one manufacturer was able to produce BABA-compliant windows, however the lead time to obtain the windows was eighteen (18) months and the cost of the windows would increase the overall project cost by 25%. The Developer proposes procuring the windows from a manufacturer in Canada as the lead time is excessive and the cost pushes the project above the 25% threshold.

Unreasonable Cost Waiver

Requirements: An Unreasonable Cost waiver may be available when applying the BAP will increase the total project cost by more than 25%. “Total project cost” means the total cost of development (all the work that goes into the project).

Applying for a Waiver: When applying for this waiver, the developer should demonstrate that applying the BAP increases the total project cost by more than 25%. The developer must calculate the additional cost of BAP-compliant products, determine the dollar amount to be waived, and demonstrate that no domestic alternatives are available within the project budget.

Example:

Product Name	Estimated cost for BABA compliant product(s)	Estimated cost for non-BABA compliant product(s)
Heat pump – COP 3.5	\$60,000	\$36,000
Corrosion resistant Vents	\$40,000	\$24,000
All other project costs (installation, permitting, overhead, profit)	\$12,000	\$12,000
Total Project cost	\$112,000	\$72,000
Percentage difference	156%	

Prior to submitting a project-/product-specific waiver, the developer must conduct market research to demonstrate its efforts to procure domestic products. Evidence of acceptable market research strategies may include one or more of the following:

(a) Documentation of the report showing results of supplier scouting services provided by the National Institute of Standards and Technology Manufacturing Extension Partnership (NIST MEP) or similar supplier scouting service. For more information about the supplier scouting process, contact the local NIST MEP center.

(b) Documentation that the purchaser has made a good faith effort to contact a minimum of three (3) manufacturers or suppliers to determine if a BABA-compliant material is available in sufficient quantity and satisfactory quality. Documentation may include PDF files or screenshots of Internet searches or email communications, or documentation of phone conversations that notes the date and time of the call, the contact person with whom the purchaser spoke, and a summary of the information received.

Project-/product-specific waivers cannot be approved retroactively for items that have already been purchased or incorporated into a project, so developers should determine if a project-/product-specific waiver is needed as early as possible in the planning process.

RIHousing Waiver Review Process

If the Developer believes a General Waiver should apply to the project, the Developer must complete the General Waiver Form, attached hereto as Appendix G, and provide the required information, as outlined in the form. The Developer must submit the General Waiver Form as early in the development process as practicable to allow RIHousing sufficient time to review the provided information. If RIHousing determines, in its sole discretion, that any of the general waivers apply, RIHousing may waive the BAP for a project or a portion of a project. No formal request to HUD is needed to use these waivers. RIHousing is responsible for maintaining documentation that demonstrates the applicability of the waiver to a project, consistent with the BABA requirements. RIHousing reserves the right to require any additional information or documentation RIHousing determines necessary to demonstrate the applicability of the waiver.

If the Developer believes a Project-/Product-Specific Waiver should apply to the project, the Developer will need to submit to RIHousing a Project-/Product-Specific Waiver Form, attached hereto as Appendix H that corresponds with the type of waiver being requested. The Developer must provide the required information, as outlined in the Form, in order for RIHousing to consider the request. Incomplete forms will not be considered and will be returned to the Developer. RIHousing reserves the right to require any additional information or documentation RIHousing determines necessary to demonstrate the applicability of the waiver.

Upon receipt of the Project-/Product-Specific Waiver form, RIHousing will review it for completeness and reasonableness. RIHousing will then complete a BABA Waiver Form, attached hereto as Appendix I, submit the waiver request to HUD, and go through HUD's project-/product-specific waiver process, which includes MIAO review and a public comment period. The Developer will cooperate with RIHousing through the HUD waiver process to provide any additional information that may be required in a timely manner. RIHousing will inform the developer if the waiver is approved.

NOTE: all work on a project must stop while a waiver is being considered.

CHECKLIST

Build America, Buy America Act: Optional Buy America Preference (BAP) Applicability Checklist



For more information on BABA and the BAP, [visit the BABA page](#) on the HUD exchange.

Overview

This checklist is an optional tool that may be used or adapted to assist with determining if the Buy America Preference (BAP) applies to an infrastructure project funded by a covered CPD program. This checklist follows the analysis steps as described in [Notice CPD 2023-12](#) and may be retained for recordkeeping purposes.

Project Information

Grantee	
Grant Number	
Activity Name	
Activity Number (IDIS/DRGR)	

Step 1:

Is the project an infrastructure project, as defined by the BABA statute?

☐ Yes	Continue to Step 2.
☐ No	The BAP does not apply. The BAP only applies to infrastructure projects. Stop here.

This material is based upon work supported, in whole or in part, by Federal award number C 21 TA MD 0009 awarded to Enterprise Community Partners, Inc. by the US Dept of HUD. The substance and findings of the work are dedicated to the public. Neither the United States Government, nor any of its employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any individuals, agencies, companies, products, process, services, service by trade name, trademark, manufacturer, or otherwise does not constitute or imply an endorsement, recommendation, or favoring by the author(s), contributor(s), the U.S. Government or any agency thereof. Opinions contained herein are those of the author(s) and do not necessarily reflect the official position of, or a position that is endorsed by, HUD or any Federal agency.

Group A: Covered CPD Programs

☐	CDBG	☐	SHOP
☐	Section 108	☐	VHRMP
☐	HOME	☐	CPF/EDI
☐	HTF	☐	Section 4
☐	RHP	☐	Rural Capacity Building
☐	ESG	☐	PRO Housing
☐	CoC	☐	PRICE
☐	HOPWA	☐	FY23 PSH Funds

Group B: CPD Programs Not Covered by the BAP

☐	CDBG-DR	☐	CDBG-CV
☐	CDBG-MIT	☐	HOPWA-CV
☐	CDBG-NDR	☐	ESG-CV
☐	HOME-ARP		

If you selected **any** Group A programs (even if Group B programs are also selected), answer yes. If you selected **only** Group B programs, answer no.

☐ Yes	Continue to Step 3.
☐ No	The BAP does not apply to this project because it is not funded by a covered CPD program. Stop here.

Will the project use covered materials?

Each material should be classified into only one category: iron and steel, specifically listed construction materials, not listed construction materials, or manufactured products. This classification is necessary to apply HUD's Phased Implementation waiver.

Check the box below for each type of covered material incorporated into this infrastructure project.

☐	Iron or steel
☐	Specifically Listed Construction materials
☐	Not Listed Construction materials
☐	Manufactured products

If you checked any boxes above, answer yes.

☐ Yes	Continue to Step 4.
☐ No	The BAP does not apply to this project because it will not incorporate any covered materials. Stop here.



Photo by Pixabayon Pexels



Photo by Marissa Daeger on Unsplash



Photo by Freepik

Based on the obligation date of the covered CPD program funds, does the BAP apply to the funding source and covered materials that will be used in the project?

Use the phased implementation table to determine whether the BAP applies based on the obligation date for the covered CPD program funds and classification of materials. The BAP may only apply to some covered materials used in the project.

The obligation date is generally the date that HUD executed the grant agreement for covered CPD program funds to the grantee. This date may be found in the grant agreement. The obligation date is not the date when the grantee commits funds to a project under a subrecipient agreement.

BAP will apply to...	Iron and Steel	Specifically Listed Construction Materials	Not Listed Construction Materials	Manufactured Products
CDBG	CDBG funds obligated on or after 11/15/22	Projects using FY24 CDBG funds	Projects using FY25 CDBG funds	Projects using FY25 CDBG funds
RHP	RHP funds obligated on or after 8/23/23	Projects using FY24 RHP funds	Projects using FY25 RHP funds	Projects using FY25 RHP funds
All other CPD programs except HOME and HTF	Funds obligated on or after 2/22/24	Funds obligated on or after 8/23/24	Funds obligated on or after 8/23/24	Funds obligated on or after 8/23/24
HOME and HTF	HOME or HTF funds obligated on or after 8/23/24	HOME or HTF funds obligated on or after 8/23/24	HOME or HTF funds obligated on or after 8/23/24	HOME or HTF funds obligated on or after 8/23/24

☐ Yes	Indicate here which covered materials the BAP applies to and continue to Step 5: ☐ Iron and steel ☐ Specifically listed construction materials ☐ Not listed construction materials ☐ Manufactured products
☐ No	The BAP does not apply to this project because the funds were obligated before the effective date for the program/materials used in the project. Stop here.

Infrastructure projects that meet the conditions of a general waiver may be exempt in whole or in part from the BAP.

☐	The total cost of the project from all sources (Federal and non-Federal) is an amount equal to or less than the 2 CFR 200.1 simplified acquisition threshold, which is currently \$250,000. If checked, the Small Grants Waiver applies, and the project is exempt from the BAP. (Waiver effective until November 23, 2027.)
☐	There is an urgent need to immediately complete the project because of a threat to life, safety, or property. If checked, the Exigent Circumstances Waiver applies, and the project is exempt from the BAP. (Waiver effective until November 23, 2027.)
☐	The project is in Guam, American Samoa, or the Northern Mariana Islands. If checked, the Pacific Island Territories Waiver applies, and the project is exempt from the BAP. (Waiver effective until February 15, 2025.)
☐	The project is being funded by a Tribal recipient. If checked, the Tribal Recipients Waiver may apply, and the project is exempt from the BAP. (Waiver effective until September 30, 2024.)

If you checked any of the boxes above, answer yes below.

☐ Yes	The HUD general waiver selected above is being applied to this project, so the BAP does not apply to the entire project. Documentation of the conditions of the waiver should be attached.
☐ No	Proceed to Step 5a.

Step 5a:

Calculate the *De Minimis* limit for the project:

The total cost of all covered materials includes all iron and steel, construction materials, and manufactured products used in the project, regardless of whether the BAP currently applies under the Phased Implementation waiver.

Enter the total cost of all covered materials:	
Multiply that amount by 0.05 (5%):	
Enter the lower of the number calculated in the row above or \$1,000,000:	

The amount in the third row above is the *De Minimis* limit for this project. The BAP can be waived for covered materials from foreign or unknown sources at a cost not to exceed the *De Minimis* limit of 5% of the total cost of materials or \$1,000,000 (whichever is less). The BAP will still apply to other covered materials used in the project. **Attach a list of covered materials and their associated costs to which the *De Minimis* limit has been applied.**



Step 6:

If the BAP applies to a project and all general waiver flexibilities have been utilized, but there are remaining covered materials that can only be sourced from foreign or unknown sources, then a grantee may apply for a project-/product-specific waiver.

☐ Yes	Refer to guidance in Section VII Step 6 of Notice CPD 2023-12.
☐ No	Stop here and retain this analysis in project records.

Completed by	Date Completed



CHECKLIST

Build America, Buy America Act:
Optional Buy America Preference
(BAP) Applicability Checklist

Appendix B

EACH FIELD MUST BE COMPLETED

BIDDER CERTIFICATION

Attach this form to all Bids for qualifying RIHousing-Funded Projects

PURPOSE: This “*Bidder Certification Form*” is used to certify that, as required by federal law, materials listed in the bid(s) attached meet the requirements of the Build America, Buy America Act (“BABA”)

BABA REQUIREMENTS: BABA requirements for qualifying RIHousing-funded projects are as follows:

1. **All iron and steel** used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. **All construction materials** used in the project are produced in the United States. This means that all manufacturing processes for the construction material occurred in the United States.
3. **All manufactured products** used in the project are produced in the United States. This means the manufactured product was manufactured in the United States. A manufactured product is considered manufactured in the United States if the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

CERTIFICATION:

I hereby certify the materials in the attached Bid meet the requirements of the Build America, Buy America Act and accompanying guidance. Responsible Contractors, subcontractors, manufacturers, suppliers, and any other person or entity signing this certification agree to provide documentation verifying the material meets all requirements upon demand of RIHousing, the developer, or the Federal Government. Signing this document does not alleviate the signee of providing such evidence or documentation.

I understand that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Bid Number/Identifier (Bid to be attached): _____

Type of materials to be supplied: _____

Contract Name & Number: _____

Company Name: _____

Representing (Contractor, supplier, manufacturer, etc.): _____

Phone Number: _____ Email: _____

Authorized Representative Name (Print): _____

Signature: _____

Appendix C

EACH FIELD MUST BE COMPLETED

AIA G702 CERTIFICATION

Attach this form to all AIA G702s for qualifying RIHousing-Funded Projects

PURPOSE: This “*AIA G702 Certification Form*” is used to certify that, as required by federal law, project components listed in the AIA G702 Form(s) attached meet the requirements of the Build America, Buy America Act (“BABA”)

BABA REQUIREMENTS: BABA requirements for qualifying RIHousing-funded projects are as follows:

1. **All iron and steel** used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. **All construction materials** used in the project are produced in the United States. This means that all manufacturing processes for the construction material occurred in the United States.
3. **All manufactured products** used in the project are produced in the United States. This means the manufactured product was manufactured in the United States. A manufactured product is considered manufactured in the United States if the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

CERTIFICATION:

I hereby certify that the materials installed/to be installed pursuant to the attached Certification for Payment Document AIA G702 and Appendix D - Submittal Log meet the requirements of the Build America, Buy America Act and accompanying guidance. Responsible Contractors, subcontractors, manufacturers, suppliers, and any other person or entity signing this certification agree to provide documentation verifying the material meets all requirements upon demand of RIHousing, the developer, or the Federal Government. Signing this document does not alleviate the signee of providing such evidence or documentation.

I understand that making false statements or claims in connection with an award of federal funds is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Date of G702: _____

Type of materials to be supplied (Appendix D - submittal log attached):

Contract Name & Number: _____

Company Name: _____

Representing (Contractor, supplier, manufacturer, etc.): _____

Phone Number: _____ Email: _____

Authorized Representative Name (Print): _____

Signature: _____

[illegible]

[illegible]

Appendix E

SAMPLE MADE IN AMERICA CERTIFICATION:

Company letterhead.

Date

Company Name

Company Address

City, State Zip

Subject: Build America, Buy America Act Certification for Project (XXXXXXXXXX)

I, (**company representative**), certify that the following products and/or materials shipped/provided to the subject project are in full compliance with the Build America, Buy America Act (BABA) requirements as mandated in the Infrastructure Investment and Jobs Act (IIJA) Pub. L. No. 117-58, §§ 70901-52:

1. All iron and steel used in the project are produced in the United States. This means all manufacturing processes occurred in the United States, from the initial melting stage through the application of coatings.
2. All construction materials used in the project are produced in the United States. This means that all manufacturing processes for the construction material occurred in the United States.
3. All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States. A manufactured product is considered manufactured in the United States if the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

Item, Products and/or Materials:

1. XXXX
2. XXXX
3. XXXX

Such process took place at the following location: .

If any of the above compliance statements change while providing material to this project, we will immediately notify the prime contractor and the engineer.

Signed by company representative



Build America, Buy America Made In America Certification Form

EACH FIELD MUST BE COMPLETED

MADE IN AMERICA CERTIFICATION

Attach this form to all Payment Requisitions for qualifying RIHousing-Funded Projects

PURPOSE: This “*Made In America Certification Form*” is used to certify that, as required by federal law, materials listed in the payment requisition(s) attached meet the requirements of the Build America, Buy America Act (“BABA”)

BABA REQUIREMENTS: BABA requirements for qualifying RIHousing-funded projects are as follows:

1. **All iron and steel** used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. **All construction materials** used in the project are produced in the United States. This means that all manufacturing processes for the construction material occurred in the United States.
3. **All manufactured products** used in the project are produced in the United States. This means the manufactured product was manufactured in the United States. A manufactured product is considered manufactured in the United States if the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

MATERIALS/MANUFACTURED GOODS SUBJECT TO THIS CERTIFICATION:

TYPE OF MATERIAL/GOOD	PRICE PER UNIT	MAKE & MODEL	MANUFACTURING LOCATION

CERTIFICATION:

I hereby certify the materials in the above list meet the requirements of the Build America, Buy America Act and accompanying guidance. Responsible Contractors, subcontractors, manufacturers, suppliers, and any other person or entity signing this certification agree to provide documentation verifying the material meets all requirements upon demand of RIHousing, the developer, or the Federal Government. Signing this document does not alleviate the signee of providing such evidence or documentation.

I understand that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

Contract Name & Number: _____

Company Name: _____

Representing (Contractor, supplier, manufacturer, etc.): _____

Phone Number: _____ Email: _____

Authorized Representative Name (Print): _____

Signature: _____

Build America, Buy America Act: Optional Buy America Preference (BAP) Certification



Project Information

Grantee	
Grant Number	
Activity Name	
Activity Number (IDIS/DRGR)	

This “Optional Buy America Preference Certification” is used to certify that, as required by the Build America, Buy America (BABA) Act, all of the iron, steel, manufactured products, and construction materials incorporated into an infrastructure project are produced in the United States, unless exempted by a HUD general waiver or a project-/product-specific waiver approved by the Made in America Office (MIAO) at the Office of Management and Budget (OMB).

For covered materials not otherwise exempted from the Buy America Preference (BAP), the undersigned certifies the following:

- All iron and steel used in the project are produced in the United States. This means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- All manufactured products used in the project are produced in the United States. This means the manufactured product was manufactured in the United States, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product;
- All construction materials used in the project are manufactured in the United States. This means that all manufacturing processes for the construction material occurred in the United States.

Attach a list of all covered materials procured by the signatory and used in the project.

I hereby certify this information is complete and accurate and agree to provide documentation collected on the country of origin for all covered materials I caused to be incorporated into or affixed to an infrastructure project to the CPD grantee and HUD upon request. I understand and agree that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

Signature	Title/Organization	Date

Appendix G

EACH FIELD MUST BE COMPLETED

GENERAL WAIVER FORM

PURPOSE: This “*General Waiver Form*” should be used by a developer to provide the information necessary for RIHousing to determine whether a general waiver applies to the project.

REQUIRED INFORMATION:

1. Infrastructure Project Name: _____

- ## **2. Infrastructure Project Description and Location:**

- 3. Is the Infrastructure Project co-funded by other Federal agencies besides HUD or other State agencies besides RIHousing?**

☐ Yes ☐ No

4. If you answered yes to Question 5 above, does HUD provide the largest amount of funding to the Infrastructure Project?

☐ **Yes** ☐ **No**

5. If you answered yes to Question 5 above, please list the other federal agencies involved, including the program name, the office, and the contact information for each agency:

Federal/State Agency	Office	Program	Contact Information

- 6. Estimated Total Project Funding, including federal and non-federal sources:**

7. Total Requested Funding from RIHousing: _____

8. Total Estimated Infrastructure Costs, including all federal and non-federal shares:

9. Listing of Materials, Technical Specifications, and Quantity:

RIHousing requires the name of the iron or steel item, manufactured product, or construction material proposed to be excepted from BABA requirements, including name, cost, countries of origin (if known), and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code. Please note if you have multiple products you would like RIHousing to review, please submit a waiver application for each product. Links to manuals that provide the PSC and

NAICS codes:

- **PSC Codes:** <https://www.acquisition.gov/psc-manual>
- **NAICS Codes:** <https://www.census.gov/naics/>

Technical specification description of the item to be waived, if applicable:

Quantity required: _____

10. Waiver Type:

Choose one of the three waiver types listed in this section and only answer the questions and provide the information/documentation applicable to that chosen waiver type.

a. Exigent Circumstances Waiver:

- Provide an explanation regarding how or why there is an urgent need to immediately complete the project because of a threat to life, safety, or property of residents and the community. Attach documentation for additional support if needed.

b. ***De Minimis* Waiver:**

- i. Describe the materials for which this waiver is sought and demonstrate how those materials comprise no more than 5% of the total cost of the iron, steel, construction materials, and manufactured products used in the project. Such “total cost” may not include labor or other materials that are exempt from the BAP. Please provide a reasonable justification for this waiver, such as an explanation regarding how the materials are not domestically produced. Attach documentation for material prices as well as documentation to demonstrate “total cost.” Attach documentation for additional support if needed.

c. **Small Grants Waiver:**

- i. Please demonstrate that the “total project cost” (including all sources of funding, both Federal, State and other) is \$250,000 or less. “Total project cost” means the total cost of development (all the work that goes into the project). Attach documentation for additional support if needed.

11. Additional Waiver Information

Provide any additional information for RIHousing’s consideration of the requested waiver:

12. Anticipated Impacts

Identify any anticipated impacts if no waiver is issued. Attach documentation for additional support if needed.

13. Submission of Proprietary Information

RIHousing is a quasi-governmental agency of the State of Rhode Island that is subject to the Rhode Island Access to Public Records Act, R.I. Gen. Laws §38-2-1, et seq. (the “Act”). To the extent any information submitted in this form is subject to the Act, it will be withheld or released to the public only in accordance with the Act’s provisions, in the sole and absolute discretion of RIHousing.

CERTIFICATION:

I, the undersigned, hereby certify that I made, and will continue to make, a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor for the project. I hereby certify that RIHousing can rely on this certification and the information provided herein when submitting a Waiver Request for the project.

I, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

DEVELOPER/APPLICANT NAME: _____

DEVELOPER/APPLICANT SIGNATURE: _____

DATE OF CERTIFICATION: _____

Appendix H

EACH FIELD MUST BE COMPLETED

PROJECT-/PRODUCT-SPECIFIC WAIVER FORM

PURPOSE: This “*Project-/Product-Specific Waiver Form*” should be used by a developer to provide the information necessary for RIHousing to submit a project-/product-specific HUD Waiver Request Form.

REQUIRED INFORMATION:

1. HUD Program Name: _____
2. Program Award Amount: _____
3. Infrastructure Project Name: _____
4. Infrastructure Project Description and Location:

5. Is the Infrastructure Project co-funded by other Federal agencies besides HUD?
☐ Yes ☐ No
6. If you answered yes to Question 5 above, does HUD provide the largest amount of funding to the Infrastructure Project?
☐ Yes ☐ No
7. If you answered yes to Question 5 above, please list the other federal agencies involved, including the program name, the office, and the contact information for each agency:

Federal Agency	Office	Program	Contact Information

8. If you answered no to Question 6 above, please explain why you are submitting a waiver application to HUD. You must apply for a waiver through the Federal Agency that provided the largest amount of funding to the project. Your application will not be reviewed by HUD unless an explanation is provided.

9. Total Funding, including federal and non-federal sources:

10. Total Estimated Infrastructure Costs, including all federal and non-federal shares:

11. Listing of Materials, Technical Specifications, and Quantity:

HUD requires the name of the iron or steel item, manufactured product, or construction material proposed to be excepted from BABA requirements, including name, cost, countries of origin (if known), and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code. Please note if you have multiple products you would like HUD to review, please submit a waiver application for each product. Links to manuals that provide the PSC and NAICS codes:

- **PSC Codes:** <https://www.acquisition.gov/psc-manual>
- **NAICS Codes:** <https://www.census.gov/naics/>

Technical specification description of the item to be waived, if applicable:

Quantity required: _____

12. Waiver Type:

Choose one of the three waiver types listed in this section and only answer the questions and provide the information/documentation applicable to that chosen waiver type.

a. **Nonavailability Waiver:**

- i. A description of the due diligence performed by the applicant, including names and contact information of the manufacturers, distributors, or suppliers contacted for quotes (minimum 3), and the responses provided. Attach documentation for additional support if needed.

- ii. In the instance that the lead time to obtain a BABA compliant item is excessive, please attach documentation which indicates: the sum of the project cost and product that was identified, the cost differential between the BABA compliant product and the Non-BABA compliant product that increases the overall project cost to be above the threshold of 25%, and any quality or quantity issues that were interfaced in the BABA compliant process. Attach documentation for additional support if needed.

b. **Unreasonable Cost Waiver:**

- i. What is the additional cost of the BABA compliant item, compared to using iron and steel, manufactured products, and construction materials of non-domestic or unknown origin? Please demonstrate how the BABA compliant item increases the total project cost by more than 25 percent. Attach documentation of prices for BABA compliant and non-compliant items for the cost comparison. Attach documentation for additional support if needed.

c. Public Interest Waiver:

- i. Explain how waiving the BABA requirement for this project or product serves the public interest. Attach documentation for additional support if needed.

13. Additional Waiver Information

Provide any additional information for HUD’s consideration of the requested waiver:

14. Anticipated Impacts

Identify any anticipated impacts if no waiver is issued. Attach documentation for additional support if needed.

15. Public Posting of Waiver Request Information

If RIHousing submits a Waiver Request to HUD utilizing the information provided herein, such information will be posted for a period of public comment and review. HUD will not publicly post information considered to be personally identifiable information (PII), including signatures and specific contact information such as an email address and phone number. However, all other information contained in this form, along with any supporting documentation, may be publicly posted so that the public has adequate information to comment on your requested waiver of the BABA domestic sourcing requirements. If you feel that some of the information contained in this waiver request is “proprietary information” and do not want this information disclosed, please follow the instructions in “Submission of Proprietary Information” below. Please note that your designations of exempt material are not binding on HUD.

16. Submission of Proprietary Information

FOIA exempts from mandatory disclosure any “trade secrets or commercial or financial information obtained from a person and privileged or confidential.” 5 U.S.C. 552(b)(4) (Exemption 4). In accordance with Exemption 4, HUD will maintain as confidential any documents submitted by RIIHousing, or prepared by the applicant or developer, that are both customarily and actually treated as private by the applicant or developer, or closely held and not publicly disseminated. If you feel that some or all of this submission falls within the scope of Exemption 4 and is entitled to confidential treatment, you must indicate the specific information you consider proprietary in a cover attachment to this form. Please note that your designations of exempt material are not binding on HUD.

RIIHousing is a quasi-governmental agency of the State of Rhode Island that is subject to the Rhode Island Access to Public Records Act, R.I. Gen. Laws §38-2-1, et seq. (the “Act”). To the extent any information submitted in this form is subject to the Act, it will be withheld or released to the public only in accordance with the Act’s provisions, in the sole and absolute discretion of RIIHousing.

CERTIFICATION:

I, the undersigned, hereby certify that I made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor for the project. I hereby certify that RIIHousing can rely on this certification and the information provided herein when submitting a Waiver Request for the project.

I, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

DEVELOPER/APPLICANT NAME: _____

DEVELOPER/APPLICANT SIGNATURE: _____

DATE OF CERTIFICATION: _____

BUILD AMERICA BUY AMERICA WAIVER REQUEST

This data collection is for submitting a waiver request to the Build America, Buy America requirements. According to the Build America Buy America Act (BABAA), “none of the funds made available for a Federal Financial Assistance program for infrastructure, including each deficient program, may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States.”

Waivers are explained in the [Office of Management and Budget Memorandum 22-11](#) and required by the [Infrastructure, Investments and Jobs Act](#) (IIJA) sections 70901 through 70952. Each waiver request must provide responses to the form questions, as applicable. Instructions are provided in the next paragraph. Contact your Department of Housing and Urban Development representative for your award or for additional assistance with completing this data collection.

Instructions: The applicant needs to complete questions 1 through 17, sign and certify the form, and email the waiver request to BuildAmericaBuyAmerica@hud.gov.

Required fields are marked with an asterisk (*)

Questions to be Answered by the Grantee**1. Submitter Contact Information**

Legal Name *	Unique Entity Identifier (UEI) *	
Address 1 *		
Address 2		
City *	County/Parish	State
Territory/Province	Country *	Zip/Postal Code *

2. Submitter Email ***3. Submitter Phone Number ***

4. Federal Financial Assistance Identification Number (FAIN/Award Number) and Name *

4.1 Provide the SAM.gov Assistance Listing number. *

4.2 Provide the SAM.gov Assistance Listing name. *

5. Housing and Urban Development (HUD) Program Name *

6. Federal Financial Assistance Funding Amount *

7. Infrastructure Project *

7.1 State the Infrastructure Project description and location, to the extent known.

7.2 Is your project co-funded by other Federal Agencies beside HUD? * Yes No

- If yes: Complete section 7.2.1
 - If no: Proceed to question 8
-

7.2.1 If you answered yes to question 7.2, does HUD provide the largest amount of funding to the project? Please note, if HUD is not the largest funder, you must apply for a waiver through the Federal Agency that provided the largest amount of funding to the project. Yes No

7.2.1a If you answered yes to question 7.2.1, please list the other Federal Agencies involved, including the Program, Office, and contact information for each Agency.

Federal Agency	Office	Program	Contact Information

7.2.1b If you answered no to question 7.2.1, please explain why you are submitting a waiver application to HUD. You must apply for a waiver through the Federal Agency that provided the largest amount of funding to the project. Your application will not be reviewed by HUD unless an explanation is provided.

8. Total funding, including federal and non-federal shares: *

9. Total estimated infrastructure costs, including all federal and non-federal shares (to the extent known): *

10. Listing of Materials, Technical Specifications, and Quantity: *

HUD requires the name of the iron or steel item, manufactured product, or construction material proposed to be excepted from BABAA requirements, including name, cost, countries of origin (if known), and relevant Product Service Code (PSC) and North American Industry Classification System (NAICS) code. Please note if you have multiple products you would like HUD to review, please submit an waiver application for each product. Links to manuals that provide the PSC and NAICS codes:

- **PSC Codes:** <https://www.acquisition.gov/psc-manual>
- **NAICS Codes:** <https://www.census.gov/naics/>

10.1 Technical specification description of the item to be waived, if applicable.

10.2 Quantity required:

11. Waiver Type *

Choose **ONE** of the three waiver types listed in this section and only answer the questions applicable to the chosen waiver type.

- **Nonavailability waivers:** Complete section 11.1
 - **Unreasonable Cost waivers:** Complete section 11.2
 - **Public Interest waivers:** Complete section 11.3
-

11.1 Nonavailability Waiver

Applicable responses to the following are required:

11.1.1 A description of the due diligence performed by the applicant, including names and contact information of the manufacturers, distributors, or suppliers contacted for quotes (minimum 3), and the responses provided. *Attach documentation for additional support if needed.*

11.1.2 In the instance that the lead time to obtain a BABA compliant item is excessive, please attach documentation which indicates: the sum of the project cost and product that was identified, the cost differential between the BABA compliant product and the Non-BABA compliant product that increases the overall project cost to be above the threshold of 25%, and any quality or quantity issues that were interfaced in the BABA compliant process. Attach documentation for additional support if needed.

11.2 Unreasonable Cost Waiver (BABA compliance increases total project cost by more than 25 percent)

Applicable responses to the following are required:

11.2.1 What is the additional cost of the BABA compliant item, compared to using iron and steel, manufactured products, and construction materials of non-domestic or unknown origin? Please demonstrate how the BABA compliant item increases the total project cost by more than 25 percent. Attach documentation of prices for BABA compliant and non-compliant items for the cost comparison. *Attach documentation for additional support if needed.*

11.3 Public Interest Waiver

11.3.1 Explain how waiving the BABA requirement for this project or product serves the public interest. Attach documentation for additional support if needed.

12. Additional Waiver Information

Provide any additional information for HUD's consideration of the requested waiver.

13. Anticipated Impacts *

Identify any anticipated impacts if no waiver is issued. *Attach documentation for additional support if needed.*

14. Certification *

Certification that the Federal assistance recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)."

15. Certifying Official Name: *

16. Certifying Official Signature: *

17. Date of Certification: *

Public Posting of Waiver Request Information

The BABAA domestic sourcing requirements waiver authority generally requires the Federal awarding agency to post this waiver information for a period of public comment and review. The Department will not publicly post information considered to be personally identifiable information (PII), including signatures and specific contact information such as an email address and phone number. However, all other information contained in this form, along with any supporting documentation, may be publicly posted so that the public has adequate information to comment on your requested waiver of the BABAA domestic sourcing requirements. If you feel that some of the information contained in this waiver request is “proprietary information” and do not want this information disclosed, please follow the instructions in “Submission of Proprietary Information”, below. Please note that your designations of exempt material are not binding on the Department.

Submission of Proprietary Information

FOIA exempts from mandatory disclosure any “trade secrets or commercial or financial information obtained from a person and privileged or confidential.” 5 U.S.C. 552(b)(4) (Exemption 4). In accordance with Exemption 4, the Department will maintain as confidential any documents submitted by you, or prepared by the applicant or grantee, that are both customarily and actually treated as private by the applicant or grantee, or closely held and not publicly disseminated. If you feel that some or all of this submission falls within the scope of Exemption 4 and is entitled to confidential treatment, you must indicate the specific information the applicant or grantee considers proprietary in a cover attachment to this form. Please note that your designations of exempt material are not binding on the Department.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 2511-0002. Public reporting burden for this collection of information is estimated to average 10 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is *required to obtain or retain benefit* (with section 70914 of the [Build America Buy America Act \(Pub. L. No. 117-58 §§ 70901-70952\)](#)). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact your assigned program officer directly.

-- END OF FORM

MANAGEMENT & INSURANCE

MANAGEMENT & INSURANCE.....SECTION 4

1. Management Plan Checklist
2. Insurance Requirements
 - a. Blank Acord 25
 - b. Blank Acord 28



Sample Management Plan Checklist

A Management Plan must be prepared for each individual property. Management Plan must address all the following topics, though it may include more if the Owner and Manager choose.

✓	Subject	Comments	Comments
☐	Owner to Manager Relationship	- Liaison responsibilities - Decision making responsibilities - Tasks remaining the Owner's responsibility	
☐	Marketing & Outreach Plan or Affirmative Fair Housing Marketing Plan (AFHMP)	- See HUD form 935-2a - Special Outreach - Nondiscriminatory Policy	Example of Special Outreach: social media, referrals, local events, sponsorships, networking with local businesses and community, etc.
☐	Average Income Testing (AIT)	If the Owner elects AIT, it must be described in this document as well as the TSP	
☐	Tenant Selection Plan (TSP)	See RIHousing TSP checklist & HOME specific TSP checklist	
☐	Rent Collection	- Late payment process - Repayment agreements - Eviction for non-payment of rent	
☐	Maintenance	- Emergency maintenance - Unit turnover procedure - Unit turnover timeframes - Preventative maintenance - Work order procedure & response to calls - Routine schedules - Purchasing & inventory procedures	Emergency maintenance section should include 24-hr emergency answering service and on-call personnel.
☐	Budgeting and Finance	- Budgeting procedures - Spending controls - Bookkeeping practices - Auditing procedures	
☐	Contracts	- Contract term - Scope of services - Performance standards and timelines	Explain bidding and procurement

☐	Personnel	• Organizational Chart • Hiring Plan • Training • Progressive discipline • General benefits and work plan	The hiring plan should include whether new staff are being hired, or if old staff will remain. Include whether staff will be full-time or part-time and if they will be shared with other sites. Refer to Proforma for committed staffing levels.
☐	Management Software System	• Reporting and filing system procedures • Internal reports • Reports to the Owner • Reports to external parties • Use of Procorem for RIHousing and adherence to their security protocols	Suggested language: “MANAGEMENT COMPANY will adhere to all policies and procedures set forth in this plan in addition to those required by government agencies, funders, lenders, or investors.”

Intentionally left blank. For RIHousing purposes only:

RI Housing

Multi-Family Insurance Requirement Guidelines

General Insurance Requirements

Procurement, Term, and Certificates of Compliance.

- Borrower, Mortgagor or Property Owner (each also referred to as “Property Owner”), as a condition of its mortgage loan commitment and as a covenant of its mortgage in connection with multi-family housing developments to be financed by Rhode Island Housing and Mortgage Finance Corporation (RIHousing), and as required, shall obtain and keep in force, or cause to be obtained and kept in force, policies of insurance described in this Exhibit, throughout and in accordance with the terms of the Loan Agreement.
- Architects (design and supervision), general contractors, and managing agents shall obtain and keep in force, or cause to be obtained and kept in force, policies of insurance described in this Exhibit.
- Each policy shall be obtained and be effective prior to the start date of any agreement or contract, or the performance of any activity intended to be insured by each policy and maintained for the duration required by any agreement, contract, or this Exhibit.
- Provisions relating to products and completed operations, professional liability, pollution legal liability, and additional insured survive the expiration or termination of any Loan Agreement, agreement, or contract.
- This Exhibit shall survive the termination and/or expiration of any required insurance policy.
- Parties shall not use self-insurance, captives, or risk retention groups unless approved in writing by RIHousing.
- Any Party who hires a subcontractor, vendor, agent or other hired party, collectively, "Hired Party or Parties" shall submit a Certificate of Compliance with Insurance Requirements form upon entering into the initial contract or agreement with the Hired Party, annually, or as requested by RIHousing, to certify the Hired Party's insurance complies with these Multi-Family Insurance Requirement Guidelines. Property Owners, architects, general contractors, and managing agents must certify directly to RIHousing.

Party/Parties. Property Owners, architects (design and supervision), general contractors, and managing agents, individually "Party", collectively "Parties".

Exhibit. These Multi-Family Insurance Requirement Guidelines.

Indemnified Parties. Indemnified Parties shall include any parties entitled to coverage or indemnification, including but not limited to Rhode Island Housing and Mortgage Finance Corporation, its Successors and Assigns, and any other parties as required, each an "Indemnified Party" and collectively, "Indemnified Parties".

Hired Parties. All Parties shall enter into written and executed contracts or agreements containing a hold harmless clause that provides for defense (other than professional liability) and indemnification in favor of Indemnified Parties with any subcontractors, vendors, agents or other hired parties, collectively, "Hired Parties" who provide materials, services or perform construction or other work in connection with the contract or agreement. All Parties shall cause Hired Parties to comply with the insurance requirements for Hired Parties in this Exhibit. All Parties shall be responsible for obtaining certificates of insurance and endorsements for all coverage required from each Hired Party prior to the Hired Party beginning work at the property or procuring materials and obtaining and maintaining renewal certificates of insurance as required by this Exhibit.

Evidence of Insurance. All Parties shall furnish evidence of the required insurance on an ACORD form 25 and/or 28. All parties are required to submit evidence of insurance prior to the start of any contract or agreement, prior to beginning any work, throughout the duration of the contract or work, and post-completion as required. Property Owners, architects, general contractors and managing agents shall provide evidence of insurance to RIHousing. Hired Parties shall provide their evidence of insurance to the Property Owner, architect, general contractor or managing agent who contracts with the Hired Party.

- Evidence of builder's risk insurance and property coverage shall be provided on a current ACORD 28 form - Evidence of Commercial Property Insurance. The Acord 28 form shall indicate Special Perils Insured.
- Evidence of liability, workers' compensation and miscellaneous coverage shall be provided on a current ACORD 25 form - Certificate of Liability Insurance. All required endorsements shall be attached to the certificate(s) of insurance. A list of any non-standard policy exclusions shall be attached to each certificate.
- Certificates evidencing additional or renewal policies shall be provided at least thirty (30) days prior to the expiration of a policy. RIHousing reserves the right to request and inspect each certificate of insurance, endorsement, or insurance policy to verify the required scope of insurance.
- The certificate holder name and address shall be Rhode Island Housing and Mortgage Finance Corporation, Its Successors and Assigns, 44 Washington Street, Providence RI, 02903-1721, Attn: Director of Loan Servicing. Additional certificates may be required for other Indemnified Parties.

Obligation to Procure. Receipt of insurance certificates or copies of policies or endorsements without objection by RIHousing does not constitute acceptance or approval of insurance nor does it relieve any Party or Hired Party from their respective obligations to provide the required insurance. The obligation to procure and maintain any required insurance is a separate responsibility of the Party and independent of the duty to furnish a copy or certificate of such insurance policies. If RIHousing is damaged by a Party or Hired Party's failure to maintain such insurance and to comply with the terms of this Exhibit, then Party shall be responsible for all costs and damages to RIHousing attributable to such failure. To the extent of any Party's inability to obtain all insurance required by this Exhibit, RIHousing, at any time, shall procure such insurance for Party at commercially reasonable rates. RIHousing may charge a one-time administrative fee equal to 15% of the annual premium for such insurance, however RIHousing is not obligated to procure such insurance on behalf of a Party.

Evidence of Payment of Insurance Premiums. All Parties shall furnish to RIHousing upon request evidence of payment of insurance premiums for any insurance policy required by this Exhibit. All Parties shall furnish to RIHousing upon request duplicate receipts or satisfactory evidence of the payment of all premiums on any and all insurance required to be carried by the All Parties in accordance with this Exhibit.

Changes or Modifications. The insurance requirements in this Exhibit are subject to change, and may not be modified or waived, in whole or in part, except with the prior written authorization of RIHousing or its designee. At the discretion of RIHousing, additional or other coverage may be required where applicable.

Minimum Requirements. RIHousing does not warrant that meeting the required insurance coverage and limits will be sufficient to protect the interests of the Parties and Hired Parties. These are the minimum requirements to protect the interests of RIHousing. RIHousing makes no representation that the required coverages are adequate to fully protect the Parties and Hired Parties and recommends that the Parties and Hired Parties make an independent determination as to the adequacy of the coverage obtained with respect to a particular development. RIHousing strongly suggests that all Parties review the requirements with their insurance agent, broker and/or insurance company, prior to securing any insurance, to ensure compliance with the insurance requirements in this Exhibit.

Insurance Company Rating. All insurance required by this Exhibit shall be provided by reputable insurers licensed by the Rhode Island Department of Business Regulation to do business in the State of Rhode Island, with current AM Best ratings of not less than A- VIII.

Cancellation Notice Requirement. Within seven (7) days of the date the Property Owner, architect, general contractor or managing agent becomes aware of an impending or actual cancellation, non-renewal or expiration of any insurance required by RIHousing, the Property Owner, architect, general contractor or managing agent shall provide written notice to RIHousing of such impending or actual cancellation, non-renewal or expiration. Upon receipt of notice from the Property Owner, architect, general contractor or managing agent, RIHousing shall, unless the lapse in coverage arises from an act or omission of RIHousing, have the right but not the obligation to procure replacement coverage pursuant to the Obligation to Procure provision. The furnishing of notice by the Property Owner, architect, general contractor or managing agent shall not relieve the Property Owner, architect, general contractor or managing agent of any contractual obligation to provide any required coverage. The Property Owner, architect, general contractor or managing agent shall require the same notice of cancellation, non-renewal or expiration from their Hired Parties. The foregoing does not waive any requirement under Rhode Island law or regulation that RIHousing be provided notice of cancellation directly by an insurer.

Mortgagee/Loss Payee. For all policies where RIHousing has an insurable interest, Rhode Island Housing and Mortgage Finance Corporation shall be listed as mortgagee and loss payee. For all FHA-insured loans (exclusive of FHA Risk Sharing), the Federal Housing Administration shall also be included as mortgagee and loss payee as their interests may appear.

Additional Insureds. Each Commercial General Liability, Automobile Liability and Umbrella or Excess Liability policy provided by any Party, and their Hired Parties as applicable, shall include, or be endorsed to include Indemnified Parties, and Property Owner as applicable, as additional insureds on a primary and non-contributory basis. Additional insured coverage under the CGL shall include ongoing operations and completed operations with completed operations coverage provided and maintained as described in the Commercial General Liability section.

Additional insured coverage provided to Property Owner shall be provided by forms CG 20 10 “Additional Insured – Owners, Lessees or Contractors – Scheduled Person or Organization” and CG 20 37 “Additional Insured – Owners, Lessees or Contractors – Completed Operations” or by any forms providing equivalent or better coverage.

The Commercial General Liability (CGL) policy shall include or be endorsed to include additional insured coverage for Rhode Island Housing and Mortgage Finance Corporation. This coverage shall be provided by ISO endorsement number CG 20 18 “Additional Insured—Mortgagee, Assignee or Receiver” or by any forms providing equivalent or better coverage.

Primary and Non-Contributory. All required coverage except Professional Liability Insurance of any Party or Hired Party shall be primary to any coverage that may be available to Indemnified Parties. The coverage afforded shall be primary with respect to any claims, losses, damages, expenses or liabilities arising out of, relating to in any way, or incident to the work or any activities of any Party or Hired Party, regardless of whether instituted against RIHousing alone or jointly with a Party or Hired Party or others, and noncontributing with any other insurance maintained by Indemnified Parties.

Waiver of Subrogation/Waiver of Transfer of Right to Recover from Others. To the fullest extent allowed by law, Parties and Hired Parties shall waive all rights of recovery and subrogation, regardless of negligence, against the Indemnified Parties. Additionally, any Party and Hired Parties' insurance policies shall be endorsed to waive rights of recovery by subrogation as described in the Insurance Policy Requirements sections below.

Limits. The limits of insurance for each required policy shall be no less than required in this Exhibit and may be provided through a combination of primary and umbrella or excess liability policies.

Deductibles. Parties and Hired Parties shall be exclusively responsible for any deductibles or self-insured retentions applicable to the insurance provided.

Party and Hired Party Coverage Requirements

The Coverage Requirements for each Party and Hired Party shall be provided in accordance with the Insurance Policy Requirements section below.

Property Owner Coverage Requirements.

- During Construction, Property Owner shall purchase and maintain coverage for Builders Risk, Flood, Earthquake, Equipment Breakdown, Boiler and Machinery Insurance, Commercial General Liability, Commercial Automobile Liability, if owned autos, Excess or Umbrella Liability, Workers' Compensation and Employers' Liability and,
- During Operation, Property Owner shall purchase and maintain coverage for Property, Flood, Earthquake, Boiler and Machinery Insurance, Commercial General Liability, Commercial Automobile Liability, if owned autos, Excess or Umbrella Liability, Workers' Compensation and Employers' Liability, and Garage Keepers Legal Liability as described under Insurance Policy Requirements in this Exhibit.

Architect (Both Design and Supervision) Coverage Requirements. Architect shall purchase and maintain coverage for Commercial General Liability, Excess or Umbrella Liability, Workers' Compensation and Employers' Liability and Professional Liability, as described under Insurance Policy Requirements in this Exhibit.

General Contractor Coverage Requirements. General contractor shall purchase and maintain coverage for Commercial General Liability, Commercial Automobile Liability, Excess or Umbrella Liability, Workers' Compensation and Employers' Liability and Contractor's Pollution Liability as described under Insurance Policy Requirements in this Exhibit.

Managing Agent Coverage Requirements. Managing agent shall purchase and maintain coverage for Commercial General Liability, Commercial Automobile Liability, Excess or Umbrella Liability, Workers' Compensation and Employers' Liability, Crime and Garage Keepers Legal Liability, as applicable, as described under Insurance Policy Requirements in this Exhibit.

Hired Parties Coverage Requirements. Any Hired Parties shall purchase and maintain coverage for Commercial General Liability, Commercial Automobile Liability, Excess or Umbrella Liability, Workers' Compensation and Employers' Liability as described under Insurance Policy Requirements in this Exhibit or as required by any other contract documents if more stringent.

Insurance Policy Requirements

Builder's Risk. Prior to construction, Property Owner shall purchase and maintain, or cause to be purchased and maintained, during the life of the Project a builder's risk (course of construction) insurance policy in an amount not less than 100% of the completed value of the Project. Any coverage sublimit shall be sufficient to ensure the applicable exposure or the full replacement value of the property, whichever is less. For substantial rehabilitation projects, the Builders Risk (or Builders Risk and Property policies combined) insurance limit must be equal to the replacement cost of the post-rehabilitation, finished structure. Rental income shall be provided in an amount equal to 100% of annual gross potential rental income plus a 90-day extended period of indemnity and a maximum deductible of two weeks.

If the Property Owner purchases the Builders Risk policy, Property Owner shall be the named insured and the general contractor, Hired Parties and suppliers shall be additional insureds. If the general contractor provides the builders' risk policy, the general contractor and Property Owner shall be named insureds, and Hired Parties and suppliers shall be additional insureds. The policy shall contain endorsements naming Rhode Island Housing and Mortgage Finance Corporation as mortgagee and loss payee as required by any loan documents. The policy shall include a blanket waiver of subrogation in favor of the named insureds and additional insureds.

Coverage shall be written on ISO Causes of Loss-Special Form or builders' risk (course of construction) all risk insurance form, or its equivalent, at replacement cost with no coinsurance penalty (or such provision shall be waived by an agreed amount clause or endorsement). Coverage shall include, but not be limited to, theft, vandalism, malicious mischief, testing and startup, terrorism, mold and fungus (if not available Property Owner shall submit a written mold prevention program), collapse (including collapse from design error), windstorm, earthquake, earth movement, subsidence, water damage and flood (including the overflow of inland or tidal waters, the unusual accumulation or runoff of surface waters from any source, or mudslides or mudflows which are caused by flooding), business or rental income costs, extra expense costs, soft costs (including but not limited to reasonable compensation for professional fees and general conditions) in an amount equal to the soft costs of construction as itemized in the pro forma, physical damage resulting from machinery accidents (but excluding normal and natural wear and tear, corrosion, erosion, inherent vice or latent defect in the machinery), demolition costs, debris removal coverage, increased cost for repair, the cost of rebuilding or reconstruction of damaged property due to enforcement of any law or building ordinance, civil authority ingress and egress, plans, blueprints and specifications, utility service interruption and delay in completion or start up. Any faulty workmanship or materials exclusion shall provide an exception for ensuing loss.

Property to be covered shall include all real and personal property, Work at the Project, property while in transit, property at any temporary off-site location, and include all materials, supplies, scaffold, machinery, fixtures and equipment, and interior portions of the building intended to become a permanent part of the Project or for permanent use in the Project or incidental to the construction including, but not limited to, underground work, foundations including pilings, sidewalks, paving, landscaping, falsework, temporary structures, trailers, and laydown areas.

The policy will include permission to occupy and allow tenancy. For developments occupied by tenants during the entire construction period, an endorsement allowing such tenancy shall state "The Insurance Company acknowledges that the building(s) is/are under renovation." If coverage is provided by a blanket or master policy, a copy of the limit and deductible provisions shall be provided to and approved by RIHousing.

Coverage, including permission for temporary occupancy, shall be maintained until Substantial Completion and final payment has been made. Once the property becomes complete and permanent, a separate property policy shall be purchased and maintained to cover the building(s) per the Property section.

Losses shall be replaced by Property Owner at no expense to the RIHousing. Any deductible or sublimit deductible shall not exceed \$100,000 for flood and earthquake or \$50,000 for all other perils unless the Party can demonstrate the financial ability to fund a higher retention in a form satisfactory to RIHousing. If a higher deductible is

proposed, RIHousing may require a bond, indemnification agreement and/or a letter of credit.

All settlement checks shall include Rhode Island Housing and Mortgage Finance Corporation as payee. The Property Owner shall pay builders' risk insureds their just shares of the insurance proceeds received by the Property Owner.

Property. Property Owner shall purchase and maintain a property insurance policy in an amount not less than 100% replacement cost of the building and other improvements. Any coverage sublimit shall be sufficient to ensure the applicable exposure or the full replacement value of the property, whichever is less. Rental income shall be provided in an amount equal to 100% of annual gross potential rental income plus a 90-day extended period of indemnity and a maximum deductible of two weeks.

The policy shall name the Property Owner as insured and contain endorsements naming Rhode Island Housing and Mortgage Finance Corporation as mortgagee and loss payee. It shall also include a blanket waiver of subrogation in favor of Rhode Island Housing and Mortgage Finance Corporation.

Coverage shall be written on ISO Causes of Loss-Special Form coverage form or its equivalent at replacement cost with no coinsurance penalty (or such provision shall be waived by an agreed amount clause or endorsement). Coverage shall include, but not be limited to, theft, vandalism, malicious mischief, mold and fungus (if not available Property Owner shall submit a written mold prevention program), collapse (including collapse from design error), windstorm, earthquake, earth movement, subsidence, water damage and flood (including the overflow of inland or tidal waters, the unusual accumulation or runoff of surface waters from any source, or mudslides or mudflows which are caused by flooding), business or rental income costs, extra expense costs, physical damage resulting from machinery accidents (but excluding normal and natural wear and tear, corrosion, erosion, inherent vice or latent defect in the machinery), demolition costs, debris removal coverage, increased cost for repair, the cost of rebuilding or reconstruction of damaged property due to enforcement of any law or building ordinance, civil authority ingress and egress, plans, blueprints and specifications and utility service interruption (including all transmission lines) for both direct and rental income loss. Any faulty workmanship or materials exclusion shall provide an exception for ensuing loss.

The property to be covered shall include all real and personal property, including lobby and office furnishings. If coverage is provided by a blanket or master policy, RIHousing shall receive a copy of the limit and deductible provision.

Losses shall be replaced by Property Owner at no expense to the RIHousing. Any deductible or sublimit deductible shall not exceed \$50,000 for flood and earthquake or

\$25,000 for all other perils unless the Party can demonstrate the financial ability to fund a higher retention in a form satisfactory to RIHousing. If a higher deductible is proposed, RIHousing may require a bond, indemnification agreement and/or a letter of credit. All settlement checks shall include Rhode Island Housing and Mortgage Finance Corporation as payee. Property Owner shall pay Insureds their just shares of insurance proceeds received by Property Owner.

Flood. Flood insurance must be provided on all properties, whether with a builder's risk, property, or stand-alone policy(s). The minimum amount of flood insurance required is (1) for properties not in a Flood Hazard Zone or in Flood Hazard Zones other than Flood Hazard Zones which begin with A and V, the limit shall equal the lesser of replacement cost or mortgage value or the maximum limit provided by the National Flood Insurance Program or (2) for Zones which begin with A or V (i.e. A, AR, A1, V, VE, V15, etc.), the total flood coverage must be provided to a limit equal to the lesser of replacement cost or mortgage value or \$5,000,000. Such flood insurance, as required by law if the development is located in a community for which flood insurance has been made available under the provisions of the Flood Disaster Protection Act of 1973 (42 U.S.C. Section 4001 et seq.), shall be in a form of the Standard National Flood Insurance Program policy or in the form of a policy which meets the guidelines published by the Federal Insurance Administration amended (43 F.R. 7142). If primary coverage is provided through the National Flood Insurance Program, and the limit required above is not met, excess flood insurance coverage must also be provided. It is incumbent upon the Property Owner to document the location of the development outside a designated flood hazard area. In the absence of documentation satisfactory to RIHousing, Property Owner is required to procure and maintain flood insurance for the amount of the mortgage or the value of the property at risk or \$5,000,000, whichever is less.

Earthquake. Earthquake insurance must be provided on all properties whether with a builder's risk, property or stand-alone policy(ies) in an amount equal to the lesser of replacement cost, mortgage value or \$5,000,000.

Equipment Breakdown. To the extent not covered by the Builders Risk or Property policy, insurance with a limit sufficient to cover 100% replacement cost of the equipment. Equipment breakdown and builders' risk insurance policies, if separate, shall include a joint loss clause.

Boiler and Machinery Insurance. For developments under construction and completed developments with boilers, pressure vessels, large air conditioning units, special machinery or major electrical installations, boiler and machinery insurance shall be carried. Note that a boiler is defined as any water heating device that meets or exceeds any of the following criteria (1) a heat input of 200,000 Btu/hour (58.6kW); (2) a water temperature of 210° F, or; (3) a nominal water-containing capacity of 120 gallons. The limit shall be the lesser of (a) the value of 100% of the replacement cost of the subject

property or (b) \$5,000,000, unless RIHousing determines that a higher limit is required. Loss recoveries must be on a replacement cost valuation basis. Rental income shall be provided in an amount equal to 100% of annual gross potential rental income plus a 90-day extended period of indemnity and a maximum deductible of two weeks. The policy shall include a joint loss agreement to coordinate coverage with the property coverage if not written by the same insurer. A standard comprehensive form boiler and machinery policy covering all pressure, mechanical and electrical objects and apparatus may fulfill the boiler and machinery requirements. Any deductibles in the policy shall not exceed \$25,000 per occurrence unless the Property Owner can demonstrate the financial ability to absorb a higher retention in a form satisfactory to RIHousing, and the Property Owner certifies that it shall be responsible for any such deductible.

Commercial General Liability. Parties and Hired Parties shall purchase and maintain Commercial General Liability (CGL) written on an occurrence basis, and such coverage shall be at least as broad as the broadest available version of Insurance Services Office form CG 00 01. No amending or exclusionary endorsements material to any parties' obligations in the Exhibit may be attached. There shall be no endorsement or modification of the CGL limiting the scope of coverage for liability assumed under an insured contract or limiting the liability owed to the Indemnified Parties to that limit required in the contract. The policy shall provide for separation of insureds and shall contain no insured vs. insured exclusion. The policy shall contain additional insured endorsements as described in the Additional Insured section and a Waiver of Transfer of Rights of Recovery Against Others to Us, form CG2404 or equivalent endorsement, naming the Indemnified Parties in the endorsement schedule. Products and completed operations coverage shall be maintained for 3 years after Substantial Completion or the expiration or termination of the Loan Agreement, agreement, or contract, whichever is greater. Throughout the 3-year period, Parties and Hired Parties shall submit renewal insurance certificates, including the Additional Insured endorsements, as evidence that coverage is being maintained. The policy shall contain an endorsement granting a per-project or per-location aggregate limit for the Project. Mold coverage shall be included if available. If not available, the Property Owner shall submit a written mold prevention program to RIHousing.

Commercial Automobile Liability. Parties and Hired Parties shall purchase and maintain commercial automobile liability coverage for all owned (if any), non-owned and hired automobiles. Coverage shall be no less broad than that provided under symbol 1. If the Party does not own autos, symbols 8 and 9 shall be provided on the automobile policy, or hired and non-owned coverage shall be provided on the Commercial General Liability policy. Indemnified Parties shall be named as additional insureds and the policy shall contain a Waiver of Subrogation or Waiver of Transfer of Rights of Recovery endorsement naming the Indemnified Parties in the endorsement schedule.

Excess or Umbrella Liability. Parties and Hired Parties shall purchase and maintain a follow-form excess or umbrella liability policy, and policies in excess of those policies, providing excess coverage over Commercial General Liability, Automobile Liability and, if required, Employers Liability. Coverage provided by the excess or umbrella policy(s) shall be no less broad than the coverage for Commercial General Liability, Automobile Liability and Employers Liability described in this Exhibit. Products and completed operations liability under the Excess or Umbrella Liability policy(s) shall be maintained for 3 years after Substantial Completion or the expiration or termination of the Loan Agreement, agreement or contract, whichever is greater. The policy shall contain additional insured endorsements or follow form coverage as described in the Additional Insured section and a Waiver of Transfer of Rights of Recovery Against Other to Us endorsement naming the Indemnified Parties in the endorsement schedule. Any Excess or Umbrella liability coverage will not require contribution before it applies.

Limits of Liability. The total limits of liability for Commercial General Liability, including Excess or Umbrella Liability, and Commercial Automobile Liability shall be no less than the following:

Category/Coverage	Buildings with 1-3 Stories	Buildings with 4 or More Stories	Hired Parties*
Commercial General Liability - each occurrence	\$4,000,000	\$6,000,000	\$2,000,000
Commercial General Liability - personal/advertising injury	\$4,000,000	\$6,000,000	\$2,000,000
Commercial General Liability – products - completed operations aggregate	\$4,000,000	\$6,000,000	\$2,000,000
Commercial General Liability - general aggregate	\$4,000,000	\$6,000,000	\$2,000,000
Automobile Liability - combined single limit	\$4,000,000	\$6,000,000	\$2,000,000

RI Housing has the discretion and reserves the right to require higher limits of liability.

*For Hired Parties, per definition on page 1, with contracts or purchase orders of \$25,000 or less, the required limit is \$1,000,000.

Workers' Compensation and Employer's Liability. Parties and Hired Parties shall purchase and maintain statutory workers compensation coverage compliant with the state of Rhode Island, and any other jurisdictions in which workers are residents, or through which they may travel to perform Work, as required by applicable Law and imposed by worker's compensation, occupational disease or similar Laws, including the Longshore and Harbor Workers' Act, the Federal Employers' Liability and the Jones Act, if applicable. Employers' liability limits shall not be less than \$1,000,000 each

accident, \$1,000,000 by disease-policy limit and \$1,000,000 by disease-each employee. The policy shall contain a Waiver of Our Rights to Recover from Others endorsement naming the Indemnified Parties in the endorsement schedule.

Professional Liability Insurance. Parties, and Hired Parties as required, shall purchase and maintain, prior to closing, professional liability insurance appropriate to the parties' profession. Coverage shall apply to liability for a negligent professional error, act or omission arising out of professional services or any person or entity for whose performance the professional is legally liable. If coverage is written on a claims-made basis, any retroactive date shall be no later than the effective date of the agreement or contract; and continuous coverage shall be maintained or an extended discovery period exercised for 6 years after the earlier of: (1) the date of official acceptance of the completed Project by the Property Owner; (2) the date of the opening of the project to public use; (3) the date of acceptance by the architect of final payment under the construction contract; or (4) the date of final completion of the Project and the taking of possession of the project for occupancy by the Property Owner. The professional shall submit either (i) renewal insurance certificates to evidence coverage is maintained throughout the 6-year period; or (ii) a 6-year extended reporting period endorsement. Limits for the architect and any Hired Party providing professional services shall not be less than \$2,000,000 per claim and \$2,000,000 annual aggregate.

Contractor's Pollution Liability. If a general contractor or a Hired Party is involved in pollutant remediation, including the removal of lead or asbestos containing materials, general contractor, and Hired Parties as required by general contractor, shall purchase and maintain coverage for bodily injury and property damage, including loss of use resulting from liability arising out of pollution related exposures such as asbestos abatement, lead paint abatement, tank removal, removal of contaminated soil, and the like. The policy shall cover liability as a result of the process of removal, storage, transport and disposal of hazardous waste and contaminated soil and/or asbestos abatement. The policy shall include coverage for onsite and offsite bodily injury and loss of, damage to, or loss of use of property, directly or indirectly arising out of the discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon the land, the atmosphere or any water course or body of water, whether it be gradual or sudden and accidental. The policy shall also include defense and cleanup costs. Coverage shall be on an occurrence basis and shall name the Indemnified Parties as Additional Insured. Limits shall not be less than \$5,000,000 per occurrence and \$5,000,000 aggregate.

Crime. Party shall purchase and maintain crime insurance to cover money, securities, information, property and other property types arising from computer fraud, forgery, funds transfer fraud, employee theft and similar loss types; all whether on or off the premises. The policy shall cover all persons involved in handling funds for the managing

agent, Property Owner or development. If necessary to trigger coverage, Indemnified Parties shall be endorsed as 'Client'. If coverage is written on a discovery form, continuous coverage will be maintained or an extended period to discover loss will be exercised for a period of 6 years beginning from the time that work under the agreement or contract is complete. Party shall submit either (i) renewal insurance certificates to evidence coverage is maintained throughout the 6-year period; or (ii) a 6-year extended period to discover loss endorsement. The limit shall be a minimum of 12 months gross potential rents.

Garage Keepers Legal Liability. If garage facilities are provided with the development, or attendants are employed for outdoor parking facilities, coverage is required to protect vehicles from damage while in the possession or control of the Property Owner or a Hired Party. The Property Owner, and Hired Party if applicable, shall obtain garage keepers' legal liability insurance at a combined single limit per occurrence of not less than \$500,000. Coverage for comprehensive and collision shall have a maximum deductible of \$1,000.

Requirements for Smaller Properties and Construction Projects up to \$3,000,000

Applicable to:

Party/Parties - Property Owners, architects, general contractors and contractors

Hired Parties - Subcontractor, vendor, agent or other hired party, collectively, "Hired Party or Parties"

Refer to Insurance Policy Requirements above for the details of each required coverage.

Property Owner Requirements

Property Owner shall obtain and provide evidence of the following insurance: Builders Risk, if property is under construction: Property, Flood, if applicable, Personal Liability (if property is covered under homeowners or a dwelling fire policy with personal liability) or Commercial General Liability at a minimum limit of \$1,000,000 each occurrence and aggregate, and, if Property Owner has any employees, Statutory Workers' Compensation coverage and Employer's Liability.

If any properties that qualify for the insurance requirements under this section use a property manager, the property manager shall meet the requirements set forth above under Managing Agent Coverage Requirements.

All Property Owners are encouraged to recommend that their tenants purchase tenant insurance to cover the tenants' personal property and personal liability.

Architect(s)

Property Owner shall require and obtain evidence of the following insurance from each architect, as applicable: Commercial General Liability, at a minimum limit of \$1,000,000, each occurrence and general aggregate, and Professional Liability at a minimum limit of \$1,000,000.

For one-family and two-family projects under \$1,000,000, the architect may provide Professional Liability coverage at a minimum limit of \$500,000. If the architect has employees, the architect shall provide evidence of statutory Workers' Compensation coverage and Employer's Liability.

General Contractors, Contractors and Hired Parties

Property Owner shall require and obtain evidence of the following insurance from general contractor(s), contractors and each Hired Party: Commercial General Liability at a minimum limit of \$1,000,000, and statutory Workers' Compensation coverage and Employer's Liability, if the Party or Hired Party has any employees.

Additional requirements applicable to each of the above Parties and Hired Parties

All Parties and Hired Parties shall furnish evidence of the required insurance on an ACORD form 25 and/or 28 as described above under Evidence of Insurance.

For projects under \$1,000,000, evidence of property insurance may be provided on an ACORD form 27.

The certificate holder shall be Rhode Island Housing and Mortgage Finance Corporation, Its Successors and Assigns, 44 Washington Street, Providence RI, 02903-1721, Attn: Director of Loan Servicing.

Builders' Risk deductibles shall not be greater than \$10,000.

Commercial General Liability deductibles shall not be greater than \$5,000.

For all policies where RIHousing has an insurable interest, Rhode Island Housing and Mortgage Finance Corporation shall be listed as mortgagee and loss payee as described above under Mortgagee/Loss Payee.

All Commercial General Liability policies shall name Rhode Island Housing and Mortgage Finance Corporation as Additional Insured on the broadest available additional insured endorsement for ongoing and completed operations. Copies of the additional insured endorsements shall be attached to the certificate of insurance.

ACORDTM**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

8/14/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A :	
	INSURER B :	
INSURED	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	
	NAIC #	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY						EACH OCCURRENCE \$
	☐ COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$
	☐ CLAIMS-MADE ☐ OCCUR						MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$
							GENERAL AGGREGATE \$
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$
	☐ POLICY ☐ PRO-JECT ☐ LOC						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS ☐ NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE \$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE \$
	DED ☐ RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS ☐ OTH-ER \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y / ☐ N						E.L. EACH ACCIDENT \$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

ACORDTM**EVIDENCE OF COMMERCIAL PROPERTY INSURANCE**

DATE (MM/DD/YYYY)

08/14/2014

THIS EVIDENCE OF COMMERCIAL PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

PRODUCER NAME, CONTACT PERSON AND ADDRESS		PHONE (A/C, No, Ext):	COMPANY NAME AND ADDRESS		NAIC NO:
FAX (A/C, No):		E-MAIL ADDRESS:	IF MULTIPLE COMPANIES, COMPLETE SEPARATE FORM FOR EACH		
CODE:	SUB CODE:		POLICY TYPE		
AGENCY CUSTOMER ID #:		LOAN NUMBER		POLICY NUMBER	
NAMED INSURED AND ADDRESS		EFFECTIVE DATE	EXPIRATION DATE	CONTINUED UNTIL TERMINATED IF CHECKED	
Pro					
ADDITIONAL NAMED INSURED(S)		THIS REPLACES PRIOR EVIDENCE DATED:			

PROPERTY INFORMATION (Use REMARKS on Page 2, if more space is required) ☐ BUILDING OR ☐ BUSINESS PERSONAL PROPERTY

LOCATION/DESCRIPTION

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

PERILS INSURED

BASIC

BROAD

SPECIAL

COMMERCIAL PROPERTY COVERAGE AMOUNT OF INSURANCE: \$

DED:

	YES	NO	N/A	
☐ BUSINESS INCOME ☐ RENTAL VALUE				If YES, LIMIT: Actual Loss Sustained; # of months
BLANKET COVERAGE				If YES, indicate value(s) reported on property identified above: \$
TERRORISM COVERAGE				Attach Disclosure Notice / DEC
IS THERE A TERRORISM-SPECIFIC EXCLUSION?				
IS DOMESTIC TERRORISM EXCLUDED?				
LIMITED FUNGUS COVERAGE				If YES, LIMIT: DED:
FUNGUS EXCLUSION (IF "YES", specify organization's form used)				
REPLACEMENT COST				
AGREED VALUE				
COINSURANCE				If Yes, %
EQUIPMENT BREAKDOWN (If Applicable)				If YES, LIMIT: DED:
ORDINANCE OR LAW - Coverage for loss to undamaged portion of bldg				
- Demolition Costs				If YES, LIMIT: DED:
- Incr. Cost of Construction				If YES, LIMIT: DED:
EARTH MOVEMENT (If Applicable)				If YES, LIMIT: DED:
FLOOD (If Applicable)				If YES, LIMIT: DED:
WIND/HAIL (If Subject to Different Provisions)				If YES, LIMIT: DED:
PERMISSION TO WAIVE SUBROGATION IN FAVOR OF MORTGAGE HOLDER PRIOR TO LOSS				

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

MORTGAGEE	CONTRACT OF SALE	LENDER SERVING AGENT NAME AND ADDRESS
LENDERS LOSS PAYABLE		
NAME AND ADDRESS		AUTHORIZED REPRESENTATIVE

PRESERVATION PROGRAM

PRESERVATION PROGRAM.....SECTION 5

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Section 8 Preservation Program

RIHousing's Preservation Program is intended to provide Owners or Buyers of Section 8 developments with incentives to maintain these developments as quality affordable housing for a period of forty (40) years beyond any current use restrictions. The primary sources of financing are tax-exempt bonds, syndication proceeds from the sale of 4% LIHTC and the development's existing reserves. Taxable loans are also available if Owners choose to refinance without a sale.

Term sheets outlining the Program can be found in this Section.

Other guidelines outlined throughout this Developer's Handbook apply to Preservation transactions as well.

Preservation Program Term Sheet

Product Description	Permanent loan used for the purpose of extending the affordability of an existing Section 8 development.
Eligible Properties	Properties with existing HAP contracts
<u>Underwriting Parameters</u>	
Maximum Loan Amount	Maximum 90% of the appraised value
Debt Service Coverage	1.15x proforma Net Operating Income based upon the lower of appraised market or current Section 8 rents. RIHousing reserves the right to require a higher DSC depending on deal specifics.
Loan Term	Both 30 and 40 year fully amortizing terms available.
Credit Enhancement	Credit enhancement is typically provided through the HUD/HFA Risk Sharing Program. Permanent or construction/permanent loans available depending on level of rehabilitation.
Recourse	Loans are non-recourse secured by a first mortgage lien on both land and improvements.
Prepayment	The later of 15 years after Loan Closing or the start of Loan Amortization.
Existing Reserves	Existing reserves are available to the seller to facilitate the transaction to the extent allowed by HUD
<u>Rates & Fees</u>	
Interest Rates	RIHousing has both taxable and tax-exempt financing. A fixed rate will be determined based on our cost of funds dependent on market conditions. Please contact the Development Division for current rates.
Credit Enhancement Fee	Credit Enhancement is typically provided through the HUD Risk Sharing Program; cost is generally 12.5 basis points; first year premium due at closing.
Origination Fee	2% of the first \$5,000,000; 1% thereafter
Application Fee	For projects not currently financed by RIHousing, \$2,500 prior to Preliminary Commitment by our Board of Commissioners

LIHTC Allocation Fee (if applicable)	4%: 1 percent of 10-year allocation
	9%: .5 percent of 10-year allocation

Due Diligence Requirements

Rehabilitation	Based on Capital Needs Assessment (CNA). Repair funds to be escrowed with and administered by RIHousing.
Environmental	Phase 1 required
New Reserves	The combination of the initial Operating and Replacement Reserves will be sized to equal six months of operating expenses and six months of debt service. Of this amount, the initial Replacement Reserve will generally be equal to \$2,000 per unit. We reserve the right to require a higher Replacement Reserve based upon the CNA's 20-year projections.
Tax and Insurance	Borrower will be required to capitalize 6 months tax and insurance escrows and make monthly payments equal to one-twelfth of the annual premiums.
Third Party Fees	The Borrower will be responsible for paying all third party expenses required to complete the due diligence and close the transaction, including legal fees and any costs of issuance associated with bond transactions. Costs may be capitalized in the development budget.
Developer Fee	5% of acquisition plus 10% of rehabilitation and soft costs but not including new reserves.
Regulatory Agreement	Borrower is required to sign a new affordability agreement restricting the units for 40 years from closing.
Affordability Requirements	A minimum of 20% of the units must be affordable to households earning less than or equal to 50% of the Area Median Income.

This is not an offer to make a loan. This term sheet shall serve as an outline for underwriting criteria and is for discussion purposes only. RIHousing is committed to working with owners or developers to find mutually agreeable terms.

RIHousing Taxable Refinance Term Sheet with HUD Risk Sharing Insurance

Product Description	Permanent taxable loan
Eligible Properties	RIHousing financed properties that have an existing Regulatory Agreement and the existing loan is more than 10 years old, and non-RIHousing financed properties.
Maximum Loan-to-Value	Maximum 90% of appraised value as improved based upon a RIHousing commissioned appraisal.
Rents	Underwriting to the lesser of Section 8 or Current Market Rents or, tax credit rents or market rents.
Debt Service Coverage	Minimum 1.15
Loan Term	30, 35 or 40 year fully amortizing loans are available.
Vacancy Rate	5 percent; lower for qualifying affordable developments.
Rehabilitation	Based on a RIHousing commissioned Capital Needs Assessment (CNA), proceeds will be utilized to ensure that at a minimum, immediate repairs and ADA deficiencies are completed within the first year, including any health and safety related issues.
Replacement Reserve	Borrower will be required to capitalize a Replacement Reserve equal to \$2,000 per unit and make annual deposits equal to a minimum of \$300 per unit. We reserve the right to require higher initial or annual deposits based upon the CNA analysis of future capital needs.
Operating Reserve	An up to amount equal to 3 months debt plus 3 months operating expenses minus the initial deposit to the Replacement Reserve. We reserve the right to require a higher initial deposit for low income housing tax credit transactions.
Interest Rate	Fixed rate financing. Please contact the Development Department at RIHousing for current rates.
Mortgage Insurance Premium	Credit enhancement provided through the HUD/HFA Risk Sharing Program, minimum MIP is .125% of the outstanding loan amount annually and is included in the interest rate. One year of MIP is due at closing and should be included in the development budget.

Application Fee	\$2,500 due prior to Preliminary Commitment by our Board of Commissioners for deals not currently financed by RIHousing.
Origination Fee	2% of the first \$5,000,000; 1% thereafter.
Developer Fee	For transactions with a rehabilitation component, Developer Fee is a maximum of 5% of acquisition (subject to a P&S Agreement) and 10% of construction and soft costs not including new reserves and Developer's Fee.
Tax and Insurance	Borrower will be required to capitalize tax and insurance escrows in amounts not to exceed 6 months of the annual premiums and make monthly payments equal to one-twelfth of the annual premiums.
Third Party Fees	The Borrower will be responsible for paying any and all third-party fees required to complete the due diligence review and all lender legal costs to close the transaction. Costs may be capitalized in the development budget.
Regulatory Agreement	Borrower is required to sign an affordability agreement restricting the units for 40 years from closing.
Prepayment Premium on existing loan	Prepayment penalty waived based on refinancing terms with RIHousing. A prepayment fee equal to the Present Value of lost income as calculated by RIHousing will be the benchmark for determining whether or not the fee is waived.
Prepayment Provisions of New Loan	Not allowed for first 15 years. Prepayment fee equal to the Present Value of lost income as calculated by RIHousing which may be waived if the loan is refinanced with RIHousing.
Recourse	Loans are non-recourse secured by a first mortgage lien on both land and improvements.

This is not an offer to make a loan. This term sheet serves as an outline of this program's underwriting criteria and is for discussion purposes only.

APPLICATION

APPLICATION.....SECTION 6

Please note: Applicants must apply through the RIHousing One Stop Application by following this link:

[OneStop Application Link](#)

1. Checklist
2. Certifications & Authorizations
3. Applicant Self-Scoring Form

RIHousing Application Checklist

Submission Requirements

Each Applicant submitting a proposal to RIHousing must include one hard copy of the drawings and specifications when submitting the proposal.

Please refer to the RIHousing Developer's Handbook for information related to RIHousing requirements for Rental Production.

NOTE: THE CURRENT RIHOUSING PROFORMAS (MODEL V.13.1i, SMALL NON-LIHTC DEALS V.13.1i) ARE POSTED ON OUR WEBSITE IN THE DEVELOPER'S HANDBOOK. ANY APPLICATION SUBMITTED ON A PREVIOUS VERSION OF THE MODEL WILL BE REJECTED.

APPLICATION SUBMISSION REQUIREMENTS

1. Funding Application.

2. Submission Checklist. The applicant must complete a copy of this submission checklist to indicate whether each submission requirement is Complete, Incomplete, or N/A.

3. Application Fee. See Developers Handbook for a description of the application fee requirements. Checks must be submitted prior to application deadline:

**Attn: Nivea Linhares
RIHousing
44 Washington Street
Providence, RI 02903**

4. Development Information:

☐ A. Development Summary Narrative:

Provide a detailed narrative of the development proposal that reflects the goals of the Applicant and the QAP (if applicable) and describes how the proposed design will meet the needs of the targeted population. If applicable, applicant must provide information that supports the scoring criteria outlined in the QAP. All narratives should include, at a minimum, a discussion of:

- A description of the proposal including what funding is being requested.
- Impact of the proposal on the community in which it is located.
- If the proposal is located in a Concerted Community Revitalization Plan ("CCRP"), describe how this proposal contributes to the furtherance of the CCRP and provide a copy of the CCRP.
- Neighborhood context (e.g. anticipated demographics of proposed tenants, density, architectural consistency, etc.)
- Community facilities and amenities on site or proximate to the development.
- Building and unit type - vacant, foreclosed and/or abandoned, vacant lots.

- Financing structure including details regarding capital stack, construction pricing, operating costs, proposed debt service, proposed senior lender
- Discuss the timeline and anticipated obstacles to reaching the firm commitment.
- Type of construction - rehabilitation, new construction, adaptive reuse.
- How the proposal contributes towards the goals outlined in the QAP

- ☐ **B. Applicant will be required to** (i) submit evidence of all permitting approvals or (ii) demonstrate that permitting scoring is not applicable for the development in order to qualify for permitting points. For developments seeking planning or zoning changes, provide a narrative outlining current status, outstanding approvals still needed and detailed timeline for obtaining all permitting approvals.
- ☐ **C. Plans and Specifications.** Provide, at a minimum, schematic designs in accordance with the requirements of the Design and Construction Standards located in [Section 3 of the Developer's Handbook](#). Applicants seeking points for 50% plans must meet requirements as outlined in the D&C Standards. Full-size plans, along with a check for the application fee (if applicable), must be dropped off at RI Housing.
- ☐ **D. Utility Availability.** Provide verification of availability of electric, gas, storm water, cable telephone as well as adequate domestic water, water fire service and sewer capacity. Verification of utilities is not required for moderate rehab developments with utilities in place unless new services are required or utility services require upgrades.
- ☐ **E. Flood Plain.** A FEMA Flood Map with Map Panel ID for each property included in the proposed development. (<http://msc.fema.gov>)
- ☐ **F. Environmental Hazards.** A Phase I (or Phase II) Environmental report must be submitted with the application. Provide separate environmental surveys for asbestos, lead, mold, radon, and PCBs, if not included in the Phase I Environmental Report. (Existing buildings currently financed by RIHousing are not required to submit Phase 1 reports at the time of application) Applicant must provide a map of each property included in the development indicating proximity to any environmental hazards. Environmental maps may be obtained from the Department of Environmental Management's website at www.dem.ri.gov. Applicant must also disclose knowledge of any material(s) and/or substances that might be located either on-site or in close proximity to the site that might be an environmental hazard.
- ☐ **G. Capital Needs Assessment:** For existing properties, Applicant must provide a Capital Needs Assessment (CNA) that is less than 24 months old and includes at a minimum (i) a Physical Inspection Report, (ii) a Statement of Resources and Need, (iii) identifies Critical Repairs and Non-Critical Repairs and (iv) a twenty-year Replacement Reserve analysis consistent with RIHousing current underwriting guidelines. For more information regarding CNA requirements, please refer to the RIHousing Developer's Handbook.

- ☐ **H. Geotechnical Report: New Construction/Additions/Major Underground Utilities/Infrastructure:** Subsoil Investigation Report with Design Recommendations by Geotech Firm. (min. boring locations at all foundations, underground utilities, catch basis/structures/galleys, randomly along roads and parking areas.)

5. Development Team Capacity:

- ☐ **A. Financial Statements.** Financial Statements and Form 990 must be provided for the past three years (at least two years audited). If the Mortgagor is a to-be-formed partnership, all proposed General Partner(s) must complete this requirement. If the applicant is more than 180 days into their current fiscal year, provide (i) a year-to-date balance statement and (ii) a year-to-date profit and loss statement.

If the applicant has submitted this information within the past 12 months and a new annual audit is not available, the applicant may (i) state so in their application, (ii) identify which application the information was provided and (iii) submit only Year-to-Date reports

- ☐ **B. Qualification Statement.** Provide a resume, including the affirmative action record, for all members of the development team. Complete the chart included in the Application with the Development Team's contact information. A copy of the MBE/WBE Certificate and Certification Number should be provided for Developer, General Contractor, Property Management, or Architect seeking points as a Minority Owned or Woman Owned enterprise:

- Developer/Mortgagor (include resumes of Principals in charge of the proposed development). If developer is seeking credit as “a community-based nonprofit that has a demonstrable track record of community engagement and operated housing in the neighborhood”, please provide backup.
- Management Agent.
- Consultant (include copy of full contract).
- Architect (include an AIA form B305, Architect’s Qualification Statement).
- Legal firm.
- Contractor (if selected) - Include an A305, Contractor’s Qualifications Statement and Bonding Capacity Letter.

- ☐ **C. Joint Ventures.** If the development team is a joint venture between two or more parties, a Memorandum of Understanding signed by the parties is required. This agreement should identify the responsibilities of each party and the benefits derived by all parties.

- ☐ **D. General Contractor.** If a contractor has not been selected through a negotiated bid process, provide list of pre-qualified bidders.
- ☐ **E. Social Services Plan.** For service-enriched housing proposals, a detailed description of the services to be provided must be submitted, including the type of service, the appropriateness and sufficiency of services for the targeted population, the estimated cost of the services, the source(s) which will be used to cover this cost, and a narrative description and resume for all service providers, demonstrating their organizational capacity to provide the appropriate services. The Plan and a Memorandum of Agreement with a service provider if applicable must be submitted in order to receive points.
- ☐ **F. Operating Subsidy.** If the underwritten senior loan is dependent on an operating subsidy, Applicant must provide (i) evidence of the subsidy or (ii) evidence that Applicant has applied for such subsidy.

6. Financial Feasibility:

- ☐ **A. Development Proforma.** Applicants are required to use the most current version of the RIHousing proforma which can be downloaded from the website at www.rihousing.com. The Applicant must provide an electronic copy of the development proforma with their submission.
- ☐ **B. Evidence of Additional Resources.** Provide commitment letters for additional resources. Complete the chart included in the Application outlining source, amount and expected timing for the commitment of such funds.
- ☐ **C. First Mortgage and/or Construction Financing.** For applicants proposing first mortgage or construction financing from a private lender, a letter of intent from the lender outlining financing terms and conditions should be submitted.
- ☐ **D. Tax Credit Syndication Estimate.** (If applicable) Provide at least one Letter of Interest from a syndicator outlining the terms and conditions of their proposed investment and the estimated total value of the sale proceeds of the LIHTC that will be available to the development.
- ☐ **E. Real Estate Tax Assessment.** Applicant is required to submit evidence that the real estate tax assessment for the development will be at 8% of effective gross income in accordance with RIGL 44-5-13.11.
- ☐ **F. Mixed Income.** If the proposal includes market rate units, provide evidence that the market rate units are self-supporting and not being cross subsidized for funding designated for affordable units.

7. Marketability:

- ☐ **A. Market Analysis.** Applicant must submit relevant market information to support the proposed development. If a professional market study is not available, Applicant must complete the Market Data chart in the Application in addition to information on three comparable **unassisted** properties. Mixed income proposals must submit a Market Study completed by an independent third party.
- ☐ **B. Evidence of Local Support.** Applicants should submit letters of support from municipal governments, community-based organizations and other local entities if applicable. Specifically, a letter of support from a local municipality referencing their awareness and support of the project as it contributes to the betterment of the neighborhood.
- ☐ **C. 130% Boost.** If located in a QCT, please identify QCT in the proforma on the General Tab page or submit a CCRP in order to qualify for the 130% boost. If seeking the State Designated Boost as outlined in the Qualified Allocation Plan (QAP), please outline how your proposal satisfies the criteria outlined in the QAP.
- ☐ **D. Local Need and Impact Documents.** If applicable, applicants should demonstrate that the development is referenced within a local revitalization strategy, included within the municipality's affordable housing plan and/or located in a Statewide Planning Designated Growth Center. The applicant should provide a written description of how the proposed development will support the revitalization strategy or municipal housing plan. If the proposal responds to other documented local needs submit a copy of the City/Town Plan or other documentation which describes the local need to which this proposal responds. (Applicant may submit excerpts from this Plan if the full document exceeds twenty pages.)
- ☐ **E. Development Location.** Applicants should include an 11" by 17" map showing the location of the development identifying all properties and amenities.

8. Readiness to Proceed:

- ☐ **A. Evidence of Site Control.** Applicant must complete the Site Control chart in the application. Evidence of site control must be provided in the form of a current option, contract to purchase, deed or other formal interest in the land. A legal description of each property must be provided. In cases where land is owned by a municipality, redevelopment authority, or other public entity, a letter from the entity must be provided which clearly identifies the Applicant as the designated developer. When land or buildings are already owned by the Applicant or a related party, the price of the last arm's length transaction and the acquisition date as well as the amount of outstanding debt must be documented. If available, an appraisal of the current value should be submitted.

***Applicants are advised that execution of a purchase and sales agreement following submission of an application for federal funds, but prior to the completion of a HUD Environmental Review will prohibit investment of federal funds. However, applicants may enter into an option agreement at a nominal cost for land and buildings which includes a provision that the purchase is contingent upon successful completion of a federal Environmental Review. Contact Lauren Farley lfarley@rihousing.com with any questions regarding Choice Limiting Actions**

- ☐ **B. Site Information and Constraints.** Complete the site information and constraint charts. Provide maps or other relevant data on any site constraints.
- ☐ **C. Zoning and Permitting.** Submit a letter from the appropriate local official indicating current zoning of the site, if the zoning is appropriate for the proposed development, and if the site is located within the boundaries of an established Historic District. Applicant must complete the General Project Status chart in the application.
- If a zoning change is required, provide detailed outline of required change prepared by the town or your legal counsel and timeline for such change. Applicants are reminded that Readiness to Proceed is a Threshold Criteria and proposals that are not currently zoned for the proposed development are discouraged from applying.
- ☐ **D. Project Schedule.** Applicant must complete the Project Schedule chart and provide supporting documentation if applicable.

9. Other Documentation:

- ☐ **A. Written justification for Development and Operating Costs.** Applicants proposing development costs or operating expenses at levels exceeding those costs or ranges listed in the Program Bulletin, or which are at variance with any specific provisions of the RFP, must submit written justification and request an exception to the Program Guide or RFP provisions in writing.

All Applicants should provide line-item justification and backup for cost estimates. A detailed breakdown must be provided for both payroll and “miscellaneous” line items. The “Comparable or historic OPEX” section of the Proforma must be completed. If proposed operating expenses are significantly different than the operating expenses of similar type properties, Applicant must explain the variance.

- ☐ **B. Minority Participation.** RIHousing and its Program Partners encourage the participation of persons of color, women, persons with disabilities, and members of other federally and State-protected classes. Describe your Project Team's affirmative action program and activities. Include the number and percentage of members of federally and State-protected classes who are either principals, senior managers, contractors, or subcontractors on your Project Team, and the number and percentage of members of federally and State-protected classes on your Project Team who will work on RIHousing's engagement, and, if applicable, a copy of your Minority- or Women-Owned Business Enterprise state certification.
- ☐ **C. Board Resolution.** Any nonprofit Applicant must submit a resolution from its Board of Directors authorizing the submission of this application and designate a signatory for all required certifications in the application.

10. Applicant Self-Scoring Form(s)

- 9% LIHTC

11. Certifications & Authorizations

- ☐ **Certifications.** Applicants must complete and submit all certifications.

2026 Certifications & Authorizations

Name of Applicant:

Name of Proposed
Development:

(the “Development”)

Address of
Proposed
Development:

County of Proposed
Development:

A. CERTIFICATION AND AUTHORIZATION

I hereby certify, under penalty of perjury, that all of the information and supporting documentation contained in this application to Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) for the Development identified above are to the best of my knowledge, true, accurate and complete, and that all estimates are reasonable;

I also acknowledge that my obligation to provide information and supporting documentation, which is to the best of my knowledge true, accurate and complete also fully applies to any future submissions required by RIHousing in connection with this application;

I understand that RIHousing will rely upon the representations and information contained in the application in evaluating this request;

I further recognize and accept my responsibility and obligation to promptly notify RIHousing in writing if I become aware of any subsequent events or information which would change any statements, representations and/or documentation contained in this application;

I agree to comply fully with all rules, regulations and statutes governing the financing including, but not limited to, those of RIHousing, the State of Rhode Island, the U.S. Department of Housing and Urban Development, and the Internal Revenue Service;

I acknowledge that none of the following actions by RIHousing constitute a commitment to finance the Development:

- Acceptance of this application;
- Processing of a mortgage loan application by RIHousing staff;
- Issuance of a Reservation of Low-Income Housing Tax Credits.

The undersigned, for himself/herself, and for the Applicant and those associated therewith, consents to any and all credit investigations that RIIHousing deems appropriate in order to evaluate this application;

In executing this certification, I acknowledge that the knowing submission of false information or documentation contained within this application may subject me to prosecution and/or other penalties as provided by law.

Executed under penalty of perjury by:

Signature:

Print Name:

Title:

Date:

B. FINANCIAL AND PERFORMANCE DISCLOSURES

1. Has the Applicant, or any of its principals, ever had a financial interest in real estate that:

- Was foreclosed upon, or subject to a deed in lieu of foreclosure? ☐ Yes ☐ No
- Was assigned to the lender (or nominee) or to FHA? ☐ Yes ☐ No
- Was the subject of forbearance or other deferment arrangement with RIHousing, FHA or any other mortgagee? ☐ Yes ☐ No

(If the answer to any of the above is “yes”, please provide an explanation)

2. During the past five years has the Applicant, any of its principals, or affiliated organizations been in default and/or delinquent on any commercial loan(s) from any financial institutions?

☐ Yes ☐ No

(If the answer is “yes”, please provide an explanation, including the name of the property and the name of the financial institution)

3. Within the past ten years has any employee of, or other person associated with the Applicant, or the proposed Management Agent, been debarred or subject to a limited denial of participation by HUD, or any other federal or state agency?

☐ Yes ☐ No

(If “yes” explain fully)

4. Within the past ten years has any employee of, or other person associated with the Applicant, or the proposed Management Agent, filed for bankruptcy or been put into receivership?

☐ Yes ☐ No

(If “yes” explain fully)

5. Within the past ten years has any employee of, or other person associated with the Applicant, or the proposed Management Agent, had an adverse fair housing or other civil rights decision against them, or settled a fair housing claim, in any federal or state administrative or judicial forum?

☐ Yes ☐ No

(If “yes” explain fully)

6. Within the past ten years has any employee of, or other person associated with the Applicant, or the proposed Management Agent, been involved in any tax credit transaction that (i) failed to comply with the conditions of the reservation and/or

allocation credits, and (ii) had uncorrected noncompliance with program requirements for more than three months after notice from the appropriate compliance agency?

☐ Yes ☐ No

(If “yes” explain fully)

7. Within the past five years has any member of the development team received a “going concern” opinion in any financial audit or review?

☐ Yes ☐ No

(If “yes” explain fully)

In executing this certification, I acknowledge that the knowing submission of false information or documentation contained within this application may subject me to prosecution and/or other penalties as provided by law.

Executed under penalty of perjury by:

Signature:
Print Name:
Title:

Date:

C. PUBLIC OFFICIAL AND EMPLOYEES DISCLOSURE

1. Currently, or within the past two years, has any employee of, or other person associated with the Applicant, members of their immediate family or business associates held positions as public officials or public employees?

☐ Yes ☐ No

(If “yes”, please identify the person(s), their relationship(s) to the Applicant, the public employer, the title of the position held, and a short description of job responsibilities)

-
2. Is the participation of any member of the Applicant prohibited by or in any way regulated by the terms of his or her primary employers?

☐ Yes ☐ No

(If “yes” explain fully)

-
3. Has any member of the development team, or other person(s) associated with the Applicant or members of their immediate family, been employed by RIHousing in the past three years?

☐ Yes ☐ No

(If “yes”, identify the position held and the date of separation from RIHousing)

-
4. Identify any conflict of interest that may arise as a result of business activities or ventures by your firm and associates of your firm, employees, or subcontractors as a result of any individual’s status as a member of the board of directors of any organization likely to interact with RIHousing. **If none, please provide a statement to such effect.**

-
5. Identify any material litigation, administrative proceedings or investigations in which your firm is currently involved. Identify any material litigation, administrative proceedings or investigations, to which your firm or any of its principals, partners, associates, subcontractors or support staff was a party, that has been finally adjudicated or settled within the past two (2) years. **If none, please provide a statement to such effect.**

In executing this certification, I acknowledge that the knowing submission of false information or documentation contained within this application may subject me to prosecution and/or other penalties as provided by law.

Executed under penalty of perjury by:

Signature:
Print Name:
Title:

Date:

D. SCORING CERTIFICATION

1. Applicant certifies that:

- ☐ The Applicant will require that up to 50% of the sub-contractor contracts be awarded to Rhode Island based construction firms.
- ☐ The Applicant certifies that for mixed income developments the affordable apartments will be evenly distributed among bedroom types and buildings.

In executing this certification, I acknowledge that the knowing submission of false information or documentation contained within this application may subject me to prosecution and/or other penalties as provided by law.

Executed under penalty of perjury by:

Signature:

Print Name:

Title:

Date:

E. ADDITIONAL CERTIFICATIONS

1. RIHousing insists upon full compliance with Chapter 27 of Title 17 of the Rhode Island General Laws, Reporting of Political Contributions by State Vendors. This law requires State Vendors entering into contracts to provide services to an agency such as RIHousing, for the aggregate sum of \$5,000 or more, to file an affidavit with the State Board of Elections concerning reportable political contributions. The affidavit must state whether the State Vendor (and any related parties as defined in the law) has, within 24 months preceding the date of the contract, contributed an aggregate amount in excess of \$250 within a calendar year to any general officer, any candidate for general office, or any political party. Please acknowledge your understanding of this in your RFP response.
2. Does any Rhode Island “Major State Decision-maker,” as defined below, or the spouse or dependent child of such person, hold (i) a ten percent or greater equity interest, or (ii) a Five Thousand Dollar or greater cash interest in this business?

☐ Yes ☐ No

If your answer is “Yes,” please identify the Major State Decision-maker, specify the nature of their ownership interest, and provide a copy of the annual financial disclosure required to be filed with the Rhode Island Ethics Commission pursuant to R.I.G.L. §§36-14-16, 17 and 18.

For purposes of this question, “Major State Decision-maker” means:

- (i) All general officers; and all executive or administrative head or heads of any state executive agency enumerated in § 42-6-1 as well as the executive or administrative head or heads of state quasi-public corporations, whether appointed or serving as an employee. The phrase “executive or administrative head or heads” shall include anyone serving in the positions of director, executive director, deputy director, assistant director, executive counsel or chief of staff;
 - (ii) All members of the general assembly and the executive or administrative head or heads of a state legislative agency, whether appointed or serving as an employee. The phrase “executive or administrative head or heads” shall include anyone serving in the positions of director, executive director, deputy director, assistant director, executive counsel or chief of staff;
 - (iii) All members of the state judiciary and all state magistrates and the executive or administrative head or heads of a state judicial agency, whether appointed or serving as an employee. The phrase “executive or administrative head or heads” shall include anyone serving in the positions of director, executive director, deputy director, assistant director, executive counsel, chief of staff or state court administrator.
3. Applicant’s president, chairman or CEO must certify below that (i) no member, employee, or agent of Applicant has made inquiries or contacts with respect to this application other than in an email or written communication to **Melanie Brewer at mbrewer@rihousing.com** seeking clarification on the requirements or programs set forth in this application, from the date the application is published through the date Applicant’s application is submitted, (ii) no member, employee, or agent of Applicant will make any such inquiry or contact until until the date the awards are approved by the Board of Commissioners (iii) all information in the application is true and correct to the best of your knowledge, (iv) no member, employee, or agent of Applicant gave anything of monetary value or promise of future employment to a RIHousing employee or Commissioner, or a relative of the same, based on any understanding that such person’s action or judgment will be influenced, (v) Applicant did not consult with RIHousing in

connection with the development of this RFP, and (vi) Applicant is in full compliance with Chapter 27 of Title 17 of the Rhode Island General Laws, Reporting of Political Contributions by State Vendors.

- ☐ I certify that no member, employee, or agent of Applicant has made or will make any such inquiries or contacts; all information supplied is true and correct; no member, employee, or agent of Applicant has provided anything of value to influence RIIHousing; and Applicant is in compliance with applicable political contribution reporting.

In executing this certification, I acknowledge that the knowing submission of false information or documentation contained within this application may subject me to prosecution and/or other penalties as provided by law.

Executed under penalty of perjury by:

Signature:
Print Name:
Title:

Date:

2026 Application Self-Scoring Form

Name of Applicant: _____
Name of Development: _____

Total Number of Units: _____
Total Number of Affordable Units: _____

SCORING CRITERIA

Financing Points:

A. Total Development Cost per residential unit: _____ points See Line H14 or H31 on Scoring page in the Proforma.

B. Housing Credits per residential unit: _____ points See Line L52 on Scoring page in the Proforma.

C. Leveraged committed state and federal funds from rental and operating subsidy programs such as HUD's RAD Program, HPF-ELI, Project Based Section 8 rental or other similar federal and state program: _____ points

D. Leverage of hard debt or competitive housing resources (e.g. USDA funding, municipal, Federal and/or State Historic Credits, FHLB grant, private grants, etc.): _____ points

Total Financing Points: 0

General Points:

A. Proposal includes no less than 10% 3 bedroom or larger units _____ points

B. Units serving households at or below 30% of AMI, are homeless or come from the CES or have special needs.

Number of units proposed: _____ points

**A service plan and MOA if applicable must be included with the application to receive points associated with service enriched housing.*

C. No less than 10% of newly created units are accessible. _____ points

D. Mixed Income

Percentage of units serve households above 80% of AMI. _____ points

E. Resident Service Provision _____ points

Promoting RI Workforce/Permitting:

A. Applicant certifies that it will require the General Contractor to utilize the services of a RI based subcontractor firms

Provide Percentage: _____ points

B. Development Team includes a certified Minority or Women-owned Business Enterprises as the Developer or minimum 50% Co-developer, Architect, General Contractor, or Property Manager _____ points

C. Developer is a RI community based nonprofit that has a track record of community engagement and has operated housing neighborhood. See QAP for JV requirements. _____ points

2026 Application Self-Scoring Form

Name of Applicant: _____
Name of Development: _____

Total Number of Units: _____
Total Number of Affordable Units: _____

- D. Permitting status of development at the time of application: _____ points
- a. Fully permitted, 90% plans AND a signed Schedule of Values _____ (Yes or No; SOV signed)
 - b. Master Plan Approval or By Right AND 50% plans and specifications: _____ (Yes, No or N/A)
 - c. Preliminary Plan Approval and Schematics: _____ (Yes, No or N/A)
 - d. Final Plan Approval and Schematic: _____ (Yes, No or N/A)
 - e. CRMC Approval: _____ (Yes, No or N/A)
 - f. DEM Approval(s): _____ (Yes, No or N/A)

Community

- A. Community category based on States Housing 2030 plan
See QAP for category descriptions _____ points
- B. Graduation Rate
Percentage of the community where Development is located _____ points

Sustainability

- A. Development will achieve RNC Tier II and Energy Star 3.1 revision 8, OR if substantial rehabilitation, the Development will achieve Tier II standards under National Grid guidelines. _____ points
- B. Development will be 100% electric and meet D&C energy requirements _____ points
- C. Development will achieve RNC Tier III AND meet the State's most current Net Zero or Passive House Standards. _____ points
- D. Development incorporates PV solar panels or other renewables, including net metering. _____ points
- E. Development does not involve the destruction of fields, forests, agricultural lands, or environmentally sensitive land. _____ points

Total General Points: 0

Negative Points: _____

Total Application Score: 0

STATE OF RHODE ISLAND
2026 QUALIFIED ALLOCATION PLAN



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GLOSSARY

ACRONYMS USED IN QUALIFIED ALLOCATION PLAN

2025 PLAN	Rhode Island Land Use 2025 Plan
ALLOCATION PLAN	Qualified Allocation Plan
AFHMP	Affirmative Fair Housing Marketing Plan
AMI	Area Median Income
CAA	Carryover Allocation Agreement
CCD	Comprehensive Community Development
CCRP	Concerted Community Allocation Plan
COMPLIANCE MANUAL	RIHousing Compliance Monitoring Manual
DDA	Difficult-to-develop Areas
DECLARATION	Declaration of Land Use Restrictive Covenants
EEO	Equal Employment Opportunity
FEMA	Federal Emergency Management Agency
FLOOR	9% minimum tax credit rate
FMR	Fair Market Rent
HERA	Housing and Economic Recovery Act of 2008
HFA	Housing Finance Agency
HQS	Housing Quality Standards
HUD	U.S. Department of Housing and Urban Development
IQT	Initial Qualifying Tenant
IRC SECTION 42	Section 42 of the Internal Revenue Code
IRS	Internal Revenue Service
LAP	Language Access Plan
LEP	Limited English Proficiency
LIHTC	Low-Income Housing Tax Credits
MBE/WBE	Minority Business Enterprises and/or Women Business Enterprises
MTSP	Multifamily Tax Subsidy Projects

NAHASDA	Native American Housing Assistance and Self-Determination Act of 1996
NCHSA	National Council of State Housing Agencies
NGRID	National Grid
OVERALL TDC	Maximum Total Development Cost
OZ	Opportunity Zone
PATH	Protecting Americans from Tax Hikes Act
PLR	Private Letter Rulings
PRA	Section 811 Project Rental Assistance
PV	Polar Voltaic Solar Panels
QCT	Qualified Census Tract
RFP	Request for Proposals
RNC	Rhode Island Residential New Construction
RIGL	Rhode Island General Laws
SECTION 504	Section 504 of Rehabilitation Act of 1973
TAM	Technical Assistance Memoranda
TDC	Total Development Cost
THE STATE	State of Rhode Island
THE CODE	Internal Revenue Code
TITLE VI	Title VI of the 1964 Civil Rights Act, as amended
UBS	Utility Benchmarking Service
UPCS	HUD Uniform Physical Conditions Standards
WEIGHTED AVERAGE TDC	Weighted Average of Total Development Costs

**State of Rhode Island
2026 Qualified Allocation Plan
For the Low-Income Housing Tax Credit (“LIHTC”) Program**

INTRODUCTION

RIHousing has been designated the responsibility for administering the federal Low-Income Housing Tax Credit (“LIHTC”) Program (the “LIHTC Program”) for the State of Rhode Island (“the State”). Federal law requires that a Qualified Allocation Plan (the “Allocation Plan”) outlining the process for the allocation of LIHTCs be presented to the public through a hearing for review and comment. For the Governor to approve and execute, the final Allocation Plan must include input from the public hearing and comment period, as well as all available housing needs data.

RIHousing has developed this Allocation Plan to comply with the requirements of Section 42 (“IRC Section 42”) of the Internal Revenue Code (the “Code”) and to ensure that those developments receiving LIHTCs produce or preserve housing addressing the most pressing needs of the State. This Allocation Plan establishes the priorities that the LIHTC Program will address from among those needs and incorporates those priorities into the criteria used to evaluate all proposals. This Allocation Plan will cover the 2026 allocation year for 9% and 4% LIHTC in conjunction with tax-exempt financing that is subject to the private activity bond cap.

I. LIHTC PROGRAM SUMMARY AND REQUIREMENTS

A. Overview

There are three types of credits available to developers of affordable rental housing. The first type of credit is a 9% annual credit for the costs of new construction or substantial rehabilitation of an existing building. The second type of credit is a 4% annual credit for the cost of acquiring an existing building that involves substantial rehabilitation. Both the 9% and this 4% credit are part of the state’s annual per capita allocation. The third type of credit is also a 4% annual credit for the costs of new construction or substantial rehabilitation, including acquisition, of an existing building and is made available through the issuance of tax-exempt bonds.

For further information and detailed requirements relating to the different credit types and methods of calculating the credit, refer to IRC Section 42.

B. Rhode Island Annual LIHTC Allocation Pool

Each state is awarded a limited amount of 9% LIHTCs annually. Rhode Island will receive the small state minimum or approximately \$3,600,000 for 2026, indexed

for inflation. The pool of LIHTCs may be greater in any year if the allocation is modified by Congress, unused credits are carried forward or if previously allocated credits are returned or rescinded.

Please refer to Section IV for information related to tax exempt bond financing and 4% LIHTC.

C. LIHTC Requirements

1. Federal Criteria

IRC Section 42(m)(1)(B)(ii)(III) requires that a preference for an allocation of credits must be given to developments serving the lowest income residents, developments which commit to the longest period of affordability, and developments located in a qualified census tract ("QCT"). Because placing LIHTC projects in a QCT risks exacerbating concentrations of poverty, the QCT preference will only be given when there is an added benefit to the neighborhood in the form of the project's contribution to a concerted community revitalization plan ("CCRP"), as outlined in Section III B. of the Allocation Plan, Scoring Criteria, under Comprehensive Community Development ("CCD").

A CCRP is a formal plan which may include but is not limited to (i) a description of the geographic scope of the community and provides a clear direction for implementation; (ii) demonstrates the need for revitalization; (iii) includes a strategy for obtaining commitments of public and private investment in non-housing infrastructure, amenities, or services beyond the development; and (iv) includes planning document elements such as demonstration of the need for revitalization, setting goals for outcomes, identifying barriers to implementation, establishing timelines and benchmarks, and identifying community partners.

A plan will not be considered a CCRP if RIHousing determines, in its sole discretion, that the plan focuses narrowly on a "single property," or that the plan was approved solely for the awarding of CCRP points.

The following 10 additional statutory requirements are included in the Allocation Plan: (i) project location, (ii) housing needs characteristics, (iii) project characteristics, (iv) sponsor characteristics, (v) tenant populations with special housing needs, (vi) public housing waitlists, (vii) tenant populations of individuals with children, (viii) projects intended for eventual tenant homeownership, (ix) energy efficiency of projects and (x) the historic nature of projects.

2. State Criteria

The State of Rhode Island Consolidated Plan is developed jointly by RIIHousing and the state's Office of Housing and Community Development, now a part of Rhode Island's Department of Housing. The state completed the 2025-2029 Consolidated Plan in the spring of 2025, which sets the proposed priorities and goals for housing and community development programs for the next 5 years. Among the goals are the need to develop and maintain affordable housing including housing for elders, end homelessness, address healthy housing concerns, invest in non-housing community development, provide tenant-based rental assistance and to affirmatively further fair housing. Each year, the state submits an action plan to the U.S. Department of Housing and Urban Development ("HUD") restating its goals and makes adjustments to estimated spending and output.

The Department of Housing released the draft Housing 2030 plan in April of 2025. The plan went out for public comment and will be finalized later this year. The report includes the following housing production goals:

- 15,000 total new homes permitted by 2030
- Permitting 1,000 new homeownership units priced below \$400,000
- Permitting 525 accessory dwelling units
- Doubling the permitting of other types of middle-market homes by 2030 (Rhode Island has recently been averaging 195 units per year)
- 2,250 affordable rental homes financed
 - At least 375 permanent supportive housing units
 - At least 500 units being for extremely low-income households

These are the broad state-wide goals laid out in the Housing 2030 plan. Each municipality will also be responsible for meeting annual housing production goals with higher production goals for communities with greater concentrations of jobs, transit and infrastructure.

Statewide Planning has developed the Rhode Island Land Use 2025 Plan (the "2025 Plan") which encourages the development of designated growth centers. The 2025 Plan is located at http://www.planning.ri.gov/documents/121/lu_exec.pdf. These growth centers and development areas envision a mix of commercial and residential uses with access to services, transportation and adequate water and wastewater infrastructure. In addition, all municipalities in Rhode Island have developed affordable housing plans which identify development opportunities within these communities.

3. Housing Needs

The State faces an overall shortage of quality, affordable, safe and healthy rental homes. According to the National Low-Income Housing Coalition's 2024 Out of Reach Report, based on the most recent census data, Rhode Island has the 12th highest gap between what renters earn and what it costs to rent a two-bedroom apartment. As of January 2024, Rhode Island's Homeless Management Information System counted 2,442 people experiencing homelessness within Rhode Island.

Much of the State suffers from a continually aging housing stock, a significant portion of which is characterized by severe or moderate physical problems such as lead-based paint hazards.

The redevelopment of properties that are in foreclosure and those that are abandoned and vacant remains an important goal, however the number of vacant and abandoned properties has steadily declined over the past 10 years. Vacant and abandoned property can erode overall property values and causes deterioration in entire communities where prior investment has occurred. RIHousing is committed to using resources where they will most efficiently be used to stabilize neighborhoods.

To meet the state's goal of at least 10% affordable housing in each community and the goals of the Housing 2030 plan, the State must substantially increase its production. By concentrating state, federal and private resources to combine affordable housing with broader community development investments, neighborhoods can be revitalized. This approach encourages investment in Rhode Island's urban areas and in new or existing growth or town centers and surrounding neighborhoods. This comprehensive approach to development results in well planned developments that are sustainable and efficient.

D. Eligibility Requirements

Disclaimer:

To receive an allocation of LIHTCs, whether from the State's allocated pool or through the use of tax-exempt bond financing, a project must meet eligibility requirements under both the Allocation Plan and IRC Section 42. While many of these requirements are briefly summarized below, applicants should note that the federal rules governing LIHTCs are complex. All developers are advised to consult a qualified tax attorney and/or accountant to determine eligibility for the credit. In making this determination, qualified professionals are expected to be current and knowledgeable with all private letter rulings ("PLRs") and technical assistance memoranda ("TAMs") issued by the Internal Revenue Service ("IRS") which may provide insight to the IRS view regarding eligible basis determinations.

In allocating LIHTCs, RIHousing makes no representations to owners or other parties regarding compliance with IRC Section 42, Treasury regulations or other laws or regulations governing LIHTCs. Neither RIHousing nor its employees, agents, representatives, board members, or employees shall be liable for any matters arising out of, or in relation to, the allocation of LIHTCs.

1) Residential Rental Property

In order for a project to qualify as a low-income housing project, it must be residential property. The project must be: (1) used other than on a transient basis, (2) rented or available for rent on a continuous basis, (3) available to members of the general public, and (4) suitable for occupancy. Facilities providing continuous nursing, medical, or psychiatric care are not considered residential rental units for LIHTC purposes. Continual care, however, should not be confused with certain supportive services which can be provided. Examples of allowable incidental care include: (1) facilitating the making of medical appointments, (2) providing transportation to medical facilities, (3) providing basic first-aid skills in case of emergencies, and (4) assisted living.

2) Extended Use Period

IRC Section 42 requires that the low-income occupancy and rent restrictions be maintained during the initial compliance period of 15 years (IRC Section 42(i)(1)). In addition, the occupancy restrictions must be maintained for an extended use period of an additional 15 years per IRC Section 42(h)(6)(D). RIHousing requires the following:

- a. A Declaration of Land Use Restrictive Covenants ("Declaration") must be executed by the project owner. The Declaration must set forth an extended use period of affordability for the qualifying units of at least 30 years and an extended use period prohibition against evicting or terminating tenancy of existing tenants in low-income units other than for good cause.
- b. If a development is allocated LIHTC under the nonprofit set-aside, the owner (and any subsequent owner) during the compliance period must continue to qualify under that set-aside. The owner will indicate in the Declaration that they are electing to qualify under the nonprofit set-aside.
- c. For projects financed with tax-exempt bond proceeds, the required extended use period of affordability will be the greater of (i) the period that the tax-exempt bonds remain outstanding or (ii) 30 years.

- d. The owner must waive the right to seek termination of the Declaration by petitioning RIHousing to find a buyer of the development as provided in IRC Section 42(h)(6)(E)(i).
- e. In addition to the Declaration, RIHousing requires that a Regulatory Agreement be recorded prior to any lien documents and not be subject to termination in the event of foreclosure. The development owner may be required to have all lien holders of a development complete and sign a subordination to the Regulatory Agreement that will subordinate their liens to the provisions of the Regulatory Agreement.

3) Rent and Tenant Income Restriction

The project must meet certain tenant income and rent restrictions:

- a. Income Restrictions:

The Project must elect one of the following three Minimum Set-Asides:

at least 20 percent of the rental units in the project must be rent restricted for and occupied by households with incomes no higher than 50 percent of the Area Median Income (“AMI”), adjusted for family size.

OR

at least 40 percent of the rental units must be rent restricted and occupied by households with incomes no higher than 60 percent of the AMI, adjusted for family size.

OR

Under the Average Income Test, at least 40 percent of the units must be both rent-restricted and occupied by individuals whose incomes do not exceed the imputed income limitation designated by the taxpayer.

The average of the imputed income limitations designated cannot, according to IRC Section 42, exceed 60 percent of AMI, however, RIHousing is designating the maximum as 58 percent of AMI.

The designated imputed income limitations must be in 10 percent increments as designated in the Code.

- b. Rent Restrictions:

The gross rent charged to a tenant, including utilities, cannot exceed 30% of the income limit for a qualified low-income household at 50% or 60% or, for Average Income Test elections, the applicable unit income/rent designation of AMI adjusted for family size, assuming 1.5 persons per bedroom. A table of qualified rents is located in the Developers Handbook and from HUD at <http://www.huduser.org/portal/datasets/mtsp.html> and from Novogradac at <http://www.novoco.com/products/rentincome.php>.

For more information on tenant income and rent restrictions, including rules for calculating rents, see IRC Section 42.

4) Least Amount of LIHTC Necessary for Project Feasibility

IRC Section 42 requires that RIHousing allocate credits in the minimum amount necessary for the financial feasibility of the project and its continued viability as a qualified low-income housing project throughout the credit period.

RIHousing must evaluate the amount of the credit at 3 specific times: (1) at the time of application, (2) at the time of reservation, and (3) at the time the building is placed-in-service and an IRS Form 8609 is issued. RIHousing will consider the proposal's distribution of the tax benefits between direct development costs, soft costs, fees, operating reserves and other costs and evaluate the need for LIHTCs to fill the gap after other financing sources and subsidies have been taken into account. Developers will be required to certify the source and value of other subsidies and funding for the proposal.

5) Minimum Property Standards

Projects must meet state or local health or building codes or regulations. Corrections necessary to repair code violations must be specified in a rehabilitation work plan. The developer will be required to provide certification or to demonstrate to RIHousing that all code violations have been corrected upon construction completion. Compliance with health, safety and building codes is an ongoing obligation; non-compliance may result in penalties and/or recapture of credit.

6) Placed-In-Service Requirements

RIHousing will allocate credits only to projects which can be reasonably expected to become eligible for the credits in the year in which the Developer is to be awarded LIHTCs. This means that projects must either be able to be placed-in-service in that year or have incurred more than 10% of their reasonably anticipated project basis within 12 months of the

reservation of LIHTCs. Placed-in-service generally refers to the issuance of the first certificate of occupancy for each building in the project.

7) Minimum Rehabilitation Requirements

IRC Section 42 requires that LIHTC projects meet minimum rehabilitation expenditure requirements. RIHousing requires a minimum rehabilitation expenditure of \$15,000 per unit.

8) Ten Year Placed In Service Restriction

To be eligible for the acquisition credit, buildings may not have been placed in service within the last 10 years. Refer to IRC Section 42 for information regarding exceptions. Generally, a transfer of the building results in a new placed-in-service date if, on the date of the transfer, the building is occupied or ready for occupancy. Exceptions may apply to certain property transfers and expiring use properties. In cases involving the purchase of a development that previously utilized LIHTCs for acquisition, the property may not be eligible for acquisition credit from the 2nd purchase until the completion of the initial 15-year compliance period.

9) Community Service Facilities

The portion of a residential building used as a community service facility may be eligible for the LIHTC Program. A community service facility is a facility designed to primarily serve individuals whose income is 60% or less of AMI. Refer to Rev. Rul. 2003-77 for more information.

10) Market Study

Prior to closing, RIHousing requires that a comprehensive market study conforming to requirements consistent with standard industry practice be conducted as a condition of credit allocation analyzing the market area, including the depth and breadth of demand, comparable properties and rates, comparable operating expenses, market absorption rates as well as a study of the needs of the prospective population. For projects involving rehabilitation of existing and occupied properties with project-based rental assistance contracts, RIHousing, in its sole discretion, may modify the market study standards to reflect actual data available to RIHousing about the operation of the project and its market area. At the Developer's expense, the market study will be completed by a disinterested party commissioned by RIHousing. A market study acceptable to RIHousing, in its sole discretion, may also be commissioned by the development investor or third-party lender. For mixed-income proposals, a third-party market study will be required with the application for LIHTCs.

11) Native American Housing Assistance

Assistance provided under the Native American Housing Assistance and Self-Determination Act of 1996 (“NAHASDA”) will not be taken into account in determining whether a building is federally subsidized for purposes of the LIHTC program. Therefore, such buildings will qualify for 9% credit as deeper targeting consistent with the rules for HOME-financed projects.

12) Homeownership Option

Developers electing to convert to homeownership at the end of the 15-year compliance period may do so under IRC Section 42. RIHousing will approve no more than 1 conversion application per calendar year. As these developments will be rental housing for a minimum of 15 years, they will be underwritten as a rental development and are subject to the same underwriting criteria set forth in the Developers’ Handbook.

13) Public Housing Waiting Lists

Prior to occupancy, sponsors must commit in writing that they will provide written notice to the jurisdictional Public Housing Authority (or, where there is no local Public Housing Authority, RIHousing as the Section 8 Administrator for the State) committing to the acceptance of tenant-based vouchers. Sponsors should ensure and be prepared to demonstrate that they are proactively marketing the units to households with tenant-based vouchers.

14) Tenant Populations of Individuals with Children

Sponsors are encouraged to provide housing that provides opportunities to single parent and two-parent households with children.

E. HUD Qualified Census Tracts/Difficult-To-Develop Areas

Projects located in HUD’s designated QCTs or difficult-to-develop areas (“DDAs”) may be eligible for additional LIHTCs. DDAs are designated annually by HUD as updated income and fair market rent (“FMR”) data become available. Generally, HUD publishes the list of QCTs and DDAs on an annual basis.

If an area is listed as a HUD designated QCT or DDA 1 year and is not listed on a subsequent list of designated areas, the designation is still effective if: (1) the allocation of credit to a borrower is made no later than the end of the 730-day period after the submission to the credit-allocating agency of a complete

application by the borrower, and the submission is made before the effective date of the subsequent lists; or (2) for purposes of IRC Section 42(h)(4), the bonds are issued or the building is placed in service no later than the end of the 730-day period after the borrower submits a complete application to the bond-issuing agency, and the submission is made before the effective date of the subsequent lists, provided that both the issuance of the bonds and the placement in service of the building occur after the application is submitted.

The additional credits available to projects falling within the definitions of either or both of these categories are derived by increasing the project's eligible basis for the new construction or substantial rehabilitation portion of the project by up to 30%. The actual increase in basis is determined at the discretion of RIHousing pursuant to its analysis of the maximum amount of subsidy necessary to complete the project. The 30% increase is not available for the costs associated with the acquisition portion of any project.

Pursuant to H.R. 3221 Title I – Housing Tax Incentives, Rhode Island will prioritize projects that propose housing: (i) for special needs populations, (ii) for very low-income persons and families, (iii) for general occupancy units in “areas of opportunity” as defined by HUD or are otherwise proposed to be sited in areas of the state that will promote efforts to affirmatively further fair housing, and (iv) that is consistent with the RIHousing's CCD principles including the ability to collaborate, secure and leverage non-traditional resources to maximize financial feasibility for eligibility under the basis boost which is applicable to DDAs. Should RIHousing be given the authority, as the allocating agency, to designate properties funded with tax exempt bonds as DDAs, the same criteria shall apply.

F. HUD Subsidy Layering Guidelines

All projects submitted to RIHousing that may receive LIHTCs in combination with any form of HUD housing assistance will be subject to the subsidy layering review guidelines of Section 911 of the Housing and Community Development Act of 1992. These requirements are designed to ensure that participants in affordable multi-family housing developments do not receive excessive compensation by combining various HUD housing assistance with assistance from other federal, state, or local agencies. The guideline standards are divided into 3 categories: Builder's Profit, Developer's Fee, and Syndication Expenses, and are outlined in the Developer's Handbook. HUD has established safe harbor and ceiling standards for each of these categories. LIHTC agencies may perform the subsidy layering review function provided the agency certifies to HUD that it will properly apply the guidelines. RIHousing has assumed these responsibilities.

G. Single Room Occupancy Units

RIHousing no longer allocates LIHTC to the development of new Single Room Occupancy units.

H. Housing for the Homeless

The LIHTC has become a substantial resource for permanent supportive housing for people experiencing homelessness and developers are encouraged to use the LIHTC program to provide permanent supportive housing. Developers are strongly encouraged to actively pursue operating and/or rental subsidies for extremely low- and low-income units to increase project financial feasibility. The portion of a building used to provide supportive services may be included in the qualified basis. Permanent supportive housing for the homeless must contain sleeping accommodations, and kitchen and bathroom facilities. Supportive services must be either: (a) located within the building or (b) be readily available to residents and well defined in a written supportive service plan outlining how residents will be connected to the services.

I. Handicapped Accessibility

LIHTC projects must comply with all applicable federal and state statutes and regulations regarding the operation of adaptable and accessible housing for the handicapped, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, as amended ("Section 504") and the ADA Amendments Act of 2008, which amended Section 504.

J. Affirmative Action/Equal Employment Opportunity ("EEO")

Under Rhode Island law, state agencies disbursing financial assistance must require recipient organizations to undertake affirmative action programs under agency regulations necessary to implement the State's policies of non-discrimination and affirmative action. R.I. Gen. Laws 28-5.1-15. RIHousing acknowledges that State law may be amended from time to time. In keeping with the current requirement and the RIHousing enabling legislation at R.I. Gen. Laws 42-55-5(34), RIHousing has adopted Rules Relative to Agency Administration, Equal Opportunity and Affirmative Action Procedures, 825-RICR-10-00-2. These rules, to the extent allowable under federal law, establish minimum workforce utilization goals for Minority Business Enterprises and/or Women Business Enterprises ("MBE/WBE"). All developments receiving funding under the rental production program must use best efforts to: (a) award at least 10% of the total construction contract dollar amount to minority and female owned businesses, and (b) ensure that at least 10% of labor hours for all trades are performed by minorities and/or women. Developers are encouraged to exceed the minimum goals set by RIHousing. Note that only those businesses included in the Rhode Island Department of Administration's Directory of Certified Minority and Women Business Enterprises will count towards the minority and women business and workforce utilization goals.

K. Fair Housing Considerations

1. Siting and Marketing Consideration

In January 2017, Treasury issued regulations providing guidance on the implementation of Title VI of the 1964 Civil Rights Act, as amended (42 U.S.C. Section 2000d, et seq.) (hereinafter, “Title VI” and its regulations “the Title VI regulations”), as it applies to programs or activities receiving assistance from Treasury. Specifically, the Title VI regulations prohibit discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance from Treasury. See 31 CFR Part 22. Any proposal submitted for LIHTCs must comply with Title VI and Title VI regulations.

Under federal law, individuals seeking housing may not be discriminated against based on their race, color, religion, sex, ancestral origin, familial status or disability. State fair housing laws further extend protections against housing discrimination on the basis of marital status, sexual orientation, age, gender identity or expression, veteran status, and status as a victim of domestic abuse, or by reason of association with members of any of these protected classes.

In addition to prohibiting discrimination in housing due to membership in a protected class, the Title VI also imposes an obligation on recipients of federal housing assistance to administer programs in a way that affirmatively furthers fair housing. In its administration of the LIHTC Program, RIHousing is committed to encouraging the location of affordable homes throughout the state, particularly in geographic areas that have not reached the state affordable housing goal. RIHousing’s scoring system provides incentives to achieve that result.

IRC Section 42(m)(1)(A)(ii) requires that each local jurisdiction have a “reasonable opportunity” to comment on any proposal to allocate LIHTCs to a project within that jurisdiction. In accordance with Revenue Ruling 2016-29, IRC Section 42 ensures the opportunity for local input regarding the allocation decision but does not grant a local veto or authorize an allocating agency to abandon the responsibility to exercise its own judgment. RIHousing will notify the Chief Executive Officer, or the equivalent, of each jurisdiction in which a borrower has been selected to receive federal low-income LIHTCs to provide the jurisdiction with an opportunity to comment.

In addition, in order to ensure that all potentially eligible residents of RIHousing-financed developments have a fair opportunity to gain admission to those developments, RIHousing requires that sponsors employ an open and fair process that affirmatively furthers fair housing opportunities. To that end, all homes financed by RIHousing must be available to the general public, must be marketed pursuant to an approved affirmative fair housing marketing plan (“AFHMP”) and must be advertised on <http://www.housingsearchri.org>.

At a minimum, the AFHMP must include an analysis of those populations least likely to apply for housing in the area in which the development is located and a targeted marketing program to reach those populations. Such a program could include marketing in print or broadcast media targeted to such populations, outreach to organizations that serve those populations, and the like. In addition to the AFHMP, the housing must be distributed in accordance with an approved resident selection plan that is fair, open, and transparent. The resident selection plan must specify the process and timetable under which applications will be accepted, local preferences for admission, if any, the policy for initial selection of residents if the number of qualified applicants exceeds the housing available, and the waiting list policy. Nothing in this requirement shall be construed as a requirement to preferentially admit minorities or other underserved groups in violation of federal law.

The Violence Against Women Reauthorization Act of 2013, as amended, and its implementing regulations afford certain protections to victims of domestic violence, dating violence, sexual assault, and stalking, who apply for or reside in federally assisted housing, including housing financed with LIHTCs. RIHousing requires that sponsors incorporate these protections into lease forms, tenant selection plans, and resident policies relating to unit transfers and changes to family composition. On an annual basis, owners will be required to certify compliance with all applicable requirements of the Violence Against Women Reauthorization Act of 2013.

2. Limited English Proficiency (“LEP”)

A limited English proficiency (“LEP”) person is one who, as a result of national origin, does not speak English as their primary language and who has limited ability to speak, read, write, or understand English. To avoid national origin discrimination, in certain situations, Title VI requires assistance for persons who are LEP so that they can effectively participate in, or benefit from, federally assisted programs. All programs and operations of entities that receive financial assistance from the federal government, including but not limited to state agencies, local agencies and for-profit and non-profit entities, must comply with the Title VI requirements.

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient's programs and activities. To do this, the recipient should consider (1) the services the recipient offers, (2) the community the recipient serves, (3) the resources the recipient possesses, and (4) the costs of various language service options, including, but not limited to, contracting with another organization to supply an interpreter, using a telephone service line interpreter, seeking assistance of another agency with bilingual staff, and responsible use of artificial intelligence and machine translation. All organizations should ensure nondiscrimination by taking reasonable steps to

ensure meaningful access for persons who are LEP. Refusing to serve LEP persons or not adequately serving or delaying services to LEP persons would violate Title VI.

Resources for assisting LEP persons should be included in the Tenant Selection Plan. For more information on LEP visit: <http://www.lep.gov>.

All developments receiving LIHTC will have to complete HUD form 935.2A to detail its AFHMP, to the extent required by HUD.

L. One for One Replacement

Any proposal that contemplates the loss of existing deed restricted affordable homes must be accompanied with a plan outlining one-for-one replacement of the lost affordable rental homes. Proposed replacement units must be of comparable type and affordability.

M. Industry Recommended Standards

In evaluating and underwriting housing development proposals, RIHousing is guided by or generally follows industry recommended standards developed by the National Council of State Housing Agencies (“NCSHA”). Provisions of the “NCSHA Recommended Practices in Housing Credit Administration”, updated in October 2023, have been incorporated into the Allocation Plan and/or the RIHousing Developer’s Handbook.

N. Uniform Relocation Act

Developments financed under the rental production program are required to provide for uniform and equitable treatment of persons displaced from their homes and businesses and to establish and provide for uniform and equitable relocation of any residents or businesses.

O. Non-Profit Right of First Refusal

RIHousing is committed to the long-term affordability of developments for the benefit of tenants and full compliance by applicants and principals with the provisions of the IRC, the extended use agreement and other program requirements. RIHousing similarly has an interest in preserving the right of first refusal by a qualified nonprofit organization at the close of the compliance period, as authorized in § 42(i)(7) of the IRC.

RIHousing will therefore require the following with respect to all applications:

- a) Provisions to be included in the applicant's organizational documents limiting transfers of partnership or member interests or other actions detrimental to the continued provision of affordable housing;
- b) A designated form of right of first refusal document;
- c) Terms in the extended use agreement requiring notice and approval by the executive director of transfers of partnership or member interests;
- d) Debarment from the program of principals having demonstrated a history of conduct detrimental to long-term compliance with extended use agreements, whether in Rhode Island or another state, and the provision of LIHTC in general; and
- e) Provisions to implement any amendment to the IRC or implementation of any future federal or state legislation, regulations, or administrative guidance.

The decision whether to institute, and the terms of, any such requirements shall be made by the executive director as reasonably determined to be necessary or appropriate to achieve the goals stated in this subsection and in the best interest of the plan. Any such requirements will be indicated on the application form, instructions, or other communication available to the public.

Any application submitted by an applicant containing a principal that was a principal in an owner that has, in RIHousing's determination, previously participated, on or after January 1, 2019, in a foreclosure in Rhode Island (or instrument in lieu of foreclosure) that was part of an arrangement a purpose of which was to terminate an extended low-income housing commitment (regardless whether the extended low-income housing commitment was terminated through such foreclosure or instrument) shall be rejected from further consideration for low-income housing tax credits and shall not be eligible for any reservation or allocation of credits.

II. APPLICATION PROCESS AND RANKING METHOD FOR 9% CREDITS

A. Funding Rounds

RIHousing may hold multiple competitive funding rounds each year for the 9% allocated credits. Funding rounds will be announced by RIHousing via Program Bulletin and/or issuance of a Request for Proposals ("RFPs"), and by advertisement on our website and through electronic communications. RIHousing may adjust the number or timing of funding rounds if required by the passage of federal legislation or adoption of IRS rules and regulations to accommodate variations in demand or for other compelling circumstances. Depending on the strength and number of proposals received in any funding round, RIHousing may,

in its sole discretion, create an official waiting list for the LIHTC program year for proposals that demonstrate considerable merit but for which allocable credit is not immediately available. RIHousing will make the waiting list available for public inspection.

During the review period, staff will determine the need for the credit and the financial feasibility of the proposals; however, this determination is not a guarantee by RIHousing of the feasibility or viability of any proposal. In the event that RIHousing determines that the project is not feasible as proposed or that a change in circumstances has materially altered the proposal as submitted and approved, RIHousing reserves the right to rescind reservations of LIHTCs for projects. Any such rescissions shall be in writing and provided to the applicant.

The anticipated schedule for LIHTC reservations is as follows:

First Funding Round

RFP issuance	On or about October 1, 2025
Proposals submission deadline	On or about the third Friday in December 2025
Reservation decisions rendered by RIHousing's Board of Commissioners	At the April 2026 Board Meeting

Additional funding rounds will be conducted, if necessary, to allocate remaining credits or returned credits. RIHousing reserves the right to limit competition in subsequent competitive funding rounds to proposals that were submitted in the first and/or second competitive funding rounds.

RIHousing retains the right to award LIHTCs outside of competitive funding rounds to projects which were previously awarded LIHTCs and which either: (a) have returned their previously awarded LIHTCs to RIHousing for use by other developments pursuant to an agreement with RIHousing or (b) qualify for and can demonstrate a need for additional LIHTCs to meet project feasibility requirements. The projects must meet one or more of the following criteria:

- The project incurred or faces substantial, unforeseen cost increases beyond its control;
- The project is subject to a substantial unanticipated reduction in equity yield on the sale of the LIHTCs, or a substantial unanticipated reduction in leveraged debt;
- Supplemental LIHTCs would improve the project's financial feasibility and maintain its consistency with RIHousing's underwriting standards and development policies for multi-family finance.

RIHousing reserves the right to award any additional credits received during any year to qualified projects that were previously placed on a waiting list in prior rounds. RIHousing may consider making a reservation of LIHTCs for qualified application(s) received outside the context of the first or subsequent funding rounds if LIHTCs are available from the previous year. In such event, a general priority will be given to projects which best demonstrate readiness to proceed, and/or projects which have previously received credit awards from RIHousing.

B. Project Selection Process

Applicants are advised to thoroughly review the Allocation Plan, the Developer's Handbook and the application requirements when preparing their application. While RIHousing does not have a formal pre-application process, applicants are strongly encouraged to review potential applications with RIHousing staff prior to submission. It is solely the applicant's responsibility to select a preferred plan of action.

RIHousing's selection process for allocating LIHTCs is designed to select proposals which address the priorities identified in the Rhode Island Consolidated Plan: 2025-2029, the Housing 2030 plan, the federal criteria included in IRC Section 42 and the housing needs of the State. A funding committee (the "Funding Committee") including but not limited to senior staff, and one or more representatives of the Board of Commissioners will evaluate and score applications based on the review criteria stated below.

All tax credit reservations are made based upon the information contained in the application. Upon review of the application, RIHousing staff will advise the applicant of discrepancies or incomplete items and will allow the applicant to clarify or supplement the original application. Such requests will be made in writing to the applicant who will have 10 days to respond in writing only. **Only clarifications or missing information will be accepted, no substantive changes may be made by the applicant after the application is submitted. A substantive change may include, but is not limited to, modifying the LIHTC request, changing unit count, and adding or removing specific locations from the application.**

RIHousing staff will conduct a review to determine whether a proposal meets the Threshold Criteria (the "Threshold Criteria"). If staff determines that a proposal does not meet the Threshold Criteria, notice will be provided to the applicant prior to the Funding Committee meeting. Threshold determinations are not appealable.

Only those projects that meet the Threshold Criteria will be officially scored. Applications passing threshold will be reviewed and scored against the LIHTC priorities set forth in the Allocation Plan. After applications have been scored by RIHousing staff, but prior to presentation at the Funding Committee meeting, applicants shall be notified of their overall score. Applicants shall have the

opportunity to meet with staff to discuss their project scoring and may also appeal the score prior to presentation at the Funding Committee meeting.

Aggregate assessment and score in no way guarantees an award of LIHTCs to a particular development. During proposal review and throughout the LIHTC allocation process, RIHousing will utilize its sound and reasonable judgment and will exercise its discretion consistent with sensible and fair business practices. RIHousing reserves the right not to reserve LIHTCs to any applicant or project, regardless of the proposal's aggregate assessment and score, if it determines, in its sole and absolute discretion, that 1) a reservation for any applicant or project does not further the purposes and goals set forth in this Allocation Plan; 2) available resources are not sufficient to fulfill a LIHTC request; 3) there exists an over-concentration of projects in a specific geographic location; or 4) there exists an over-concentration of specific production types (e.g. new production, assisted living, preservation or rehabilitation).

In addition, RIHousing reserves the right to adjust aggregate assessments and scores or to rescind a reservation of LIHTCs if there is a material change in the project including, but not limited to, a change in the general partner, the construction start date which adversely affects the achievement of stated goals and/or diminishes the proposal's ability to address documented housing needs or significant changes to the budget.

In the first round, RIHousing may not allocate all available credits. Credits not allocated under the first round may be allocated at a future date within the credit year to projects submitted under the initial RFP. RIHousing will request updated models and will review and re-score all proposals submitted, even those proposals that did not originally meet the Threshold Criteria.

RIHousing may elect to award a forward allocation of credits to a project provided it is determined that the project meets the objectives of the State's Allocation Plan and that such forward allocation is in the best interests of the project and RIHousing's mission and affordable housing objectives.

If RIHousing allocates LIHTCs from the LIHTC Program outside of the priorities and selection criteria set forth in this Allocation Plan, RIHousing will document and provide a written explanation of its decision to the general public.

III. LIHTC REVIEW CRITERIA

In its mission to meet the statewide need for affordable homes, RIHousing believes it to be in the public's interest to avoid concentration of affordable housing in any one neighborhood, community or corner of the State. As a small state, Rhode Island receives a relatively small statewide allocation of LIHTC.

The LIHTC is the primary funding source for the development of new affordable rental homes in Rhode Island. Therefore, developers applying under the rental production program must meet the following requirements:

- (i) For new production proposals, create a minimum of 30 new units.
- (ii) RIHousing does not allocate 9% credits for projects solely focused on preservation of existing affordable homes. For proposals contemplating preservation, 30% of the overall units in an application or 20 units, **whichever is greater**, must be newly created affordable homes.
- (iii) As the LIHTC is a highly competitive and scarce resource, no single development may be awarded more than 40% of Rhode Island's annual small-state minimum allocation.

In awarding development resources, including LIHTCs, RIHousing has identified the following priorities:

1. Increase the supply of affordable housing. While the existing stock of affordable housing faces threats from expiring subsidies and use restrictions, deferred maintenance and obsolescence, the extreme need for additional affordable housing makes new production RIHousing's primary housing priority.
2. RIHousing will approve no more than one transaction with a preservation component per funding round for 9% allocated LIHTCs.
3. Dual and equal goals of (a) increasing the supply of affordable housing in communities that have traditionally had a lack of such housing; and (b) prioritizing housing development in areas close to jobs, infrastructure and transit.
4. Affordable homes must do more than just provide a physical structure. RIHousing identifies these goals with its CCD initiative and prioritizes developments that most effectively achieve these.
5. Because of the limited number of available subsidies, including the capital subsidy from the LIHTC, priority will be given to developments which can viably and effectively serve:
 - a. Extremely low-income households
 - b. Individuals and families who are currently experiencing homelessness or who have experienced homelessness over the past 24 months.
 - c. Individuals with special needs
 - d. Households with children
6. Developments that best serve the needs of Rhode Island workers and businesses.
7. Developments that achieve these goals cost effectively. Developers should refer to Section 9 of the Developer's Handbook for the total development costs per unit

by building type for new production, as well as maximum total development costs for preservation units, that is used to determine total development cost scoring metrics as outlined in Section III of this Plan.

In order to best achieve these goals, RIHousing has established 5 threshold criteria that must be met before a development can be considered for a reservation of LIHTC Threshold Criteria. The 5 Threshold Criteria are set forth here and described in more detail below. They are:

1. The developer and their development team must have experience in the successful development and operation of affordable housing of similar scope and complexity;
2. The development must demonstrate financial feasibility for at least 15 years and have a reasonable likelihood of feasibility for the entire term of financing;
3. The development must have a reasonable likelihood of achieving sustainable occupancy of 95% within 6 months of construction completion; and
4. Construction must be reasonably likely to commence within 12 months of preliminary commitment and be complete within 30 months of firm commitment.
5. The per unit TDC of the project does not exceed \$500,000 per unit, not including capitalized reserves. Exceptions may be made for, but not limited to, well-documented and verifiable extraordinary conditions as outlined in the Scoring Section of the Plan. Note that in a mixed preservation/new construction project, the preservation units and new construction units must separately meet this requirement.

Only proposals that satisfy the Threshold Criteria review will be further considered under the Scoring Criteria.

A. Threshold Criteria

- 1) Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity.
 - The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
 - The performance record of the developer, consultant, architect, management agent and contractor will be measured individually and collectively by the quality and quantity of previous development,

design, construction and property management efforts, as well as affirmative action records.

- Each team member is expected to demonstrate satisfactory prior experience on projects of similar scale and complexity; to have satisfactory professional references; and to devote sufficient experienced staffing and resources to complete the proposed development.
- If the developer does not have satisfactory prior experience, including but not limited to, the ownership and management of LIHTC projects, they must enter into a joint venture with an entity experienced with the development of LIHTC projects, or demonstrate to RIHousing's sole satisfaction how they will compensate for the lack of LIHTC experience.
- The developer (including the ultimate borrower entity) and contractor will also be evaluated for creditworthiness and financial capacity including a thorough review of the developer's audited financial statements for the previous 3 years. Creditworthiness takes into consideration the financial condition of an organization, management capabilities, character and capacity.

RIHousing reserves the right to deny LIHTCs to any proposal where: (i) any materially participating entity (owner or management agent) is not in good standing regarding compliance monitoring of other LIHTC projects; (ii) any partner, developer or other key development team member has been determined by RIHousing as not creditworthy; or (iii) any partner, developer or other key development team member is on the HUD or RIHousing debarment list.

RIHousing will review each developer's most recent audit to ensure financial capacity to develop the project and manage the development for the long term. In addition, developers will be evaluated based upon the prior performance of existing developments both in RIHousing's portfolio and those financed by others. This review will include: 1) condition and security of existing developments; 2) maintenance and operating of existing developments; 3) leasing and occupancy history; 4) general management practices; and 5) financial management. A credit report will be required for all principals of for-profit developers participating in the LIHTC program.

For service-enriched housing proposals, development team members will also be evaluated on the basis of demonstrated success in: (i) the development, design and construction of housing with supportive services;

and (ii) the planning and delivery of services including adequacy of staffing and/or oversight of third-party contracts for services.

2) Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project, (ii) the long-term operation of the proposal, and (iii) feasibility of the overall capital stack.

- As to development costs, applicant must demonstrate that the proposed budget is adequate and realistic for the proposed project.
- In regard to operations, the proposal must demonstrate financial feasibility for at least 15 years consistent with RIHousing's underwriting guidelines and have a reasonable likelihood of feasibility for the entire term of financing.
- RIHousing reserves the right to deny LIHTCs to proposals for which adequate funding sources have not been identified for all development costs or development costs do not appear to be consistent with the scope of the proposal. This includes a commitment of syndication. While commitments from these sources do not have to be secured before applying for LIHTCs, the applicant must be able to demonstrate to RIHousing's satisfaction that the sources identified will be available to the developer within 9 months of the reservation of credit.
- For mixed income developments, an agreement with the municipality on the real estate tax assessment associated with the market rate units should include, at a minimum, an analysis of how the units will be assessed, the methodology for valuing the market rate units, the cap rate, if applicable, and the time frame associated with the tax assessment agreement.
- Documentation must be provided demonstrating that the municipality has agreed to limit taxes on the affordable units to 8% of the gross scheduled rental income for the real estate tax calculation or lesser percentage determined by the municipality.

3) Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals that meet the 20% at 50% or 40% at 60% set asides, the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. Marketability of all projects will be evaluated

relative to the proposed locality of the development, target market population, rent levels and affordability, project design and amenities. Developers will be required to demonstrate marketability through such documentation as:

- Information on market comparables;
- Information on the supply and quality of the existing housing stock and rent burdens;
- Information on other planned development/revitalization activity in the area;
- Assessment of potential impact on the financial and operating viability of existing subsidized housing developments; local demographics (including income, age and any special needs characteristics); marketing and outreach strategies;
- Information demonstrating that the proposed location is appropriate for the target population in terms of environment, quality, proximity to services, and attractiveness of the site and its surroundings.
- Mixed use developments must provide the marketability information for both the residential and commercial components.

Developers are encouraged to set rents so that the proposed rents are affordable to residents in a given location and not simply set at the program's maximum rents. One aspect of a development's marketability is to have rents that are affordable and attractive to prospective tenants. Therefore, additional consideration will be given to projects that demonstrate that the proposed LIHTC rents are below those of comparable, unassisted units in the market.

- 4) Readiness to Proceed: Applicants must demonstrate that construction is reasonably likely to commence within 12 months of reservation of credits and be complete within 30 months of reservation. To receive and maintain a reservation of LIHTCs, all developers must demonstrate readiness to proceed throughout the pre-development process. An assessment of a proposal's initial readiness to proceed will be made based on the developer's ability to achieve the following within 9 months of an executed reservation letter for LIHTCs: (i) receive all written land use and zoning approvals and building permits; (ii) complete all regulatory, environmental, and historical reviews; (iii) maintenance of site control; (iv) secure all funding commitments; and (v) demonstrated financial feasibility.

Continued readiness to proceed will be determined by RIHousing, in its reasonable judgment, based on factors such as: (i) a developer's ability to meet the requirements to receive a Carryover Allocation Agreement ("CAA"); (ii) finalize and complete design development and contract drawings; (iii) secure an executed commitment letter with a LIHTC investor; (iv) demonstrate continued financial feasibility including, but not limited to, a signed schedule of values from a general contractor based on an approved set of plans and specifications; and (v) close on all financing and commence construction within 12 months of reservation for LIHTCs.

RIHousing will use its best professional judgment in evaluating an application for readiness to proceed. Staff will consider the developer's past performance in meeting permitting, funding and closing deadlines in projects of similar scope and size, and present their recommendations to the Funding Committee for a final award decision.

For projects proposing a hybrid transaction in which a developer seeks both an allocation of 9% LIHTC and a simultaneous financing plan seeking an allocation of tax exempt bonds and 4% Credits (a "Hybrid Development"), developers must conform their applications for both the 9% and 4% proposals to the RIHousing requirements for such transactions contained in Program Bulletin 2022-2 and Section 12 of the Developer's Handbook.

RIHousing will require proposed Hybrid Developments to be of a scale necessary to produce demonstrable savings of resources in exchange for the higher complexity of the execution and to otherwise meet the requirements set forth in the Program Bulletin. In evaluating a proposed Hybrid Developments, RIHousing will consider, among other things: (i) the Applicant's experience in successfully completing the proposed hybrid structure and organizational depth and capacity to undertake complex transactions, (ii) simultaneous financing for each tranche, and (iii) demonstrated cost savings and increased units as a result of a Hybrid Development.

For any project proposing market rate units (whether in a 9%, 4% or Hybrid transaction), the developer must demonstrate that no gap funding subsidy awarded to support affordable units is being used to support the market rate units.

B. Scoring/Point Allocation Summary

Category	QAP criteria	Points	
Financing			60
	TDC	25	
	LIHTC Efficiency	20	
	Leverages operating support	5	
	Leverages hard debt	10	
Incomes/ Populations Served			44
	3+ bedrooms	6	
	homeless, special needs	25	
	Include units over 80% AMI	5	
	Resident Service provision	6	
	Add'l Accessible units	2	
Promoting RI Workforce/Permitting			16
	RI construction firms	3	
	MBE/WBE	2	
	RI Nonprofit developers	3	
	Fully permitted	8	
Community			13
	Communities with <10% affordable housing and job rich/strategic growth	10	
	Areas of Opportunity	3	
Sustainability			14
	Energy Star 3.1 standard	3	
	All electric	2	
	Net Zero/ Passive House	3	
	Onsite solar/ renewables	3	
	Avoid destruction of open space	3	
	Total Points		147

(20) Negative points if applicable

FINANCING POINTS (Up to 66 points)

A. Up to 25 points - TDC per residential unit based on construction type as defined below. If submitting a proposal with 2 types of construction, provide a breakout of TDC by type.

Projects will fall within six categories of building type and RIHousing has determined a maximum TDC (the “Overall TDC”) within each building type. **The maximum per unit Overall TDC can be found in the Program Bulletin included in the 2026 Developer’s Handbook.** The building types and Overall TDC are as follows:

Building Type	Maximum per unit Overall TDC
	Refer to Section 9 of the 2026 Developer’s Handbook
Urban (includes scattered site and urban in-fill)	
Historic Mill Conversion	
Suburban/Rural Cluster Subdivision (buildings contain less than 8 units per building)	
Garden style apartment up to 3 stories (no elevator)	
Up to 4 Story building with elevator	
4 or 5 Story Stick built on Podium Parking	

While the Overall TDC costs above are limits based on comparisons of previous RIHousing funded projects and RS Means, the scoring will be calculated on a weighted average (the “Weighted Average TDC”), based on bedroom size to ensure parity between projects that cater to different populations. Project applications will be evaluated for cost reasonableness using an index, which is the Weighted Average TDC per unit and the TDC per bedroom. For mixed-use projects, the Weighted Average TDC for only the residential portion of the project, including common areas, will be used for this calculation. Capitalized reserves will be excluded from the TDC calculation. The Weighted Average TDC will be calculated as follows:

$$([2 * \text{TDC/unit}] + [\text{TDC/\# of bedrooms}]) \text{ divided by } 3.$$

The Weighted Average TDC will be the basis for scoring the TDC per unit. TDC points will be based on \$5,000 increments. The calculations will be built into the proforma.

Proposals that include both new construction and preservation will require a Weighted Average TDC for both new construction and preservation. The 2 amounts will then be averaged for a final Weighted Average TDC.

Note: Efficiency apartments will count as a one-half bedroom in the Weighted Average TDC calculation.

Extraordinary Conditions:

Projects with extraordinary conditions that increase costs beyond the TDC caps should **provide detailed back-up outlining the reasons for the higher costs.** Acceptable extraordinary conditions include, but may not be limited to, the following:

1. Excessive environmental remediation defined in a remedial action work plan required by the either the Environmental Protection Agency, the RI Department of Environmental Management, or the Coastal Resources Management Council.
2. The demolition of non-contributing structures to facilitate the leveraging of historic LIHTCs.
3. Demolition of a building that was not contemplated in the original scope of work to make way for a new project (e.g. demolition due to building originally included in a new project but determined to be structurally unsound. Documentation of structural integrity required).
4. The calculation of prevailing wages.
5. The installation of on-site water service and water treatment systems in rural locations.
6. The legal costs associated with a SHAB, Superior Court or Supreme Court appeal of a municipal denial of a zoning change to allow the proposed affordable housing development.
7. Unsuitable soils (requires detailed backup to qualify as extraordinary).
8. Inclusion of space for supportive service provision that is over and above the typical square footage for management and community space based on the size of the proposed development.

If the applicant is seeking relief under one of these extraordinary conditions, they must provide itemized breakdowns of these costs prepared and attested to by a general contractor. RIHousing will evaluate these costs to ensure consistency with the industry, and they will then be deducted from the unweighted TDC before applying the Weighted Average as described above.

In order to ensure that applicants are submitting realistic pricing for their proposals, if allocated LIHTC, the first 10% of cost overruns above the preliminary budget, will be absorbed by a like reduction in paid developer fee before any additional LIHTC or soft funds will be allocated to the project.

B. Up to 20 points - LIHTCs per residential unit. Applications with more than \$30,000 per credit per unit will receive 0 points. The points will increase by 1 for every \$1,000 below the maximum.

Weighted Avg units: $([2 * \# \text{ of bedrooms}] + [1 * \# \text{ of units}])$ divided by 3

The product, the Weighted Average Credit per Unit, will be the basis for scoring the LIHTC per unit. LIHTC per unit points will be based on \$1,000 increments. The calculations will be built into the proforma.

Note: Efficiency apartments will count as one-half bedroom in the Weighted Average calculation.

C. Up to 5 points for leveraging committed state and federal funds from rental and operating subsidy programs such as a Project Based Section 8 rental contract, HPF-ELI, or RIH-ELI operating subsidy or other similar federal and state program.

20% or more units in the development	5 points
10-19% of units in the development	3 points
up to 9% of units in the development	0 points

D. Up to 10 points – Leveraging of (i) hard debt, or (ii) other competitive housing resources (e.g., USDA funding, Municipal, Federal and/or State Historic Credits, FHLB, private grants, etc.). Less than \$20,000 per unit will receive 0 points. The points will increase for every \$1,000 above the minimum.

≥\$60,000 per unit	10
≥\$50,000 per unit	8
≥\$40,000 per unit	6
≥\$30,000 per unit	4
≥\$20,000 per unit	2

INCOMES/POPULATIONS SERVED (Up to 44 Points)

A. Up to 6 points – The creation of new three bedroom or larger units (preservation of existing larger units does not qualify).

% 3-bedroom units of overall unit count	Bonus Points
10%	2
20%	4
30%	6

No points will be awarded for projects if less than 10% of the new units are 3+ bedrooms.

B. Up to 25 points for effectively serving people: (i) who have income at or below 30% of median income, (ii) who are homeless and coming from the Coordinated Entry System or (iii) have special needs, including persons with physical, developmental, or other disabilities; individuals fleeing domestic violence; and other populations where supportive services or assistance would prevent homelessness or serve those with the greatest risk of housing instability. Developments do not qualify as “special needs” simply by serving an elderly population.

The applicant must identify the operating subsidy for these units or use the 30% rent for underwriting.

For developments in which the owner will be partnering with a service provider to provide supportive services:

- 25 points – 21% or greater of the total number of units in the development
- 20 points – 16-20% of the total number of units in the development
- 15 points – 11-15% of the total number of units in the development
- 10 points – up to 10% of the total number of units in the development

A service plan and memorandum of understanding with a service provider is required for homes that are intended for persons with special needs, and the supportive service plan must outline the appropriate services applicable to the population being served, and which must be approved by RIHousing in order to be eligible for points in this category.

For developments providing 30% AMI units (without supportive services):

- 18 points – 21% or greater of the total number of units in the development
- 15 points – 16-20% of the total number of units in the development
- 12 points – 11-15% of the total number of units in the development

- 9 points – up to 10% of the total number of units in the development

C. 2 points for making no less than 10% of the newly created units accessible.

The current minimum requirement is as follows: UFAS “Accessible” – All New Construction and “Substantial” rehabilitation developments require a minimum of 5% of units (minimum of 1 unit) be “accessible” as defined by the Uniform Federal Accessibility Standards (UFAS), regardless of the use group exception contained in the Building Code.

D. Mixed Income

A development that proposes to have a range of income levels, and at least 15% of the units are over 80% AMI units, and the developer can demonstrate that these over-80% AMI units don't need a capital subsidy designed to support the under-80% units may receive the following points:		<u>Up to 5 points</u>
15% of the units serve households above 80% of AMI	2	
Up to 20% of the units serve households above 80% of AMI	3	
More than 20% of the units serve households above 80% of AMI	5	

E. Services

Service Provision		<u>Up to 6 Points</u>
Development includes a 40 hour per week Resident Services Coordinator (RSC) or evidence of a MOU with a 3 rd party provider of resident services for the same number of hours and the cost for the RSC or service provision is either built into the operating budget and/or evidenced in a MOU with a 3 rd party provider.	6 points	
Development includes a 20 hour per week Resident Services Coordinator (RSC) or evidence of a MOU for the same number of hours with a 3 rd party provider of resident services, and the cost for the RSC or service provision is either built into the operating budget and/or evidenced in a MOU with a 3 rd party provider.	4 points	
Development includes a 10 hour per week Resident Services Coordinator (RSC) or evidence of a MOU for the same number of hours with a 3 rd party provider of resident services, and the cost for the RSC or service provision is either built into the operating budget and/or evidenced in a MOU with a 3 rd party provider.	2 points	

PROMOTING RI WORKFORCE/PERMITTING (16 Points)

- A. Up to 3 points for utilizing Rhode Island based firms.
- 3 points for an applicant that certifies in the application that up to 50% of the sub-contractor contracts will be awarded to Rhode Island based construction firms.
- B. 2 points for including a certified Minority or Women-owned Business Enterprise as the Developer or minimum 50% Co-developer, Architect, General Contractor, or Property Manager.
- C. 3 points Developer is a community-based nonprofit that has a demonstrable track record of community engagement, is incorporated in the state of RI, has IRS 501(c)3 status and has operated housing in the neighborhood or similar neighborhoods in the state. The qualifying non-profit developer may be part of a joint venture if they own at least 50% of the general partner interest of the borrower entity.
- D. Up to 8 points for a development that at the time of application has all applicable regulatory agency permits including: municipal permitting bodies (local planning, zoning, and fire code approvals) and state regulatory agencies (Department of Environmental Management and Coastal Resources Management Council).
- 8 points for a fully permitted development AND specifications are at least 90% complete AND architect confirms in writing that the plans and specifications can be 100% complete within 30 days AND the application includes a signed schedule of values from the general contractor, determined by RIHousing to be consistent with current pricing, that is the basis for the funding application.
 - Up to 6 points for master, preliminary and final plan approval for a development or for a development with “by right” approval AND 50% plans and specifications consistent with the requirements of the 2026 Developer’s Handbook for “Design Development” level plans.
 - Up to 4 points for master, preliminary and final plan approval for a development or for a development with “by right” approval and plans that

are only schematic. **Points will be prorated based on approvals in place at time of application.**

Proposals that do not have zoning approval at the local level typically cannot meet the Readiness to Proceed Threshold Requirement. Applicants that cannot adequately demonstrate zoning approval or the ability to build “by right” are discouraged from applying unless they can adequately demonstrate they can secure approvals within 6 months of preliminary approval of a LIHTC award.

COMMUNITY (up to 13 points)

For “A” below, applicants are only eligible for one category and a maximum of 10 points.

- A. 10 points – A proposed development which is located within a community with less than 10% affordable housing as defined by state law and meets the criteria of Modest Growth or Strategic Growth communities as outlined in the State’s Housing 2030 plan.

7 points - A proposed development in a community with more than 10% affordable housing as defined by state law and meets the criteria of Modest Growth or Strategic Growth communities as outlined in the State’s Housing 2030 plan.

5 points – A proposed development in a Continued Growth community, as outlined in the State’s Housing 2030 plan, which has access to public water.

- B. Areas of Opportunity/Graduation Rates

1 point – A proposed development is in a QCT and/or there is a Concerted Community Revitalization Plan that meets the criteria outlined in the Federal Criteria section of the Allocation Plan.

The statewide average HS graduation is 84%. See the 2024 KidsCount for reference, page 160 https://rikidscount.org/wp-content/uploads/2024/05/factbook2024_final-2.pdf	Up to 2 points

Communities with HS graduation rate equal to or greater than 92%	2	
Communities with HS rates between 84% and 91.99%.	1	
Communities with HS rates less than 84%	0	

SUSTAINABILITY (Up to 14 points)

RIHousing strives to ensure that developments are as energy efficient as possible and to the extent financially feasible, incorporate many of the industry's current green building practices. Points will be awarded to new construction developments that achieve NGRID's RNC Tier II and Energy Star 3.1 revision 8 standards to obtain a higher level of documented energy efficiency. The additional standards should be itemized for review.

These standards are consistent with the anticipated 2024 R.I. State Energy Conservation Code Standards.

Projects undertaking substantial rehabilitation rather than new construction will be eligible for partial points if they can achieve Tier II of standards under RI Energy's program guidelines.

- A. Up to 3 points may be awarded to new construction that achieve Energy's RNC Tier II and minimum Energy Star 3.1 revision 11 standards for single-family and Energy Star 1.1 revision 2 standards for multi-family to obtain a higher level of documented energy efficiency. The additional standards should be specifically itemized for review otherwise no points will be awarded; OR

Projects undertaking substantial rehabilitation rather than new construction will be awarded up to 3 points if they demonstrate an ability to achieve RI Energy's RNC Tier II standards. The additional standards should be specifically itemized for review otherwise no points will be awarded: OR

For Historic Mill rehabilitation projects, 1 point will be awarded to projects that achieve Level 1 under the RI Energy Rhode Island Adaptive Reuse Program and 2 points if they achieve Level 2 under this same program.

- B. 2 points may be awarded to projects that are 100% electric, have all electric systems and appliances, and meet the energy efficiency requirements of the Design and Construction Standards.
- C. Up to 3 additional points may be awarded to projects that achieve RNC Tier III **AND** meet current Net Zero or Passive House certification standards. Projects intended to achieve program certification shall refer to:
- <http://www.energy.ri.gov/policies-programs/lead-by-example/rhode-island-stretch-codes.php>
<https://www.energy.gov/eere/buildings/zero-energy-ready-home-program>
<https://www.phius.org>
- D. Up to 3 points may be awarded to those developments that incorporate Photo Voltaic solar panels (“PV”) or other renewables, including net metering (as defined in R.I.G.L. Chapter 39-26-5). Developments will receive points as follows:
- 1 point if the proposed PV array system or other renewable energy system(s) is/are large enough to cover no less than 50% of the project’s annual common area and site electric load as calculated by a qualified engineer
 - 2 points if the proposed PV array system or other renewable energy system(s) is/are large enough to cover no less than 100% of the project’s annual common area and site electric load as calculated by a qualified engineer.
 - 3 points if a Development incorporates a PV array or other renewable energy systems that are sufficiently sized to create a net-zero development based on the overall plans and specifications for the property.
- E. 3 points for a development that does not involve destruction of fields, forests, agricultural lands or environmentally sensitive land, and/or includes a cluster development in which more than 50% of the land is conserved.

NEGATIVE POINTS (assessed by RIHousing based on borrower's inability to perform under a previous allocation of LIHTCs).

- Negative 5 points for having a higher TDC per unit at the closing of the developer's previous LIHTC transaction that would have resulted in lower points at the time the proposal was initially scored; provided however, that if the developer has secured additional non-RIHousing and non-State gap funding to offset the cost, no penalty will be assessed.
- Negative 5 points for higher LIHTCs per unit at the closing of the developer's previous LIHTC transaction that would have resulted in lower points at the time the proposal was initially scored.
- Negative 5 points for developer not closing their previous LIHTC transaction within 12 months of preliminary approval. Exceptions may be made for circumstances that, in RIHousing's sole determination, were outside the developer's control.
- Negative 5 points for a developer who closes a previously approved LIHTC project for which they received points for specific QAP incentives but does not include these items in their final scope of work.

At a minimum an applicant subject to a negative point assessment, must submit an application that meets threshold and results in a score that is equal to or higher than the lowest scoring application in the funding round.

C. Scoring Assessment Criteria

Borrowers should note the assessment scoring criteria, requirements and guidance that are applicable to the selection of proposals.

1. Financial Analysis:

- a) TDC: Development and construction costs will be reviewed for adequacy and reasonableness in accordance with the guidelines established in the RIHousing Developers Handbook. Staff will consider the documentation submitted in support of the proposed costs, sources and uses; the development team's past performance in achieving the costs set forth in prior applications for funding and prior projects; and RIHousing's own expertise and experience with housing developments.
- b) Management Plan/Operating Budget: Operating budgets will be reviewed to determine adequacy and reasonableness of each expense line item, including but not limited to management fees, maintenance and administrative costs, replacement reserves, taxes, insurance, and costs of any planned tenant services. Proposed operating budgets will be compared to the applicant's own

portfolio as well as similar type developments in the RIHousing portfolio. Proposed management agents and management plans will be reviewed to determine the acceptability of planned procedures for managing the development's operations.

Existing portfolio performance is a key component of RIHousing's review. RIHousing staff will review the overall risk rating associated with each previously funded project in our portfolio to assess the strength of the owner and management agent, and their ability to address operating challenges over the life of the loan.

For service-enriched housing proposals, management plans will also be reviewed for demonstrated appropriateness and sufficiency of planned services for the target population, the inclusion of a cohesive, well-conceived and financially feasible service program, and the organizational capacity of the service provider(s) to deliver the proposed services.

2. Populations Served:

Rhode Island has adopted Open Doors Rhode Island which is a strategic plan to prevent and end homelessness. The plan can be accessed at: <http://ohcd.ri.gov/freq-requested/documents/openingdoorsri.pdf>. The goals of the plan are to end chronic homelessness in 5 years, end veteran's homelessness in 5 years and to end homelessness for families and youth in 10 years.

Services:

Provision of resident services is critical to supporting resident success. The Plan seeks to incentivize the provision of access to resident services needed to help residents thrive. Areas of support include, but are not limited to, job training and health counseling that prioritize educational, health, and economic benefits for residents.

Accessibility: The Plan seeks to encourage the development of housing units that go beyond the minimum federal requirements for the provision of accessible housing to individuals with disabilities.

3. Rhode Island Based Firms:

To provide employment opportunities for the Rhode Island workforce, points will be given to borrowers that certify their general contractors will utilize Rhode Island based subcontractors.

a. Permitting:

There are substantial costs associated with permitting a development. However, significant delays in proceeding to construction can result from various local and state permitting processes. Recognizing the cost/benefit of fully permitting a development prior to the award of financing, RIHousing will provide a range of points for those developments that have received various permitting approvals.

b. Site Design:

The proposed site, including any existing improvements, must support the intended population in terms of desirability of location; environmental quality; adequacy of utilities and transportation; proximity and connections to jobs, civic, social, commercial, recreational, and services; and appropriateness of the proposed development to the specific site.

In addition, site conditions will be evaluated in terms of suitability for construction or rehabilitation. For new construction, ledge, wetlands, existence of subsurface contamination, grade, soil suitability, and base flood elevation (“Base Flood Elevation”) are typical considerations. For rehabilitation, existing structural conditions, ease or difficulty of adaptations, abatement of hazardous materials, appropriateness of existing buildings, layout and site plan for the proposed resident population will be considered.

HUD has published updated Floodplain Management and Protection of Wetlands rules which are effective as of January 1, 2025. All applicants and their consultants are encouraged to refer specifically to the final rule when developing their plans:

Floodplain Management and Protection of Wetlands; Minimum Property Standards for Flood Hazard Exposure; Building to the Federal Flood Risk Management Standard.

As a general rule, developments will only be eligible for financing if the residential buildings are not constructed on land which is in a Base Flood Elevation (100-year flood) as determined by RIHousing in accordance with the most current flood insurance rate maps issued by the Federal Emergency Management Agency (“FEMA”); and comply with other applicable requirements of law, as they may be amended from time to time. RIHousing may consider granting a waiver to the Base Flood Elevation Requirement, if the Developer seeking to construct or rehabilitate a building in a Base Flood Elevation, can demonstrate to RIHousing's satisfaction that upon the occurrence of an event of the magnitude of the 100 year flood: (i) there will not be an unreasonable risk of bodily injury or harm to the residents; (ii) the ground floor units, building egress, site egress and parking areas are constructed above 100-year flood elevation; (iii) the structural integrity, systems and interior finishes of the building will not be materially and adversely affected; (iv) the building will remain functional; (v) the construction or renovation of the buildings will not result in increased flooding elsewhere and (vi) the property is covered by flood insurance in strict conformance with RIHousing’s insurance requirements.

In addition, all developments located in a 100-year flood plain will be required to provide a flood plain engineering report and, if necessary, an evacuation plan prepared by a qualified civil engineer or land surveyor. Developments which receive federal funding will also be required to meet HUD's 8-Step floodplain standards. The decision of RIHousing shall be binding and conclusive.

4. Consistency with the State of RI Housing 2030 plan:

The Housing 2030 plan sets aggressive goals for the production and preservation of affordable housing in Rhode Island. The plan preserves the state's statutory goal of 10% affordable housing in every community, but also prioritizes housing production in proximity and with access to jobs, transit and the infrastructure needed to support denser development. . .

5. Geographic Diversity:

Consistency with the State of RI Housing 2030 plan:

In an effort to provide affordable homes in every community in Rhode Island and to assist communities that have been unable to reach a 10% affordable housing goal, a sliding scale of points will be given to developments creating new affordable units located in areas with less than 10% existing affordable housing that are consistent with Housing 2030 plan in regard to proximity to jobs and existing infrastructure and transit.

By emphasizing areas of opportunity, the Plan recognizes the goal of maximizing opportunities and services for residents. HUD considers areas of opportunity as high opportunity neighborhoods that have a "positive effect on the economic mobility of residents".

7. Sustainability:

RIHousing strives to ensure that developments are as energy efficient as possible and to the extent financially feasible, incorporate many of the industry's current green building practices. Points will be awarded to new construction developments that achieve RI Energy's RNC Tier II and Energy Star 3.1 revision 8 standards to obtain a higher level of documented energy efficiency. The additional standards should be itemized for review.

Projects undertaking substantial rehabilitation rather than new construction will be eligible for partial points if they can achieve Tier II standards under RI Energy's program guidelines.

Additional points may be awarded to projects that achieve RNC Tier III **AND** meet the State's most current Net Zero or Passive House standards.

RIHousing has been working with RI Energy and the Office of Energy Resources to develop strategies for improving energy efficiency in existing and new affordable housing, and to incentivize the use of renewable resources. The recent change in legislation to allow Virtual Net Metering in affordable housing is an additional opportunity to leverage these resources. See Chapter 26.4 of Title 39 of the General Laws of Rhode Island ("RIGL"), entitled "Net Metering" and more specifically "Community Remote Net Metering" as defined at RIGL Sec. 39-26.4-2(1).

Points will be awarded for all-electric construction projects as outlined in the Design and Construction Standards in the Developer's Handbook.

Points will be awarded for developments that include PV or other renewable energy sources with enough capacity to offset a determined amount of annual operating costs.

8. Preservation of Greenfields:

In recognition of the need to preserve Rhode Island's diverse natural resources, points will be provided for a proposal that does not involve destruction of fields, forests, agricultural and other environmentally sensitive land and/or includes a cluster development in which more than 50% of the land is conserved.

D. Non-Profit Set-Aside, 9% Credits

Pursuant to IRC Section 42(h)(5)(B), RIHousing will set-aside a minimum of ten percent (10%) of the total LIHTC allocation, as required by IRC Section 42(h)(5)(B), for non-profit organizations that materially participate in the development and management of the project throughout the compliance period. The allocation of this set-aside to qualified non-profits will be determined by RIHousing in its sole discretion. These credits will be administered in the same manner as LIHTCs allocated to for-profit developers.

In order to qualify for credits from the non-profit set-aside, organizations must certify that they are a qualified non-profit organization and any substitute owner during the compliance period must continue to qualify under that set-aside. The term "qualified non-profit organization" means any organization that is described

in Section 501(c)(3) or (4), is exempt from tax under Section 501(a), and includes as one of its exempt purposes the fostering of low-income housing.

E. Assisted Living Program

LIHTCs from the state per capita allocation and those provided through tax-exempt bond financing are available to borrowers proposing assisted living developments, provided that the proposal identifies long term funding for essential services. Developers should refer to the Developers Handbook for detailed information related to the development of Assisted Living units.

F. Supportive Housing

LIHTCs from the state per capita allocation and those provided through tax-exempt bond financing are also available to borrowers proposing permanent housing developments with supportive service options for residents. Critical to the evaluation of these proposals will be the availability and commitment of sustainable funding for the proposed services and operating or rental assistance to assure long-term feasibility.

LIHTC regulations prohibit sub-leasing of units to agencies. Owners should not enter into a master lease agreement with service providers. Tenants must execute a lease for a unit. A contract between the owner and service provider should be executed to ensure the provision of services for a tenant.

IV. TAX EXEMPT FINANCING WITH 4% CREDIT

In addition to the 9% LIHTC, RIHousing allocates 4% LIHTC, which are as of right tax credits for affordable housing projects using tax-exempt private activity bonds. All developments utilizing tax-exempt bonds to generate 4% LIHTC in their financing plan must submit an application for Tax Exempt Volume Cap ("Volume Cap"). Applications for Volume Cap are currently received on a rolling basis and will be subject to availability.

RIHousing highly encourages the use of tax-exempt bond financing with 4% LIHTC. Proposals utilizing tax-exempt bond financing with 4% LIHTC are not scored based on the 9% scoring criteria outlined in the QAP. These projects typically need subsidy funding and will be scored for the other competitive sources developers may be seeking (e.g. HOME, Housing Production Fund, Building Homes RI, etc.). All development proposals seeking tax exempt bonds and 4% LIHTC must comply with both Section 42 and 142 of the Code and meet the Threshold requirements of the Plan (Part III(A)) and the Developer's Handbook.

V. UNDERWRITING GUIDELINES

RIHousing guidelines for underwriting, general contractor fees, reserve requirements, developer's fees, and soft costs can be found in the RIHousing Developer's Handbook at <https://www.rihousing.com/developers-handbook/>. The costs associated with these guidelines must be incorporated into the TDC for all proposals requesting LIHTC from RIHousing. The guidelines may be amended from time to time through Program Bulletin.

VI. FEE STRUCTURE FOR LIHTC PROPOSALS

All LIHTC proposals, including those seeking credits from the State's allocated pool or in conjunction with tax-exempt bond financing, shall be assessed the following fees:

A. Application Fees:

LIHTC proposals will be assessed a \$1,500 non-refundable application fee, payable upon application submission.

B. Underwriting Fee:

RIHousing will charge an underwriting fee for the review of all 4% and 9% credit proposals

Up To \$1,000,000	\$20,000
Up To \$3,000,000	\$25,000
Greater than \$3,000,000	\$35,000

If RIHousing provides the first mortgage financing, these underwriting fees will be applied toward RIHousing's origination fees. However, the underwriting fee will be charged if RIHousing is not the permanent senior lender. A **minimum** combined origination/underwriting fee of \$20,000 will be paid if the loan amount is less than \$1,000,000.

C. Allocation Fees:

Approved LIHTC proposals will be assessed the following LIHTC allocation fee, payable at closing:

For 9% LIHTC Developments: 0.5 % of the 10-year allocation amount
For 4% LIHTC Developments: 1.0 % of the 10-year allocation amount

VII. COMPLIANCE MONITORING

Please refer to RIHousing's compliance monitoring manual which was updated in 2021 (the "Compliance Manual") for detailed monitoring requirements.

<https://www.rihousing.com/wp-content/uploads/RIHousing-LIHTC-Manual-Revised-March-2021-highlighted.pdf>

The compliance monitoring procedure is adopted pursuant to IRC Section 42. RIHousing or its agent reserves the right to amend this procedure as may be necessary or appropriate to conform to applicable changes in IRC Section 42 or regulations. In addition, RIHousing or its agent may adopt further monitoring forms and procedures as part of its Compliance Manual or as otherwise deemed appropriate.

Upon project completion, owners are required to obtain an independent third-party audit of 100% of the initial qualifying tenant files. This audit cannot be performed by the investor. Documentation of such audit must be submitted to RIHousing along with the Initial Qualifying Tenant (“IQT”) report, the 8609(s) and the Cost Certification. The IQT must list the initial qualifying households and must coincide with the initial Tenant Income Certifications on file. Owners and agents are also required to attend a welcome meeting with RIHousing Asset Management and Loan Servicing staff.

BORROWERS AND OWNERS ARE ADVISED THAT COMPLIANCE WITH THE REQUIREMENTS OF IRC SECTION 42 OF IS THE RESPONSIBILITY OF THE OWNER OF THE DEVELOPMENT. MONITORING OF THE DEVELOPMENT BY RIHOUSING OR ITS AGENT DOES NOT IN ANY MANNER AFFECT, MODIFY, OR SUBSTITUTE FOR THIS RESPONSIBILITY. MONITORING BY RIHOUSING OR ITS AGENT DOES NOT CONSTITUTE A DETERMINATION OF ANY KIND REGARDING THE DEVELOPMENT’S ELIGIBILITY FOR LIHTC UNDER IRC SECTION 42.

A. Recordkeeping and Record Retention

Recordkeeping: For each year in the compliance period, which is equal to 15 taxable years beginning in the first year the credit is taken, the owner shall maintain records for each building in the project showing the:

- 1) Total number of residential rental units in the building (including the number of bedrooms and the size in square feet of each residential rental unit).
- 2) Percentage of residential rental units in the building that are low-income units.
- 3) Rent charged on each residential rental unit in the building, supporting documentation, and the applicable utility allowance.
- 4) Number of occupants in each low-income unit.
- 5) Annual income certification of each eligible tenant.
- 6) Documentation to support each eligible tenant’s income certification.
- 7) Student status of all household members.
- 8) Waiting Lists and marketing/advertising information.

- 9) Unit vacancies in each building and information that shows when, and to whom, the next available units were rented.
- 10) Eligible basis and qualified basis of the building at the end of the first year of the credit period.
- 11) Character and use of the non-residential portion of any building included in the building's eligible basis that are resident facilities available on a comparable basis to all residents and for which no separate fee is charged for use of the facilities (or facilities otherwise reasonably required by the development).

Record Retention: The owner shall retain records relative to the first year of the credit period for at least 6 years beyond the due date (with extensions) for filing the tax return for the last year of the compliance period of the building. The owner shall retain the records described above for all subsequent years in the compliance period for at least 6 years after the due date (with extensions) for filing the federal income tax return for that year.

Additionally, for each year that any Agreements remain in effect after the compliance period, the owner shall retain records adequate to demonstrate compliance with the terms and conditions of the Agreement, including, but not necessarily limited to, income of tenants and rents charged at the development. The owner shall retain the records pertaining to a particular year for at least 6 years following the close of that year.

B. Certifications and Reporting

Annual Certification: The owner of every project that has received LIHTCs must submit to RIHousing by January 31st of each year during the compliance period and the extended use period an owner's Annual Certification of Continuing Program Compliance and evidence of Certification of LIHTC Training. As required under Treasury Revenue Regulation 1.42-5, the owner shall certify to RIHousing under the penalty of perjury, whether for the preceding 12-month period:

- 1) The project was continually in compliance with the terms and conditions of its Agreements with RIHousing.
- 2) The project met either (i) the 20-50 test under IRC Section 42(g)(1)(A), (ii) the 40-60 test under IRC Section 42(g)(1)(B) or (iii) the average income test, whichever minimum set-aside test was applicable to the project.
- 3) There was any change in the applicable fraction as defined by IRC Section 42(c)(1)(B) of any building in the project, and if there was a change, a description of that change.

- 4) The owner has received an annual income certification from each low-income tenant, and documentation to support that certification.
- 5) Each low-income unit in the project was rent restricted under IRC Section 42(g)(2).
- 6) All units in the project were for use by the general public (as defined in Treasury Regulation 1.42-9), including the requirement that no finding of discrimination under the Fair Housing Act, 42 U.S.C. 3601, et seq., occurred in the project.
- 7) Each building in the project was suitable for occupancy, taking into account local health, safety and building codes.
- 8) There was no change in the eligible basis (as defined in IRC Section 42(d)) of any building in the project, or there was a change, and information regarding the nature of that change.
- 9) All tenant facilities included in the eligible basis under IRC Section 42(d) of any building in the project were provided on a comparable basis without charge to all tenants in the building.
- 10) If a low-income unit in a building becomes vacant during the year, reasonable attempts were made to rent that unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any unit in the building was or will be rented to tenants not having a qualifying income.
- 11) If the income of the tenant of a low-income unit in a building increases above the limit allowed in IRC Section 42(g)(2)(D)(ii), the next available unit of comparable or smaller size in the building was or will be rented to tenants having a qualifying income.
- 12) An extended low-income housing commitment as described in IRC Section 42(h)(6) was in effect (for buildings subject to Section 7108(c) of the Omnibus Budget Reconciliation Act of 1989).
- 13) All low-income units in the project were used on a non-transient basis except for permanent supportive housing for the homeless provided under IRC Section 42(i)(3)(B)(iii) or single room occupancy units rented on a month-to-month basis under IRC Section 42(i)(3)(B)(iv).
- 14) The project was continually in compliance with the Violence Against Women Reauthorization Act of 2013, as amended, and all applicable implementing regulations.

Additional Reporting as Required: The owners of all LIHTC projects will also be required to submit to RIHousing information on tenant income, occupancy, and rent for each low-income unit, in the form and manner designated by RIHousing. RIHousing reserves the right to require owners of all low-income projects to submit additional information as it deems necessary.

The HERA included a provision directing state HFAs to collect and submit to HUD demographic and economic information on tenants living in LIHTC properties, including LIHTC projects in the extended use period. RIHousing requires owners/agents to upload and report tenant data monthly utilizing the RIHousing's online reporting system which allows property managers to enter tenant information directly into a web-based compliance reporting system. The information is immediately uploaded to RIHousing's online reporting system and is then transmitted directly to HUD.

C. Records Review

In accordance with Section 26 CFR 1.42-5(c)(2)(ii), all projects will be monitored for compliance by the end of the second calendar year following the year the last building in the project is placed in service. Subsequently, IRS regulations require that at least once every 3 years, state agencies conduct on-site inspections of all buildings in the project. These inspections will include a sample size in accordance with IRS guidance of the project's low-income units and review the certifications and supporting documentation along with the rent records for all the tenants living in the units. Properties directly financed by RIHousing and/or monitored under other federal or state programs administered by RIHousing will be reviewed annually. Additionally, LIHTC projects whose operations do not meet RIHousing's financial and operating management standards may be subject to more frequent examinations.

RIHousing reserves the right to perform a records review of any low-income housing project at least through the end of the compliance period and for any additional term, as defined in the RIHousing extended use compliance monitoring policy.

D. Inspection

RIHousing may conduct annual physical property and unit inspections, as well as tenant file reviews, on all of the LIHTC developments monitored by RIHousing. RIHousing will randomly select the low-income units to be inspected in each development. The number of units to be inspected will be a sample size in accordance with IRS guidance.

Inspections of buildings, grounds and LIHTC units will be conducted using HUDs Uniform Physical Conditions Standards ("UPCS") protocol.

RIHousing retains the right to perform an on-site inspection of any low-income housing project at least through the end of the compliance period and for an additional term, as defined in the RIHousing extended use compliance monitoring policy.

E. Notification of Non-Compliance

RIHousing defers to the Guide for Completing Form 8823 Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition (the “Guide”) to evaluate non-compliance findings. The scope of the Guide is limited to guidelines for preparing Form 8823 for submission to the IRS. Taxpayers are responsible for evaluating the tax consequences of noncompliance with IRC Section 42. The Guide is available on the IRS website at: <https://www.irs.gov/pub/irs-utl/lihc-form8823guide.pdf>

RIHousing will look to the Guide in evaluating compliance with IRC Section 42 and in determining whether a notice of noncompliance should be issued. As outlined in IRC Section 42(m)(1)(B)(iii), RIHousing or its agent has the responsibility to notify the IRS of non-compliance with the LIHTC provisions by completing Form 8823 “Low-Income Housing Credit Agency Report of Non-Compliance.” In the event that RIHousing or its agent learns of an event of non-compliance, it will send a letter to the project’s owner describing the condition and, where appropriate, recommending actions to correct the problem. The agency shall retain records of non-compliance or failure to certify in accordance with Treasury regulations.

The development shall have 30 days from the date of the notice to correct and supply proof that the noncompliance has been corrected (e.g., copies of income certifications/lease/rent rebate, etc.).

If RIHousing determines that the clarification from the owner on the noncompliance issue establishes that the owner was always in compliance, then no Form 8823 is issued, and the owner is notified within 5 business days.

If RIHousing determines that there was noncompliance and the issue is now remedied, then Form 8823 will be filed with the IRS and the owner will be notified no later than 45 days after the end of the time allowed to the owner to take remedial action.

F. Casualty Loss

Unfortunately, disasters or accidents sometimes damage or destroy LIHTC units or properties. When these occur, it is the responsibility of the owner/agent to report the loss to RIHousing as soon as possible after an incident that results in a unit or building going off-line. Furthermore, the owner must submit a plan to RIHousing that sets a timeframe for restoration of the lost buildings or units.

Casualty loss that is not part of a presidentially declared disaster invokes no recapture if the loss is returned to a good condition within a reasonable period. This period is no more than 24 months after the end of *the year* that loss occurred. However, credits cannot be claimed while the unit(s) or building(s) are offline. For

presidentially declared disasters, both recaptured and disallowance of credits are avoided if the loss is restored in a *reasonable period*. In the case of a declared disaster, the maximum reasonable period is 25 months ***after the month*** that a disaster is declared. For either type of casualty loss, RIHousing may impose a lesser reasonable period based on specific details as to the severity of loss.

For LIHTC projects, RIHousing must report the loss and restoration to the IRS. If the units have not been fully restored, RIHousing will submit a copy of the owner's plan and timeframe for replacement along with an uncorrected Form 8823 to the IRS. Once all units have been restored and are available for occupancy, RIHousing will issue a corrected Form 8823 to show the units are back in compliance.

If an owner fails to report a casualty loss to RIHousing promptly, RIHousing will report the incident as noncompliance to the IRS using Form 8823 as soon as compliance staff becomes aware that a loss event occurred.

Displaced Persons. For a period after a presidentially declared disaster, LIHTC properties across the nation may house persons displaced by the disaster *regardless of their income*. RIHousing will issue bulletins following specific disasters, along with directions and how long the temporary allowance to house disaster victims will last.

G. Liability of the Owner

Compliance with the requirements of IRC Section 42 is the responsibility of the owner of the building for which the credit is allowable. RIHousing's obligation to monitor for compliance with the requirements of IRC Section 42 does not make it responsible for the owner's noncompliance.

H. Annual Compliance Training

During the 15-year compliance period, the owner must certify that at least one member of the on-site management staff attended annual training specific to the LIHTC program and provided by a 3rd party vendor, or, with prior written approval of RIHousing, by the management company's in-house compliance department. A copy of the training certifications must be submitted to RIHousing by January 31st of each year.

VIII. EVENTS OF RECAPTURE

A full recapture of credits occurs if the building fails to meet the minimum set-aside requirement. A partial recapture of credits occurs if the building's low-income occupancy percentage decreases, but not below the minimum set-aside level, and/or if eligible basis decreases. The potential effect of non-compliance is to increase taxes in the year of non-compliance based on all previous years that the credit was earned. The excess of the credit actually earned each year over the credits that would be allowed if the credits were claimed

ratably over the fifteen-year compliance period (the accelerated portion of the credit) plus interest is recaptured. In this event, IRS Form 8611 "Recapture of Low-Income Housing Credit" must be filed by the project's owner and retained for 3 years following the Compliance Period.

It is important to note that there are additional items that trigger recapture. Please refer to IRC Section 42 and the RIHousing website for important Program Bulletins and Notices regarding changes/revisions to policies.

IX. COMPLIANCE MONITORING FEES

A. Compliance Monitoring Fees:

In order to offset the cost of compliance monitoring, a low-income housing unit fee will be assessed to all LIHTC developments per LIHTC unit. This fee will be due and payable no later than March 31st of each year. This fee will be reviewed on an annual basis and may be increased to cover administrative costs at RIHousing's discretion. In accordance with the RIHousing Extended Use Compliance Monitoring Policy, fees will be assessed through the term of the Extended Use Period. RIHousing reserves the right to increase compliance monitoring fees for Owners who elect income averaging.

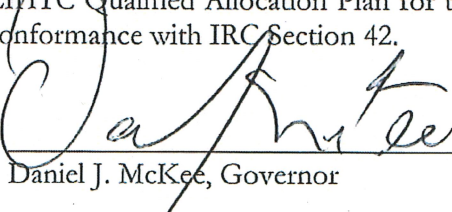
X. MISCELLANEOUS

RIHousing recommends that owners/agents stay current with updated information by logging into our website at <https://www.rihousing.com/> and viewing and downloading important information outlined in our Program Bulletins and Notices.

XI. APPROVAL OF THE GOVERNOR

I, Daniel J. McKee, Governor of the State of Rhode Island, do hereby signify my approval of this 2026 LIHTC Qualified Allocation Plan for the distribution of federal LIHTCs in this State, in conformance with IRC Section 42.

Signed:


Daniel J. McKee, Governor

Date:

9/17, 2025

HOUSING CREDIT PROGRAM **COMPLIANCE MONITORING** **MANUAL**

COMPLIANCE MONITORING MANUAL.....SECTION 8

- A. RIHousing LIHTC Compliance Manual
 - a. Please follow this link for the latest manual:
[RIHousing Compliance](#)

PROGRAM BULLETIN

PROGRAM BULLETIN.....SECTION 9

Developer Fee Policy:

The maximum Developer's Fee including overhead is calculated either (i) per unit or (ii) as a percentage of total development cost minus the value of any capitalized reserves and the Developer's Fee (the "Fee Based Development Cost"). Development consultant fees must be paid out of the approved Developer Fee. Developers should note that the percentages below represent the maximum fee that may be earned. Lower fees or deferred fees may be required depending on the amount and/or source of subordinate financing used by a Developer in a transaction.

I. **New Production with** tax-exempt financing and 4% LIHTC only (no subordinate debt)

- Up to 15% of the Fee Based Development Costs

II **New Production with** tax-exempt financing, 4% LIHTC and subordinate debt

- Scattered Sites: 0 to 2-bedroom units – \$23,650 per unit
3 bedroom or greater – \$25,300 per unit
- Single Site: 0 to 2-bedroom units – \$20,790 per unit
3 bedroom or greater – \$23,100 per unit
- Developers may increase the developer fee to 15% of the allowable base fee (as defined above) as long as any amount above the base fee is deferred.

III. **New Production with Additional Subsidy** (9% LIHTC and/or state or federal subsidies (other than 4% LIHTC as outlined above))

- Scattered Sites: 0 to 2-bedroom units – \$23,650 per unit
3 bedroom or greater – \$25,300 per unit
- Single Site: 0 to 2-bedroom units – \$20,790 per unit
3 bedroom or greater – \$23,100 per unit

Additional Developer Fee: Developers of New Production projects using 9% LIHTC are eligible for Additional Developer Fee of up to 50% of any cost savings realized for projects that (i) are completed under budget, or (ii) are eligible for upward adjusters. The balance of the cost savings will be recaptured by RIHousing.

IV. **Preservation with tax-exempt financing and 4% LIHTC only.**

- 5% of acquisition and 10% of construction and soft costs not including new reserves and Developer's Fee (the "Base Fee"). Developers may increase the developer fee to 15% of the Fee Based Development Cost (as defined above) as long as any amount above the Base Fee is deferred.

V. Preservation without LIHTC and including Rollover RIIHousing Debt

- For non-LIHTC transactions with existing RIIHousing debt that will be “rolled over” rather than be repaid, the maximum developer fee will be equal to 10% of the construction cost.
- A minimum fee of \$500 per unit will be provided to a sponsor of a preservation transaction if substantial rehabilitation of units is involved.

VI. New Construction without LIHTC

- Up to 10% of the total development cost, not including new reserves and developer’s fee.

Developer Fees for development of commercial space as part of a RIIHousing financed residential project will be negotiated on a case-by-case basis.

Developer’s Fee Disbursement: Twenty five percent (25%) of the non-deferred portion of the Developer's Fee shall be paid on the Closing Date and the remaining deferred and non-deferred Developer's Fee shall be assigned to Lender as collateral for the obligations under the Loan Documents. At fifty percent (50%) completion, assuming: i) there are no cost overruns in excess of those covered by the contingency funds, ii) the construction completion date remains on schedule, and iii) there are no defaults under the Loan Documents, an additional twenty five percent (25%) of the non-deferred portion of the Developer Fee may be paid. The remaining deferred and non-deferred portion of the fee shall be disbursed upon Lender's acceptance of the Development's cost certification, and all requirements of the Loan Agreement are met.

Application Fee
All LIHTC proposals will be assessed a \$1,500 non-refundable application fee, payable upon application submission.

RIIHousing Legal Fees
All RIIHousing legal fees shall be paid for by the borrower and may be incorporated in the proforma as an eligible expense.

Overall Total Development Cost Limits by Building Type	
RIIHousing has determined a maximum total development cost (the “Overall TDC”) for the building types listed below. The building types and Overall TDC are as follows:	
Building Type	Maximum per unit Overall TDC
Urban (includes scattered site and urban in-fill)	\$440,000
Historic Mill Conversion	\$469,000
Suburban/Rural Cluster Subdivision (buildings contain less than 8 units per building)	\$448,000

Garden style apartment up to 3 stories (no elevator)	\$442,000
Up to 4 Story building with elevator	\$470,000
4 or 5 Story Stick built on Podium Parking	\$466,500
Preservation units utilizing LIHTC	\$266,000

Management Fee Guidelines			
Project Size	Base Fee	Bookkeeping	Total
1 – 40 Units	6.5%	.5%	7.0%
41 – 60 Units	5.5%	.5%	6.0%
61+ Units	5.0%	.5%	5.5%

Financing Fees		
1st Mortgage		
2% of the first \$5,000,000; 1% thereafter		Upon closing
A minimum combined origination/underwriting fee of \$20,000 will be paid if the first mortgage amount is less than \$1,000,000 or there is no first mortgage		
Tax Credit Allocation		
4% Tax Credits:	1.0% of 10-yr allocation	Upon closing
9% Tax Credits:	0.5% of 10-yr allocation	Upon closing

Underwriting Fees	
RIHousing will charge an underwriting fee for the review of all 4% and 9% LIHTC proposals as follows:	
Combined Loan Amount	Fee
Up To \$1,000,000	\$20,000
Up To \$3,000,000	\$25,000
Greater than \$3,000,000	\$35,000
RIHousing requests the opportunity to provide the permanent debt for all transactions. If RIHousing provides the first mortgage financing, these underwriting fees will be applied toward RIHousing's origination fees. However, an underwriting fee will be charged if RIHousing is not the permanent senior lender.	

Construction Fees			
General Contractor Fees			
Construction Value	General Requirements (%)	Builder's Overhead (%)	Builder's Profit (%)
up to \$1 mil	8	2	9
\$1 to \$2 mil	7	2	8
\$2 to \$3 mil	7	2	8
\$3 to \$4 mil	6	2	6
\$4 to \$5 mil	6	2	5 1/2
Over \$5 mil	6	2	5

Identity of Interest: For those developers where there is an identity of interest between the owner and general contractor, the maximum amount of builder's profit allowed is 50% of the amounts referenced above. Note that for projects subject to Section 911 Subsidy Layering reviews, alternative general contractor fee limits may apply.

Estimated Bond Premiums (a factor of construction cost)

Buildings, Minimum bond cost	.60%
Buildings, Maximum bond cost	2.5%

There is typically a 1% surcharge on the total bond premium for each month exceeding one year.

Architect

Architectural Fees (including engineering fees)*

High Rise	7 ½% of the total allowable construction cost including fees: 80% design and 20% construction administration
Low Rise Repetitive Design	6% of the total allowable construction cost including fees: 80% design and 20% construction administration
Rehab	7 ½% of the total allowable construction cost including fees: 80% design and 20% construction administration

*Architectural and engineering fees may not be increased due to construction labor and material cost increases. Increases in fees may only be requested due to additional work incurred by the firm(s) as a result of design and/or engineering changes/modifications. Fee increases are subject to approval by the Owner/Developer and RIHousing. Firms should provide detailed information on work hours for both Principals and Associates billing for additional fees.

Clerk of the Works Fees

(Clerk of the Works fee shall be based on total construction cost less contingency)

2.5%	\$500,000 - \$2,000,000.
2.0 %	\$2,000,0001 - \$5,000,000.
1.5%	\$5000,001-\$10,000,000.
1.25%	\$10,000,001 or Greater

Underwriting Rates

Rates

Call lender for current Taxable and Tax-Exempt rates.
For the 2025 LIHTC RFP, the permanent loan rate (inclusive of 12.5bps for HUD Risk Share) will be based on a spread of approximately 325 basis points above the 30-year Treasury. The spread is subject to change. Applicants should add a 50bps hedge for taxable permanent senior debt underwriting.

Operating Expense Ranges

Industry Standards for 2024-2025	\$7,200 - \$8,300 Per Unit Per Annum (Net of Utilities and Real Estate Taxes)

Developers will be required to justify higher or lower costs by identifying and quantifying specific cost factors.

Square Foot Construction Calculations	
Square foot costs are to be based on building gross square footage calculated to the outside face of exterior wall surfaces for all finished spaces. The following percentage of partial areas will be used: Garage = 2/3 of area; Unenclosed Porch = 1/2 of area; Enclosed Porch = 2/3 of area; Unfinished Basement = 1/2 of area; Canopies = 1/4 of area; and Two-story room = 1 1/2 of area	

Real Estate Tax Set-up Assessment	
Real Estate Tax Assessment per Development	\$95.00
Additional Set-up Fees	
- An additional fee of \$10.00 will be added for each \$100,000, or portion thereof, of loan balance in excess of \$500,000. - For Commercial/Multifamily loans, the fee includes up to five (5) contiguous parcels. There will be an additional fee of \$10.00 per parcel above five (5) contiguous parcels OR, \$10 per parcel for non-contiguous parcels.	

Compliance Monitoring Updates

TAX CREDIT COMPLIANCE MANUAL:

Available on our website at <https://www.rihousing.com/Compliance Manual>.

LEAD SAFE HOUSING RULE:

U.S. Department of Housing and Urban Development
Office of Health Homes and Lead Hazard Control
Washington DC 20410

(https://www.hud.gov/program_offices/healthy_homes/healthyhomes/lead). The Lead Safe Housing Rule applies to the Low-Income Housing Credit Program, when the HUD Uniform Physical Conditions Standards (UPCS) are used by the state housing agency for monitoring purposes.

MANAGEMENT COMPLIANCE CERTIFICATION:

Owners of tax credit developments must certify that at least one member of the on-site management staff attends training for compliance in managing a tax credit project at least once annually. Proof of training and/or Certifications of training must be submitted to RIHousing by January 31st of each year along with the Annual Owner's Certification of Continuing Program Compliance. **WAIVER 8877:**

Revenue Procedure 2004 – 38: Effective July 6, 2004, new form and procedures for Waiver 8877 have been issued by the IRS.

GUIDE FOR COMPLETING FORM 8823:

The IRS has issued the Guide for Completing Form 8823 Low-Income Housing Credit Agencies Report of Non-compliance or Building Disposition. Revised as of January 2011. The scope of this guide is limited to guidelines for preparing Form 8823 for submission to the IRS. Taxpayers are responsible for evaluating the tax consequences of noncompliance with IRC Section 42. The Guide is available on the IRS website. Please contact Kathy Millerick at (401) 457-1241 if you have any questions.

STATISTICAL DATA AND FORMS

STATISTICAL DATA AND FORMS.....SECTION 10

1. Please follow the following links for the publications you will need for your application proforma:
 - Rhode Island Income Limits for Low- and Moderate-Income Households:
[FY-25-HUD-Income-Limits-1.pdf \(rihousing.com\)](#)
 - Rhode Island Utility Allowances:
[RIHousing-2025-Utility-Allowance-USE.pdf](#)
 - HUD's Fair Market Rents:
[2025 RIHousing Payment Standards .xlsx](#)
2. Exhibit 1: Difficult to Develop and Qualified Census Tract Areas Schedule
Exhibit 2: Housing Affordability by Community
Exhibit 3: Final Commitment Submission Requirements
Exhibit 4: Business Application/Background Credit Information
Exhibit 5: Affirmative Action Plan
Exhibit 6: Market Study Requirements
Exhibit 7: Appraisal Requirements

Exhibit 1: DIFFICULT TO DEVELOP AREAS SCHEDULE

DIFFICULT DEVELOPMENT AREAS (DDA) & QUALIFIED CENSUS TRACTS

<https://www.huduser.org/portal/datasets/qct.html>

2025 IRS SECTION 42(d)(5)(B) Qualified Census Tracts.

1.01	Providence County	111.00	Providence County
2.00	Providence County	135.00	Providence County
3.01	Providence County	141.00	Providence County
3.02	Providence County	147.00	Providence County
5.00	Providence County	151.00	Providence County
6.00	Providence County	152.00	Providence County
7.00	Providence County	153.00	Providence County
8.00	Providence County	154.00	Providence County
12.00	Providence County	159.00	Providence County
14.00	Providence County	160.00	Providence County
17.00	Providence County	161.00	Providence County
18.00	Providence County	167.00	Providence County
19.00	Providence County	171.00	Providence County
20.00	Providence County	174.00	Providence County
26.00	Providence County	176.00	Providence County
29.00	Providence County	179.00	Providence County
103.00	Providence County	180.00	Providence County
104.00	Providence County	181.00	Providence County
108.00	Providence County	183.00	Providence County
109.00	Providence County	203.00	Kent County
110.00	Providence County	223.00	Kent County
		405.00	Newport County
		515.04	Washington County

2025 IRS SECTION 42(d)(5)(B) Difficult Development Areas

02806 – 02812 – 02817 – 02818 – 02822 – 02831 – 02835 – 02836 – 02837 – 02875 –
02876 – 02882 – 02892 – 02903 – 02906 – 02912 – 02921 - 02871

Please contact your Housing Development Officer if you have any questions regarding Qualified Census Tracts or Difficult to Develop Areas.

Exhibit 2: HOUSING AFFORDABILITY BY COMMUNITY

Housing Affordability by Community
For the most up-to-date version of that data please follow this link: https://www.rihousing.com/low-mod-income-housing/

Exhibit 3: FINAL COMMITMENT SUBMISSION REQUIREMENTS

1. **Design and Construction Items:** (Borrower should refer to the Design and Construction Guidelines in Section 3 for additional detail.)
 - Waiver of RIHousing Design Requirements (if applicable.)
 - Architectural Exhibits: Refer to “Design and Construction Handbook.”
 - Survey and Surveyor’s Report (RIHousing form) showing all properties included as part of this development.
 - Affirmative Action Plan
 - Construction Cost Breakdown- Schedule of Values (RIHousing form CF-2328).
 - Construction and Payment Schedule
 - Owner/Architect Agreement (AIA Document, B141, current edition), RIHousing approval required.
 - The architect and/or engineer certifying all trades must complete design Architect's Certification.
 - Construction Contract and General Conditions (AIA Document A101 and A201, current edition) RIHousing approval required.
 - Contractor’s RI Registration
 - Satisfactory evidence must be provided by the general contractor regarding the availability of either a 100% payment and performance bond or a letter of credit on a form supplied by RIHousing equal to 25% of the total construction cost. The evidence may be in the form of a letter of intent from the bonding company or bank stating its willingness to provide the necessary instrument to the general contractor in the required amount. If a bond is to be provided, the bonding company must write fidelity and surety in the State of Rhode Island and must have at least an “A” rating by Best’s Key Rating Guide. If a letter of credit is to be provided, RIHousing must approve the bank issuing the letter of credit. If an identity of interest exists between the developer and the general contractor, a letter of credit must be obtained.
 - Structural Report prepared by qualified licensed structural engineer for existing buildings to be renovated.
 - Capital Needs Assessment for existing occupied buildings.
 - Soil and foundation investigation report prepared by a qualified geotechnical-engineering firm for new construction.
 - Evidence of all property easements and easement agreements.
 - Verification of utilities, as follows:
 - Letters from the applicable utility companies and authorities concerning their ability to provide sufficient service. For acquisition and

rehabilitation where no change in utilities services, type or volume is proposed, this requirement may be waived.

- Verification from the appropriate utility or municipal authorities of sewer, water and trash removal estimates listed on the proforma.
- Phase I Environmental Report. At the discretion of RIHousing, a Phase II Environmental Report may be required.
- Evidence of approval by authorities having jurisdiction over the following, as required by the project:
 - a. Zoning variances
 - b. Rhode Island State Building Code variances
 - c. Rhode Island State Fire Code variances
 - d. Wetlands
 - e. Historic District
 - f. ISDS
 - g. Curb Cuts/RIDOT Physical Alteration Permit

2. Housing Management Items:

- Operating budget and rent schedule.
- Management Questionnaire (for management agent's new to RIHousing)
- Management Plan
- Security Plan
- Affirmative Action Fair Marketing Plan and Tenant Selection Policy
- Cash flow analysis to estimate any anticipated losses prior to stabilized occupancy.

3. Documentation of Financial and Organizational Capacity

- Three years of financial statements including the most recent **audited** financial statement of the mortgagor prepared by a certified public accountant and covering a period ending twelve (12) months prior to the date they are submitted. If the developer is a partnership, include the financial statements of each partner. As applicable, any updates to previously submitted financial statements should be provided.
- The most recent audited financial statement of the general contractor prepared by a certified public accountant and covering a period ending twelve (12) months prior to the date they are submitted or a current AIA Contractor Qualification Statement.
- Credit report for Developer and General Contractor.
- Organizational Documents, as applicable:
 - a. Limited Partnership Agreement
 - b. Certificate of Limited Partnership (recorded with Secretary of State)

- c. Partnership Agreement
- d. Articles of Incorporation
- e. Bylaws
- f. Certificate of Good Standing and a Certified Copy of Corporate Vote or Partnership Consent.
- g. Such other Organizational Documents that RIHousing may reasonably request.

4. Other Underwriting Requirements

- Legal Description of the Site
- Title Report
- Insurance carrier's statement of property's insurability in conformance with RIHousing Program Requirements.
- If applicable, Relocation Plan prepared in conformance with all applicable Federal and state laws and regulations.
- Appraisal Report and Market Study (commissioned by RIHousing).
- Documentation of real estate taxes for the development. If tax abatement is applicable, or if taxes will be waived, developer should submit supporting documentation from the appropriate authorities.
- Letter of commitment and/or final approval documenting the availability of all additional resources.
- Letter of commitment and/or final approval documenting the award of any Project Based operating assistance (Section 8, HUD 811, etc.) to the development.
- Syndication commitment letter, referencing the projected total value of the sale proceeds of the LIHTC that will be available to the developer and the schedule for advancement of these proceeds.
- If applicable, bridge loan commitment letter.
- Revised development proforma reflecting final construction, acquisition and soft costs. Note that all cost items included in the proforma must be documented and are subject to review and approval by RIHousing.
- Developments to be financed under the HUD-HFA Risk Sharing program (including all developments utilizing Section 8 Project Based Assistance) must complete the application documents required by HUD.
- Any other outstanding items not submitted with the application for reservation may also be requested at this time.

Exhibit 4: BUSINESS APPLICATION/BACKGROUND CREDIT INFORMATION

Name of Firm:		Telephone #	
Address:			
Mailing Address (if different from above)			
Previous Address:			
Nature of Business:		How long in business?	
Is company a: (Check all that apply)	☐ Rhode Island Based ☐ Proprietorship ☐ Partnership		
If a Rhode Island Based, when incorporated		Where?	
Contractor License #: (If applicable)			
Other DBA's:			

List Officers, Partners, or Owners			
Position or % Owner	Name	Home Address	S.S.#

Banking Information				
Bank Name:		Acct. Number:		☐ Installment Loan
Address:		Balance:		☐ Commercial Loan
Bank Name:		Acct. Number:		☐ Installment Loan
Address:		Balance:		☐ Commercial Loan
Bank Name:		Acct. Number:		☐ Installment Loan
Address:		Balance:		☐ Commercial Loan
Name of Primary Bank:				
Officer you deal with:				

Credit References		
Name	Address and City	Zip

Assets: Attach most recent financial statement and/or use separate sheet to list company assets and liabilities. For any owned real estate, list addresses, values, mortgage holders and their account numbers.						
Bldg \$	Land \$	Equip. \$	Furniture \$	Autos \$	Acct. Rec. \$	Net Worth \$

IMPORTANT: APPLICANT READ BEFORE SIGNING I authorize you to obtain such information as you may require concerning the statements contained in this application.

Signature

Date

Signature

Date

Exhibit 5: AFFIRMATIVE ACTION PLAN

**AFFIRMATIVE ACTION PROGRAM
DEVELOPMENTS FUNDED BY
RIHOUSING**

Sponsor/Developer Name

Address/City/Zip Code

Development Name

Development Location

EEO Affirmative Action Officer

Phone Number

A. Equal Opportunity/Affirmative Action Statement

RIHousing is committed to providing equal opportunity in every aspect of its programs and will not discriminate because of race, sex, national origin, age, religion, sexual orientation, handicap, or status as a veteran. Because RIHousing recognizes the need to eliminate the vestiges of past societal discrimination, it will take affirmative action to ensure that its employment opportunities are open to every income-qualified Rhode Islander.

RIHousing will not tolerate discrimination by any recipient of its funds or benefits. This includes lending institutions, developers, contractors, and subcontractors and vendors doing business with RIHousing. Deliberate or persistent violation of this policy may result in the withdrawal by RIHousing of support or involvement in a project and/or debarment from further involvement by RIHousing.

RIHousing will incorporate requirements for non-discrimination and affirmative action in all its contracts and implementation of these requirements will be monitored by the coordinator of program compliance. Any person or corporation doing business with RIHousing shall cooperate with the monitoring of this policy.

B. General Obligations

1. We shall observe the requirements for equal opportunity and affirmative action set down in Section A and outlined in this program and at the pre-construction and pre-award meeting conducted by RIHousing.
2. We will incorporate or cause to be incorporated into every contract and subcontract relating to this development the provisions of this program.
3. We will keep records and comply with requests for information from RIHousing pertaining to actions taken pursuant to this program.

C. Utilization of Minority Businesses

1. We shall, to the greatest extent possible, utilize Minority and Female Owned businesses as contractors and subcontractors and vendors and shall include such businesses as available in any solicitation for bids.
2. We shall maintain documentation of such solicitations and their results.
3. The utilization goal for minority and female owned businesses shall be ____% of the total construction dollar amount. Anticipated awards to minority and female contractors and subcontractors are identified below:

TRADE/ SERVICE/PRODUCT

a.	
b.	
c.	
d.	
e.	
f.	
g.	

D. Equal Employment Opportunity and Affirmative Action

1. We shall take specific affirmative action to ensure equal employment opportunity as defined in Section A above. This affirmative action shall include at least the following:
 - a. Post written commitment to all aspects of non-discrimination.
 - b. Maintain a working environment free of harassment, intimidation and coercion at all sites and in all facilities at which the contractor's employees are assigned to work.
 - c. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations of employment opportunities available and maintain a record of the organization's response.
 - d. Maintain a current file of the names, addresses and telephone numbers of each minority and female off the street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual.
 - e. When feasible, participate in training programs for the area which expressly include minorities and women.
 - f. Disseminate our EEO policy by providing notice of the policy to unions and training programs requesting their cooperation and assistance in meeting our EEO obligations by including it in the policy manual and the collective bargaining agreement, by publicizing it in the company newspaper, annual report, etc.
 - g. Use recruitment means that will contribute to the achievement of equal employment opportunity goals where unions or training programs are barriers in this effort.

- h. Ensure that all facilities and company activities are non-segregated except that separate or single user toilets and necessary changing facilities shall be provided to assure privacy between sexes.
- 2. We shall inform all contractors and subcontractors of their similar obligations in this program.
- 3. The utilization goal for all trades is _____% of labor hour for minority group member and _____% for women.

E. Compliance

- 1. We shall cooperate with RIHousing officials in their review of compliance with this program.
- 2. We will notify RIHousing of any charge filed with the Rhode Island Commission on Human Rights or U.S. Equal Employment Opportunity Commission alleging unlawful discrimination in this development.
- 3. In any case where RIHousing determines that we have not complied with this program, we shall be notified of such non-compliance. In such instances, we shall have fifteen (15) days to either achieve compliance or to demonstrate why compliance is not possible.
- 4. We agree that if we fail to comply with the terms of this program or satisfy RIHousing as to why we are unable to comply, then RIHousing may, at its option, suspend advance or part thereof due until such time as we are able to demonstrate compliance with the terms of this program and/or debar us from participation in future RIHousing developments.

Signature(s):

Sponsor/Developer

Date

Contractor

Date

Exhibit 6: MARKET STUDY REQUIREMENTS

Market Study Guidelines – Updated September 2017

The Internal Revenue Service and the Qualified Allocation Plan (“QAP”) for the State of Rhode Island require that a comprehensive market study be completed in connection with the allocation of Low Income Housing Tax Credits (“LIHTC”). In accordance with Section 42(m)(1)(A)(iii) of the Internal Revenue Code, the entity preparing the market study must be a disinterested party, have no interest in the development or have a relationship with the owner of the development. Upon receiving a reservation of LIHTC, RIHousing will commission a market study from a list of pre-approved market study analysts. All analysts are required to have significant experience within the multi-family real estate sector and possess geographic competence.

Market studies for LIHTC developments should be consistent with the National Council of Housing Market Analysts (NCHMA) Model Content Standards for Market Studies for Rental Housing (Version 3.0 Adopted January 14, 2013), as well as its Market Study Terminology and its Market Study Index.

While part of the NCHMA model, analyst should place particular emphasis on the following:

1. Proposed Project Description:
Analysis of the influence of location on the marketability of proposed units. (Consider attractiveness of site; improvements and surroundings; proximity to social and civic services; availability of public transportation; on-site parking.)
2. Market Area Analysis: Determination of market area; propensity of renters from market area to move to the proposed development.
 - Availability and proximity to public transportation
 - Availability and proximity of social services
 - Nearby entertainment, restaurant and retail amenities
 - Employment data: Unemployment rates, major employers, typical wages in relation to Eligible Income Range at Subject, distance from employment sources
 - Primary market area demographic analysis: population and household trends, household income trends, household size, renter tenure
 - For assisted living, consider age and assets of existing population in market area

Include a description of demographic trends (including income profiles) for defined market area.

3. Supply Analysis: Consideration of existing and planned competition within or proximate to market area, to include a detailed presentation of comparable properties including:
 - Date built (and improved if applicable)
 - Occupancy rate
 - Size of units
 - Breakdown of rental rates and costs to tenants. For assisted living consider cost of services to tenants.

- Market characteristics should be discussed and compared with projects for the subject including vacancy, leasing pace, absorption, reasonability of rents, turnover, rent increase, concessions and waiting lists.
4. Demand Analysis: Estimation of absorption and turnover rates including the following components:
 - Income eligibility calculation – based on the minimum and maximum income limits presented in the report, the number of households in the surrounding area qualified to reside at the subject
 - Capture rate by unit and/or bedroom type
 - Annual capture rate
 - Demand for Section 8/Public Housing waiting list, occupancy and number of recipients.
 5. Operating Expense Analysis: Feasibility of rents (and in assisted living the cost of services) for proposed market population.
 - Compare operating expense projections to determine whether the proposed budget is reasonable, given the achievable rent levels and what is common in the market.
 6. Conclusions and Recommendations: The conclusions resulting from the market study are summarized in this section and should include recommendations for the subject property. Recommendations may include modifying the unit mix, unit size, suggestions as to whether to or not to offer a particular amenity, changes to rent, and other pertinent changes.

Exhibit 7: REQUIREMENTS FOR APPRAISAL ASSIGNMENTS

Requirements for Appraisal Assignments

Rhode Island Housing and Mortgage Finance Corporation ("RIHousing") requires appraisals for all loans, whether a proposal is for the acquisition and/or rehabilitation of an existing property, or for the construction of new rental housing (the "Appraisal").

The principal purpose of the Appraisal is to estimate both the market value and the investment value of a property. The definition of market value shall be consistent with the definition used in Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990. Among other places this definition also appears in the *Dictionary of Real Estate Appraisal, 6th Edition*, published by the Appraisal Institute. The definition of investment value will be consistent with the definition which appears in the *Dictionary of Real Estate Appraisal, 6th Edition*, published by the Appraisal Institute. The unique investment criteria will be provided to the appraiser for every assignment. The Appraisal will be used by RIHousing to help underwrite the risk and evaluate the security for the loan. Appraisals must be performed by appropriately licensed appraisers that are permanently licensed in the state of Rhode Island and satisfy the geographic competency requirements of the *Uniform Standards of Professional Appraisal Practice* (USPAP).

I. Form of Appraisals.

- A. Small Residential Rental Property. Small residential rental properties are buildings that contain from two to four dwelling units, all of which are used for residential rental purposes. Appraisals of small residential rental properties must be made on the current Federal Home Loan Mortgage Corporation (FHLMC) Appraisal Report – Small Residential Income Rental Property, Freddie Mac Form 72 and Fannie Mae Form 1025. The form must be fully completed by a state-certified appraiser with accurate and current information.
- B. Residential and Commercial Income Property. Residential and commercial income property includes all buildings that contain one or more non-residential income producing unit, five or more residential rental dwelling units, or a combination of non-residential income producing units and residential rental dwelling units. Appraisals of residential and commercial income properties must be in a narrative form consistent with the appraisal standards of the USPAP requirements and shall include the following:
 - 1) An "as is" opinion of value;
 - 2) An opinion of the highest and best use of the property;
 - 3) The appraiser's certification in a form consistent with that recommended by USPAP;
 - 4) The appraiser's assumptions, limiting conditions, extraordinary assumptions and hypothetical conditions utilized in the Appraisal;
 - 5) A description of any deferred maintenance or property obsolescence;
 - 6) A detailed description of the property improvements;

- 7) A detailed description of the state and local market area in which the property is located, including details on nearby properties against which the subject property likely competes;
- 8) Details on any new or planned additions to supply;
- 9) A legal description of the site;
- 10) A description of zoning restrictions and a conclusion indicating the subject property's compliance with zoning, special assessments of record, and easements and covenants of record;
- 11) A three year sales history of the site, including pending transactions, marketing efforts and recent offers;
- 12) Physical information about the development including site width, frontage and depth, available utility connections and restrictions, contour, topography and landscape features and unusual site features;
- 13) Pictures of the building and site;
- 14) Pictures of comparable rentals and sales and location maps for comparable properties;
- 15) A final opinion of market value;
- 16) A final opinion of investment value; and
- 17) A replacement cost "new" of the improvements without considering deferred maintenance, depreciation or land value.

II. Appraisal Requirements.

All Appraisals shall provide a market valuation under assumptions and requirements specified below. In addition, all Appraisals, *except for* Small Residential Rental Property appraisals must provide an investment valuation under assumptions and requirements specified on pages 3–4 of this document. If significant capital improvements are anticipated, the Appraisal should also include an "as complete" value.

A. Market Valuation. The following methodologies should be used to determine market value and should not take into account the benefits and limitations of subsidies and rent restrictions applicable to the property.

- 1) Income Capitalization Approach. Each Appraisal shall reflect a capitalized value of the development. In analyzing capitalized value, the Appraisal must estimate net operating income based upon, and supported by, current market rents, vacancy rates and operating expenses for similar units in comparable developments. Comparable developments are those that provide amenities and contain living space similar to that provided by the property under valuation. Any variations in services, amenities and unit sizes must be reflected by reasonable adjustments to the rents, vacancy rates and operating expenses for the comparable development to derive the estimated net income. Rental income must be trended to the expected completion date of the development. In estimating rental rates, rental data from subsidized developments may not be used as comparables.

For developments that are occupied at the time of the Appraisal, the appraiser must analyze the operating history of the property. Estimates of future performance need not be identical to the development's historical performance, but any differences should be reasonable and explained by comment. The Appraisal must also identify the current rents for the development and the current vacancy rate.

The capitalization rate and the discount rate (if applicable) should be based upon current rates of investment and return for comparable risk rental properties. Documentation supporting the rates used and an analysis of the method used to derive the capitalization rate and the discount rate must be included in the Appraisal.

- 2) Cost Approach. The cost approach should be utilized for all proposed construction and on other assignments if the appraiser considers this approach relevant. This approach should include a separate opinion of land value. The Appraisal must include references for the sources of cost data used by the appraiser. This may include cost service index references or development cost estimates through analysis of comparable square footage construction cost data.
- 3) Sales Comparison Approach. All Appraisals should include the Sales Comparison Approach. Comparable sales utilized must be adjusted to reflect any differences between the comparable properties and the subject property under valuation. Adjustments for unit sizes, unit composition, amenities, special tax benefits, sales concessions, location and time since date of comparable sales must be considered and explained in developing the comparable sales value. Each Appraisal must include at least three comparable sales. The market area from which comparable sales were selected should be defined and supported by narrative explanation. Any recent comparable sales in the market area that were not included should be noted and explained. A sales location map relating to the sales to the subject is required.

- B. Investment Valuation. An investment value should be derived utilizing the Income Capitalization Approach. The appraiser must estimate net income taking into account applicable income and rent restrictions pursuant to the public funding sources received by the development. The opinion of value should reflect any favorable financing to the property, including any below market first or second mortgage financing. Also, a description of the specific methodology and source of data on capitalization, discount rates and tax benefits should be included in the narrative.

Benefits derived from the utilization of low-income housing tax credits (LIHTC), historic tax credits, or any other similar programs should also be factored into the valuation analysis as they represent an additional value to the property. The value of the additional benefits can then be added to the value of the real estate. This combination will form a total investment/collateral value for the development.

If rental subsidies will be available to the development, then the appraiser may consider these subsidies in projected revenue during the term of the subsidy contract. When rental subsidies will not be available, then the appraiser should consider the lower of market rent or the maximum allowable rent pursuant to public funding

sources received by the project (such rent limitation will be specified in the RIHousing engagement letter and/or supporting documentation). If a development is proposed to include both "market rate" and "affordable" units, then the appraiser should consider (i) achievable rents for the market rate units and (ii) the lower of market rents or "affordable" rents pursuant to restrictions of public funding sources (including RIHousing) for the "affordable" units.

Revised: November 2018

PROFORMA

PROFORMA.....SECTION 11

- a. RIH Pro-forma V13.1i**
- b. RIH Pro-forma Small Non-LIHTC v.13.1i**

The proformas may be found on the RIHousing website at:

<https://www.rihousing.com/developers-handbook/>

TERM SHEETS

TERM SHEETS.....**SECTION 12**

- A. Average Income Test Policy
- B. Bridge Loan Policy
- C. Conduit Finance
- D. HOME Program Guidelines
- E. Housing 2030 Acquisition & Revitalization
- F. Housing 2030 Affordable Rental Housing New Development
- G. Housing 2030 Permanent Supportive Housing
- H. Housing 2030 Preservation
- I. Housing 2030 Small Scale Rental
- J. Housing Production Fund (HPF)
- K. Housing Trust Fund (HTF)
- L. Hybrid LIHTC Financing Requirements
- M. Mixed Income Transactions
- N. Naturally Occurring Affordable Housing Program
- O. RIHousing Preservation Loan Fund Term Sheet
- P. Risk Share Guidelines
- Q. Taxable Refinance Loan Program
- R. Tax Exempt Bond Requirements
- S. Turnkey Affordable Homeownership

RIHousing

Average Income Test Policy

- **The Owner shall lease at least 40% of the units in the development to individuals whose income is 80% or less of area median gross income (adjustments for family size) as determined in accordance with section 42 of the Code (“Low-Income Tenants) so long as the average income and rent restriction of such units is 60% or less of area median gross income.**
- New final regulations apply to taxable years beginning after December 31, 2023. For taxable years prior to the application of these regulations, taxpayers should rely on RIHousing’s original guidance.
- This policy applies to 100% LIHTC Projects only.
- Owners of multi-building projects that applied to use the average income test are required to elect to treat each building as part of a multi-building project.
- This policy applies only for Projects that have not yet executed an IRS form 8609.
- Evidence of the owner’s election of AIT must be documented in the RIHousing approved Management Plan and Tenant Selection Plan (TSP)
- The AIT minimum set-aside is considered met as long as 40 percent of the units in the property have designations that average 60 percent or less of area median income (AMI) and the households living in those units meet the income designation for their respective units.
- Should a household living in a unit become ineligible under the respective income designation of that unit, and the removal of that unit from the applicable fraction causes the average to exceed 60 percent of AMI across all low-income units, it does not result in a violation of the minimum set-aside as long as 40 percent of the units in the project have an average designation of 60 percent or less with households living in them that are in compliance with those designations.
- The owner must keep records and report to RIHousing on unit designation for all units.
- The owner must identify the AIT units within the qualified group of units that satisfy the AIT minimum set-aside (at least 40 percent of total units).

- The owner's reports and records must be sufficient so that RIHousing may ensure accuracy of the project's applicable fraction, satisfaction with the AIT set-aside, and compliance with all requirements of Section 42 and regulations.
- An income qualified tenant may unit transfer within the Project and the same AIT income limitation will follow to the new unit.
- Annual income certifications are required per RIHousing policy. Waivers may be authorized at RIHousing's discretion.
- Owner/agent is responsible to upload tenant data for all units and their AMI designation to RIHousing's Procorem software. Reporting of unit designations through the Procorem software Portal is required by the 10th of each month. Redesignation of units does not require prior RIHousing approval.
- For AIT related non-compliance that is not discovered and corrected within a taxable year, retroactive corrections, if possible, must be made within 180 days of discovery of the issue.
- The owner is required to submit the annual Owner's Certification of Continued Program Compliance.
- LIHTC compliance monitoring fees will be higher for AIT Projects.



RIHousing Bridge Loan Term Sheet

Maximum Loan Amount:

The sum of the bridge loan (the “Bridge Loan”) and the RIHousing permanent loan cannot exceed 90% of the Total Development Cost (“TDC”) of the project. This includes transactions in which the Bridge Loan is bridging equity from the sale of Low Income Housing Tax Credits (“LIHTC”), federal and/or state historic tax credits.

The sum of the Bridge Loan and the initial capital contributions may not exceed 90% of the gross syndication raise, subject to terms and conditions of the Limited Partnership Agreement (“LPA”) and all subsequent capital contributions.

For tax-exempt transactions, the amount of the Bridge Loan in general, shall not exceed the minimum amount of loan proceeds necessary to ensure that over 50% of the aggregate basis of the project is funded with tax-exempt bond proceeds (the “50% Test”), as determined in accordance with applicable tax code provisions. Under certain circumstances, RIHousing will consider bridging historic tax credits, which exceed the minimum loan amount necessary to meet the 50% Test.

Initial Equity Installment:

The minimum initial capital contribution due at closing from syndication proceeds is 15% of the gross syndication raise.

Interest Rates:

Both taxable financing and tax-exempt financing are available. The actual rate is locked at closing. For current rates, contact the Director of Development.

Term:

12-30 months; interest only paid monthly based on the outstanding principle balance; however, once any required bonds are issued, the Borrower will pay interest only on the full amount of the Loan.

Principal payments shall be made in accordance with the investors' scheduled capital contributions as approved by RIHousing.

Guarantee: The Bridge Loan will be considered recourse debt. In addition to a promissory note for the Bridge Loan secured by a mortgage in favor of RIHousing, the Borrower will execute a recourse guarantee in a form acceptable to RIHousing.

Underwriting Requirements: All standard underwriting requirements as outlined in the RIHousing *Developer's Handbook*

Eligible Borrowers: Project sponsors must be organized as a partnership or limited liability company with the general partner or managing member having commitments from each investor to contribute equity to the project in exchange for an ownership interest conveying the tax credits, losses or other tax benefits that the project generates.

Eligible Investors: The syndicator/investor must demonstrate the financial and managerial resources to contribute the required equity to the development.

Bridge Loan Conditions and Guarantees

Investor: Investor must either (i) have at least an investment grade rating by a national investment advisory service (Moody's BAAA or better, Standard and Poor's BBB or better), or (ii) provide a letter of credit from an entity meeting the same rating requirements; or (iii) pledge government securities acceptable to the Executive Director in an amount equal to the investor's subscription in the project partnership. Any transfer of limited partner interest is subject to the RIHousing Transfer of Physical Assets Regulations.

General Partner: General Partner must have sufficient resources to fund any loan security requirements of the investor.

Partnership Agreement:

Partnership Agreement must be acceptable to RIHousing.

The General Partner shall in the Partnership Agreement or in such other documents as approved by RIHousing: (a) pledge to RIHousing such capital contributions as are necessary to pay the RIHousing Bridge Loan upon completion of the Development and agree that RIHousing may receive such contributions directly from the equity partner; or (b) assign its interests under the Partnership Agreement to RIHousing in the event of a default under RIHousing's loan documents.

The Borrower must submit for review and approval by RIHousing the final LIHTC equity syndication agreement, including the total amount and timing of investor contributions as well as the proposed plan for funding and disbursement controls on required escrows, if any.

Origination Fee:

Origination fee of 1% on the bridge loan amount is due at closing.

Guarantor:

The Guarantor must be acceptable to RIHousing in its sole discretion.

This is not an offer to make a loan. This term sheet serves as an outline of this program's underwriting criteria and is for discussion purposes only. For more information, contact Anne Berman, Director of Development, at (401) 457-1269.

May 2017



Conduit Lending Term Sheet

Product Description: Tax-exempt loans for the purpose of developing properties that include low or moderate-income homes.

Affordability Requirements: Properties must meet one of the following criteria:

- 20% of the units are affordable to households at 50% median income; or
- 40% of the units are affordable to households at 60% median income.

Affordability requirements are required for the term of the RIHousing loan but in no event shall they be less than 30 years.

Loan Fees

Issuer Fee: 1% of Bond Amount

Servicing Fee: A minimum of 25 bps of the outstanding principal amount for the term of the loan; may be higher depending on deal structure and loan size.

Tax Credit Fee: 1% of the 10-year credit amount

Cost of Issuance: The Borrower will be responsible for paying the full cost of issuance for both taxable and tax-exempt bonds. Costs may be capitalized in the development budget.

Due Diligence Requirements

Third Party Fees: The Borrower shall be responsible for paying any and all of RIHousing's third-party fees required to complete the due diligence review and close the transaction. Costs may be capitalized in the development budget.

Legal Fees:	Borrower will pay Lender's legal fees
Developer Fee:	Must be in conformance with our <i>Developer's Handbook</i>
Appraisal/Market Study:	RIHousing must be named as an intended user of and must approve either or both a market feasibility study and an appraisal.
Environmental Review:	Phase I Site Assessment, performed by a firm acceptable to RIHousing. Phase II reports, asbestos, radon, PCBs and lead surveys as necessary.
Unit Distribution:	Affordable units should be interspersed throughout the development and be largely indistinguishable from the market units.
Unit Sizes:	The number of affordable units per bedroom size should be proportionate to the overall breakdown of units in the development.

This is not an offer to make a loan. This term sheet serves as an outline of this program's underwriting criteria and is for discussion purposes only. For more information, contact Anne Berman, Director of Development, at (401) 457-1269.

September 2021

STATE OF RHODE ISLAND

HOME INVESTMENT PARTNERSHIPS PROGRAM DESCRIPTION

1. Program Overview	The HOME Investment Partnerships Program (the “HOME Program” or “HOME”) awards funding for the acquisition, rehabilitation, and new construction of rental affordable housing. HOME funds will be prioritized for successful 9% LIHTC applications, provided such applications demonstrate alignment with HOME requirements. Homeownership is not an eligible use.										
2. Eligible Applicants	Non-profit housing developers, for-profit developers, cities, towns, and community housing development organizations.										
3. Eligible Activities	New construction or rehabilitation of rental units for income qualified households										
4. Income Targeting	Developments must provide benefit to low and very-low income individuals and families with gross annual incomes at or below 60% of AMI (“High-HOME”) adjusted for family size. If there are more than five HOME-assisted units in a building, 20% of the HOME-assisted units must be for households with incomes less than 50% AMI (“Low-HOME”). (HOME units cannot be shared with Housing Trust Fund (“HTF”) units.)										
5. Program Funding	Approximately \$3,000,000, if available.										
6. Maximum Per Project Funding	Maximum award of \$1 Million per project. 2025 HOME Maximum Per-Unit Subsidy Limits will apply. 2024 HOME Maximum Per-Unit Subsidy provided for illustrative purposes only: <table><tr><td>0 Bdrm</td><td>\$181,488</td></tr><tr><td>1 Bdrm</td><td>\$208,049</td></tr><tr><td>2 Bdrm</td><td>\$252,994</td></tr><tr><td>3 Bdrm</td><td>\$327,293</td></tr><tr><td>4 Bdrm+</td><td>\$359,263</td></tr></table>	0 Bdrm	\$181,488	1 Bdrm	\$208,049	2 Bdrm	\$252,994	3 Bdrm	\$327,293	4 Bdrm+	\$359,263
0 Bdrm	\$181,488										
1 Bdrm	\$208,049										
2 Bdrm	\$252,994										
3 Bdrm	\$327,293										
4 Bdrm+	\$359,263										
6. Funding Type	Long term loan secured by a deed restriction for rental developments.										

7. Interest rate and Term	0% deferred loan with a minimum term of 30 years, and co-terminus with the senior debt
8. Funding Priorities	• Substantial rehabilitation and/or new construction to provide new rental units for low and very low-income families. • Substantial rehabilitation and/or new construction of new rental housing units for homeless and special needs populations (as defined in the Consolidated Plan)
9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal. • Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals that meet the 20% at 50% or 40% at 60% set asides, the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
11. Term of Affordability	30 years
12. Availability of Funds	HOME funds will be available through a Request for Proposals issued by RIHousing, and the award of such funds will be contingent upon the funds being made available to RIHousing by HUD.

13. Program Leverage with Other Financial Resources	It is expected that the HOME award will be matched with other public and private funds for the development of the proposed units
14. Environmental Review	HOME projects must meet the requirements of 24 CFR §92.352 prior to funding, and applicants must not take any “Choice Limiting Actions” for the above-mentioned project until RIHousing has completed an environmental review per 24 CFR Part §58, and Authority to Use Grant Funds (“AUGF”) has been received. Examples of choice limiting actions include, but are not limited to: • Property acquisition or execution of a legally binding agreement for acquisition; • Bidding for construction activities; • Execution of any construction contract or other contract involving physical work on the site; • Performance of any physical construction activity on the site, including site work or demolition. Prior to receipt of the AUGF, you may not spend either public or private funds (HOME, HTF, CDBG, other Federal or non-Federal funds) on any actions that would preclude the selection of alternative choices until environmental clearance has been achieved. Activities that have physical impacts or which limit the choice of alternatives cannot be undertaken, even with the project participant’s own funds, prior to receiving an AUGF. Activities that are clearly planning in nature (e.g., architectural design activities, environmental assessment of the site, engineering design, etc.) are allowed. Financial expenditures made prior to the completion of the environmental review process and the signing of the HOME Agreement may be ineligible for reimbursement from HOME funds
15. Build America Buy America (“BABA”)	The Recipient must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Recipient’s infrastructure project.

16. Section 3 Requirement	The Section 3 program requires recipients of HUD funding to direct employment, training, and contracting opportunities to low-income individuals and the businesses that employ these persons within their community. Section 3 is a provision of the HUD Act of 1968 and is found at 12 U.S.C. 1701u. The regulations are found at 24 CFR Part 75. Per this statutory language, recipients of HUD funds (i.e. grantees and contractors) ensure that “to the greatest extent feasible,” when certain HUD funds are used to assist housing and community development projects, preference for construction-related training, jobs, and contracting opportunities go to low- and very-low income people and to businesses that are owned by low- and very-low income persons or businesses that hire them. These opportunities are both gender and race neutral.

STATE OF RHODE ISLAND

HOUSING 2030 - ACQUISITION AND REVITALIZATION PROGRAM (“ARP 2030”)

PROGRAM DESCRIPTION

1. Program Overview	The purpose of the Housing 2030 Acquisition and Revitalization Program (“ARP 2030”) is to stabilize neighborhoods and communities by strategically targeting foreclosed and/or blighted* residential and commercial properties and vacant lots in need of redevelopment. ARP 2030 will provide an incentive to qualified developers to purchase and redevelop foreclosed and/or blighted properties in Rhode Island. Financing is available to non-profit and for-profit developers, municipalities, and public housing authorities.
2. Program Goal	The goal of ARP 2030 is to provide incentives to encourage developers to redevelop foreclosed and/or blighted properties, including vacant lots, into residential or mixed-use properties. Encouraging redevelopment of vacant, foreclosed and/or blighted properties will revitalize neighborhoods and communities and stabilize the housing market and improve local economies.
3. Target Population/Areas	The program will be conducted statewide. Income of households assisted under the program is limited to 120% of Area Median Income (“AMI”).
4. Program Allocation	Up to \$10,000,000. All funds may be awarded in one funding round – the State reserves the right to reallocate funds to or from this program if demand is not met.

5. Property Eligibility Criteria	Eligible properties include residential, commercial and vacant lots located in Rhode Island that are determined to be blighted or are foreclosed and are part of a municipal revitalization plan or strategy. Homeownership applications must include the homeownership Proforma available with the RFP documents. Rental applications must include the latest RIHousing Proforma available at https://www.rihousing.com/developers-handbook/ Applications for mixed use properties must include a Management Plan and Operating Budget.

6. Eligible Activities Criteria	• Acquisition and redevelopment of existing residential property for lease or sale to households at or below 120% of AMI. • Acquisition, demolition and new construction of residential property for lease or sale to households at or below 120% of AMI. • Acquisition and redevelopment or acquisition, demolition and new construction of vacant or commercial lots for use as residential, or mixed use residential-commercial.
7. Program Terms	• Construction period loan converting to Ten-year Permanent Forgivable loan(s) will be provided for the development of residential rental and homeownership properties, and to mixed use properties with a residential component equal to at least 50 percent of the project cost. • Interest will accrue on loans at the 30-year treasury the month the loan closes. Principal and interest will accrue and be forgiven at the end of the loan if affordability is maintained and monitored, and other requirements are met.
8. Amount of Assistance	Minimum award is \$100,000 per project. Maximum award is the lesser of \$3 million or 50% of the Total Development Cost (TDC).
9. Term of Affordability	A 30-year deed restriction enforcing income requirements will be recorded on all residential and mixed-use properties assisted under the ARP 2030.

10. Program Leverage with Other Financial Resources	It is expected that ARP 2030 funds will be leveraged with other public and private funds.
11. Developer Fee	The maximum developer fee permitted under the program is 10% of the total development cost of the project, not including developer fee or reserves.

* For the purposes of this program, blighted property is defined as buildings that do not meet HUD Housing Quality Standards; are unsafe or unhealthy for persons to live in because of building code violations, dilapidation, deterioration; faulty or inadequate facilities; or vacant lots that have been declared a public nuisance by a local building and inspections department.

Written documentation of blight by municipal official is required to be submitted with application.

Housing 2030 ARP Scoring Criteria

Point Allocation Summary

30 points	Cost Effectiveness
22 points	General Points
10 points	Community Impact
9 points	Sustainable Design

71 Total Points

Total Development Cost – Up to 10 points

Project TDC per unit at or below \$375,000	10 points
Project TDC per unit between \$375,001 and \$400,000	8 points
Project TDC per unit between \$400,001 and \$425,000	5 points
Project TDC per unit between \$425,001 and \$450,000	3 points
Project TDC per unit greater than \$450,001	0 points

Leveraging - Up to 10 points

Needed gap funding from any soft money sources is < 25% of TDC	10 points
Needed gap funding from any soft money sources is < 50% of TDC	5 points
Needed gap funding from any soft money sources is > 50% of TDC	0 Points

Committed Operating Support – Up to 5 Points

20% or more units within the development	5 points
10-19.99% of units within the development	3 points
Up to 9.99% of units within the development	1 point

Bonus: ARP Funds are last source in – 5 Points

Readiness to Proceed – Up to 12 points

Fully permitted development with plans and specifications that are at least 90% complete AND architect confirms in writing that the plans and specifications can be 100% complete within 30 days AND the application includes a signed schedule of value from the general	12 points

contractor, determined by RIHousing to be consistent with current pricing	
Project has Master, preliminary and final plan approval for a development of for a development with "by right" approval AND 50% plans and specifications consistent with the requirements of the 2026 Developer's Handbook for "Design Development" level plans.	9 points
Master, preliminary and final plan approval for a development or for a development with "by right" approval and plans that are only schematic. Points will be prorated based on approvals in place at time of application.	Up to 6 points

Housing Affordability - Up to 10 points

Project includes 50% of total units at or below 60% of area median income.	10 points
Project includes 40% of total units at or below 60% of area median income.	8 points
Project includes 30% of total units at or below 60% of area median income.	5 points
Project includes 20% of total units at or below 60% of area median income.	3 points

Community Impact - Up to 10 points

A development which is located within a community with less than 10% affordable housing as defined by state law (development must include at least 25% units considered affordable under the Low and Moderate Income Housing Act to receive these points); OR	10 points
A development is located in a community identified in the draft Housing 2030 plan as a Strategic Growth or Job Rich Community but which has already reached 10% affordable housing as defined by state law	5 points

Sustainable Design - Up to 9 Points

Exceeds Energy Star 3.1 Version 8 for new construction OR substantial rehab that surpasses Tier II standards	3 points
Meets RNC Tier II AND most current Net Zero or Passive House standards	6 points
Incorporates solar panels or other renewables including net metering. Prorated based on size and amount of energy produced	Add up to 3 additional points based on size and amount of energy produced

STATE OF RHODE ISLAND

**HOUSING 2030 - AFFORDABLE RENTAL HOUSING NEW DEVELOPMENT
("Housing 2030 New Rental")**

PROGRAM DESCRIPTION

1. Program Overview	The purpose of Housing 2030 New Rental is to provide funding for the development of new multifamily rental units for households with incomes below 120% of Area Median Income ("AMI"). The source for Housing 2030 New Rental is 2024 State Housing Bond funds.
2. Eligible Applicants	Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities.
3. Eligible Activities	New construction, rehabilitation, and/or adaptive reuse, of income eligible rental units. All applications must include 51% or more new construction units. Developments must include a majority of affordable units that are secured with a deed restriction of at least 30 years.

4. Target Population/Areas	Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size. Developments that benefit lower income households (80% of AMI and below) are encouraged under the program. The state is particularly interested in developments with units that will help achieve its goals of permitting 500 new Extremely Low-Income Housing units (30% AMI and below) by 2030.
5. Program Allocation	Up to \$27,000,000. All funds may be awarded in one funding round – the State reserves the right to reallocate funds to or from this program if demand is not met.
6. Funding Type	Long term loan secured by a deed restriction for rental developments.
7. Interest rate and Term	Interest Rate: 30-year treasury the month the loan closes Rental Development Loan Term: The term of the loan will be a minimum of 30 years and co-terminus with the senior debt. To the extent available, principal will be repaid through 50% of surplus cash as defined in the RIHousing loan documents. Interest will accrue and be forgiven at the end of the loan if affordability is maintained and monitored, and other requirements are met.

8. Funding Priorities	• Newly created units for households earning up to 80% AMI. • Proposals that provide at least 20% of the total units for households with incomes at or below 30% of AMI. • Development that has or will contribute to a comprehensive neighborhood revitalization strategy, community building initiative or similar local initiative. • Proposals providing for the greatest number of affordable units at the lowest total development cost. • Proposals using tax exempt bonds and 4% LIHTC and developing new affordable units.

9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal. • Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals (any with rental units above 80% AMI) the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
10. Amount of Assistance	A maximum of \$5,000,000 per project.
11. Term of Affordability	A minimum of 30 years.
12. Availability of Funds	Funds will be available through a Request for Proposals issued jointly between RIEOH and RIHousing.
13. Program Leverage with Other Financial Resources	It is expected that the Housing 2030 Rental Housing award may be matched with other public and private funds for the development of the proposed units.

Housing 2030 Affordable Rental Housing New Development Scoring Criteria

Point Allocation Summary

54 Points	Cost Effectiveness
26 Points	General Points
9 Points	Sustainable Design

89 Total Points

Total Development Cost – Up to 10 points

Project TDC per unit at or below \$375,000	10 points
Project TDC per unit between \$375,001 and \$400,000	8 points
Project TDC per unit between \$400,001 and \$425,000	5 points
Project TDC per unit between \$425,001 and \$450,000	3 points
Project TDC per unit above \$450,000	0 points

Leveraging - Up to 10 points

Needed gap funding from any soft money sources (after LIHTC if applicable) is < 30 % of TDC	10 points
Needed gap funding from any soft money sources (after LIHTC if applicable) is < 50% of TDC	5 points
Secured Funding is > 50% of TDC	0 Points

4% LIHTC Tax Exempt Bond –5 Points

Housing 2030 New Rental funds are last source (not including LIHTC request)– 5 Points

Committed Operating Support – Up to 24 Points

Project makes available currently unused federal subsidy through activation of unused Faircloth Authority by a Public Housing Authority	Add 4 points to any category below
30% or more units within the development	20 points
20-29.99% of units within the development	16 points
10-19.99% of units within the development	10 points
Up to 9.99% of units within the development	Up to 6 points

Readiness to Proceed – Up to 12 points

Fully permitted development AND specifications are at least 90% complete AND architect confirms in writing that the plans and specifications can be 100% complete within 30 days AND the application includes a signed schedule of values from the general contractor, determined by RIHousing to be consistent with current pricing, that is the basis for the funding application	12 points
Master, preliminary and final plan approval for a development or for a development with “by right” approval AND 50% plans and specifications consistent with the requirements of the 2026 Developer’s Handbook for “Design Development” level plans.	9 points
Master, preliminary and final plan approval for a development or for a development with “by right” approval AND plans that are only schematic. Points will be prorated based on approvals in place at time of application.	Up to 6 points

New Below 80% AMI Units – Up to 6 Points

100% of the units are new affordable units at or below 80% of AMI	6 points
50% of the units are new affordable units at or below 80% of AMI	4 points
25% of the units are new affordable units at or below 80% AMI	2 points
No new units at or below 80% of AMI	0 points

New 30% AMI Units – Up to 3 Points

20% of the units are new affordable units at or below 30% of AMI	3 points

Development that has or will contribute to a comprehensive neighborhood revitalization strategy, community building initiative or similar local initiative - Up to 5 Points

Development is located in a previously approval Concerted Community Revitalization Plan (CCRP) as outlined in the QAP	5 Points
Developer submits a letter from the municipality outlining how the project will contribute to a comprehensive neighborhood revitalization strategy, community building initiative or similar local initiative	5 Points
Applicants can demonstrate how the proposed housing contributes to an overall plan to revitalize and/or stabilize the neighborhood or that builds upon previous investments	Up to 5 Points

Sustainable Design- Up to 9 Points

Exceeds Energy Star 3.1 Version 8 for new construction OR substantial rehab that surpasses Tier II standards	3 points
Meets RNC Tier II AND most current Net Zero or Passive House standards	6 points
Incorporates solar panels or other renewables including net metering	Add up to 3 points based on size and amount of energy produced

STATE OF RHODE ISLAND
HOUSING 2030 - PERMANENT SUPPORTIVE HOUSING
(“Housing 2030 PSH”) PROGRAM DESCRIPTION

1. Program Overview	The purpose of Housing 2030 PSH is to provide funding for the development of 100% new permanent supportive housing (“PSH”) multifamily projects for households with incomes at or below 30% of Area Median Income (“AMI”). Further, this initiative will prioritize funding small scale developments which are too small for traditional low-income housing financing tools such as LIHTC. Definition of Permanent Supportive Housing (PSH): One or more unit(s) with long-term subsidy (or operating support) and supportive services available to assist eligible households to achieve housing stability. Associated subsidy/operating support and supportive services must be demonstrated by written commitments. At least one member of the household (adult or child) must have a documented disability or disabling condition. Please note: <i>This is a baseline PSH definition; Federal and local funding sources may layer additional criteria onto this definition.</i> The source for Housing 2030 PSH is the Rhode Island State Housing Bond (2024) with funds administered through the Rhode Island Executive Office of Housing.
2. Eligible Applicants	Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities.
3. Eligible Activities	New construction or rehabilitation of income eligible, non-LIHTC rental units. Developments must be between 5 and 30 units Eligibility for PSH requires: • having a documented disability or disabling condition, and; • experiencing homelessness or unstable housing.
4. Target Population/Areas	Developments must benefit individuals and families with gross annual income at or below 30% of AMI adjusted for family size. Supportive services are required to be committed to the PSH units within the development as readily available and routinely offered to a PSH client; however, the client may choose whether or not to engage in the available, offered supportive services.

5. Program Allocation	Up to \$12,000,000. All funds may be awarded in one funding round – the State reserves the right to reallocate funds to or from this program if demand is not met.
6. Funding Type	Rental: Long term loan secured by a deed restriction for rental developments.
7. Interest rate and Term	Interest Rate: 30-year treasury the month the loan closes Rental Development Loan Term: The term of the loan will be a minimum of 30 years and co-terminus with the senior debt. To the extent available, principal will be repaid through 50% of surplus cash as defined in the RIHousing loan documents. Interest will accrue and be forgiven at the end of the loan if affordability is maintained and monitored, and other requirements are met.
8. Funding Priorities	• Newly created rental units for households earning up to 30% of AMI. • Supportive services are required to be committed to the PSH units within the development as readily available and routinely offered to a PSH client. • Owners with a track record of working with an experienced social service/homeless service provider to provide permanent supportive housing services. • Projects that agree to partner with the state’s Coordinated Entry System for admissions.
9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal.

	• Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
10. Amount of Assistance	\$12,000,000 total available. Maximum \$500,000 per PSH unit.
11. Term of Affordability	A minimum of 30 years secured by a deed restriction.
12. Availability of Funds	Housing 2030 PSH- funds will be available through a Request for Proposals issued by RIHousing and the Rhode Island Executive Office of Housing.
13. Program Leverage with Other Financial Resources	It is expected that the Housing 2030 PSH award will be matched with other public and private funds for the development of the proposed units and will be eligible to receive Housing Trust Fund (“HTF”) funds from RIHousing. However, the receipt of HTF funding is not a requirement for funding under this program. <i>*HTF will trigger Build America, Buy America (“BABA”).</i>

Housing 2030 – Permanent Supportive Housing Program Scoring Criteria

Point Allocation Summary

10 Points	Cost Effectiveness
49 Points	General Points
6 Points	Sustainable Design

65 Total Points

Total Development Cost – Up to 10 points

Project TDC per unit at or below \$350,000	10 points
Project TDC per unit between \$350,001 and \$375,000	8 points
Project TDC per unit between \$375,001 and \$400,000	5 points
Project TDC per unit between \$400,001 and \$425,000	3 points
Project TDC per unit between \$425,001 and \$450,000	0 points

Readiness to Proceed – Up to 10 points

Fully permitted development with plans and specifications that are at least 90% complete AND architect confirms in writing that the plans and specifications can be 100% complete within 30 days AND the application includes a signed schedule of value from the general contractor, determined by RIHousing to be consistent with current pricing	10 points
Master, preliminary and final plan approval (as applicable) for a development or for a development with “by right” approval AND 50% plans and specifications consistent with the requirements of the 2026 Developer’s Handbook for “Design Development” level plans.	5 points
Master, preliminary and final plan approval for a development or for a development with “by right” approval and plans that are only schematic. Points will be prorated based on approvals in place at time of application.	Up to 6 points

Developments that leverage a permanent rental subsidy i.e. project based rental assistance for the 30% AMI units – Up to 24 Points

100% of the 30% AMI units in the development are covered under a permanent rental subsidy	20 points
75% of the 30% AMI units in the development are covered under a permanent rental subsidy	15 points
50% of the 30% AMI units in the development are covered under a permanent rental subsidy	10 points
Project newly activates Faircloth subsidy from a local Public Housing Authority	Add 4 points

MOU or Services Agreement/Plan - 10 Points

The MOU or Services Agreement/Plan must demonstrate services available that match the needs of the population to be served.

Agreement to partner with the State's Coordinated Entry System - 5 Points

A letter must be provided from Developer/Owner agreeing to use the Coordinated Entry System.

Sustainable Design- Up to 6 Points

Exceeds Energy Star 3.1 Version 8 for new construction OR substantial rehab that surpasses Tier II standards	2 points
Meets RNC Tier II AND most current Net Zero or Passive House standards	4 points
Incorporates solar panels or other renewables including net metering	Up to 2 points based on size and amount of energy produced

STATE OF RHODE ISLAND

HOUSING 2030 - PRESERVATION PROGRAM DESCRIPTION

1. Program Overview	The purpose of the 2030 Preservation program is to provide funding for the preservation of multifamily units for households with incomes below 120% of Area Median Income (“AMI”). The source for this program is the Rhode Island State Housing Bond (2024) funded through the Rhode Island Executive Office of Housing (\$5M) which is matched by the Rhode Island Housing Affordable Housing Trust Fund (\$5M).
2. Eligible Applicants	Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities.
3. Eligible Activities	Preservation or rehabilitation of income eligible rental units.
4. Target Population/Areas	Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size.
5. Program Allocation	Up to \$10,000,000 All funds may be awarded in one funding round – the State reserves the right to reallocate funds to or from this program
6. Funding Type	Long term loan secured by a deed restriction
7. Interest rate and Term	Interest Rate: 30-year treasury the month the loan closes Rental Development Loan Term: The term of the loan will be a minimum of 30 years and co-terminus with the senior debt. To the extent available, principal will be repaid through 50% of surplus cash as defined in the RIHousing loan documents. Interest will accrue and be forgiven at the end of the loan if affordability is maintained and monitored, and other requirements are met.

1. Program Overview	The purpose of the 2030 Preservation program is to provide funding for the preservation of multifamily units for households with incomes below 120% of Area Median Income (“AMI”). The source for this program is the Rhode Island State Housing Bond (2024) funded through the Rhode Island Executive Office of Housing (\$5M) which is matched by the Rhode Island Housing Affordable Housing Trust Fund (\$5M).
2. Eligible Applicants	Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities.
3. Eligible Activities	Preservation or rehabilitation of income eligible rental units.
4. Target Population/Areas	Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size.
5. Program Allocation	Up to \$10,000,000 All funds may be awarded in one funding round – the State reserves the right to reallocate funds to or from this program
6. Funding Type	Long term loan secured by a deed restriction
7. Interest rate and Term	Interest Rate: 30-year treasury the month the loan closes Rental Development Loan Term: The term of the loan will be a minimum of 30 years and co-terminus with the senior debt. To the extent available, principal will be repaid through 50% of surplus cash as defined in the RIHousing loan documents. Interest will accrue and be forgiven at the end of the loan if affordability is maintained and monitored, and other requirements are met.

8. Funding Priorities	• Preservation or rehabilitation of rental units for households earning up to 80% of AMI. • Development that has or will contribute to a comprehensive neighborhood revitalization strategy, community building initiative or similar local initiative. • Proposals providing for the greatest number of affordable units at the lowest total development cost. • Proposals using tax exempt bonds and 4% LIHTC to preserve or rehabilitate affordable units.
9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal. • Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
10. Amount of Assistance	A maximum of \$5,000,000 per project.
11. Term of Affordability	A minimum of 30 years.

12. Availability of Funds	Housing 2030 Preservation funds will be available through a Request for Proposals issued jointly by RIHousing and the Executive Office of Housing.
13. Program Leverage with Other Financial Resources	It is expected that the Housing 2030 Preservation award will be matched with other public and private funds for the development of the proposed units.

Housing 2030 Preservation Program Scoring Criteria

Point Allocation Summary

20 Points	Cost Effectiveness
40 Points	General Points
6 Points	Sustainable Design

66 Total Points

Total Development Cost – Up to 10 points

Project TDC per unit at or below \$350,000	10 points
Project TDC per unit between \$350,001 and \$375,000	8 points
Project TDC per unit between \$375,001 and \$400,000	5 points
Project TDC per unit between \$400,001 and \$425,000	3 points
Project TDC per unit between \$425,001 and \$450,000	0 points

Leveraging - Up to 10 points

Housing 2030 Preservation funding is < 30% of TDC	10 points
Housing 2030 Preservation funding is < 50% of TDC	5 points
Housing 2030 Preservation funding is > 50% of TDC	0 Points

4% LIHTC Tax Exempt Bond – 10 Points

9% LIHTC Projects – 5 points

Housing 2030 Preservation Funds are last source (not including LIHTC) – 10 Points

Committed Operating Support – Up to 5 Points

20% or more units within the development	5 points
10-19.99% of units within the development	3 points
Up to 9.99% of units within the development	1 point

Readiness to Proceed – Up to 10 points

Fully permitted development with plans and specifications that are at least 90% complete AND architect confirms in writing that the plans and specifications can be 100% complete within 30 days AND the application includes a signed schedule of value from the general contractor, determined by RIHousing to be consistent with current pricing	10 points
Project has master, preliminary and final plan approval for a development or for a development with "by right" approval AND 50% plans and specifications consistent with the requirements of the 2026 Developer's Handbook for "Design Development" level plans.	5 points

Sustainable Design- Up to 6 Points

Exceeds Energy Star 3.1 Version 8 for new construction OR substantial rehab that surpasses Tier II standards	2 points
Meets RNC Tier II AND most current Net Zero or Passive House standards	4 points
Incorporates solar panels or other renewables including net metering	Up to 2 points based on size and amount of energy produced

STATE OF RHODE ISLAND

HOUSING 2030 SMALL SCALE RENTAL PROGRAM (“Housing 2030 Small Scale”)

PROGRAM DESCRIPTION

1. Program Overview	The Housing 2030 Small Scale program recognizes that many communities that may not have opportunities to develop larger housing developments still need affordable housing – and that urban communities may also have opportunities to develop smaller scale properties with infill development. Given the costs of construction and financing, the goal is to make development viable <u>even when the development is too small for traditional low-income housing financing and</u> to allow for a diversity of affordable rental housing models .
2. Eligible Applicants	Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities.
3. Eligible Activities	New construction, of income eligible rental units for households earning up to 120% AMI. Developments must be no fewer than 5 and no more than 30 units. At least 51% of units in any funded developments must be affordable units that are secured with a deed restriction of at least 30 years.
4. Target Population/Areas	Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 120% of AMI adjusted for family size.
5. Program Allocation	Up to \$12,000,000; Maximum \$500,000 per unit. All funds may be awarded in one funding round – the State reserves the right to reallocate funds to or from this program if demand is not met.
6. Funding Type	Long term loan secured by a deed restriction.

7. Interest rate and Term	Interest Rate: 30-year treasury the month the loan closes Construction period: Funds can be initially lent during construction period with interest deferred and waived at end of construction period with units delivered at promised income levels and with monitoring in place. Construction loan can then roll over into permanent loan as described below. Rental Development Loan Term: The term of the loan will be a minimum of 30 years and co-terminus with the senior debt. To the extent available, principal will be repaid through 50% of surplus cash as defined in the RIHousing loan documents. Interest will accrue and be forgiven at the end of the loan if affordability is maintained and monitored, and other requirements are met.
8. Funding Priorities	• Newly created units for households earning up to 80% AMI. • Development that has or will contribute to a comprehensive neighborhood revitalization strategy, community building initiative or similar local initiative. • Proposals providing for the greatest number of affordable units at the lowest total development cost. • Proposals using panelized or modular housing or other strategies to keep total development costs down • Proposals making efficient use of available land

9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
10. Term of Affordability	A minimum of 30 years.
11. Availability of Funds	Funds will be available through a Request for Proposals issued jointly between RIEOH and RIHousing.
12. Program Leverage with Other Financial Resources	It is expected that the Housing 2030 Small Scale award will be matched with other public and private funds for the development of the proposed units.

Housing 2030 Small Scale Rental Housing Program Scoring Criteria

Point Allocation Summary

45 Points	Cost Effectiveness and Financial Feasibility
24 Points	General Points
6 Points	Sustainable Design

75 Total Points

Total Development Cost – Up to 10 points

Project TDC per unit at or below \$375,000	10 points
Project TDC per unit between \$375,001 and \$400,000	8 points
Project TDC per unit between \$400,001 and \$425,000	5 points
Project TDC per unit between \$425,001 and \$450,000	3 points
Project TDC per unit above \$450,000	0 points

Leveraging - Up to 10 points

Needed gap funding is <25 % of TDC	10 points
Needed gap funding is < 50% of TDC	5 points
Requested funding is > 50% of TDC	0 Points

Housing 2030 Small Scale funds are last source – Up to 5 Points

Financial Feasibility – Up to 20 Points

Based upon an analysis of the factors/criteria:

- Proposed Sources & Uses
- Projects costs (construction estimates are reasonable)
- Operational feasibility
- Need for rental subsidy

**A financially infeasible project will be eliminated from consideration.*

No Concern / Feasible	Up to 20 points
Minor Concern	Up to 10 points

Moderate Concern	Up to 5 points
Infeasible / Substantial Concern	0 points

Readiness to Proceed – Up to 12 points

Fully permitted development AND specifications are at least 90% complete AND architect confirms in writing that the plans and specifications can be 100% complete within 30 days AND the application includes a signed schedule of values from the general contractor, determined by RIHousing to be consistent with current pricing, that is the basis for the funding application	12 points
Master, preliminary and final plan approval (as applicable) for a development or for a development with “by right” approval AND 50% plans and specifications consistent with the requirements of the 2026 Developer’s Handbook for “Design Development” level plans.	9 points
Master, preliminary and final plan approval for a development or for a development with “by right” approval and plans that are only schematic. Points will be prorated based on approvals in place at time of application.	6 points

New Below 80% AMI Units – Up to 12 Points

100% of the units are new affordable units at or below 80% of AMI	12 points
50% of the units are new affordable units at or below 80% of AMI	8 points
25% of the units are new affordable units at or below 80% AMI	4 points
No new units at or below 80% of AMI	0 points

Sustainable Design- Up to 9 Points

Exceeds Energy Star 3.1 Version 8 for new construction OR substantial rehab that surpasses Tier II standards	2 points
Meets RNC Tier II AND most current Net Zero or Passive House standards	4 points
Incorporates solar panels or other renewables including net metering	Add up to 2 additional points based on size and amount of energy produced

STATE OF RHODE ISLAND
HOUSING PRODUCTION FUND (“HPF”)
PROGRAM DESCRIPTION

1. Program Overview	RIHousing announces funding availability under the Housing Production Fund (“HPF”). The HPF is intended to support both the development of new affordable housing and the preservation of existing affordable units. RIHousing anticipates that the primary sources of financing for developments funded under the HPF may include tax-exempt bonds, syndication proceeds from the sale of 4% low-income housing tax credits (“LIHTC”), other gap financing sources, including other Owner/Developer resources. Note: For LIHTC proposals, applicants should refer to the current Qualified Allocation Plan (“QAP”) and Developer’s Handbook to ensure compliance with LIHTC requirements.
2. Eligible Applicants	Eligible applicants include for-profit and non-profit developers, owners of existing affordable housing developments, and Public Housing Authorities.
3. Eligible Activities	New construction, rehabilitation, and/or adaptive reuse, of income eligible rental units.
4. Target Population/Areas	Developments must benefit low- and moderate-income individuals and families with gross annual incomes at or below 80% of Area Median Income (“AMI”) adjusted for family size with a priority for households either exiting homelessness or earning no more than 30% of AMI. Mixed income developments are allowed under the HPF program.
5. Program Allocation	Approximately \$1,500,000. All funds may be awarded in one funding. Please note that this amount is approximate, and RIHousing reserves the right to adjust funding amounts as available.
6. Funding Type	Long term grant or loan secured by a deed restriction for rental developments.

7. Interest rate and Term	Interest Rate: 0% Rental Development Loan Term: The term of the loan will be a maximum of 40 years and co-terminus with the senior debt. Underwriting terms must be consistent with RIHousing standard underwriting guidelines as outlined in the Developer’s Handbook.
8. Funding Priorities	• Proposals using tax exempt bonds and 4% LIHTC and developing new affordable units. • Proposals providing for the greatest number of affordable units at the lowest total development cost. • Proposals for which HPF financing is the last resource needed to proceed to closing on financing. • Proposals that leverage a permanent rental subsidy i.e. project based rental assistance for the ELI units. • Newly created rental units for households earning up to 80% of AMI. “New” is defined as newly affordable and may include rental units created in conjunction with a LIHTC development refinance. • Development that has or will contribute to a comprehensive neighborhood revitalization strategy, community building initiative or similar local initiative. • For a preservation transaction. proposals that address critical housing needs including addressing housing obsolescence. • Proposals that provide at least 10% of the total units for households with incomes at or below 30% of AMI. • Preservation of existing affordable housing stock will be considered however, it is less of a priority than new production.

9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal. • Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals (any with rental units above 80% AMI) the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
10. Amount of Assistance	A maximum of \$4,000,000 per project in line with the current HPF guidelines. <i>Please note \$4,000,000 is not available at this time.</i>
11. Term of Affordability	A minimum of 30 years.
12. Availability of Funds	HPF funds will be available through a Request for Proposals issued by RIHousing. Funding is available in the form of grants or deferred loans for rental developments and construction of homeownership opportunities. (Funds for supportive services and operating subsidies are not available through the HPF-Capital Fund.)

13. Program Leverage with Other Financial Resources	It is expected that the HPF award may be matched with other public and private funds for the development of the proposed units.

Housing Production Fund Scoring Criteria

Point Allocation Summary

35 Points	Financial Feasibility
32 Points	General Points
9 Points	Sustainability

76 Total Points

Total Development Cost – Up to 10 points

(minus reserves); scores will be prorated within each TDC band

Project TDC per unit at or below \$300,000	10 points
Project TDC per unit between \$300,000 and \$330,000	8 points
Project TDC per unit between \$331,000 and \$360,000	5 points
Project TDC per unit between \$361,000 and \$390,000	3 points
Project TDC per unit is greater than >\$390,000	0 points

Leveraging - Up to 10 points

HPF Funding is < 25% of TDC	10 points
HPF Funding is < 50% of TDC	5 points
HPF Funding is > 50% of TDC	0 Points

Proposal leverages tax exempt bond financing and 4% LIHTC – 5 Points

Housing Production Funds are last source (not including LIHTC) – 5 Points

Committed Operating Support (811, PBV, HPF-ELI) – Up to 5 Points

20% or more units within the development	5 points
10-19.99% of units within the development	3 points
Up to 9.99% of units within the development	1 point

New Production vs Preservation – up to 6 Points

100% of the units are new affordable units	6 points
50% of the units are new affordable units	4 points
25% of the units are new affordable units	2 points

Applicant certifies to use RI based GC – 5 points

Applicant certifies that 50% of the subcontractors will be RI based firms – 3 Points

Applicant certifies to require up to 10% MBE/WBE utilization rate – 2 points

Readiness to Proceed – Up to 10 points

Project has 100% plans AND specifications AND building permits secured or no building permits required.	10 points
Project has fully permitted development that has building permits secured and specifications are at least 75% complete and architect confirms in writing that the plans and specifications can be 100% complete within 30 days.	8 points
Project has master, preliminary and final plan approval for development. Points will be prorated based on approvals in place at time of application.	5 points

Households at or below 30% AMI, homeless and/or have special needs and application has provided a detailed plan outlining supportive services for these residents – Up to 6 Points

21% or more units within the development	6 points
11-20.99% of units within the development	4 points
Up to 10.99% of units within the development	2 points

Sustainable Design- Up to 9 Points

Exceeds Energy Star 3.1 Version 8 for new construction OR substantial rehab that surpasses Tier II standards	3 points
Meets RNC Tier II AND most current Net Zero or Passive House standards	3 points
Incorporates solar panels or other renewables including net metering	Up to 3 points based on size and amount of energy produced

STATE OF RHODE ISLAND

HOUSING TRUST FUND (“HTF”) PROGRAM DESCRIPTION

1. Program Overview	The HTF program awards funding for the acquisition, rehabilitation, and new construction of rental housing for extremely low-income individuals and families. Provided such projects demonstrate alignment with HTF requirements, HTF funds will be prioritized first for successful 100% Permanent Supportive Housing Projects with less than 30 units using the Housing 2030 PSH fund scoring criteria for applications requesting HTF, and second, if funding remains, for LIHTC applications that contain Permanent Supportive Housing units. Homeownership is not an eligible use.										
2. Eligible Applicants	Non-profit housing developers, for-profit developers, cities, towns, and community housing development organizations.										
3. Eligible Activities	New construction or rehabilitation of rental units for income qualified households										
4. Income Targeting	Developments must serve extremely-low income individuals and families with gross annual incomes at or below 30% of AMI. HTF units cannot be shared with HOME program-assisted units.										
5. Program Funding	Approximately \$3,000,000, if available.										
6. Maximum Per Project Funding	Maximum award of \$1 Million per project; Projects must identify HTF-assisted units in project application. (Davis-Bacon labor standards are not applicable to the HTF.) 2025 HTF Maximum Per-Unit Subsidy Limited will apply. 2024 HTF Maximum Per-Unit Subsidy provided for illustrative purposes only: <table> <tr> <td>0 Bdrm</td><td>\$181,488</td></tr> <tr> <td>1 Bdrm</td><td>\$208,049</td></tr> <tr> <td>2 Bdrm</td><td>\$252,994</td></tr> <tr> <td>3 Bdrm</td><td>\$327,293</td></tr> <tr> <td>4 Bdrm+</td><td>\$359,263</td></tr> </table>	0 Bdrm	\$181,488	1 Bdrm	\$208,049	2 Bdrm	\$252,994	3 Bdrm	\$327,293	4 Bdrm+	\$359,263
0 Bdrm	\$181,488										
1 Bdrm	\$208,049										
2 Bdrm	\$252,994										
3 Bdrm	\$327,293										
4 Bdrm+	\$359,263										

6. Funding Type	Long term loan secured by a deed restriction for rental developments.
7. Interest rate and Term	0% deferred loan with a minimum term of 30 years, and co-terminus with the senior debt.
8. Funding Priorities	• Acquisition, and/or substantial rehabilitation and/or new construction of rental units for families. • Acquisition, and and/or rehabilitation and/or new construction of rental housing units for homeless and special needs populations in conjunction with supportive services.
9. Threshold Criteria	• Readiness to Proceed: Owner/Developer must demonstrate ability to proceed to closing on all financing and begin construction within nine months of commitment. • Financial Feasibility: The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal. • Marketability: The development must have a reasonable likelihood that it will achieve sustainable occupancy of 95% within 6 months of construction completion. For mixed income proposals that meet the 20% at 50% or 40% at 60% set asides, the applicant must submit a third-party market study that includes an absorption schedule, lease-up reserve and identifies the timeline for achieving 95% occupancy. • Development Team Capacity: The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity. The Developer and their development team will be evaluated on its professional capacity to plan, build, market, and operate the proposed development.
11. Term of Affordability	30 years

12. Availability of Funds	HTF funds will be available through a Request for Proposals issued by RIHousing, and the award of such funds will be contingent upon the funds being made available to RIHousing by HUD.
13. Program Leverage with Other Financial Resources	It is expected that the HTF award will be matched with other public and private funds for the development of the proposed units
14. Environmental Review	HTF projects must meet the requirements of the HTF Environmental Provisions at 24 CFR §93.301(f)(1) or (2) at project completion. However, it must be determined prior to funding if a project will meet the HTF Environmental Provisions. If a project cannot meet the HTF Environmental Provisions, the project cannot be funded by HTF. For additional information, please review HUD CPD Notice 16-14 .
15. Build America Buy America (“BABA”)	The Recipient must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Recipient’s infrastructure project.
16. Section 3 Requirement	The Section 3 program requires recipients of HUD funding to direct employment, training, and contracting opportunities to low-income individuals and the businesses that employ these persons within their community. Section 3 is a provision of the HUD Act of 1968 and is found at 12 U.S.C. 1701u. The regulations are found at 24 CFR Part 75. Per this statutory language, recipients of HUD funds (i.e. grantees and contractors) ensure that “to the greatest extent feasible,” when certain HUD funds are used to assist housing and community development projects, preference for construction-related training, jobs, and contracting opportunities go to low- and very-low income people and to businesses that are owned by low- and very-low income persons or businesses that hire them. These opportunities are both gender and race neutral.

Hybrid 9%/4% LIHTC Transaction Program Requirements

RIHousing is issued a Program Bulletin on August 25, 2022, to codify the requirements for multifamily transactions that request both 9% low-income housing tax credits (“LIHTC”) and 4% LIHTC with tax exempt bond financing (“Hybrid Developments”).

A 4% application must be submitted simultaneously with the submission of a competitive 9% application. RIHousing will rank the 9% application in accordance with the Qualified Allocation Plan. Because each Project must be financially feasible as a standalone transaction, staff will review the 4% application at the same time to determine financial feasibility. RIHousing will only move forward with a comprehensive review of the 4% application if the 9% application receives an award of 9% LIHTC.

In order to qualify as a Hybrid Development, applicants must demonstrate that the bifurcation demonstrates the most cost-efficient use of both the LIHTC program as well as the subordinate financing being requested. At a minimum, the following criteria are required for hybrid transactions:

- There must be two distinct single asset entities (“Projects”) each with its own distinct financing plan.
- To the extent feasible, units must be prorated across each Project (tranche) by bedroom size based on the percentage of unit sizes in each tranche (e.g. all the 1-bedroom units cannot be in one Project, while 2-bedroom units are in the other Project).
- The gap funding request (i.e. non-equity) must be used to primarily support the development of the affordable units, not the market rate units.
- At the time of application, the applicant must submit two separate proformas outlining the Project specific unit allocation, sources and uses and financing plan.
- Each Project must have a separate Letter of Interest (and ultimately partnership agreement).
- RIHousing must be the lender of the tax-exempt bonds for the 4% transaction.
- Appraisals and market studies will be commissioned for each Project.
- If the two Projects are co-located in a single building, the proposal and all subsequent drawings and building related contracts must clearly identify the allocation of units and public spaces across the two Projects (including but not limited to mechanical systems, elevators, hallways, community and exercise rooms, etc.). The two Projects may share a single entrance and parking.
- Separate construction contracts, architect contracts, surveys, loan documents, title commitments, etc. are required for each Project.



- One Environmental Assessment, and if required a Remedial Action Work Plan, that covers the entire building is acceptable if the costs associated with each are clearly delineated in the Project documents.
- It is expected that one property management agent will be engaged for both Projects. Separate management agreements and property related management documents such as leases in the name of each Project owner will be required.
- Each Project must have its own operating account and be able to provide separate and distinct budgets and annual audited financial statements.
- All condominium documents including language related to common areas, easements, use of amenities, etc. must be approved by RIHousing.

For questions related to Hybrid Developments, please contact Dean Harrison, Assistant Director of Development at 401-450-1357 or dharrison@rihousing.com



Mixed-Income Rental Program Term Sheet

Product Description: Taxable and tax-exempt loans for the purpose of developing mixed-income properties.

Affordability Requirements: For tax exempt financing, properties must meet one of the following criteria:

- 20% of the units are affordable to households at 50% median income; or
- 40% of the units are affordable to households at 60% median income.

Affordability requirements are required for the term of the RIHousing loan but in no event shall they be less than 30 years.

Underwriting Parameters

Maximum Loan Amount: Maximum 90% of the appraised value

Debt Service Coverage: Minimum 1.2 or higher depending on risk

Loan Term: Both 30 and 40 year fully amortizing terms available.

Recourse: Loans are non-recourse secured by a first mortgage lien on both land and improvements.

Vacancy: 5 percent on affordable units; a minimum 5% on market units or higher subject to review of market feasibility study.

Credit Enhancement: Credit enhancement is typically provided through FHA and is included in the interest rate.

Unit Distribution: Affordable units should be interspersed throughout the development and be largely indistinguishable from the market units.

Unit Sizes: The number of affordable units per bedroom size should be proportionate to the overall breakdown of units in the development.

Rates & Fees

Interest Rates: RIHousing has both taxable and tax-exempt financing. A fixed rate will be determined using our cost of funds plus an appropriate margin dependent on market conditions, loan size and other relevant credit considerations plus credit enhancement. Please contact the Development Division for current rates.

Origination Fee: 2% of the first \$5,000,000; 1% thereafter payable at closing.

**LIHTC Allocation Fee:
(if applicable)** 4%: 1 percent of 10-year allocation
9%: .5 percent of 10-year allocation

Due Diligence Requirements

Lease-up Reserve: A lease-up reserve to cover projected initial operating deficits will be required.

Operating Reserve: An Operating Reserve equal to six months of operating expense and debt service is required at closing. For existing fully occupied developments, a lesser amount may be allowed on a case-by-case basis.

Replacement Reserves: Typically, a replacement reserve equal to the total of the first year RR escrow deposits is required at closing. Additional amounts may be required depending on the amount of annual deposits and the projected capital needs of the development.

Tax and Insurance: Borrower will be required to capitalize 6 months tax and insurance escrows and make monthly payments equal to one-twelfth of the annual premiums.

Third Party Fees: The Borrower will be responsible for paying any and all third-party fees required to complete the due diligence review to close and bond the transaction. Costs may be capitalized in the development budget.

Bond Fees:	The Borrower will be responsible for paying the full cost of issuance for both taxable and tax-exempt bonds. Costs may be capitalized in the development budget.
Developer Fee:	Must be in conformance with our Developer's Handbook.
Appraisal/Market Study:	RIHousing will commission and must approve both a market feasibility study and an appraisal.
Environmental Review:	Phase I Site Assessment, performed by a firm acceptable to RIHousing. Phase II reports, asbestos, radon, PCBs and lead surveys as necessary.

This is not an offer to make a loan. This term sheet serves as an outline of this program's underwriting criteria and is for discussion purposes only. For more information, contact Anne Berman, Director of Development, at (401) 457-1269.

July 2017



NATURALLY OCCURRING AFFORDABLE HOUSING (“NOAH”) LOAN PROGRAM DESCRIPTION

Applicant:	[XXXX and to-be-determined co-applicants]. (the “Applicant”)
Borrower:	A to-be-determined single asset entity acceptable to RIHousing in all respects.
Subject Property:	A XX-unit multifamily property located at [Sample Street in XXXX], RI. (the “Property”)
Loan Type:	A first mortgage loan to be referred to as the “Loan”.
Purpose:	The proceeds of the Loan will be used for acquisition and rehabilitation of the Property.
Loan Amount:	A to-be-determined amount, currently estimated to be [\$XXXX], subject to RIHousing’s underwriting standards.
Amortization:	Up to thirty (30) year amortization. [An amortization term with a balloon payment before full maturity is allowable in certain situations]
Interest Rate:	To Be Determined but fixed for term of loan. The interest rate is based on current market conditions and is subject to change.
Loan-to-Value & Appraisal:	The Loan amount will be limited to the lower of 85% of the as-is value based on an RIHousing-commissioned appraisal or 1.20 debt service coverage.
Debt Service Coverage:	A minimum of 1.20 on the Loan tested annually.
Vacancy Rate:	Minimum vacancy rate of 5% is applied for initial underwriting.
Tax and Insurance:	Three (3) months will be held in escrow by the property management agent and verified annually with Lender.
Operating Reserve:	Three months debt and operating expenses funded at closing. The operating reserve will be released in 2 consecutive annual installments starting after the second full year of stabilization if debt service is equal to or greater than 1.2, and the borrower is in compliance with all loan documents.

Replacement Reserve:	\$300 per unit [or higher/lower if required by Capital Needs Assessment]
Construction Contingency:	If required, the budget for Development, including all budget line items, is subject to RIHousing approval. The budget shall include a hard cost contingency no less than 5% of budgeted hard costs.
Affordability Restriction:	A minimum of 40% of the units will be restricted to 80% of Area Median Income (“AMI”) until the later of twenty (20) years or Loan maturity.
Prepayment and Refinance:	Prepayment of the Loan is restricted until the 5 th year following the closing date. A prepayment penalty of 5% of the outstanding principal balance will be applicable in the 5 th year, reducing by 1% per year until the 10 th year.
Borrower Financial:	The Borrower’s’ financial condition(s) must be acceptable to RIHousing in all respects. Borrower will be required to demonstrate a minimum of \$250,000 in liquid assets to qualify for the Loan. Annual submission of a corporate or personal financial statement of the borrower(s) as well as yearly submission of personal and business income tax returns. Two years of tax returns are to be submitted with this request.
Loan Guarantees:	The Loan will be non-recourse, except for certain carve-outs related to rental achievement, debt service coverage and environmental liability.
Subordinate Debt:	Any subordinate debt, and their respective loan documents must be acceptable to RIHousing in all respects.
Loan Security:	First priority mortgage on the Development; a first priority collateral assignment of rents and leases covering the premises; pledges of reserve accounts; a first priority security interest in Borrower's personal property, fixtures and equipment pertinent to the operation and maintenance of the Premises as RIHousing shall designate at any time or from time to time; and any parking rights appurtenant to all commercial and residential leases that may be in effect.
Disbursement Schedule:	Loan proceeds will be advanced to the borrower at closing.

Fees and Expenses:

Origination Fee: 1% of the Loan amount

Transaction Costs: The Borrower shall pay RIHousing's costs and expenses of due diligence, underwriting and closing this transaction including the fees and disbursements of our independent counsel.

Property Condition: Borrower will maintain the property condition consistent with RIHousing's minimum standards for non-subsidized apartments. RIHousing reserves the right to inspect the Property annually.

Revised 2.2024



RIHousing Preservation Loan Fund Term Sheet

Product Description	RIHousing Preservation Loan Fund (PLF) provides a flexible source of capital to be utilized for the preservation of existing affordable housing, priority will be given to developments currently funded by RIHousing.
Funding Availability:	\$3,000,000
Maximum Loan Amount	\$30,000 per unit or \$1,500,000
Use of Proceeds	1st or 2 nd mortgage financing as part of a refinance or repositioning of the property. Approved capital repairs to maintain properties in good working order. Repairs must be approved by RIHousing in advance of making a loan.
Acceptable Borrowers	For- and non-profit entities. The development team for the project must have a demonstrated track record in successfully developing, marketing, and managing housing or must form a joint venture with an entity with such expertise. Borrowers must demonstrate sufficient financial stability and liquidity to rehabilitate and operate the project.
Eligible Properties	Multifamily rental housing with expiring federal rental subsidies (HUD or USDA Rural Development Programs), and/or low-income housing tax credit developments. Existing non-regulated (i.e. market rate) properties with more than 50% of the current rents that are equal to or less than 80% of area median income. Mixed-use properties with housing and commercial are eligible provided that the effective gross income from commercial tenants cannot exceed 20% of the total effective gross income.
Minimum Affordability	Affordability to be guaranteed for the term of the loan.

1. 51% or more of the units are to be rented to households earning 80% or less of median income as defined by HUD; or
2. 40% or more of the units are to be rented to households earning 60% or less of median income as defined by HUD; or
3. 20% or more of the units are to be rented to households earning 50% or less of median income as defined by HUD.

Seasoning

Stabilized properties are eligible for this preservation financing. Stabilization is defined as at least three (3) consecutive months at 93% economic and physical occupancy, and achievement of RIHousing's minimum DCR threshold for this time period.

Payment History

All payments, if applicable, must be current with no loan default history during the past 24 months, and the borrower in good standing at the time of closing.

Underwriting Parameters**Maximum Maturity**
mortgage

Maximum forty years or Co-terminus with new 1st

Debt Service Coverage

1.20 on the first mortgage and 1.15 overall. RIHousing reserves the right to require a higher DSC depending on deal specifics.

Recourse

RIHousing will require the Borrower to execute a recourse guarantee for the construction period in a form acceptable to RIHousing.

Disbursement

Draws to be approved by RIHousing staff based on completed work in place. Loans are expected to be fully advanced in 12 months.

Additional Financing

RIHousing 1st mortgage or other financial institutions debt permitted. Other financing in the form of subordinate loans/grants will be permitted at RIHousing's discretion.

Expenses

The borrower will be responsible for all third-party expenses of the lender or its agent including, but not

limited to: legal fees, engineering and environmental consultants, appraiser, etc.

Assignability

The loan will not be assignable/assumable by any other party without the express written consent of RIHousing

Property Management

RIHousing will require a qualified professional property management firm, acceptable to RIHousing, be engaged to manage the property for the term of the loan.

Developer Fee

Preservation with tax-exempt financing and 4% LIHTC only:

5% of acquisition and 10% of construction and soft costs not including new reserves and Developer's Fee (the "Base Fee"). Developers may increase the developer fee to 15% of the Fee Based Development Cost (as defined above) as long as any amount above the Base Fee is deferred

Preservation without LIHTC and Rollover RIHousing Debt:

For non-LIHTC transactions with existing RIHousing debt that will be "rolled over" rather than be repaid, the maximum developer fee will be equal to 5% of the construction cost.

A minimum fee of \$500 per unit will be provided to a sponsor of a preservation transaction if substantial rehabilitation of units is involved

Rates & Fees

Interest Rates

4% fixed rate and simple interest for second mortgages

Origination Fee

2% of the loan amount (\$2,500 minimum) if the Preservation loan is amortizing. There is no origination fee if the Preservation loan is paid out of surplus cash.

Application Fee

For projects not currently financed by Rhode Island Housing, \$2,500 prior to Preliminary Commitment by our Board of Commissioners

Due Diligence Requirements**Rehabilitation**

Scope of Work approved by RIHousing. Repair funds to be escrowed with and administered by Rhode Island Housing.

New Reserves

For the new transaction, the combination of the initial Operating and Replacement Reserves will be sized to equal six months of operating expenses and six months of debt service. Of this amount, the initial Replacement Reserve will generally be equal to \$2,000 per unit. We reserve the right to require a higher Replacement Reserve based upon the CNA's 20-year projections.

Tax and Insurance

Borrower will be required to capitalize 6 months tax and insurance escrows and make monthly payments equal to one-twelfth of the annual premiums.

Third Party Fees

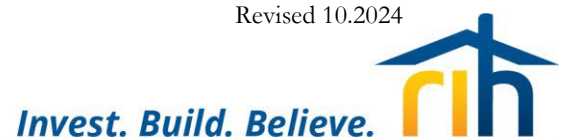
The Borrower will be responsible for paying all third-party expenses required to complete the due diligence and close the transaction, including legal fees and any costs of issuance associated with bond transactions. Costs may be capitalized in the development budget.

Regulatory Agreement

Borrower is required to sign a new affordability agreement restricting the units for 40 years from closing.

This is not an offer to make a loan. This term sheet shall serve as an outline for underwriting criteria and is for discussion purposes only. Terms are subject to change based on project underwriting and RIHousing's Board approval.

Revised 10.2024





HUD/FHA Risk Share Program Underwriting Guidelines

The following are the underwriting standards for RIHousing financed Risk Share Transactions. Please refer to the RIHousing *Developer's Handbook* for detailed underwriting requirements.

Eligible Mortgagor:	Borrower must be a single asset mortgagor. For-Profit, Non-Profit, Limited Dividend entities eligible.
Maximum Loan Amount:	Maximum 90% of the appraised value based on lower of: • Option A: Lesser of Section 8 rents or market rents • Option B: Lesser of 60% tax credit or market rents
Debt Service Coverage:	Minimum 1.15
Loan Term:	30, 35 and 40 year fully amortizing terms available
Affordability Requirements:	Properties must meet one of the following criteria: • 20% of the units are affordable to households at 50% median income; or • 40% of the units are affordable to households at 60% median income. Affordability requirements are required for the term of the RIHousing loan but in no event shall they be less than 30 years.
Subordinate Financing:	Allowed subject to RIHousing requirements. Any subordinate amortizing loans will be included in the 1.15 debt service ratio calculation. All subordinate loans and ancillary documents must be subordinate to the RIHousing first mortgage.
Interest Rates:	A fixed rate will be determined using our cost of funds plus an appropriate margin dependent on market conditions, loan size and other relevant credit considerations plus credit enhancement. Please contact RIHousing for current rates.

Security: All Risk Share Loans shall be secured by a first priority mortgage (fee simple or leasehold) that meets the requirements of the HUD-FHA Risk Share Program.

Development Team Review

Developer: The developer (including mortgagor, sponsor and consultant) must demonstrate the expertise, capacity and financial capability to undertake the proposed development project. Developer must demonstrate they have successfully completed projects of similar scope, size and complexity.

Architect: An architect licensed to practice in Rhode Island is required. Requirements for plans and specifications are outlined in the Design and Construction guidelines published in the RIHousing Developer's Handbook.

General Contractor: General Contractor (GC) must demonstrate they have successfully completed projects of similar scope, size and complexity. An AIA 305 Contractor Qualification Statement is required. The GC must provide a 100% payment and performance bond or alternative financing instrument (such as a Letter of Credit) guaranteeing completion acceptable to RIHousing in its sole discretion.

Management Agent: Management Agent must demonstrate experience in affordable housing management. They must submit a management plan demonstrating acceptable financial reporting and controls, maintenance systems, tenant selection procedures, affirmative fair marketing plan, and tenant outreach.

HUD 2530: HUD Previous Participation Clearance Forms are required for all sponsors, owners, management agents, contractors and consultants.

Reserve Requirements: **All reserves will be held by RIHousing**

Operating Reserve: **New Construction transaction:** Initial deposit equal to six months of operating expenses and six months of debt service.

Preservation Transaction: Initial deposit equal to six months of operating expenses and six months of debt service minus the initial deposit to the replacement reserves.

Replacement Reserve:

New Construction transaction: Initial deposit equal to first year of Replacement Reserve deposits. Annual contributions determined based upon projected needs of the development.

Preservation Transaction: Initial deposit equal to \$2,000 per unit. Annual contributions determined based upon scope of rehabilitation work and projected needs of the development.

RIHousing reserves the right to require a higher Replacement Reserve based upon the Capital Needs Assessment (CNA).

Insurance Reserve:

Escrow impound equal to 6 months of annual premium. Current Insurance Requirements may be found in the Developer's Handbook.

Real Estate Tax Reserve:

Escrow impound equal to 6 months of annual premium.

Other Due Diligence

Appraisal:

The reports must be commissioned by RIHousing, in conformance with RIHousing Requirements for Appraisal Assignments by an independent appraiser approved by RIHousing. All appraisals will be according to the Uniform Standards of Professional Appraisal Practice (USPAP). As-is and As-complete valuations for the property(s), including land values and market information about rents and absorption rates of the units, are required.

Market Study:

A market study is required for all new production transactions and may be required for preservation transactions. The reports must be commissioned by RIHousing and meet NCHMA standards.

Environmental Review:

Phase I Environmental Site Assessment according to the current ASTM standards. At the discretion of RIHousing, a Phase II environmental report may also be required.

Construction/Rehabilitation:	All plans, specifications and Capital Needs Assessments will be reviewed and approved by RIHousing to determine conformance with the Design and Construction guidelines published in the RIHousing Developer's Handbook. The construction cost breakdown will be reviewed to ensure it is adequate to cover the approved scope of work.
Capital Needs Assessments:	Required for all occupied developments. All CNAs must include a Long Term Physical Needs Cost Summary that utilizes a Remaining Useful Life Schedule to estimate the repairs and replacements that will be required to maintain the property's physical integrity over the life of the loan.

ADDITIONAL RISK SHARE UNDERWRITING REQUIREMENTS FOR MORTGAGES WITH BALLOON PAYMENTS

The following are additional underwriting standards for RIHousing financed Risk Share Transactions proposing loans with balloon payment structures.

HUD Risk Share:	Level I 50/50 Risk Share
Vacancy Allowance:	Minimum 5%
Amortization Schedule/Term:	Loan Term: minimum of 17 years Amortization: up to 35 years for moderate rehabilitation and up to 40 years for substantial rehabilitation
Developer/Mortgagor:	In addition to standard RIHousing underwriting requirements, Developer must demonstrate a minimum of 10 years of development experience and ownership of affordable properties of similar size.
Management Agent:	In addition to standard RIHousing underwriting requirements, Management Agent must demonstrate a minimum of 10 years of successful management of affordable properties of similar size.

**Credit Capacity of
Developer/Guarantor:**

Mortgagor must have acceptable credit history, balance sheet and financial resources to ensure long term economic viability and capacity to undertake a refinance at the time of balloon payment.

Replacement Reserves:

All minimum standard Replacement Reserve requirements must be met. Prior to closing, the Capital Needs Assessment and 20-year reserve schedule must be updated based on final scope of work to determine annual replacement reserve deposits.

A new Capital Needs Assessment must be commissioned in the 10th year after construction completion to determine adequacy of existing Replacement Reserves and potential changes to the Replacement Reserve deposit schedule to ensure physical viability. The report can be commissioned by the owner but RIHousing must approve the vendor. The expense will be considered an eligible Replacement Reserve cost.

Construction Contingency:

Generally, 10% on rehabilitation projects; 7.5% on new construction projects

Exit Strategy:

Borrower must demonstrate an exit strategy, acceptable to RIHousing in its sole discretion and shall at a minimum include:

- (1) Demonstration of potential for sale and re-syndication
- (2) Financial analysis based upon an interest rate increase at time of balloon payment
- (3) Negative trending through term of the loan
 - 2% income
 - 3% expenses (including RE taxes unless eligible for RE abatement based on state law)
 - 2% replacement reserve deposits

End of Term Marketability:

Year 14 of Permanent Loan

- (1) Borrower will be required to commission an appraisal by a RIHousing approved appraiser, to establish a value and determine demand for the development. Such appraisal shall include a determination of market rents and be underwritten to the lower of HAP or market rents in accordance with program requirements.

- (2) Borrower must demonstrate that they have a capable partner to purchase the property and maintain all applicable affordability requirements.

End of Term LTV Methodology: Valuations to include:

- (1) Remaining term of affordability restrictions (original terms of 30 years for LIHTC and 40 years for bond financing)
- (2) Changes in capitalization rates, interest rates and other factors potentially affecting value.

Evaluation Checkpoints:

- (1) Annual asset management review of the development including physical inspection and annual audits.
- (2) 10-year Capital Needs Assessment (as per above)
- (3) If deemed necessary based on the annual asset management review, RIHousing may require a Capital Needs Assessment prior to year 10.

This is not an offer to make a loan. This term sheet shall serve as an outline of this loan program's underwriting criteria and is for discussion purposes only. We are committed to working with Borrower's to find mutually agreeable terms. For more information, contact Anne Berman, Director of Development, at (401) 457-1269.



RIHousing Taxable Refinance Term Sheet with HUD Risk Sharing Insurance

Product Description:	Permanent taxable loan
Eligible Properties:	RIHousing financed properties that have an existing Regulatory Agreement, and the existing loan is more than 10 years old, and non-RIHousing financed properties.
Maximum Loan-to-Value:	Maximum 90% of appraised value as improved based upon a RIHousing commissioned appraisal.
Rents:	Underwriting to the lesser of Section 8 or Current Market Rents or, tax credit rents or market rents.
Debt Service Coverage:	Minimum 1.15
Loan Term:	30, 35 or 40 year fully amortizing loans are available
Vacancy Rate:	5 percent; lower for qualifying affordable developments
Rehabilitation:	Based on a RIHousing commissioned Capital Needs Assessment (CNA), proceeds will be utilized to ensure that at a minimum, immediate repairs and ADA deficiencies are completed within the first year, including any health and safety related issues.
Replacement Reserve:	Borrower will be required to capitalize a Replacement Reserve equal to \$2,000 per unit and make annual deposits equal to a minimum of \$325 per unit. We reserve the right to require higher initial or annual deposits based upon the CNA analysis of future capital needs.
Operating Reserve:	An up to amount equal to 6 months debt plus 6 months operating expenses minus the initial deposit to the Replacement Reserve. RIHousing may allow a reduced Operating Reserve for well-seasoned developments with historically low vacancy rates.
Interest Rate:	Fixed rate financing. Please contact the Development Department at RIHousing for current rates.
Mortgage Insurance Premium:	Credit enhancement provided through the HUD/HFA Risk Sharing Program, minimum MIP is .125% of the outstanding loan amount annually and is included in the interest rate. One year of MIP is due at closing and should be included in the development budget.

Application Fee:	\$2,500 due prior to Preliminary Commitment by our Board of Commissioners for deals not currently financed by RIHousing.
Origination Fee:	2% of the first \$5,000,000; 1% thereafter
Developer Fee:	For transactions with a rehabilitation component, Developer Fee is a maximum of 5% of acquisition (subject to a P&S Agreement) and 10% of construction and soft costs not including new reserves and Developer's Fee.
Tax and Insurance:	Borrower will be required to capitalize tax and insurance escrows in amounts not to exceed 6 months of the annual premiums and make monthly payments equal to one-twelfth of the annual premiums.
Third Party Fees:	The Borrower will be responsible for paying any and all third-party fees required to complete the due diligence review and all lender legal costs to close the transaction. Costs may be capitalized in the development budget.
Regulatory Agreement:	Borrower is required to sign an affordability agreement restricting the units for 40 years from closing.
Prepayment Premium on existing loan:	Prepayment penalty waived based on refinancing terms with RIHousing. A prepayment fee equal to the Present Value of lost income as calculated by RIHousing will be the benchmark for determining whether or not the fee is waived.
Prepayment Provisions of New loan:	Not allowed for first 15 years. Prepayment fee equal to the Present Value of lost income as calculated by RIHousing which may be waived if the loan is refinanced with RIHousing.
Recourse:	Loans are non-recourse secured by a first mortgage lien on both land and improvements.

This is not an offer to make a loan. This term sheet serves as an outline of this program's underwriting criteria and is for discussion purposes only. For more information, contact Anne Berman, Director of Development, at (401) 457-1269 or aberman@rihousing.com.

August 2024





PROGRAM BULLETIN

Date: September 26, 2024

To: Developers

From: Anne Berman, Director of Real Estate Development

Subject: Tax Exempt Bond Requirements

Bulletin #: 2024 – 04

This Program Bulletin outlines Rhode Island Housing and Mortgage Finance Corporation's ("RIHousing") requirements when issuing tax-exempt bonds (the "Bonds") for a 4% low-income housing tax credit ("LIHTC") transaction, and the Bonds will be issued as part of a public offering utilizing RIHousing's existing bond indenture.

RIHousing's preferred structure is to be the sole construction lender. In such an instance, RIHousing will issue the Bonds under one of two scenarios: either (i) a construction to permanent loan (with or without a balloon payment) or (ii) a construction loan that is fully repaid at completion. Such a structure reduces the legal costs of the development project (the "Development") since there is only one lender, simplifying the loan documentation.

In instances in which Bonds are requested, and the borrower elects to work with another construction lender (e.g. the investor in the LIHTC syndication) who will participate in the construction lending process by making a construction loan before the issuance of the Bonds, RIHousing requires that its Bonds be issued no later than 50% completion and that when those Bonds are issued, RIHousing's construction loan assumes a first position lien on the development.

If a cash collateralized bond structure is being requested, the Borrower must demonstrate that the structure is cost-effective and that RIHousing or state soft resources are not funding the additional costs associated with such a structure. Additionally, when a cash collateralized structure is utilized, RIHousing Bond Counsel must be included in all loan structuring negotiations, with sign-off on loan terms, including maturity dates and prepayment options to ensure alignment with optimal bond structuring and bond issuance documentation. Borrower will be responsible for any additional bond counsel costs related to the transaction.

Turnkey Affordable Homeownership Program Summary

Introduction

Rhode Island Housing and Mortgage Finance Corporation (“RIHousing”) announces the Turnkey Affordable Homeownership Program (the “Turnkey Program”). The program was created to (i) help address the need for low to moderate income homeownership opportunities in the State of Rhode Island, and (ii) streamline the process for the development of low to moderate income homes that will be deed-restricted by RIHousing.

- The Turnkey Program will provide financing to developers of for-sale units to homebuyers upon project completion.
- The developer will be responsible for funding the acquisition, construction and/or rehabilitation of the home(s) without the benefit of RIHousing financing prior to completion. This will minimize RIHousing’s involvement prior to and during construction.
- RIHousing intends to disburse the Turnkey financing once (i) a Certificate of Occupancy is issued by the municipality in which the home is built and (ii) a deed restriction restricting the household income of the initial and subsequent homeowners is recorded. The deed restriction should be recorded upon the sale of the home to the initial homebuyer; however, recording a deed restriction prior to such sale may be allowed, in RIHousing’s sole discretion, in certain circumstances.

RIHousing will inspect at completion.

All work shall comply with all applicable federal, state, and local codes, ordinances, and zoning requirements. Rhode Island State Building and Fire Code Regulations can be found at:

[Welcome to the Rhode Island Code of Regulations - Rhode Island Department of State \(ri.gov\)](http://www.ri.gov)

The Turnkey Program is not available for developers who utilize RIHousing as their construction lender or utilize any other RIHousing funding for the applicable project.

Eligibility

New construction, adaptive reuse, or rehabilitation of existing homes are eligible for one to two-family homes. Condominiums are allowed. Homes must be owner-occupied primary residences when purchased. Eligible applicants include non-profit or for-profit builders and/or developers. Applicant must demonstrate capacity and previous experience overseeing the construction of housing of similar scope and complexity.

Developer Fee

Developer Fee will be restricted to a maximum of 10% of total development costs.

Timing

Applications will be accepted on a rolling basis. The submittal of an application does not guarantee an award.

Subsidy Amounts

The requested Turnkey financing per unit cannot exceed the difference between total development cost and a sale price affordable to a family earning 80% or 100% of AMI plus a Developer Fee, up to a maximum of:

- a. \$190,000 for a 80% AMI home
- b. \$150,000 for a 100% AMI home

If developer received a density bonus through the comprehensive permit process, the requested Turnkey financing cannot exceed \$50,000/unit (unless the project is 100% affordable and includes no market units).

These are maximum amounts. Developers are always encouraged to request the minimum amount necessary to complete their proposal. RIHousing recognizes that costs may be higher in certain areas of the state.

The Purchase Price of the completed homes must be calculated based on:

- Income limits posted on the RIHousing Website – <https://www.rihousing.com/wp-content/uploads/FY-24-HUD-Income-Limits.pdf>
- The application should include disposition analysis demonstrating affordable purchase price (principal, interest, taxes and insurance (PITI) shall not exceed 30% of gross monthly income for buyers between 80% AMI – 100% AMI) and documentation from the Monitoring Agent confirming the projected purchase price. The developer must include the monitoring fee in soft costs.

When calculating the sales price for a multi-unit property:

- The rental income should be added to the homebuyer's income and discounted based on lender industry standards.
- The applicable bedroom size should be based only on the homebuyer unit.

Turnkey Program - Document Requirements

A. Required for Application Submission:

1. Application
2. Narrative proposal description

3. Project Proforma with Sources and Uses
4. Timeline for commencement of construction (within 4 months) and closing (within 12 months).
5. Full capital stack including evidence of developer equity or construction financing from a commercial lender.
6. Letter from Monitoring Agent confirming proposed purchase price.
7. Permitted Plans and Specifications (Suggested minimum sizes: 2 Bedroom 900 SF, 3 Bedroom 1200 SF).
8. Structural review required for rehabilitation projects.
9. Renovation projects must encapsulate and/or abate Asbestos, Radon, Mold and PCBs in accordance with all federal, state and local environmental laws and regulations.

B. Required for Disbursement at Project Completion:

1. Certificate of Occupancy
2. If applicable, RAWP Closure Report, Recorded ELUR & SMP
3. If applicable, Evidence of RI Energy RNC Building Incentives and Rebates
4. Evidence of Minimum 15 Year Recorded Deed Restriction (or a ground lease ensuring >15 years long term affordability)
5. Final Lien Waiver from Contractor
6. RIHousing Inspection at Construction Completion

C. Post Closing Deliverables

1. Contractor's 1 Year Guaranty for Labor and Materials
2. Contractor's transmittal of O&M and Start up submitted to homeowner

Review Process:

A. Threshold Criteria

1. Readiness to Proceed: Applicant must demonstrate that construction of affordable homeownership opportunities will commence within four (4) months of Turnkey funding commitment and each unit will close with an income qualified buyer within twelve (12) months of such commitment. To be awarded and maintain a funding reservation, all applicants must demonstrate readiness to proceed throughout the process.

An assessment of an applicant's initial readiness to proceed will be made based upon the applicant's ability to provide final plans and/or specifications and ability to secure all funding commitments.

RIHousing will use its best professional judgment in evaluating an application for readiness to proceed. Staff will consider the applicant's past performance in meeting funding and closing deadlines.

2. **Financial Feasibility:** The applicant must demonstrate that the proposal is financially feasible. RIHousing reserves the right to deny funding of proposals for which adequate funding commitments have not been secured for all development costs.
3. **Development Team Capacity:** The developer must have experience in the successful development and sale of affordable homeownership opportunities or similar experience with development of starter homes. The developer will be evaluated based on its professional capacity to plan, build, market, and sell the proposed home(s). The developer is expected to demonstrate satisfactory prior experience on projects of similar scale and complexity, and to devote sufficient staffing and resources to complete the proposed project. The applicant will also be evaluated for creditworthiness and financial capacity.
4. **Demonstration of Need or Demand:** The applicant must demonstrate, to RIHousing's satisfaction, that the need or demand for the project exists. Demonstration of need can be provided through market analysis, local demographics, demand for the project as exhibited by a list of interested and qualified buyers, etc.

RIHousing reserves the right to deny funding to any proposal where (i) any materially participating entity is not in good standing regarding compliance monitoring of other RIHousing-funded projects or (ii) any partner, developer or other key development team member has been determined by RIHousing to be not creditworthy. Creditworthiness takes into consideration the financial condition of an organization and management capabilities. RIHousing will review each applicant's most recent audit to ensure financial capacity to develop the project.

If an applicant passes Threshold, they must also meet the following Review Criteria to be considered for Turnkey Program funding.

B. Review Criteria

Applications for Turnkey Program awards that have passed Threshold will be further reviewed for approval based on the following Review Criteria:

1. At the time of application, the development must be permitted by applicable regulatory agencies including municipal permitting bodies (local planning and zoning) and state regulatory agencies such as RIDEM or RIDOH; provided, however, that building permits are not required at time of application. Projects with partial planning or zoning approvals are not eligible for the Turnkey Program.
2. Plans and specifications must be at a sufficient stage, in RIHousing's sole opinion, to meet the Threshold requirement of 4 months to construction commencement.
3. Projects must demonstrate readiness to proceed within 4 months of commitment.
4. The household income levels for proposed units cannot exceed 100% AMI.
5. The maximum developer fee is 10% of total development costs.

Complete proposals that pass Threshold and meet the above Review Criteria will be submitted for approval on a first-come, first-served basis until all Turnkey Program funding for each funding cycle is depleted.

C. Purchase Price and Monitoring Agent

1. The developer must identify a Monitoring Agent in their application who will income qualify the initial homebuyer (and renters' income, if applicable) and be responsible for reviewing and approving future transactions.
2. The developer must provide a letter from their Monitoring Agent with their application confirming the purchase price assumed in the proforma.
3. Developers are encouraged to market to first time homebuyers.
4. RIHousing may provide end loans to qualified homebuyers.

COST CERTIFICATION

COST CERTIFICATION.....SECTION 13

1. Cost Certification Template (WORD Format)
2. Proforma Pages - Development Costs Template (EXCEL Format)
3. Exhibit A – Allocation Type Template (EXCEL Format)
4. Exhibit B – Unit Distribution Template (EXCEL Format)

Please be aware that only the latest version of the RIHousing Cost Cert will be accepted. Cost Certifications are to be submitted in its original form (original signature and initials) along with an e-copy in pdf format. Before any forms are finalized, please submit to Tax Credit Administrator in draft mode for review.

Latest versions of the Cost Certification Templates may be found on the RIHousing website at:

<https://www.rihousing.com/developers-handbook/>

RHODE ISLAND HOUSING AND MORTGAGE FINANCE CORPORATION LOW-INCOME HOUSING TAX CREDIT

OWNER'S FINAL COST CERTIFICATION

The information and certification requested below are used for purposes of establishing that the tax credit requested for allocation does not exceed the amount necessary to assure project feasibility, as required by Section 42 of the Internal Revenue Code of 1986, as amended. This document must be completed prior to Agency issuance of an IRS Form 8609 (the final allocation document.) Final allocation amounts may be reduced based on the information provided, to comply with the IRS Code requirements.

To comply with the certifications, please attach a full and detailed listing of all known or projected permanent (as opposed to construction period) sources of funds, total development costs (detailed by line item) and those development costs that constitute the eligible basis for the tax credit allocation (also by line item.) If multiple buildings and/or different tax credit types are needed, the eligible basis for each building for each credit type must be separately detailed.

***** Both the Owner and CPA must initial the top of each page, INCLUDING ALL EXHIBITS AND ATTACHMENTS *****

Project Name:		Number of Buildings:	New Construction	Acquisition Rehabilitation
Project Owner:				
Owner's Address:		TIN #:		
Do you have a signed Lock-in Agreement?		☐ YES ☐ NO		
If YES, please provide Applicable Credit Percentage and Date (month and year) according to the Lock-In Agreement:		% Rate:	%	
		Date:	/20 (Mth/Year)	
Percentage of the Aggregate Basis financed by Tax-Exempt Bonds (Must be greater than 50%):		%		
High Cost Area Adjustment? (up to 1.3%)		☐ YES ☐ NO	%	
Minimum Applicable Fraction:	☐ 40% ☐ 60% ☐ 80% ☐ Other:			
Minimum Set-Aside:	☐ At least 20% or more of the residential units (or floor space fraction, as applicable) in the Project are and will be both Rent-Restricted and occupied by the individuals whose income is 50% or less of area median income. ☐ At least 40% of the residential units (or floor space fraction, as applicable) in the Project are and will be both Rent-Restricted and occupied by the individuals whose income is 60% or less of area median income. ☐ "Income Averaging" – allows for the acceptance of households with incomes of up to 80% of area median income as long as the average unit income designations in the project DOES NOT exceed 60% of the area median income.			

Allocation Type Chart - * Assign the allocation type for each building (Chart must be fully completed)

a. Newly constructed and federally subsidized				b. Newly constructed and not federally subsidized				
c. Existing building				d. Section 42(e) rehabilitation expenditures federally subsidized				
e. Section 42(e) rehabilitation expenditures not federally subsidized								
BIN	*Allocation Type		Placed in Service Date		Applicable %		Credit Amount	
	Acquisition	Rehab/ New Const	Acquisition	Rehab/ New Const	Acquisition	Rehab/ New Const	Acquisition	Rehab/ New Const
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$
					%	%	\$	\$

† If additional space is needed, please use Exhibit A excel spreadsheet

Unit Distribution Chart - Building and B.I.N. Numbers (Chart must be fully completed)

BIN	Street Address (include zip code)	If Boost, Census Tract #	Unit No.	Sq. Ft.	# BRs	Affordable (Y/N)	Market Rate (Y/N)	Rent
								\$
								\$
								\$
								\$
								\$
								\$
								\$
								\$
								\$
								\$

† If additional space is needed, please use Exhibit B excel spreadsheet

Owner Certification

I, _____, authorized agent for _____, Owner, hereby certify, under the pains and penalties of perjury, that the attached development costs constitute the Section 42 (LIHTC) eligible basis, incurred in 20 to 20 for the residential portion of the building(s) identified above. These expenditures, using the appropriate applicable fraction (for each building) and credit type shown above, justify the requested annual allocation of \$_____ of Rhode Island's 20 tax credit authority.

I also certify, under the pains and penalties of perjury, that the attached sources of funds (which must equal the total development costs, including non-depreciable and non-eligible costs) is accurate, and that the full extent of all Federal, State and local subsidies to the development have been disclosed to Rhode Island Housing and Mortgage Finance Corporation in the LIHTC application of other material attached to this certification.

Date:

_____, a
Rhode Island limited partnership

By: _____,
its General Partner

By: _____
Name:
Title:

CPA Certification

I, _____, Certified Public Accountant for the owner, _____ hereby certify that the attached development costs, detailing eligible basis and applicable fraction by building, constitute the Section 42 (LIHTC) qualified basis, incurred in 20 to 20 for the residential portion of the building(s) identified above. These basis numbers, using the credit type shown above, justify the requested annual allocation of \$_____ of Rhode Island's 20 tax credit authority.

Name of CPA

Company or Firm

CPA Signature

Date

***** Both the Owner and CPA must initial the top of each page, INCLUDING ALL EXHIBITS AND ATTACHMENTS *****

Building Identification Number: _____

Itemized Costs	Total Development Costs	Cost For Building	Eligible Basis by Credit Type*	
			Acquisition Credit	Rehab/Const. Credit
ACQUISITION & CONSTRUCTION				
Land				
Purchase of Building(s)				
Demolition				
Rehabilitation				
New Building(s)				
Accessory Building(s)				
Sitework				
Off-site Improvements and Fees				
General Requirements				
Contractor Overhead				
Contractor Profit				
Construction Contingency				
Construction Bond Fee				
SUBTOTAL	_____	_____	_____	_____
PROFESSIONAL SERVICES				
Architectural/Engineering				
Attorney/Accountant				
Legal/Title & Recording				
Other _____				
SUBTOTAL	_____	_____	_____	_____
INTERIM COSTS				
Construction Interest				
Construction Insurance				
Construction Loan Orig. Fee				
Taxes During Construction				
SUBTOTAL	_____	_____	_____	_____
OTHER SOFT COSTS				
Property Appraisal				
Market Study				
Environmental Report				
Permits/Fees				
Tax Credit Fees				
Marketing				
Other _____				
SUBTOTAL	_____	_____	_____	_____
Page Subtotal	_____	_____	_____	_____

Itemized Costs	Total Development Costs	Cost For Building	Eligible Basis by Credit Type*	
			Acquisition Credit	Rehab/Const. Credit
FINANCING FEES & EXP.				
Credit Report				
Permanent Loan Origination Fee				
Credit Enhancement				
Cost of Issuance				
Lender's Counsel's Fee				
Other _____				
SUBTOTAL	_____	_____	_____	_____
SYNDICATION COSTS				
Organizational (Partnership)				
Bridge Loan Fees & Expenses				
Tax Opinion				
SUBTOTAL	_____	_____		
DEVELOPER'S FEES				
Developer's Fee				
Consultant Fees				
SUBTOTAL	_____	_____		_____
PROJECT RESERVES				
Rent-up Reserve				
Replacement Reserve				
Working Capital/Latent Defects				
Operating Reserve/Sinking Fund				
Other _____				
SUBTOTAL	_____	_____	_____	_____
SUBTOTAL THIS PAGE	_____	_____	_____	_____
SUBTOTAL PREVIOUS PAGE	_____	_____	_____	_____
TOTAL DEVELOPMENT COST	_____	_____	_____	_____
Less: Amount of non-qualified financing			_____	_____
Historic Tax Credit (residential portion only)			_____	_____
TOTAL ELIGIBLE BASIS			_____	_____
Adjusted Eligible Basis for Difficult Development Area or Qualified Census Tracts (x up to 1.3)				_____%
Applicable Fraction			_____%	_____%
Multiplied by Applicable Fraction			_____	_____
TOTAL QUALIFIED BASIS			_____	_____

Itemized Costs	Total Development Costs	Costs for Building	Eligible Basis by Credit Type			
			Acquisition Credit	Rehab/Const. Credit		
Multiply by the Applicable Percentage			_____%	_____%		
TOTAL AMOUNT OF TAX CREDIT REQUESTED			\$_____	\$_____		
If you qualify for more credits than are allocated then you are required to prorate the tax credit amount for Form 8609 line 1a (if there are multiple years of credits, prorate for each year)			_____	_____		
If you qualified for more credits than were allocated then you will have to prorate the qualified basis for Form 8609 line 3a (if there are multiple years of credits, prorate the qualified basis for each year.			_____	_____		
If Tax Exempt Bond Financing, please insert the percentage of the aggregate basis financed by tax-exempt bonds (must be greater than 50%).			_____%			

- Acquisition always receives the “4%” credit. New Construction/rehabilitation may receive the “4%” or the “9%” credit, depending on the sources of financing. Actual percentages are published monthly by the IRS. Call Rhode Island Housing and Mortgage Finance Corporation for current percentages.
- If rate was “locked-in”, please use the applicable percentage rate established by the taxpayer at the time of the lock-in.

***** Both the Owner and CPA must initial the top of each page, INCLUDING ALL EXHIBITS AND ATTACHMENTS *****

Building Identification Number:				
Itemized Costs	Total Development Costs	Cost For Building	Eligible Basis by Credit Type*	
			Acquisition Credit	Rehab/Const Credit
ACQUISITION & CONSTRUCTION				
Land				
Purchase of Building(s)				
Demolition				
Rehabilitation				
New Building(s)				
Accessory Building(s)				
Site Work				
Off-site Improvements and Fees				
General Requirements				
Contractor Overhead				
Contractor Profit				
Construction Contingency				
Construction Bond Fee				
Subtotal	0	0	0	0
PROFESSIONAL SERVICES				
Architectural/Engineering				
Attorney/Accountant				
Legal/Title & Recording				
Other:				
Subtotal	0	0	0	0
INTERIM COSTS				
Construction Interest				
Construction Insurance				
Construction Loan Origination Fee				
Taxes During Construction				
Subtotal	0	0		0
OTHER SOFT COSTS				
Property Appraisal				
Market Study				
Environmental Report				
Permits/Fees				
Tax Credit Fees				
Marketing				
Other:				
Subtotal	0	0	0	0
FINANCING FEES & EXPENSES				
Credit Report				
Permanent Loan Origination Fee				
Credit Enhancement				
Cost of Issuance				
Lender's Counsel's Fee				
Other:				
Subtotal	0	0	0	0
Subtotal This Page	0	0	0	0

Itemized Costs	Total Development Costs	Cost For Building	Eligible Basis by Credit Type*	
			Acquisition Credit	Rehab/Const Credit
SYNDICATION COSTS				
Organizational (Partnership)				
Bridge Loan Fees & Expenses				
Tax Opinion				
Subtotal	0	0		
DEVELOPER'S FEES				
Developer's Fees				
Consultant Fees				
Subtotal	0	0		0
PROJECT RESERVES				
Rent-up Reserves				
Replacement Reserve				
Working Capital/Latent Defects				
Operation Reserve/Sinking Fund				
Other:				
Subtotal	0	0	0	0
Subtotal This Page	0	0	0	0
Subtotal Previous Page	0	0	0	0
Total Development Cost	0	0	0	0
Less: Amount of non-qualified financing				
Historic Tax Credit (residential portion only)				
Total Eligible Basis			0	0
Adjusted Eligible Basis for Difficult Development Area or Qualified Census Tracts (x up to 1.3)				
Applicable Fraction				
Multiplied by Applicable Fraction			0	0
Total Qualified Basis			0	0
Multiplied by Applicable Percentage				
Total Amount of Tax Credit Requested			0	0
If you qualify for more credits than are allocated then you are required to prorate the tax credit amount for Form 8609 line 1a (if there are multiple years of credits, prorate for each year)				
If you qualified for more credits than were allocated then you will have to prorate the qualified basis for Form 8609 line 3a (if there are multiple years of credits, prorate the qualified basis for each year.				
If Tax Exempt Bond Financing, please insert the percentage of the aggregate basis financed by tax-exempt bonds (must be greater than 50%).				

● Acquisition always receives the “4%” credit. New Construction/rehabilitation may receive the “4%” or the “9%” credit, depending on the sources of financing. Actual percentages are published monthly by the IRS. Call Rhode Island Housing and Mortgage Finance Corporation for current percentages.

● If rate was “locked-in”, please use the applicable percentage rate established by the taxpayer at the time of the lock-in.

***** Both the Owner and CPA must initial the top of each page, INCLUDING ALL EXHIBITS AND ATTACHMENTS *****

Building Identification Number:		0			
Itemized Costs	Total Development Costs	Cost For Building	Eligible Basis by Credit Type*		50% Test
			Acquisition Credit	Rehab/Const Credit	
ACQUISITION & CONSTRUCTION					
Land	0	0			
Purchase of Building(s)	0	0	0		
Demolition	0	0		0	
Rehabilitation	0	0		0	
New Building(s)	0	0		0	
Accessory Building(s)	0	0		0	
Site Work	0	0		0	
Off-site Improvements and Fees	0	0		0	
General Requirements	0	0		0	
Contractor Overhead	0	0		0	
Contractor Profit	0	0		0	
Construction Contingency	0	0		0	
Construction Bond Fee	0	0		0	
Subtotal	0	0	0	0	0
PROFESSIONAL SERVICES					
Architectural/Engineering	0	0		0	
Attorney/Accountant	0	0		0	
Legal/Title & Recording	0	0	0	0	
Other:	0	0	0	0	
Subtotal	0	0	0	0	0
INTERIM COSTS					
Construction Interest	0	0		0	
Construction Insurance	0	0		0	
Construction Loan Origination Fee	0	0		0	
Taxes During Construction	0	0		0	
Subtotal	0	0		0	0
OTHER SOFT COSTS					
Property Appraisal	0	0		0	
Market Study	0	0		0	
Environmental Report	0	0		0	
Permits/Fees	0	0		0	
Tax Credit Fees	0	0		0	
Marketing	0	0			
Other:	0	0	0	0	
Subtotal	0	0	0	0	0
FINANCING FEES & EXPENSES					
Credit Report	0	0			
Permanent Loan Origination Fee	0	0			
Credit Enhancement	0	0			
Cost of Issuance	0	0			
Lender's Counsel's Fee	0	0			
Other:	0	0	0	0	
Subtotal	0	0	0	0	0
Subtotal This Page	0	0	0	0	0

Itemized Costs	Total Development Costs	Cost For Building	Eligible Basis by Credit Type*		50% Test
			Acquisition Credit	Rehab/Const Credit	
SYNDICATION COSTS					
Organizational (Partnership)	0	0			
Bridge Loan Fees & Expenses	0	0			
Tax Opinion	0	0			
Subtotal	0	0			0
DEVELOPER'S FEES					
Developer's Fees	0	0		0	
Consultant Fees	0	0		0	
Subtotal	0	0		0	0
PROJECT RESERVES					
Rent-up Reserves	0	0			
Replacement Reserve	0	0			
Working Capital/Latent Defects	0	0			
Operation Reserve/Sinking Fund	0	0			
Other: 0	0	0	0	0	
Subtotal	0	0	0	0	0
Subtotal This Page	0	0	0	0	0
Subtotal Previous Page	0	0	0	0	0
Total Development Cost	0	0	0	0	0
Less: Amount of non-qualified financing			0	0	
Historic Tax Credit (residential portion only)			0	0	
Total Eligible Basis			0	0	0
Adjusted Eligible Basis for Difficult Development Area or Qualified Census Tracts (x up to 1.3)				0	
Applicable Fraction			0%	0%	
Multiplied by Applicable Fraction			0	0	
Total Qualified Basis			0	0	
Multiplied by Applicable Percentage			0.00%	0.00%	
Total Amount of Tax Credit Requested			0	0	
50% Test - Aggregate Basis					0
If you qualify for more credits than are allocated then you are required to prorate the tax credit amount for Form 8609 line 1a (if there are multiple years of credits, prorate for each year)			0	0	
If you qualified for more credits than were allocated then you will have to prorate the qualified basis for Form 8609 line 3a (if there are multiple years of credits, prorate the qualified basis for each year.			0	0	
If Tax Exempt Bond Financing, please insert the percentage of the aggregate basis financed by tax-exempt bonds (must be greater than 50%).					
Bond Amount					

• Acquisition always receives the “4%” credit. New Construction/rehabilitation may receive the “4%” or the “9%” credit, depending on the sources of financing. Actual percentages are published monthly by the IRS. Call Rhode Island Housing and Mortgage Finance Corporation for current percentages.

• If rate was “locked-in”, please use the applicable percentage rate established by the taxpayer at the time of the lock-in.

***** Both the Owner and CPA must initial the top of each page, INCLUDING ALL EXHIBITS AND ATTACHMENTS *****

Exhibit A

Allocation Type Chart

* Assign the allocation type for each building (Chart must be fully completed)

[illegible]

[illegible]

[illegible]

[illegible]

Exhibit B
Unit Distribution Chart

Building and B.I.N. Numbers (Chart must be fully completed)

[illegible]

Please Initial _____ Owner / _____ CPA

[illegible]

Please Initial _____ Owner / _____ CPA

[illegible]

Please Initial _____ Owner / _____ CPA

[illegible]

Please Initial _____ Owner / _____ CPA

[illegible]

OPERATING SUBSIDY

OPERATING SUBSIDY.....SECTION 14

RIH-ELI – Program Guidelines Section 14.1

RIH-ELI – Application Requirements.....Section 14.a

RIH-ELI – Projection Grid Section 14.b

RIH-ELI – Operating Program Description.....Section 14.c

Program Guidelines

RIHousing- Extremely Low-Income Operating Reserve (RIH-ELI) Program

SECTION 1 PROGRAM PURPOSES

Program Purposes and Objectives. The RIHousing-Extremely Low-Income (RIH-ELI) Program was established by RIHousing.

- 1.1 The primary purpose of this program is to establish operating reserve funds to support the operation of units serving households earning 30% AMI or below, as without such operating support, the long-term success of such units is financially infeasible.
 - 1.1.1 Under the RIH-ELI, funds will be awarded to capitalize a project operating reserve to ensure that developers can create and preserve affordable rental housing for families and individuals with extremely low income including those who are homeless or at risk of being homeless. These funds will bridge the gap between the established 30% Low Income Housing Tax Credit (LIHTC) rents and either
 - the established 50% LIHTC rents for units with existing tenants or new tenants that are not referred by the Coordinated Entry System; and/or
 - the established 60% LIHTC rent for units for new households referred from the coordinated entry system. This includes but is not limited to CES referrals made to HOME-ARP project based chronological waiting lists.
 - 1.1.2 Approval of proposals under the RIH-ELI is subject to availability of funds.
 - 1.1.3 Should RIHousing receive additional RIH-ELI program funds, RIHousing reserves the right to allocate them as part of this funding round.

SECTION 2 DEFINITIONS

- 2.1 Definitions. As used in these regulations.
- 2.2 **“At-risk of experiencing homelessness”** means persons who have received notice of eviction, and/or who are experiencing difficulty due to the inability to pay rent and is inclusive of persons residing in institutional settings who have been unsuccessful in locating housing.
- 2.3 **“Capacity”** means experience in implementing financially sound housing programs as well as the ability to provide or coordinate necessary supportive

services if applicable.

- 2.4 **“Extremely low income”** for the purpose of these programs means annual gross income at or less than 30% of area median family income.
- 2.5 **“Income”** shall be defined as gross annual income which includes but is not limited to: gross wages, salaries, overtime pay, commissions, fees, tips, bonuses, public assistance, retirement and pension benefits, Workmen’s Compensation, Temporary Disability Insurance, Supplemental Security Income (SSI), and interest income from assets.
- 2.6 **“Minimum rent for RIH-ELP”** shall mean tenant portion of rent, including a utility allowance (if applicable), equal to the greater of 30% of the gross monthly household income or 30% of the federal gross monthly SSI for unit and family size.
- 2.7 **“Operating cost,”** means costs associated with the day-to-day operation of a Development. Some examples include: maintenance and repair, operations staff, taxes, utilities, equipment, supplies and insurance.
- 2.8 **“Development”** means unit(s), site(s), or an entire building. Development includes all the activities associated with the site and building.
- 2.9 **“Proposal”** means any eligible activity or group of activities necessary to implement a single program or Development.
- 2.10 **“RIHousing”** means Rhode Island Housing and Mortgage Finance Corporation, a public corporation organized and existing under Chapter 55 of Title 42 of the Rhode Island General Laws, as amended.
- 2.11 **“Supportive services”** may include, but are not limited to: housing stabilization services; case management; education; employment and training; behavioral health counseling; life skills development; and supervision.
- 2.12 **“Term of affordability”** for the purpose of these programs means consistency with RIGL 45-53-3 (5) which require that the housing shall remain affordable for a period of not less than thirty (30) years.
- 2.13 **“Unit”** must be a unit that contains a kitchen and a bathroom.

SECTION 3 ALLOCATION OF FUNDS

- 3.1 Eligible Applicants. Generally eligible applicants include non-profit organizations with 501(c) 3 status, Community Housing Development Organizations, private for-profit entities, limited partnerships, and Public Housing Authorities.
- 3.2 Income Targeting. Developments seeking RIH-ELI funds must benefit extremely low-income individuals and families with gross annual incomes at or below 30%AMI.
- 3.3 Priorities.
 - 3.3.1 In an effort to support families experiencing homelessness and move households off of the Coordinated Entry System, proposals which target units that will be occupied by households selected off of the Coordinated Entry System will be prioritized and awards for those target units will be sized at the difference between the 30% and 60% AMI rents. This includes but is not limited to CES referrals made to HOME-ARP project based chronological waiting lists.
 - 3.3.2 Proposals with 10% or more of the dwelling units therein dedicated to serve households earning 30% AMI or below
 - 3.3.3 Proposals that target homeless individuals or families or those at risk of experiencing homelessness.
 - 3.3.4 Proposals with a long-term agreement with an experienced social service/homeless service provider to support the ELI units contemplated
- 3.4 Funding shall be the minimum necessary to make a development feasible.
 - 3.4.1 Applicants may receive operating reserve funds sufficient to cover the gap between
 - 3.4.1.1 the established 30% and 50% LIHTC rents for all unit sizes housing existing residents or new residents **not** referred by the Coordinated Entry System
 - AND/OR
 - 3.4.1.2 the established 30% and 60% LIHTC rent for all unit sizes that will house new households selected from the Coordinated Entry System for a minimum period of ten years. This includes but is not limited to CES referrals made to HOME-ARP project based chronological waiting lists.
 - 3.4.2 Rent plus utilities will be set at 30% of gross monthly household income. A minimum gross rent shall be charged as defined in 2.6.
 - 3.4.3 Funds allocated to the operating subsidy shall be held in escrow by RIHousing and invested to maximize the available subsidy.

- 3.4.4 Approved operating subsidies will be paid quarterly to the Development.

SECTION 4 ELIGIBLE PROGRAM COSTS

- 4.1 RIH-ELI eligible costs may include: direct operating reserve funds to offset operating costs for units serving households earning 30% of AMI

SECTION 5 HOUSING STANDARDS

- 5.1.1 Each unit within a project must meet the applicable physical inspection standard as defined in the United States Department of Housing and Urban Development (HUD) Housing Choice Voucher Program. Units will be subject to inspection annually or at the discretion of RIHousing.
- 5.2.1 Recipients will be required to comply with the current HUD Lead Safe Housing Regulations and asbestos mitigation rules and applicable State lead laws.

SECTION 6 ELIGIBLE RESIDENTS

- 6.1 Eligible residents of RIH-ELI Units. Individuals and Families whose initial gross annual income does not exceed 30% of AMI
- 6.3 Tenants who are no longer income eligible residents due to an increase in income may continue to reside at the Development and pay 30% of gross income for rent. The next available unit shall be rented to an income eligible resident.

SECTION 7 RENTS

- 7.1 RIH-ELI Rents. Rents will be established at the greater of 30% of gross monthly income minus utility allowances, or the minimum rent as defined under Section 2.6
- 7.2 Income will be certified prior to initial occupancy to demonstrate eligibility and to determine rent. Incomes will be recertified annually to determine rental payments, but may be recertified more frequently due to substantial changes in income.

SECTION 8 APPLICATION PROCESS

- 8.1 Applications for Funding. RIHousing will announce a Request for Proposals from qualified organizations for funding and will make available the required applications for the RIH-ELI funds. The deadline for receipt of applications will be disclosed in the Request for Proposals.

- 8.2 Review of Applications. Applications shall be reviewed by RIHousing staff to determine eligibility, capacity of applicant and for the financial feasibility of the proposal.
- 8.3 Scoring of Applications. Reviewers comprised of RIHousing Executive, Development and Leased Housing and Rental Services Staff will review each application and will make recommendations for funding to the RIHousing Board of Commissioners based on application scores.

SECTION 9 SCORING

- 9.1 All applications will be reviewed by the RIHousing staff in accordance with the following criteria:
- 9.1.1 The extent to which the application addresses any of the priorities set forth in these guidelines.
- Proposals which target units that will be occupied by new households referred from the Coordinated Entry System; this includes but is not limited to CES referrals made to HOME-ARP project based chronological waiting lists.
 - Developments with 10% or more of the dwelling units therein dedicated to serve households earning 30% AMI or below
 - Owners with a demonstrated track record of working with an experienced social service/homeless service provider to provide services to residents of ELI units.
 - Developments that target households experiencing homelessness or families or those at risk of experiencing homelessness
 - Developments with units already in operation or those immediately ready for occupancy
- 9.1.2 Existing development stability or new development feasibility
- 9.1.3 Commitment of funds
- Private resources to be leveraged by the proposal
 - Other public funding committed to the activity
- 9.1.4 Units immediately available for occupancy
- 9.1.5 Capacity of the applicant to undertake the program

SECTION 10 REQUIREMENTS

- 10.1 Term of commitment. All recipients must agree to operate units subsidized by RIH-ELI for the Term of Affordability. Upon the depletion of the operating subsidy, the Development sponsor may request a change of use to serve individuals and families with incomes not to exceed 60% AMI.

- 10.2 Repayment of funds. If the Development is not operated to provide direct benefit to extremely low-income persons for a minimum of 10 years following the date of initial occupancy or service provision, the funds advanced must be repaid.
- 10.4 Terms of the Agreement. The terms of the Agreement may be negotiated where conflicts exist with other funding sources.

SECTION 11 PROGRAM ADMINISTRATION

- 11.1 Administration. RIHousing shall administer and monitor the program.
- 11.2 Monitoring. To ensure compliance with the requirements set forth in these Guidelines, RIHousing may require information and reports on Developments receiving funding under the RIH-ELI and may conduct site visits and inspection of units.

RIHOUSING – EXTREMELY LOW-INCOME (“RIH-ELI”) OPERATING RESERVE APPLICATION

A total of \$2,857,207 in funding is available to capitalize long-term operating reserves for extremely low-income units. Should RIHousing receive additional RIH-ELI program funds, RIHousing reserves the right to allocate them as part of this funding round.

1. Project team information.
2. Applicants must provide an operating proforma for the entire development which should include a detailed spreadsheet illustrating the anticipated operating deficit of the ELI units for no less than 10 years. Applicants are required to utilize the attached template worksheet to aid in sizing their requested award.
3. Applicants must provide evidence of experience operating housing for ELI residents, including at a minimum (i) developments operated, (ii) number of supportive units under management, if any, and, (iii) relevant experience providing supportive services to the intended population, if any. Written evidence of a partnership agreement or memorandum of understanding (MOU) between the applicant and an experienced social service provider may be included with or substituted for this response if the partnership or MOU provides the requisite information outlined in (i)-(iii) above.
4. Applicants must demonstrate all funding commitments for the proposed project and the status thereof. For existing projects, applicant must demonstrate existing funding and the applicable requirements for occupancy for each source.
5. Applicants must provide a detailed unit mix, demonstrating the income level for occupancy, unit size and highlighting the percentage of the developments units to be designated for ELI residents.
6. Applicants must attach a Tenant Selection Plan (TSP) incorporating, at a minimum, the parameters by which each unit at the development is to be occupied, with particular attention to how occupants of units serving ELI residents will be selected, selection criteria and wait list policies. If you are proposing to serve households currently in the Coordinated Entry System (CES), but your process for doing so is not included in your TSP, please provide a separate description of how you will align your process with CES requirements. If awarded, developments will be expected to integrate this information into their TSPs.
7. Applicants must attach an Affirmative Fair Housing Marketing Plan incorporating outreach strategies to all populations.

8. Applicants must demonstrate the need within the community for ELI units, the ability to access the target population and a long-term plan to market and occupy those units over the life of the project.
9. Applicants must provide a leasing schedule for proposed ELI units.
10. The property owner and management company will be evaluated for creditworthiness and financial capacity including a thorough review of the developer's audited financial statements for the previous 3 years. Creditworthiness takes into consideration the financial condition of the organization, management capabilities, character and capacity.
11. The property owner and management company must have experience in affordable housing of similar scope and complexity. The property owner and management company will be evaluated on its capacity to operate the proposed development.
 - a. Performance record will be measured individually and collectively by the quality and quantity of previous development and property management efforts, as well as affirmative action records.
 - b. Each team member is expected to demonstrate satisfactory prior experience on projects of similar scale and complexity, to have satisfactory professional references, and to devote sufficient experienced staff and resources to support the successful development and operation of affordable housing of similar scope and complexity.

Instructions for the RIH ELI Projection Grid

Request Summary Tab

Please fill in the Development Name, total units at the development, and City/Town where development is located.

Please fill in the number of years of assistance requested.

Under each section, please fill in the number of units at each bedroom size that is being requested.

Section A: For units where there will be coordinated entry system referrals, please fill in the current rent limits for both the 30% and 60% AMI columns

Section B: For units where there will NOT be CES referrals, please fill in the current rent limits for both the 30% and the 50% AMI columns

The total projected deficit amount will automatically calculate for 15 years as well as the number of requested years.

Please enter the requested subsidy amount. (may be equal to or less than the calculated projected deficit for the number of requested years).

Please enter the submitter's name and contact information in the fields below.

Notes:

Efficiencies or studios are noted as 0 Bedroom units on the chart.

Please ensure that the correct rent level is entered based on the location of the development

Please only type data in gray highlighted fields.

If you are not requesting any units in a certain bedroom size, leave the cell blank.

For the calculation to be accurate, for each row you must have an entry in column C and D and also either column E or F

Please do not enter data in the other tabs.

Upon completion, please save and submit request in the **Excel** format. Please **do not submit as a PDF**.

Please also provide your support for the rent limit entered with your submission

Development:	
Total units at site:	
City/Town:	

Requested Number of Years of Assistance (1-15)	

Section:	Bedroom Type:	Number of Units	30% Rent Limit for this bedroom size	50% Rent Limit for this bedroom size	60% Rent Limit for this bedroom size
A. Units with Coordinated Entry System Referral:	0 Bedroom Units with CES referral				
	1 Bedroom Units with CES referral				
	2 Bedroom Units with CES referral				
	3 Bedroom Units with CES referral				
	4 Bedroom Units with CES referral				

Section:	Bedroom Type:	Number of Units	30% Rent Limit for this bedroom size	50% Rent Limit for this bedroom size	60% Rent Limit for this bedroom size
B. Units without Coordinated Entry System Referral	0 Bedroom Units				
	1 Bedroom Units				
	2 Bedroom Units				
	3 Bedroom Units				
	4 Bedroom Units				

Total Projected 15 Year Deficit:	Total Number of Units Requested	0
Total Projected deficit for # of years of requested assistance:	\$0	
Total Requested Funding \$ (cannot exceed 15 year deficit)		

Submitted by:	
Company Name:	
Contact Telephone Number	
Contact Email Address	

RIHOUSING

GUIDELINES FOR RIHOUSING- EXTREMELY LOW-INCOME OPERATING RESERVE

Program Purpose:

RIHousing announces funding availability under the RIHousing-Extremely Low-Income (“RIH-ELI”) Program. RIH-ELI is intended to subsidize the operations of housing units serving Extremely Low-Income (“ELI”) households, defined as households with income at or below 30% of Area Median Income (“AMI”)

RIHousing anticipates that RIH-ELI funding will be used to support developments providing units designated to serve ELI households including those experiencing homelessness or at risk of becoming homeless.

Funding Availability: \$2,857,207 to capitalize a long-term operating reserve designed to offset the gap between:

- the 30% AMI rent and the 50% AMI rent for units with existing tenants or new tenants that are **not** referred by the Coordinated Entry System

AND/OR

- the 30% AMI rent and the 60% AMI rent for units for new households referred from the Coordinated Entry System. This includes, but is not limited to, CES referrals made to HOME-ARP project based chronological waiting lists.

Should RIHousing receive additional RIH-ELI program funds, RIHousing reserves the right to allocate them as part of this funding round.

Funding Type: Capitalized reserve

Availability of Funds: RIH-ELI funds will be available through a Request for Proposals issued by RIHousing. Funding is available in the form of a reserve capitalized upon the units’ readiness for occupancy and administered by RIHousing. Successful projects will requisition funds from RIHousing based on demonstrated need and project specific operating budgets.

Eligible Applicants: Eligible applicants include for-profit and non-profit developers and owners of existing affordable housing developments.

Income Targeting: Developments must benefit individuals and families with gross annual income at or below 30% of AMI adjusted for family size with a priority for households either exiting homelessness or at risk of becoming homeless. Mixed income developments are allowed under the RIH-ELI program.

Funding Priorities:

The RIH-ELI represents a limited resource with a large mandate. To ensure that resources are committed and expended in the most efficient manner that most positively impacts the state, RIHousing has established Funding Priorities and Threshold Criteria.

Priorities:

- In an effort to support families experiencing homelessness and move households off of the Coordinated Entry System, proposals which target units that will be occupied by households referred by the Coordinated Entry System will be prioritized and receive an award sized at the difference between the 30% and 60% AMI rent. This includes but is not limited to CES referrals made to HOME-ARP project based chronological waiting lists.
- Proposals that provide at least 10% of the total units for households with incomes at or below 30% of AMI.
- Proposals which target households experiencing homelessness or at risk of becoming homeless
- Owners with a demonstrated track record of working with an experienced social service/homeless service provider to provide services to residents of ELI units submitted at the time of application.
- Developments with units already in operation or those immediately ready for occupancy.

Threshold Criteria:

- **Financial Feasibility:** The development must demonstrate financial feasibility for: (i) the overall development costs of the project and (ii) the long-term operation of the proposal.
- **Marketability:** For all units in the development, but particularly for those ELI units which the funds will support, applicants must demonstrate the need within the community, the ability to access the targeted population and long-term plan to market and occupy those units over the life of the project.
- **Development Team Capacity:** The service provider must have a demonstrated history of providing supportive services to ELI households and individuals or families who, but for this housing, would be at risk of homelessness. The developer must have experience in the successful development and operation of affordable housing of similar scope and complexity.