

City of Fort Worth
Neighborhood Services Department

Priority Repair Program
Policies and Procedures

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Introduction

The purpose of the City of Fort Worth ("**City**") Priority Repair Program ("**PRP**") is to address urgent health and safety concerns and priority home repair needs for very low- and low-income homeowners who are unable to make repairs themselves. Funding for the PRP is provided by the U.S. Department of Housing and Urban Development ("**HUD**") through its Community Development Block Grant ("**CDBG**") program. The PRP is managed by the City's Neighborhood Services Department ("**NSD**"). All policies and procedures for the PRP must be implemented in accordance with the CDBG regulations at 24 CFR Part 570 *et seq* and applicable guidance from HUD, as well as all other applicable federal, state, and City laws, regulations, and ordinances.

Policies

The purpose of the policies included herein ("**Policy**") is to provide guidance to staff and consistency in determining the eligibility of applicants and repairs under the PRP and to provide the necessary discretion to the NSD Director ("**Director**") to both further and achieve the goals of the PRP. In the event that this Policy does not address a particular specialized or unique construction or repair situation, Council authorizes the Director, in his or her sole discretion, to make an eligibility determination using the underlying purpose and principles of the PRP and all applicable state and federal laws and regulations.

Repair Eligibility

The PRP will provide repairs up to **\$5,000.00** of repairs to qualified homeowners for Priority 1 and Priority 2 repairs as follows:

1. **Priority 1** repairs: A situation or condition that poses a threat to life and/or health and safety of the occupants which requires prompt corrective action. Priority 1 repairs are limited to:
 - a. Sewer line breaks, with the following limitations:
 - i. Visible raw sewage or "gray" water must be present or is imminently likely to be present.
 - ii. Applicants must verify the break in the line (rather than clogging) and its location to determine that the break is on the homeowner's side of the sewer line prior to approval of their application for assistance. This can be done by contacting the City's Water Department.
 - iii. Repairs under concrete slabs are not eligible unless the Director has determined that the repair is immediately necessary for health or safety reasons and the cost of such repair is within the financial limits of the PRP.
 - b. Fresh water line breaks, which can be verified by unreasonably high water bills, a visible water leak, and/or the meter spinning with all water shut off within the house.
 - c. Gas line breaks/leaks, with the following limitations:
 - i. Confirmation from gas utility company or the equivalent is required to verify existence of the break or leak.
 - d. Unsafe or inoperable heating units, or houses with no primary heating source, with the following limitations:

- i. When primary heat source is installed, unvented bathroom heaters will be removed and the applicable gas lines capped.
 - e. Inoperable or unsafe water heaters, with the following limitations:
 - i. Replacement of functioning water heater to increase hot water capacity is not eligible.
- 2. **Priority 2** repairs: Structural/mechanical system failures causing a situation or condition that threatens the health and/or safety of the occupants and/or the structural integrity of the house. Priority 2 repairs are limited to:
 - a. Roof repairs for leaking roofs and significant exterior deterioration, with the following limitations:
 - i. Applicant must provide verification regarding homeowners or hazard insurance as follows:
 - 1. If applicant has homeowners or hazard insurance, verification that the insurance company has denied a claim for repairs.
 - 2. If applicant does not have homeowners or hazard insurance, applicant must provide evidence that such insurance has been applied for and been denied, and applicant must sign an affidavit of no insurance.
 - ii. Maximum size of repair may be limited by **\$5,000.00** cost limit, or to specific area of deterioration.
 - iii. Limited to one roof replacement for the life of the house regardless of change of ownership.
 - iv. Roof repair will not include interior repairs to sheetrock, ceilings, fixtures, etc., if City in its sole discretion determines that such repairs are either cosmetic in nature or the unrepaired items do not represent a health or safety hazard to the occupants.
 - v. Repairs to roofs or additions not in compliance with City's Building Code or national building standards, such as unsafe or improper slopes, poor workmanship on roof additions, etc. are not eligible.
 - b. Unsafe or inoperable air conditioning systems, with the following limitations:
 - i. Houses with adequate operable window units to provide cooling for current occupant's health and safety and a non-functioning central air system are not eligible for replacement of the central air system under the PRP. Such applicants will be referred to the City's Weatherization Assistance Program.
 - c. Rotten, unstable, or deteriorated bathroom subflooring, for the purpose of ensuring structural integrity of the toilet and bathtub, with the following limitations:
 - i. Full replacement of fixtures may be limited based on construction feasibility for the house and cost limitations.
 - d. Electrical deficiencies that create urgent health and safety conditions such as loss of power to the house. Such repairs will focus on the most critical portions of the house, such as

kitchens and bathrooms. Such repairs might not include complete replacement or upgrade of the house's electrical service or repair of all malfunctioning switches depending on specific construction or system contingencies and the limitations of the PRP including but not limited to contractor capacity.

The following repairs are not eligible for PRP services:

1. Repairs to plumbing, mechanical, or other systems installed or repaired without proper City permits; or which were incompletely or incorrectly installed or repaired by the homeowner or a contractor, unless the Director determines, in his/her sole discretion, that such repairs are necessary to address health and safety concerns.
2. Repairs to houses which contain excessive furniture and/or personal items so that safe access to the house or item or area to be repaired is impeded, or creates a barrier that interferes unreasonably with the completion of the repair. Contractors may decline work due to infeasibility and inaccessibility to item or area needing repair.
3. Systems covered by a homeowners or hazard insurance policy, or repairs which were previously paid for by an insurance company, but not completed by the applicant, unless the Director determines, in his/her sole discretion, that such repairs are necessary to address health and safety concerns and that good cause exists for the repairs to have not been previously completed.
4. Repairs to houses which would cause or constitute non-compliance with HUD environmental review regulations or other HUD requirements or cause violations of the City Building Code.

Housing Unit Eligibility

1. The house must be owner occupied by the person applying for PRP services. Ownership will be verified from the Tarrant Appraisal District ("**TAD**") records or the Tarrant County Real Property records (or the equivalent public records if the house is located in another county within the City's corporate boundaries). Applicant may be required to provide additional documentation proving ownership of the house, for example if title was obtained by heirship or probate, one spouse is not on the title in a community property house acquired during the marriage, or equitable title situations under Texas law such as purchasing the house under a contract for deed or homestead situations under Texas law. Applicant may be a co-owner of the house so long as applicant occupies the house as applicant's primary residence.
2. The house must be located within the City's corporate boundaries.
3. The house must have a value of **\$175,000.00** or less as shown on TAD (or the appraisal district of the county in which the house is located). Other documentation showing value of the house such as a recent appraisal or Broker's Price Opinion, or other objective means of establishing value, may be considered in City's sole discretion. However, in the event the Director determines, in his/her sole discretion, that the repairs are necessary to address imminent health and safety concerns for the occupants and that the house's overall condition is such that the value is significantly diminished, the house shall be eligible for repairs under the PRP.
4. The following properties will be ineligible for PRP services:

- a. Vacant properties;
- b. Unoccupied houses with inactive utility accounts (water, electricity, gas);
- c. Houses located in a floodplain unless applicant carries flood insurance on the house;
- d. Rental properties;
- e. Multifamily properties;
- f. Detached structures converted to a living space (garage apartments, etc.);
- g. Duplexes (unless both sides of the duplex have separate owners);
- h. Houses with extensive unrepaired flood or fire damage, damage due to vandalism, and/or other extensive, unrepaired damage;
- i. Houses determined to be substandard or uninhabitable by the City's Code Compliance Department;
- j. Houses where the primary purpose (based on space allocation) is operation of a business enterprise;
- k. Houses on which a foreclosure action has been commenced by a lending institution, a judgement creditor or a tax entity; and
- l. Houses which are infeasible to repair within the PRP's cost limitations or otherwise as determined by the City in its sole discretion.

Applicant Eligibility

Applicants must meet the following criteria in order to qualify for PRP services:

1. Total anticipated annual household income of all persons over **18** residing in the house must be at or below **60%** of Area Median Income ("**AMI**"), as established annually by HUD.
 - a. The household's gross annual income for the purpose of determining PRP eligibility will be calculated consistent with HUD Regulations at 24 CFR Part 5 which define sources of income to be included or excluded from the calculation. Income of all household residents age 18 or over will be included in the total annual gross household income, unless a household member **18** or over is verified to be a full-time student.
 - b. Documentation of all income for the **60** days preceding the application must be provided by the applicant and all adult household members. Income documentation requirements are further described in the section of this Policy titled Verification of Income and Owner Occupancy Status.
 - c. Household size is determined at the time of the application intake interview. Any change or reduction in household size during the application process must be documented with records such as copies of leases, recently updated driver licenses, utility bills, bank statements, or other documents showing residency, which demonstrate whether and when a person has left or joined the applicant's household. Misrepresentation of the number of household members may result in denial of the application.
2. Applicants must be current on their property taxes with the county Tax Assessor-Collector. Documentation of payment plans or deferrals

authorized by the Tax Assessor-Collector or other applicable authority must be submitted for review and determination, in City's sole discretion, that they meet this requirement.

3. Eligible homeowners must have United States residency status consistent with the requirements and guidelines of the CDBG program and the HUD Office of Community Planning and Development ("CPD").
4. If necessary due to funding limitations, contractor capacity, or City administrative capacity, completion of PRP repairs will be prioritized based on urgency of need and vulnerability of applicant's household, assessed by the chart below. In the case of a tie in prioritization scoring, assistance will be provided to applicants with the most urgent health/safety repair issue, and to the most elderly/disabled applicants.

Prioritization Points Criteria	Points
Elderly (62-69 years) +1 (70-79 years) +2 (80+ years) +3	
Severely disabled household member (based on Census Bureau definition) +2	
Children under the age of 6 +2	
Income Level (50 - 60% AMI) +1 (40 - 49% AMI) +2 (below 40% AMI) +3	
No previous PRP services +2	
PRP services within last 4 years (subtract number of services)	
Special circumstances/other good cause as determined by the Director (up to 2 points)	
Total Points	

5. The following applicants will be ineligible for PRP services:
 - a. Applicants who cannot or will not provide all necessary documentation as required by this Policy, or applicants who falsify any documents, income information, household size information, etc.;
 - b. Applicants who exhibit threatening behavior or language toward City staff or toward contractors assigned to perform repairs.

Limitations on Assistance

1. Maximum of **\$5,000.00** in repair costs per project (hard costs); excluding soft costs such as permits, as consistent with HUD guidelines at 24 CFR Part 35. Extent of costs may limit the extent of repair or replacement that may be performed on roofs, heating systems, plumbing systems, or any otherwise eligible repairs.
2. Only **1** repair to a house will be made every **12** months. The Director, in his/her sole discretion, may choose to address more than one eligible item at a time if the disrepair of each additional item meets the overall criteria of presenting a significant or immediate risk to the health and safety of the occupants and the combined cost is within the **\$5,000.00** PRP limit.
3. Item or system to be repaired must be accessible to City inspectors and contractors. The repair must be within cost limitations, liability constraints, and scheduling requirements. For example, excess personal belongings in the house that block contractor or inspector access, absence of the homeowner at the time of scheduled appointments for

inspections or repair work, and similar barriers to access may result in delay or denial of PRP services.

4. The City retains sole discretion to approve or deny service based on this Policy, including the limitations of construction or mechanical system feasibility, HUD requirements, building code requirements, funding limitations, financial feasibility, and cost reasonableness.

Procedures

Verification of Income and Owner Occupancy Status

1. To verify income and household size in accordance with HUD requirements, the applicant/homeowner and all persons over **18** years of age living in the household must provide current Texas Driver License or Texas DPS identification verifying that they live at the house, as well as full documentation of all sources of income for the past **2** months. If any adult household member states that they are not receiving income, that person must provide a signed verifiable income certification form in a format approved by HUD CPD. Additional documentation may be requested to verify lack of income such as letters from the Texas Workforce Commission verifying ineligibility for unemployment insurance payments, copies of bank statements, income tax returns, etc.
2. Applicants will have **10** business days from the date of application (which is the date of intake appointment) to provide any missing documentation. Applicants with incomplete files may receive a letter of denial of services if all documents are not received in a timely manner.
3. Family members or others assisting an applicant with completing the application will be asked to provide identification to verify their relationship to applicant. Case workers or translators must provide documentation of their authority to assist the applicant.
4. Documents required for HUD verification purposes may include, but not be limited to the following:
 - a. Verification of wages, salaries, or tips (pay stubs, etc.);
 - b. Verification of child support (printouts from the Office of the Attorney General or local child support office, copies of divorce decrees, copies of bank statements, etc.);
 - c. Letters concerning Social Security or disability payments received by all household members;
 - d. Letters or other documentation of income from pensions, annuities, or other retirement income;
 - e. Bank statements for checking and savings accounts for **2** prior months to verify total income received and show interest income on savings, etc.;
 - f. Brokerage or other statements showing all investments, retirement accounts, etc., for **2** prior months;
 - g. Utility bills showing proof of active utility service (water, gas, electric);
 - h. Verification that property taxes on the house are current or that payments on a payment plan with the Tax Assessor-Collector are current;

- i. Proof of enrollment for household members claiming full-time student status;
 - j. Verification of mortgage statements showing whether applicant has homeowners or hazard insurance on the house, or other documentation regarding homeowners or hazard insurance; and
 - k. Income tax returns for most recent year, for self-employed or other income.
5. All income documentation procedures will be consistent with HUD CPD guidance as provided in the HUD publication *Technical Guide for Determining Income and Allowances for the HOME Program*, available online at <http://www.hudexchange.info>.

Program Administration

The administrative procedures for this Policy are designed to achieve the primary purpose of the PRP which is providing services to the most vulnerable applicants with the most urgent repair needs. These administrative procedures are also designed to take into account the high demand for PRP services, the limited funding available for the services, and staff capacity to administer the PRP. To the extent feasible, and within the constraints of HUD guidelines and applicable City policies, administrative procedures for the PRP will be consistent with standard practices for similar programs that provide services to low income households such as Community Action Partners, or other similar programs provided by state or local government entities or non-profits. The administrative procedures in this Policy may be revised by the Director from time to time to incorporate industry standards and best practices in order to increase administrative efficiency to better meet the needs of eligible households and to fulfill the purposes of the PRP.

1. Only complete applications will be included in the regular prioritization process. Failure to provide all HUD-required documentation may result in denial of PRP services. Applicants will be given **2** weeks to provide full documentation. Denial letters may be sent to applicants not providing full information by the end of this two-week period.
2. Appointments will be scheduled with applicants to complete the full application and provide the applicant an opportunity to ask any questions about the PRP services. Repeated failure by an applicant to keep appointments may result in denial of PRP services.
3. On-site inspections to verify eligibility of the repair will be scheduled for Priority 1 repairs before Priority 2 repairs. Priority 1 repairs will be scheduled in advance of Priority 2 repairs as feasible. If the on-site inspection or subsequent contractor inspection determines that the estimated cost of repairs will exceed the **\$5,000.00** limit, the repair will be determined ineligible and a denial letter will be sent to the applicant.
4. Repairs will be completed as soon as feasible within the following constraints:
 - a. HUD regulations;
 - b. Environmental review requirements;
 - c. Availability of funding;
 - d. Contractor availability;
 - e. Weather conditions; and

- f. Applicant's cooperation in providing required documentation to establish eligibility and access to the house.
5. Applicants must be present for NSD inspections, and for City-required building inspections performed by the City's Planning and Development Department. Failure to provide access for inspections may result in temporary or permanent denial of PRP services and/or possible voiding of contractor warranty. Applicants will be asked to provide additional and alternate contact information so that, if necessary, attempts can be made to follow up with the applicant to schedule necessary inspections. Staff will document **3** attempts to contact the applicant, but if there is no response after the third attempt, a denial letter may be sent to the applicant.
 6. Applicants must be present for the contractor's visit to perform the work. Applicants may only reschedule the contractor appointments for the repair work once, unless the applicant can provide verification that an additional rescheduling request is necessary due to health or other urgent issue beyond applicant's control. Additional or multiple requests for rescheduling of contractor work may result in denial of PRP services.
 7. All determinations made by the Director shall be in writing and substantiated, where applicable, with any additional documentation relied upon by the Director. A copy of the written determination by Director shall be included in the file.
 8. To ensure the ongoing effectiveness of the PRP, the Director may modify, amend or add additional administrative procedures to the ones set out in this Policy, within the above listed limitations and based on the primary purposes and goals of the PRP.