

June 15, 2021 Board Meeting

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Board of Commissioners Meeting – June 15, 2021 9:00 A.M. – 12:00 P.M.

MEMBERS OF THE BOARD: Lincoln Merrill, Jr. (Chair), Daniel Brennan, Henry Beck, Bonita Usher (Vice Chair), Kevin P. Joseph (Secretary), Laura Buxbaum, Brian Hubbell, Nancy Harrison, and John Wasileski

9:00	Adopt Agenda (VOTE)	Lincoln Merrill
	Approve minutes of May 18, 2021 meeting (VOTE)	All
	Communications and Conflicts	All
	Chair of the Board Updates	Lincoln Merrill
	Director Updates	Dan Brennan
9:30	Adopt HEAP Rule and State Plan (VOTE)	Troy Fullmer
9:40	HEAP Weatherization Waiver Request (VOTE)	Troy Fullmer
10:00	Legislation Update	Peter Merrill/Erik Jorgensen
10:15	Draft HCV Annual Plan Review <ul style="list-style-type: none"> • FSS Action Plan • ReStart Program 	Allison Gallagher/Laurie Glidden
10:35	COVID Funding	Laurie Murray/Denise Lord
10:55	Future Presentations/Topics	All
	<u>Department Reports:</u>	All
	Asset Management	
	Audit Committee Report	
	Communications and Planning	
	Development	
	Energy and Housing Services	
	Finance Monthly Report	
	Financial & Budget Report	
	Finance Delinquency Report & Charts	
	Homeless Initiatives	
	Homeownership	
	Housing Choice Voucher	
	Human Resources and Facilities	
	Information Technology	
	2021 Board Calendar	
	Adjourn (VOTE)	All



Minutes of the Board of Commissioners Meeting May 18, 2021

MEETING CONVENED

A regular meeting of the Board of Commissioners for MaineHousing convened on May 18, 2021 virtually. Notice of the meeting was published on May 7, 2021 in Central Maine newspapers.

Chair Lincoln Merrill called the meeting to order at 9:00 a.m. Director Dan Brennan and Commissioners Laura Buxbaum, Kevin Joseph, Bonita Usher, Brian Hubbell, John Wasileski, Nancy Harrison and State Treasurer Henry Beck, all attended via video conference because of COVID-19. There were no other persons at their locations. There was a quorum present.

PUBLIC ATTENDANCE

Guests and staff present for all or part of the meeting included: Linda Uhl, Chief Counsel; Peter Merrill, Deputy Director; Denise Lord, Senior Director of Communications and Planning; Troy Fullmer, Manager of HEAP; Daniel Drost, Director of Energy and Housing Services; Cara Courchesne, Communications Coordinator; Linda Grotton, Director of Audit and Compliance; Jane Whitley, Director of Human Resources and Facilities; Erik Jorgensen, Director of Government Relations; Craig Reynolds, Director of Homeownership; Tom Cary, Treasurer; Lynn Lugdon, Penquis Community Action Program; Judy Frost, Western Maine Community Action, Inc.; Tracy Thompson, Office of the Maine Attorney General; Tracey Bruyette, an individual from Dover-Foxcroft; Erin Benson, Aroostook County Action Program; and Gerrylynn Ricker, Paralegal and Note taker.

ADOPT AGENDA

Commissioner Joseph made a motion seconded by Commissioner Buxbaum to adopt the May 18, 2021 agenda. The vote carried unanimously.

APPROVE MINUTES OF APRIL 20, 2021 MEETING

Commissioner Usher made a motion seconded by Commissioner Harrison to accept the April 20, 2021 minutes as written. The vote carried unanimously.

COMMUNICATIONS AND CONFLICTS

Commissioner Buxbaum advised the members of a communication she had with Director Brennan regarding a project in Waldoboro. Treasurer of State Henry Beck reported he received a constituent inquiry looking for housing options in Portland, which he will forward to MaineHousing.

CHAIR OF THE BOARD UPDATES

Chair Linc Merrill reported he sent an e-mail to the Commissioners regarding a conversation he had with Director Brennan and his performance evaluation.

DIRECTOR UPDATES

Director Brennan reported issues, his activities and upcoming matters as follows:

- Director Brennan thanked the Commissioners for his performance evaluation and the level of feedback he received.
- The primary focus over the past month has been the Emergency Rent Relief program. The

federal government has issued guidance and is in the process of releasing the additional \$152 million that came under the American Rescue Plan (ERA 2.0). With ERA 1.0, we have served over 4,000 households, utilizing almost \$20 million.

- The Governor has allocated \$50 million for affordable workforce housing out of the American Rescue Plan funds that Governor Mills has at her disposal. Governor Mills wants us to work closely with the Department of Economic and Community Development. We can also use Part E to add to the \$50 million.
- Under the American Rescue Plan, we have \$55 million coming in supplemental heating assistance funds on top of our normal \$37 million.
- Also under the American Rescue Plan we have learned more about the emergency housing choice vouchers. MaineHousing is going to receive 99 vouchers specifically geared towards persons experiencing homelessness.
- Lastly, from the American Rescue Plan, the Homeowners Assistance Fund is being administered out of the Bureau of Consumer Credit Protection and we will assist them as needed.
- We are partnering with the Maine Association of Public Housing Directors on landlord incentives such as helping with security deposits, loss mitigation funds, and a landlord repair program.
- Planning is underway for the annual housing conference. The conference will be virtual on October 20 and 21 - two half days.
- Met with Portland asylum seeker support organizations. There may be some need there for more rental assistance.
- We have launched our first dashboard, Homeownership's. Development's Multi-Family pipeline dashboard and Energy and Housing Services' dashboard are coming along. The Homeless Initiatives dashboard is being done as part of a whole redesign.
- We have issued over \$3 million in youth homeless development program grants.
- We have issued the first waiver of total development costs of a project.
- MaineHousing is going to compete again in the Best Places to Work competition.
- The Federal CDC and the State of Maine have issued new guidance regarding masks. We are in the process of reviewing our current safety and security guidelines and will make adjustments as needed.

CHAPTER 24 – HOME ENERGY ASSISTANCE PROGRAM RULE AND PROGRAM YEAR 2022 PROPOSED STATE PLAN PUBLIC HEARINGS

Chief Counsel Linda Uhl explained that we would hold a hearing on the repeal and the replacement of our Home Energy Assistance Program Rule concurrently with a hearing on the U.S. Department of Health and Human Services LIHEAP fiscal year 2022 State Plan. Chief Counsel Uhl introduced the Commissioners and staff representing MaineHousing. Notice of the hearings was published on our website, sent to interested parties, and published in newspapers statewide on April 28, 2021. The comment period for both the Rule and the State Plan expires Friday, May 28, 2021 at 5:00 p.m. Chief Counsel Uhl opened the hearing at 9:32 a.m. Ms. Uhl asked the Manager of HEAP, Troy Fullmer to describe to the Board the stakeholder process. Tracey Bruyette, an individual from Dover-Foxcroft, Lynn Lugdon of Penquis Community Action Program, and Judy Frost of Western Maine Community Action testified. The public hearings closed at 9:50 a.m.

LEGISLATIVE MATTERS

Deputy Director Peter Merrill described several bills including: A bill that would provide MaineHousing with a Million Dollars from the General Fund to build more housing; a bill that would permit public boards to meet remotely (MaineHousing, FAME, and the Bond Bank already have

statutory authority to attend Board meetings remotely); a bill to increase the real estate transfer tax; a bill to tax vacant apartments to try and create more affordable housing; a State section 8 bill; a bill to create a registry of every apartment in the State of Maine complete with ownership and management information; bills for a number of studies for MaineHousing to do; a bill about creating affordable housing in commercial TIFs; a labor bill on outsourcing; bills on fair housing, prisoners in housing, and student homelessness; a bill to encourage homeownership and forgive student debt; bills to provide shelter funds for operating and administration and capital funding for shelters; bills on radon and arsenic; and several bond proposals for housing as well.

AARP STATE AGING PLAN

Senior Director of Communications and Planning Denise Lord presented a slide show on Maine being designated an Age-Friendly State in 2019. Maine is now part of the AARP's *Network of Age-Friendly States and Communities* and the World Health Organization's *Global Network for Age-Friendly Cities and Communities*. Joining this network is just the first step in a multi-year process. Denise gave the Commissioners an overview of the age-friendly domains: Housing, which includes promoting accessible and affordable housing and strengthening resources that allow Mainers to remain at home; transportation which includes supporting access to transportation and developing alternatives to driving; and natural resource management, outdoor spaces and recreation which includes promoting accessible outdoor recreation areas and safety and succession planning for farmers and woodland owners. Denise went over next steps for working through 2021 including community awareness sessions; a dashboard with correlating data; and periodic steering committee, Maine State Departments, and advisory group meetings.

EMERGENCY RENTAL ASSISTANCE OUTREACH

Communications Coordinator Cara Courchesne informed the Commissioners of the Emergency Rental Assistance Program outreach and marketing efforts. Cara reviewed the different types of marketing. Traditional marketing efforts, including a PSA; state agency support, working directly with MaineCare, Department of Health and Human Services, and Department of Labor: municipalities' general assistance programs; and landlords and property managers. The application and website materials were translated into 8 languages and we created a flyer and one-page document for tenants that were also translated into 8 languages. We provided information to Maine legislators for inclusion in their constituent mailings. Cara listed all the various community outreach agencies that we have worked with. She also went over the targeted outreach and support which includes an overview of the program with landlords. Cara discussed the utility side of the program as well. Cara shared with the Commissioners testimonials of people we have helped.

ADJOURN

Commissioner Usher made a motion seconded by Commissioner Joseph to adjourn the meeting. The meeting was adjourned at 11:50 a.m. by unanimous vote of the Board.

Respectfully submitted,

Kevin P. Joseph, Secretary

Energy & Housing Services Department Memorandum

To: Maine Community Action Partnership- Energy Council
Maine Equal Justice Partners

From: Troy Fullmer, Manager of HEAP *T.F.*

Date: June 15, 2021

Subject: Responses to Testimony and Comments Received Concerning Maine’s Home Energy Assistance Rule (Chapter 24) for PY2022 and the PY2022 HEAP Model State Plan

MaineHousing held a public hearing on May 18, 2021 to receive testimony and written comments on its proposal to repeal and replace the Home Energy Assistance Program (HEAP) Rule (Chapter 24) and the proposed PY2022 HEAP Model State Plan. The comment period was open until 5:00 p.m. (EST) on Friday, May 28, 2021. A summary of the comments/testimonies and MaineHousing’s responses are provided below. A complete transcript of the public hearing is attached hereto.

Testimony from Tracey Bruyette, HEAP Client:

Ms. Bruyette shared that she received a \$21.00 HEAP benefit instead of a regular HEAP benefit; that this was not enough to heat her house; and that she did not understand why all of a sudden, after receiving a regular HEAP benefit for the previous ten years that this change was made. A suggestion was made by MaineHousing Deputy Director, Peter Merrill, to have MaineHousing personnel follow-up with Ms. Bruyette to provide additional information regarding the situation she inquired about.

MaineHousing’s Response: Per the Chapter 24- HEAP Rule, a Household is eligible for a HEAP benefit if on the date of application, the household meets certain eligibility requirements, including, “Has a direct energy cost or indirect determinable energy costs.” In some situations, a household may not have calculated direct energy costs or indirect determinable energy costs. For example, a household may receive a utility allowance to assist with heating costs, that when used in the calculation to determine energy costs, may result in a calculated zero/negative figure. In these instances, a household is not eligible to receive a regular HEAP benefit, rather, they receive a benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program, which is an amount of at least \$20.00. In Maine’s HEAP, this benefit amount is set at \$21.00.

MaineHousing has already proposed a change in the Chapter 24- HEAP Rule to revise the calculation used to determine a household’s heating burden for households that use primary heating systems with electricity as the fuel type. The proposed change will use a percentage of reported electricity costs verses deducting a standard, flat amount. This change will support heating costs calculations being tailored specifically for each household verses a static amount being used. MaineHousing personnel spoke with Ms. Bruyette on May 19,

2021 and shared the above information with her. MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Bruyette.

Testimony from Joann Pierce, HEAP Client:

Ms. Pierce shared regarding the financial dilemma she experiences as a result of not receiving monthly electrical assistance to help with her monthly electric bills. She said that she qualifies for HEAP and receives \$20.00 of assistance through HEAP per year. She indicates that she is not eligible for ongoing electrical assistance, specifically because she receives subsidized housing assistance. Ms. Pierce references the Electricity Lifeline Program (ELP) and that subsidized housing recipients are not eligible for ELP. Ms. Pierce also shared her understanding and thoughts related to how formulas used to determine electricity use for subsidized housing units are an estimated amount and her concern regarding how the estimates may not consistently align with actual electricity costs.

MaineHousing's Response: Per the Chapter 24- HEAP Rule, a Household is eligible for a HEAP benefit if on the date of application, the household meets certain eligibility requirements, including, "Has a direct energy cost or indirect determinable energy costs." In some situations, a household may not have calculated direct energy costs or indirect determinable energy costs. For example, a household may receive a utility allowance to assist with heating costs, that when used in the calculation to determine energy costs, may result in a calculated zero/negative figure. In these instances, a household is not eligible to receive a regular HEAP benefit, rather, they receive a benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program, which is an amount of at least \$20.00. In Maine's HEAP, this benefit amount is set at \$21.00.

MaineHousing has already proposed a change in the Chapter 24- HEAP Rule to revise the calculation used to determine a household's heating burden for households that use primary heating systems with electricity as the fuel type. The proposed change will use a percentage of reported electricity costs versus deducting a standard, flat amount. This change will support heating costs calculations being tailored specifically for each household versus a static amount being used.

Concerning eligibility for ELP, Central Maine Power (CMP) administers ELP, which is CMP's Low Income Assistance Program (LIAP). Chapter 314- Statewide Low-Income Assistance Program establishes standard design, administration and funding criteria for LIAP, ELP is CMP's LIAP. Per Chapter 314, "Each transmission and distribution utility's LIAP shall be available to its customers who are taking residential electric service on a continuing year-round basis who meet the following eligibility criteria: 1.) The customer or a member of the customer's household must be eligible to receive a LIHEAP benefit; 2.) The customer is not receiving a housing subsidy that limits the household's total housing cost, including utilities, to a fixed percentage of the household's income, with the exception of customers who qualify for participation in the oxygen pump or ventilator program pursuant to section 4(L)(3). These customers are eligible to participate in both the LIAP, as well as the oxygen pump and ventilator programs; and 3.) The customer qualifies for the utility's LIAP." Information available CMP's website: [ELP AMP Customer FactSheet.pdf \(cmpco.com\)](http://cmpco.com) states that LIHEAP eligible households may qualify for ELP if they live in subsidized housing and qualify to participate in the oxygen pump or ventilator program.

Each applicable electricity company determines eligibility for LIAP per Chapter 314. MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Pierce.

Testimony from Lynn Lugdon, Chair, Maine Community Action Partnership- Energy Council:

Ms. Lugdon thanked MaineHousing’s Energy and Housing Services Department (EHS) for everything EHS has done this year to work with the Energy Council. She thanked MaineHousing for helping to support the recommendation for a one-month/30-day income verification period and mentioned how this change will have a positive impact for HEAP applicants. Ms. Lugdon also expressed support for the proposed change to a 1/4 tank reading from an 1/8 tank reading on a standard 275 gallon fuel oil tank as the level that would indicate a household is in a situation warranting Energy Crisis Intervention Program services. Ms. Lugdon also shared information in response to Ms. Bruyette’s testimony regarding HEAP benefit levels, in which Lynn provided some details regarding the proposed heating burden calculation change.

MaineHousing’s Response: MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Lugdon.

Testimony from Judy Frost, Community Services Program Manager, Western Maine Community Action:

Ms. Frost provided additional information and clarity regarding Ms. Lugdon’s remarks regarding the proposed change with the heating burden calculation. Ms. Frost spoke to the concern the Maine Community Action Partnership- Energy Council has had regarding the current calculation deducting a standard \$600 from reported electricity costs for households that heat with electricity, that the Energy Council had suggested deducting 30% of reported electricity costs to account for non-heating electricity use; and that MaineHousing had worked with the Energy Council to see this proposed change moved forward for consideration in an effort to help households served by the Community Action Agencies.

MaineHousing’s Response: MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Frost.

Written Testimony from Joby Thoyalil, Senior Policy Advocate with Maine Equal Justice:

Mr. Thoyalil submitted written testimony and expressed Maine Equal Justice’s (MEJ) appreciation and support of many of the proposed changes within the Chapter 24 Rule and State Plan for PY2022. Mr. Thoyalil shared that MEJ has advocated and continues to advocate for changes to the HEAP in order to make it more efficient and more accessible so that more eligible people can be served by the program.

Recommendation- Instead of replacing the 3-month, or 12-month income verification period with the 1-month/30 day period, allow for all three income periods to be considered: Mr. Thoyalil shared MEJ’s worry about unintended negative consequences for applicants who earn seasonal wages or who otherwise have very

inconsistent earning patterns throughout the year. In these situations, a worker may appear to be over-income when looking at just one month of earnings, when that month may not be representative of their yearly average income.

MaineHousing's Response: The proposed change to move from 3-month or 12-month income verification periods to a 1-month/30-day income verification period was put forward as requested by Community Action Agencies. This change will simplify the process and be supportive of many households applying for HEAP. Households that have income from self-employment will continue to report out on income made in a 12-month period. Households that are over income eligibility limits can reapply for HEAP if/when they have a change with their income. This is the current practice and will continue even if the proposed change to the 1-month/30-day income period is implemented. MaineHousing is not making any changes to the proposed Rule or State Model Plan related to this recommendation.

Recommendation- Continue efforts to integrate the HEAP application process with DHHS's ACES system: Mr. Thoyalil shared that MEJ strongly believes that the most efficient way to increase program uptake is to integrate the HEAP application and verification process with the Maine Department of Health and Human Services (DHHS) Automatic Client Eligibility System (ACES). Mr. Thoyalil shared MEJ's appreciation for MaineHousing's and DHHS's efforts to move towards this integration, including the initial step taken to notify applicants of DHHS programs through DHHS's My Maine Connection online application interface, of the existence and availability of assistance through HEAP. MEJ supports and looks forward to implementation of next steps towards allowing people the opportunity to apply for HEAP through DHHS's online program application portal.

MaineHousing's Response: MaineHousing and DHHS have worked closely together since June 2020 to increase visibility of the HEAP for individuals applying for DHHS programming through DHHS's online application. DHHS is committed to having MaineHousing involved in planning for the next phase of DHHS's conversion to a new online application system, to explore having additional questions asked and data shared with MaineHousing to start HEAP applications for individuals who have expressed an interest in applying for HEAP. MaineHousing will continue to work with DHHS towards systems integration and data sharing that will increase efficiency in the HEAP application process for households that apply online for DHHS programs. MaineHousing is not making any changes to the Chapter 24- HEAP Rule or HEAP State Model Plan for PY2022 related to this recommendation.

Recommendation- Utilize categorical eligibility for families who receive TANF cash assistance to address the under-enrollment of families with young children in Maine's HEAP program: Mr. Thoyalil shared that households with children age 5 years and younger represent a considerably smaller share of households receiving heating assistance in Maine than in the nation and other New England states. Mr. Thoyalil shared that all families receiving TANF cash assistance include children and many live in or near deep poverty, meaning their incomes are close to 50 percent or less of the federal poverty level. MEJ stated that determining these families income-eligible for HEAP through

categorical eligibility would greatly reduce the administrative burden of the application process.

MaineHousing's Response: MaineHousing has completed some preliminary research regarding how some other states utilize categorical eligibility for HEAP, and has initiated conversations with Maine DHHS to explore data sharing that would need to occur in order to implement categorical HEAP eligibility for households that receive TANF cash assistance. MaineHousing has focused its attention on working with Maine DHHS to streamline the HEAP application process for households applying online for DHHS services, including the feasibility of data sharing. MaineHousing intends to continue exploring the option of implementing categorical eligibility for HEAP, including continued discussion with Maine DHHS in the coming year. MaineHousing is not making any changes to the Chapter 24- HEAP Rule or HEAP State Model Plan for PY2022 related to this recommendation.

To: MaineHousing Board of Commissioners

From: Troy Fullmer, Manager of HEAP
Linda Uhl, Chief Counsel

Date: June 8, 2021

Subject: Adoption of Home Energy Assistance Program Rule and FFY 2022 State Plan

At your meeting on June 15, 2021, we will ask you to repeal the existing Home Energy Assistance Program Rule and replace it with the attached Home Energy Assistance Program Rule and to adopt the attached FFY 2022 HEAP State Plan.

As you know, the public hearing was held on May 18, 2021. We continued to receive written comments through the close of business on May 28, 2021. A summary of the comments and staff's proposed responses to the comments begins on page 46 of the Rule contained in your packet.

State law and the Governor's Executive Order on rulemaking state that prior to adopting a final rule, MaineHousing should:

- consider all relevant information available, including, but not limited to, economic, environmental, fiscal and social impact analyses;
- prioritize the health, safety, and welfare of Maine people in conducting these environmental and social impact analyses; and
- consider the extent to which existing law addresses the matter and the rule's impact on the ability of Maine employers to retain and attract a skilled workforce, including by reducing compliance burdens on small businesses in conducting the economic and fiscal impact analysis.

After the Board adopts the attached rule, the rule must be approved by the Attorney General's office pursuant to the Maine Administrative Procedures Act. Upon final approval, the rule will be published by the Secretary of State's office. The State Plan will be submitted to the U.S. Department of Health and Human Services.

Rule

PROPOSED MOTION:

To repeal the existing Home Energy Assistance Program Rule, Chapter 24 of MaineHousing's rules, and replace it with the replacement Home Energy Assistance Program Rule attached to the memo on adoption of the Home Energy Assistance Program Rule and FFY 2022 State Plan from Manager of HEAP Troy Fullmer and Chief Counsel Linda Uhl to the Board of Commissioners dated June 8, 2021.

State Plan

PROPOSED MOTION:

To adopt the FFY 2022 Home Energy Assistance Program State Plan as attached to the memo on adoption of the Home Energy Assistance Program Rule and FFY 2022 State Plan from Manager of HEAP Troy Fullmer and Chief Counsel Linda Uhl to the Board of Commissioners dated June 8, 2021.

INDEPENDENT AGENCIES

MAINE STATE HOUSING AUTHORITY

CHAPTER 24

Home Energy Assistance Program Rule

Summary: The Rule establishes standards for the Home Energy Assistance Program for the State of Maine as administered by the Maine State Housing Authority. The Home Energy Assistance Program provides Fuel Assistance and Energy Crisis Intervention Programs to low-income Eligible Households. The Rule also establishes standards for the HEAP Weatherization, Central Heating Improvement Program, Heat Pump Program, and Supplemental Benefits funded by TANF funds.

1. Definitions.

- A. “Act” means the Maine Housing Authorities Act, [30-A M.R.S.A. § 4701](#) et seq., as it may be amended from time to time.
- B. “Annual Consumption Report” means the annual report Vendors must submit to MaineHousing to report their HEAP customers’ Home Energy deliveries from May 1st through April 30th.
- C. “Apartment” means a Dwelling Unit within a multi-unit building.
- D. “Applicant” means a person listed as a Household member on a Primary Applicant’s Application.
- E. “Applicant Household” means the Household members listed on the Application whose Countable Assets will be considered when determining eligibility for CHIP services. A Household member will be considered to be part of the Applicant Household if they have a familial relationship with or a joint financial account with an occupying owner of the Dwelling Unit. Full time high school students would not be considered Applicant Household members unless they are Primary Applicants.
- F. “Application” means forms and documents completed, signed, and provided by Primary Applicant to determine eligibility for a Benefit and ECIP.
- G. “Application Create Date” means the date an application is taken with the Primary Applicant by Subgrantee personnel.
- H. “Arrearage Management Program (AMP)” means the program to assist eligible low-income residential customers who are in arrears on their electricity bills as defined by [35-A MRSA §3214, sub-§2-A](#), as may be amended from time to time.
- I. “Benefit” means the dollar amount of Fuel Assistance an Eligible Household receives.
- J. “Benefit Return” means a Benefit, partial or whole, returned to MaineHousing.
- K. “Boarder” means a Roomer who is provided meals and is not related by birth, marriage or adoption to the household.
- L. “BTU” means British Thermal Unit.
- M. “Camper” means a trailer, semitrailer, truck camper, or motor home primarily designed and originally

constructed to provide temporary living quarters for recreational, camping, or travel use regardless of modification(s) or length.

- N. “CHIP” means the Central Heating Improvement Program component of HEAP.
- O. “Contractor” means a provider of materials or services to EligibleHouseholds.
- P. “Countable Asset” means a resource that is available to meet the immediate and urgent needs of a Household, and includes: cash and funds on prepaid debit cards, money in a checking or savings account (health savings accounts, educational funds, and burial accounts are excluded), stocks or bonds, U.S. Treasury bills, money market funds, and retirement accounts provided there are no penalties or fees for withdrawals.
- Q. “Close-out” means the reconciliation of receipts and use of all Fuel Assistance and ECIP funds by Vendor. It is Vendor’s responsibility to keep this information by Eligible Household and provide it to MaineHousing upon request.
- R. “Consumption Based” means the method for determining an Eligible Household’s Home Energy consumption using actual energy deliveries as reported by the Vendor.
- S. “Credit Notification Report” means the document sent to the Vendor guaranteeing payment post-delivery for Eligible Households. The Credit Notification Report lists each Primary Applicant’s name, address, Home Energy type, account information, and, as applicable, Benefit or TANF Supplemental Benefit.
- T. “CTE” means to clean, tune, and evaluate a Heating System to ensure safe and efficient operation.
- U. “Date of Application” means the date an Application is received by the Subgrantee.
- V. “Date of Discovery” means the date MaineHousing receives information relating to suspected fraud.
- W. “DHLC” means the design heat load calculation method for estimating Home Energy consumption.
- X. “Direct Energy Cost” means an Energy Cost that is directly paid by the Household.
- Y. “Dwelling Unit” means an occupied residential housing structure with one or more rooms that is used customarily as a domicile for one or more persons, when permanently connected to the required utilities (including plumbing, electricity and Heating Systems) and contains bathroom and kitchen facilities specific to that unit. A Dwelling Unit has its own private entrance from the outside or off an enclosed hallway leading from the outside that does not pass through or offer an open access to any other unit within the structure. A Dwelling Unit does not include a Camper, boat, railroad car, bus, yurt or other structure designed and constructed to provide temporary living quarters.
- Z. “ECIP” means the Energy Crisis Intervention Program component of HEAP.
- Z. “Elderly Person” means a person who is 60 years old or older, or a member of an Indian Tribe who is 55 years old or older.
- AA. “Eligible Household” means a Household that satisfies all eligibility and income requirements of the HEAP Act and requirements of this Rule.
- BB. “Energy Cost” means cost of energy used for heating a Dwelling Unit, Apartment, or Rental Unit.

- CC. “Energy Crisis” shall have the same meaning as set forth in [42 U.S.C.A. §8622\(3\)](#), as same may be amended from time to time. The term "energy crisis" means weather-related and supply shortage emergencies and other household energy-related emergencies.
- DD. “Errors and Program Abuse” means the act of obtaining assistance to which one is not entitled by means of submitting false statements or withholding information pertinent to the determination of eligibility or benefits. Also applies to Vendors who retain Benefits that should be returned or use Benefits for something other than intended purpose.
- EE. “Fuel Assistance” means the component of HEAP that assists Eligible Households with their Home Energy costs.
- FF. “HEAP” means the Home Energy Assistance Program established pursuant to the HEAP Act and the Act.
- GG. “HEAP Act” means [42 U.S.C.A. §8621 et seq.](#), and the regulations promulgated there under, including [45 C.F.R. § 96.1](#) through 96.68 and [45 C.F.R. § 96.80 et seq.](#), all as may be amended from time to time.
- HH. “HEAP Handbook” means the handbook in effect for a Program Year that is used as a resource and guide for the administration of HEAP.
- II. “HEAP Weatherization” means the weatherization component of HEAP that provides Low- cost/no-cost Weatherization Activities and other cost-effective energy-related home repairs or installations.
- JJ. “Heating Season” means the period of time beginning October 1 and ending April 30.
- KK. “Heating Source” means any device used to provide heat to a Dwelling Unit.
- LL. “Heating System” means a permanently installed system that is used to heat the Dwelling Unit. A portable space heater is not considered to be a Heating System.
- MM. “Heat Pump” means a ductless heating system that provides heat by extracting heat from outside air and delivering it indoors as needed.
- NN. “Home Energy” means a source of heating or cooling in residential dwellings as set forth in [42 U.S.C.A. §8622\(6\)](#), as same may be amended from time to time.
- OO. “Household” means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent as set forth in [42 U.S.C.A. §8622\(5\)](#), as same may be amended from time to time.
- PP. “Household Income” means the total income from all sources before taxes and deductions as further defined in this Rule.
- QQ. “Incidental Costs” means costs of services billed to a Household by a Vendor related to the use or delivery of Home Energy including, but not limited to: surcharges, penalty charges, reconnection charges, clean and repair service charges, security deposits, delivery charges, and insurance.

- RR. “Incidental Repairs” means those repairs necessary for the effective performance or preservation of weatherization materials.
- SS. “Indian Tribe” means the Penobscot Indian Nation, the Passamaquoddy Indian Tribe, and the Houlton Band of Maliseet Indians as defined in the Maine Indian Claims Settlement Act, [30 M.R.S.A. §6201 et seq.](#), and the Aroostook Band of Micmacs as defined in the Micmac Settlement Act, [30 M.R.S.A. §7201](#) et seq.
- TT. “Indirect Determinable Energy Cost” means a cost for Home Energy used by the Household that is not directly paid for by the Household. For example, heat included as part of the rent for a Rental Unit.
- UU. “Invitation to Bid” or “Request for Proposals” means the process to solicit bids or proposals to satisfy the requirements of this Rule.
- VV. “Live-in Care Attendant” means a person, not considered part of the household, who; (i) provides needed health/supportive services to a member of the households as documented by a qualified professional; (ii) would not be living in the unit except to provide the necessary supportive services; and (iii) does not contribute financially to the household..
- WW. “Life Threatening Crisis” means the household is currently without heat or utility service to operate a Heating Source or a Heating System.
- XX. “Low-cost/no-cost Weatherization Activities” means those activities authorized pursuant to [10 C.F.R. §440.20](#), as may be amended from time to time.
- YY. “MaineHousing” means the Maine State Housing Authority.
- ZZ. “Manufactured/Mobile Home” means a residence that is constructed at a manufacturing facility on a permanent chassis (i.e. the wheel assembly necessary to transport the residence is removable, but the steel undercarriage remains intact as a necessary structural component) and is transportable in one or more sections, which in traveling mode is 12 body feet or more in width and as erected on site is 600 or more square feet.
- AAA. “Modular” means a residence that is constructed at a manufacturing facility, but not constructed on a permanent chassis, and is transportable in one or more sections on an independent chassis such as a truck or train.
- BBB. “Non-occupying Co-owner” means a person who shares a legal ownership interest in the Dwelling Unit occupied by the Applicant Household. The Non-occupying Co-owner does not reside in the Dwelling Unit being considered for CHIP services.
- CCC. “Notice of Termination of Subgrantee” means a written statement notifying the Subgrantee of the cause and effective date of its termination.
- DDD. “Open Enrollment” means period of time a vendor can request and/or file an application to participate as a contracted Vendor.
- EEE. “Overpayment” means any HEAP benefits paid to, or on behalf of, any Applicant or Household that exceeds the amount the Applicant or Household was eligible to receive.
- FFF. “Person with a Disability” means a person who (1) has a physical or mental impairment that substantially limits one or more of a person’s major life activities; (2) has a physical or mental

impairment that significantly impairs physical or mental health, which means having an actual or expected duration of more than 6 months and impairing health to a significant extent as compared to what is ordinarily experienced in the general population; (3) has a physical or mental impairment that requires special education, vocational rehabilitation or related services; (4) has without regard to severity unless otherwise indicated, absent, artificial or replacement limbs, hands, feet or vital organs; alcoholism; amyotrophic lateral sclerosis; autism, bipolar disorder; blindness or abnormal vision loss; cancer; cerebral palsy; chronic obstructive pulmonary disease; Crohn's disease; cystic fibrosis; deafness or abnormal hearing loss; diabetes; substantial disfigurement; drug addiction; emotional illness; epilepsy; heart disease; HIV or AIDS; kidney or renal diseases; lupus; major depressive disorder; mastectomy; mental retardation; multiple sclerosis; muscular dystrophy; paralysis; Parkinson's disease; pervasive development disorders; rheumatoid arthritis; schizophrenia; speech impairment, and acquired brain injury; (5) has a record of any of the physical or mental impairments described in the foregoing clauses (1) through (4); or (6) is regarded as having or is likely to develop any of the physical or mental impairments described in the foregoing clauses (1) through (4). The existence of a physical or mental disability is determined without regard to the ameliorative effects of mitigating measures such as medication, auxiliary aids or prosthetic devices.

A physical or mental disability or impairment does not include pedophilia, exhibitionism, voyeurism, sexual behavior disorders, compulsive gambling, kleptomania, pyromania, tobacco smoking, or any condition covered under [5 M.R.S.A. §4553, sub-§9-C](#). It does not include psychoactive substance use disorders resulting from current illegal use of drugs, although this may not be construed to exclude a person who has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs or has otherwise been rehabilitated successfully and is no longer engaging in such use; is participating in a supervised rehabilitation program and is no longer engaging in such use; is erroneously regarded as engaging in such use, but is not engaging in such use; or in the context of a reasonable accommodation in employment is seeking treatment or has successfully completed treatment.

- GGG. "Price Protection Plan" means an agreement between Vendor and a customer to purchase Home Energy at an agreed upon price.
- HHH. "Primary Applicant" means a person who signs the completed Application.
- III. "Priority Applicant" means a Household with a direct energy cost as well as a member in a household who is (i) an elderly person, or (ii) has a disability, or (iii) 72 months (6 years) or younger.
- JJJ. "Programs" means Fuel Assistance, ECIP, CHIP, and HEAP Weatherization.
- KKK. "Program Year" means the period of time beginning October 1 and ending September 30.
- LLL. "Rental Unit" means a Dwelling Unit that is rented.
- MMM. "Reporting Vendor" means a Vendor who is contractually obligated to report the Home Energy deliveries the Vendor has made on behalf of an Eligible Household.
- NNN. "Retail Cash Price" means the posted price a Vendor charges for Home Energy per gallon.
- OOO. "Roomer" means a person who qualifies as a separate Household and pursuant to a rental agreement rents no more than two rooms in a Dwelling Unit occupied as separate living quarters and who may, depending upon the rental agreement, be granted privileges to use, but not reside in, other rooms located in the same Dwelling Unit. A Roomer cannot be related by birth, marriage or

adoption to any member of the lessor's Household.

- PPP. "Service Area" means the geographic area, as defined by MaineHousing, within which the Subgrantee operates and administers the Programs.
- QQQ. "Social Security Benefits" means social security income benefits pursuant to Title II of the United States Social Security Act of 1935 and supplemental security income benefits pursuant Title XVI of the United States Social Security Act of 1935, as amended, [42 U.S.C. §1381 et seq.](#), and State supplemental income benefits provided pursuant to [22 M.R.S.A. §3201 et seq.](#), all as may be amended from time to time.
- RRR. "State" means the State of Maine.
- SSS. "Subgrantee" means a public or private nonprofit agency, or municipality, selected by MaineHousing to administer the Programs.
- TTT. "Subsidized Housing" means Households whose rent is based on their income or the subsidy pays for any portion of their mortgage. Housing in which a tax credit or federal/state loan is applied to reduce debt burden on the property is not considered Subsidized Housing. A resident of a residential housing facility including without limitation group homes, homeless shelters, and residential care facilities or a Tenant who pays below market rent or no rent due to the landlord receiving a federal or state subsidy for rent is living in Subsidized Housing.
- UUU. "Supplemental Benefits" means the benefits that are funded with supplemental HEAP funds (beyond the original grant award).
- VVV. "Supplemental Nutrition Assistance Program (SNAP)" means the nutrition assistance program administered by the United States Department of Agriculture. The goals of SNAP are to improve participants' food security and their access to a healthy diet.
- WWW. "TANF" means payments under the Temporary Assistance for Needy Families program as defined in [22 M.R.S.A., Chapter 1053-B, § 3762 et seq.](#), as same be amended from time to time.
- XXX. "TANF Supplemental Benefits" means the benefits that are funded with TANF funds pursuant to [22 M.R.S.A., Chapter 1053-B, § 3769-E.](#)
- YYY. "Tenant" means an Applicant who resides in a Rental Unit or Apartment.
- ZZZ. "Vendor" means an energy supplier that has entered into a Vendor Agreement with MaineHousing to provide Home Energy to Eligible Households.
- AAAA. "Vendor Agreement" means a signed agreement between MaineHousing and a Vendor that contains terms and conditions by which the Vendor will provide Home Energy to Eligible Households.
- BBBB. "Vendor Voucher Report" means the document sent to the Vendor that lists Eligible Households' Benefits, including each Primary Applicant's name, address, phone number, Benefit amount, Home Energy type, account information, and Subgrantee.
- CCCC. "Watch List" means the MaineHousing list of Vendors that will not receive payment in advance for Eligible Households' Benefits. In the event MaineHousing determines, in its sole judgment, based on Vendor's actions or omissions or other information obtained by MaineHousing directly

or from any third party, that such actions, omissions or other information raise issues concerning Vendor's continued ability to make Home Energy deliveries or otherwise comply with the terms of the Vendor Agreement, or that Vendor's performance is out of compliance with the requirements of the Vendor Agreement, MaineHousing may, in its sole discretion, place Vendor on this list.

DDDD. "Weatherization Assistance Program (WAP)" means the program enabled and funded by the federal Energy Conservation in Existing Buildings Act of 1976, as same may be amended from time to time. Its purpose is to increase the energy efficiency of dwellings owned or occupied by low-income persons, reduce their total residential energy expenditures, and improve their health and safety.

EEEE. "Weatherization Materials" shall have the same meaning as set forth in Part A of the Energy Conservation in Existing Buildings Act of 1976, [42 U.S.C. §§6861, 6862\(9\)](#), as same may be amended from time to time.

2. Application.

- A. An Applicant may have only one certified eligible standard Application and/or one ECIP Application per Program Year.
- B. An Applicant may resubmit a new Application if the Household's Application has either been denied or withdrawn any time prior to the issuance of a Benefit.
- C. The Application will be processed in accordance with the requirements of this Section:
 1. The Subgrantee will begin taking Applications as prescribed by MaineHousing each Program Year.
 2. A Subgrantee will continue taking Applications until July 15 (or the first business day following July 15 if it falls on a weekend) of the Program Year.
 3. The Subgrantee shall accept Applications during normal business hours, which shall consist of a minimum of thirty (30) hours during each week through April 30 and a minimum of eight (8) hours during each week May 1 through July 15 of the Program Year.
 4. The Subgrantee must use forms provided or approved by MaineHousing to administer the Programs. Additional forms may be used by the Subgrantee provided the forms have been reviewed and approved by MaineHousing. Forms will be submitted for review and approval annually prior to the commencement of taking applications each program year.
 5. The Subgrantee will make a reasonable and good-faith effort during the first ninety (90) days it takes Applications to interview, process, and serve Priority Applicants who have a Direct Energy Cost.
 6. The Subgrantee will make a reasonable and good-faith effort to conduct outreach activities and process applications for any Household that has wood as its primary Home Energy source within the first ninety (90) days of taking Applications for the Program Year.
 7. At Applicant's request, and as otherwise appropriate, the Subgrantee must make

reasonable accommodations for a Person with a Disability.

8. Any Applicant may apply via telephone. The telephone Application process includes completing the Application over the telephone with the Subgrantee administering the Programs in the Service Area in which the Household resides; the Subgrantee mails the completed Application and other appropriate documents to the Primary Applicant for review, signature, and date.
9. Limited English Proficiency (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the HEAP program. In order to address this concern Subgrantees must comply with MaineHousing's Language Assistance Plan.
10. Application must be made with the Subgrantee administering the Programs in the Service Area in which the Household resides. In the event an Application is received by a Subgrantee for a Household residing in a Service Area other than the Subgrantee's designated Service Area, the Subgrantee shall notify the Primary Applicant of the error and forward the Application and supporting documentation to the applicable Subgrantee.
11. Primary Applicant is responsible for providing all information necessary to establish the eligibility of a Household. The Subgrantee must verify the income and identity of the Applicant(s) as prescribed by HEAP Handbook.

The Subgrantee shall verify Primary Applicant's identity by requesting a government-issued, photo identification card. One of the following is acceptable to establish the identity of the Primary Applicant:

- a. Driver's license;
 - b. State issued ID card;
 - c. Passport or passport card;
 - d. U.S. Military ID; or
 - e. SNAP electronic benefit transfer (EBT) card with photo.
12. All Applicant(s) two years of age or older must provide proof of their Social Security Number (SSN). One of the following documents is acceptable provided it contains all nine digits of the Applicant's SSN and the Applicant's full name:
 - a. Social Security Card issued by the Social Security Administration;
 - b. SSA 1099 tax form;
 - c. Non SSA-1099 tax form;
 - d. Medicare card with number ending with the suffix "A";
 - e. Valid unexpired U.S. Military documents such as DD Form 214 Certificate of Release or Discharge from Active Duty issued by the U.S. Department of Defense;

- f. Bank tax form; or
- g. W-2 (wage and tax statement).

If the Household includes a child under the age of two who has not received a SSN, the Application is processed. However, the Primary Applicant must provide the child's SSN for subsequent Program Year Applications.

If a Household member is not a U.S. citizen, Applicant must provide a Social Security card issued by the Social Security Administration or an unexpired foreign passport with a valid unexpired U.S. Visa affixed accompanied by the approved I-94 form documenting the Applicant's most recent admittance into the United States, and documentation of Applicant's status as a qualified alien pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, [8 USC §1641](#), such as a legal permanent resident, a refugee, an asylee, an individual paroled into the U.S. for a period of at least one (1) year, an individual whose deportation has been withheld, or an individual granted conditional entry.

13. As part of the application process all Applicants 18 years of age or older must sign a release to grant permission to share their personal information, as follows:

- a. Maine Department of Health and Human Services, the Maine Department of Labor, and the Social Security Administration to share information with the Subgrantee or MaineHousing regarding information relevant to the Application about the Applicant at each of those agencies, including the benefits received from each of those agencies.
- b. Subgrantee and MaineHousing to provide information to and obtain information from the agencies listed above or others as needed to determine and confirm eligibility for MaineHousing programs and other programs administered by the Subgrantee.
- c. Subgrantee and MaineHousing to disclose Applicant information for the determination of eligibility for programs administered by State, federal, and local agencies.

D. The information on an Application may be considered conflicting if it is inconsistent with verbal information provided by an Applicant, with other information on the Application, with prior Program Year Applications, or with information received from a third party.

- 1. No information received from a third party, other than a government agency, will be used to determine eligibility, unless it is verified by an independent, reliable source.
- 2. In the case where an Applicant's eligibility is in question because of conflicting information received from a third party, the Subgrantee or MaineHousing shall allow the Primary Applicant an opportunity to amend the current Application or reaffirm the information on it. Primary Applicant may also withdraw Application at any time (prior to payment of Benefit). A new Application (rather than amended) would be required should an Applicant pursue assistance after withdrawal.
- 3. If the Primary Applicant elects not to amend the Application, eligibility shall be based on information contained in the Application and documentation provided by the

Primary Applicant, documentation provided by a government agency, or information verified by other sources.

4. If verified information results in the Household being ineligible or determines the existence of Errors and Program Abuse or willful misrepresentation, the Application may be subject to denial or termination of Benefits.

E. The Subgrantee will certify or deny an Application within thirty (30) business days from the Date of Application.

1. Written notification of eligibility will be sent to the Primary Applicant within (10) ten calendar days of the decision or when funding is available, whichever is later. The benefit notification shall:
 - a. State the Benefit amount;
 - b. State the date the Benefit or a Credit Notification was sent to the Vendor;
 - c. State the approved Home Energy type;
 - d. State the manner by which the Primary Applicant can request an appeal, if applicable.
2. Written notification of denial must be sent to the Primary Applicant within (3) three business days whether funding is available or not. The denial notification shall:
 - a. State the facts surrounding the decision;
 - b. State the reason(s) for the decision;
 - c. State the manner by which the Applicant can request an appeal.

A denial for missing information will be rescinded if the required information is received by the Subgrantee within (15) fifteen business days from the date of the denial notification.

3. Eligibility.

- A. Except as may be expressly provided for elsewhere in this Rule, eligibility shall be determined on the basis of information submitted by the Primary Applicant as of the Date of Application. MaineHousing and Subgrantees reserve the right to ask for additional or clarifying information from Primary Applicant, Applicant(s), or third parties to determine eligibility.
- B. A Household may be eligible for Supplemental Benefits or TANF Supplemental Benefits if available.
- C. MaineHousing uses the federal Poverty Income Guidelines and State Median Income Guidelines as reported annually by the United States Department of Health and Human Services. MaineHousing reserves the right to manage the Programs within those guidelines when determining benefits. MaineHousing will determine eligibility based on the availability of federal funding for the Programs during each Program Year.
- D. Dwelling Unit Eligibility.

1. The Dwelling Unit must have a functioning Heating System. If the dwelling does not have a functioning Heating System, the Subgrantee may certify the Application for CHIP only provided the Application is complete and all applicable documentation has been provided.
2. If the dwelling is not permanently connected to or serviced by standard utilities such as electricity and water, the Subgrantee will obtain additional documentation to substantiate the Household occupies the dwelling as its primary residence on a full-time/year-round basis.
3. Applicants residing in Subsidized Housing with heat included in their rent may be eligible for Fuel Assistance if the Household pays a portion of their rent or utility costs. MaineHousing will issue a Benefit in an amount to maximize benefits under SNAP.
4. An Applicant who is self-employed and uses part of their Dwelling Unit for business may apply for the Programs. Benefits will be determined based on the rooms occupied and used by the Applicants as a residence; that part of the Dwelling Unit designated for business use will not be included.
5. Applicants who reside in hotels and motels may be eligible for Fuel Assistance if the Household provides documentation that the hotel/motel has been their permanent residence for at least sixty (60) days prior to the Date of Application.
6. If a Household's Application has been certified eligible, but all Applicants move to Subsidized Housing with heat included or an ineligible Dwelling Unit prior to the Benefit being paid, Household may not be eligible for the entire Benefit depending on Date of Application and Home Energy use during current Program Year.
7. A Household is not eligible for Programs when the Household resides in a Camper, regardless of any and all modification(s) or length, boat, railroad car, bus, yurt or other structure designed and constructed to provide temporary living quarters.

E. Household Eligibility.

1. A Household is eligible for a Benefit if, on the Date of Application:
 - a. it is a full-time resident of the State and resides, intends to reside, or has resided in a Dwelling full-time for at least four (4) months during a Heating Season and;
 - b. it has a Direct Energy Cost or Indirect Determinable Energy Cost.
2. Pursuant to definition of Household, Eligible Household Members may also include:
 - a. aliens who have obtained the status of an alien lawfully admitted for temporary residence under Section 210 of the Immigration and Nationality Act by approval of an application and are categorized as Special Agricultural Workers (SAW) who perform seasonal agricultural work during a specified period of time;

- b. an alien who has obtained the status of an alien lawfully admitted for temporary residence under Section 245A of the Immigration and Nationality Act by approval of an application and who is aged, blind and/or disabled as defined in Section 1605 of the Social Security Act ([Public Law 74-271](#)) or Cuban or Haitian aliens as defined in [Public Law 96-422](#), Section 501 (e). Applicants are considered eligible if they have a Social Security card issued by the Social Security Administration, Green Card or show permanent Residents (I-551 Alien Registration Card, Passport, I-688B Employment authorization card, I-766 Employment Authorization Document, I-94 with R-1 or R-2 status designation). I-94 documents with no status designated only show permission to enter the U.S. but do not establish residency;
 - c. Eligible minor children residing with ineligible non-citizens;
 - d. a member of the Household who is away from the home part of the time is included as a Household member and their income must be included on the Application;
 - e. a live-in care attendant will be considered part of the Household if the live-in care attendant does not meet the definition of a Live-in Care Attendant in Section 1 of this Rule.
3. A full-time college student, up to age 23 years old, who is a dependent of the Household and resides in the Dwelling Unit on the Date of Application, may be excluded from the Household if the Primary Applicant chooses as long as the college student is not the Primary Applicant. If excluded from the Household, his or her income would not be counted. The Applicant must provide proof of student status and enrollment at a university, vocational college, business college, or other accredited institution for twelve (12) credit hours or more per semester.
4. If otherwise eligible, Roomers and Boarders are eligible for a Benefit to the extent such Applicants prove that the rental arrangement giving rise to their Roomer or Boarder status was in existence for at least sixty (60) days prior to the Date of Application. At a minimum, such proof shall include verification that a reasonable market rate rent amount was paid by the Roomer or Boarder pursuant to the terms and conditions of the rental agreement for the entire sixty (60) day period. Roomers and Boarders cannot commingle funds or share expenses with lessor's Household.
- F. Eligibility is based on Household Income. Household Income is determined and verified in accordance with the information provided on the Application and verified as part of eligibility determination process.
- 1. Household Income received during the one (1) month or 30-day period preceding the Application Create Date. Primary Applicants must provide pay stubs, or a statement from all current or former employer(s), documenting Household Income received during the one (1) month or 30-day income period prior to the Application Create Date.
 - 2. Household Income includes, but is not limited to, the following:
 - a. Wages, salaries, and bonuses before any taxes or deductions;

- b. Self-employment income. Households with self-employment income must use a current year's tax return if filed. If the Household has not filed a current year's tax return then the tax return for the previous year may be used. When supported by a tax return, self-employment income is defined as the total of net income (including net rental income) plus the total net gain from sales of capital goods or equipment plus depreciation. If the Applicant has not filed a tax return for the current or previous year, the Applicant may complete a self-employed income statement/worksheet accounting for the last twelve (12) months of income. Supporting documentation must be provided to substantiate the information on the statement/worksheet. Deductions or expenses related to self-employment income shall not be factored in to the amounts counted as income unless the Applicant provided the complete tax return from the current or prior year;
- c. Social Security Retirement (SS), Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) Benefits;
- d. Unemployment and worker's compensation and/or strike benefits from union funds;
- e. Spousal support or alimony received by an Applicant, or mortgage/rent payments in lieu of or in addition to payments;
- f. Court ordered or voluntary child support payments received by an Applicant, or mortgage/rent payments in lieu of or in addition to support payments;
- g. Military allotments (pay);
- h. Veteran's Benefits;
- i. Other support from an absent family member or someone not living in the Household excluding loans;
- j. Income of person living in the Household who is a non-qualified alien and 18 years of age or older;
- k. Government employee pensions, private pensions, and regular annuity payments;
- l. Income from dividends, rents, royalties, estates, trusts, and interest. Interest income under \$200.00 must be included as income, but does not need to be supported by documentation;
- m. Net rental income, including funds received from Roomers and Boarders;
- n. Winnings from any source of gambling or gaming is considered income including, but not limited to private gambling, lottery, horse racing, bingo, etc.
- o. TANF including Gap, and Pass-Through, or any other regular support from a government or private agency;
- p. Jury duty fees;

3. Exemptions from Household Income include:
 - a. Assets drawn down from financial institutions;
 - b. Foster care payments;
 - c. Adoption assistance;
 - d. In-kind payments to an Applicant in lieu of payment for work, including the imputed value of rent received in lieu of wages or items received in barter for rent;
 - e. Capital gains (for business purposes);
 - f. Income from the sale of a primary residence, personal car, or other personal property;
 - g. Tax refunds;
 - h. One-time insurance payments;
 - i. One-time compensation for injury;
 - j. Non-cash income such as General Assistance voucher payments, the bonus value of food and fuel produced and consumed on farms, and the imputed value of rent from owner-occupied farm housing;
 - k. Bank loans, reverse mortgages, and home equity loans;
 - l. Reimbursement for expenses incurred in connection with employment;
 - m. Reimbursement for medical expenses;
 - n. Any funds received for education from grants, loans and scholarships, and work study;
 - o. Retroactive payments and overpayment adjustments from an entitlement program for a time period outside of the period being considered for HEAP eligibility (i.e. worker's comp, Social Security Benefits, etc.);
 - p. Income earned by an Applicant who is a full time high school student;
 - q. Income earned by a full-time college student who is not counted as a Household member pursuant to Section E.3 of this Rule;
 - r. Combat zone pay to the military;
 - s. Credit card loans/advances;
 - t. All income used to fulfill a Social Security Administration Program to Achieve Self-Sufficiency (PASS);
 - u. Federal payments or benefits excluded by law as set forth below:
 1. Payments received under Title II of the Uniform Relocation Assistance

and Real Property Acquisition Policies Act of 1970 (84 Stat. 1902, [42 U.S.C. 4636](#)).

2. Payments of land settlement judgments distributed to or held in trust for members of certain Indian Tribes under Public Laws [92-254](#), [93-134](#), [93-531](#), [94-114](#); [94-540](#), [97-458](#), [98-64](#), [98-123](#) and [98-124](#).
3. Funds available or distributed pursuant to [Public Law 96-420](#), the Maine Indian Claims Settlement Act of 1980 ([25 U.S.C. 1721 et. seq.](#)) to members of the Passamaquoddy Tribe, the Penobscot Nation and the Houlton Band of Maliseet Indians.
4. The value of the allotment provided a household under the Supplemental Nutrition Assistance Program ([7 U.S.C.A. 51](#)).
5. The value of assistance to children as excluded under the National School Lunch Act ([42 U.S.C. 1760\(e\)](#)) and under the Child Nutrition Act of 1966 ([42 U.S.C. 1780\(b\)](#)).
6. The value of commodities distributed under the Temporary Emergency Food Assistance Act of 1983 ([Public Law. 98-8](#), [7 U.S.C. 612c](#)).
7. Allowances, earnings and payments to individuals participating in programs under the Workforce Innovation and Opportunity Act <https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/wioa-reauthorization.html>
8. Program benefits received under the Older Americans Act of 1965 ([42 U.S.C. sub-section 3020\(a\)\(b\)](#)) as wages under the Senior Community Service Employment Program (SCSEP).
9. Payments to volunteers under the Domestic Volunteer Service Act of 1973 ([Public Law 93-113](#), [42 U.S.C. 5044](#)).
10. The value of any assistance paid with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, Section 101 of the Housing and Urban Development Act of 1965, or Title V of the Housing Act of 1949.
11. The tax-exempt portions of payments made pursuant to the provisions of the Alaska Native Claims Settlement Act ([Public Law 92-203](#), [43 U.S.C. 1620\(a\)](#)).
12. Payments for supportive services or reimbursement of out-of-pocket expenses made to individual volunteers serving as foster grandparents, senior health aides, or senior companions, and to persons serving in the Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE) and any other programs under Titles II and III, pursuant to Section 418 of [Public Law 93-113](#).
13. Any wages, allowances or reimbursement for transportation and

attendant care costs, unless accepted on a case-by-case basis, when received by an eligible handicapped individual employed in a project under Title VI of the Rehabilitation Act of 1973 as amended by Title II of [Public Law No. 95-602](#).

14. All student financial assistance including the following programs funded under Title IV of the Higher Education Act as amended:
 - a. Pell Grants;
 - b. Supplemental Educational Opportunity Grants;
 - c. Grants to States for State Student Incentives;
 - d. Special Programs for Students from Disadvantaged Backgrounds;
 - e. Special Programs for Students Whose Families are Engaged in Migrant and Seasonal Farm work;
 - f. Robert C. Byrd Honors Scholarship Program;
 - g. Assistance to Institutions of Higher Education;
 - h. Veterans Education Outreach Program;
 - i. Special Child Care Services for Disadvantaged College Students.
 - j. Payments to veterans for Aid and Attendance benefits.
4. For any Applicant who pays court ordered child support, the Subgrantee will deduct paid and documented child support payments made during the income period from the Applicant's gross income.
- G. For any Household found ineligible due to being over income, the Subgrantee will deduct paid and documented medical expenses not reimbursed for the income period from the gross income in an amount only enough to make Household eligible. Medical expenses may include medical and dental insurance premiums and transportation to medical appointments. Subgrantees will use Internal Revenue Service Publication 502, as same may be amended from time to time, to identify eligible medical and dental expenses.
- H. Primary Applicants may be required to refund any Overpayment. A Household's Eligibility to receive benefits from Programs is contingent on the resolution of any Overpayment.
 1. MaineHousing will recoup all outstanding Overpayments from any current or future Benefits until the Overpayment is paid in full. MaineHousing will recoup 50% of a Household's current Program Year's Benefit and 50% of a Household's future Program Years' Benefits until the Overpayment has been paid in full.
 2. The Household will be eligible for ECIP if they have entered into and are in compliance with the terms of a repayment agreement with MaineHousing to resolve the Overpayment or the Overpayment has been paid in full.

3. The Household will not be eligible to receive benefits under the Weatherization Assistance Program or CHIP until the Overpayment is paid in full.

4. Benefit Determination.

- A. Benefits are determined to ensure that Eligible Households with the lowest income and the highest Energy Cost in relation to income, taking into account family size, will receive a higher Benefit.
- B. Tenants residing in Subsidized Housing with heat included in their rent, who pay a portion of their rent or utility costs, are only eligible to receive a Benefit in an amount to maximize benefits under SNAP.
- C. MaineHousing, or the Subgrantee as allowed by MaineHousing, will assign a number of points to an Eligible Household that correlates to their Energy Costs. The number of points will be adjusted by an assigned percentage that correlates to the Eligible Household's poverty level. The adjusted number of points will then be multiplied by a dollar value based on the amount of the federal HEAP grant received and the number of Eligible Households served in the previous Program Year, the average Energy Cost for an Eligible Household in the previous Program Year, any anticipated increase or decrease in the federal HEAP grant to be received in the current Program Year, and any anticipated increase or decrease in average Benefits or the number of Eligible Households.

MaineHousing will announce the actual dollar value of Consumption Based and DHLC points no later than the fifteen (15) calendar days following receipt of the federal HEAP grant award.

1. The number of points assigned to an Eligible Household will be determined pursuant to the following:

Calculated or Reported Energy Cost	Points
\$.01-\$400	5
\$401-\$800	10
\$801-\$1200	15
\$1201-\$1600	20
\$1601-\$2000	25
\$2001-\$2500	30
\$2501 and over	35
Calculated or Reported Energy Cost falling between brackets will be rounded to the next higher or lower dollar amount, as appropriate. For example: \$400.01-\$400.49 will be rounded to \$400; \$400.50-\$400.99 will be rounded to \$401.	

Poverty Level as Calculated under the Federal Poverty Income Guidelines (FPIG)	Percentage of Points
0%-25%	130%
26%-50%	120%
51%-75%	110%
76%-100%	100%
101%-125%	90%
126%-150%	80%
>than 150% FPIG but not exceeding the maximum of the greater of 150% FPIG or 60% state median income	70%

Calculated poverty level amounts falling between brackets will be rounded to the next higher or lower amount. For example: income at 75.1% will be rounded to 75%; income at 100.6% will be rounded to 101%.

All final point results that are fractional will be rounded up to the nearest whole number.

2. Calculating Energy Costs. Energy Costs are calculated by the Consumption Based or DHLC method.
 - a. Consumption Based. Energy Costs will be based on the Eligible Household's actual Home Energy deliveries, as reported on the Annual Consumption Report, for the primary Heating System as declared on the Eligible Household's Application.
 1. If the primary Heating System is electric, Energy Costs will be calculated by deducting 30% of the Household's annual electricity costs as reported by their Vendor on the Annual Consumption Report from the total annual electricity cost as reported by the Vendor on the Annual Consumption Report. The 30% deduction accounts for the non-heating usage of electricity.
 2. If an Eligible Household resides in Subsidized Housing and has a Direct Energy Cost, any annual utility allowance for heating will be deducted from the Eligible Household's Energy Cost reported by the Vendor on the Annual Consumption Report.
 3. If after 30% of annual electricity cost is deducted for non-heating usage of electricity when applicable, and after annual utility allowances for heating are deducted from annual Household Energy Cost reported by the Vendor on the Annual Consumption report, the Household has a calculated energy cost of less than or equal to zero (0), the Household is only eligible to receive a Benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program (SNAP)
 4. Energy Cost will be calculated using the Consumption Based method provided the Eligible Household meets the following requirements:
 - a. The Eligible Household has a Direct Energy Cost and;
 - b. An Applicant occupied the residence for the entire previous Annual Consumption Report period and;
 - c. An Applicant had an eligible Application in the prior Program Year and;
 - d. The Eligible Household purchased all of their Home Energy for their primary Heating System from a Reporting Vendor(s) for the previous Annual Consumption Report period and;
 - e. Reporting Vendor(s) submitted an Annual Consumption Report to MaineHousing that provided the Eligible Household's Home Energy delivery information and;

- f. The Eligible Household’s Energy Costs, as reported by Vendor(s) to MaineHousing, is for their residence only and;
 - g. The Eligible Household’s primary Heating System does not use wood, wood pellets, corn, coal, or bio-bricks.
- b. Design Heat Load Calculation. DHLC shall be used to estimate the Energy Costs for Eligible Households that do not meet the requirements of the Consumption Based method. Under the DHLC, the number of rooms occupied by the Eligible Household shall be multiplied by the number of BTUs needed to heat an average sized room in a Dwelling Unit. That product will then be multiplied by the number of square feet of an average sized room in a Dwelling Unit. Next, that second product will be multiplied by the number of heating degree days of the Service Area in which the Eligible Household’s Dwelling Unit is located. That third product is then divided by one million BTUs. The quotient is then multiplied by the cost of the Eligible Household's primary Home Energy type per one million BTUs. That fourth product is then divided by the efficiency rate of the primary Home Energy type to arrive at the Eligible Household's amount of energy consumption. The cost per one million BTUs and efficiency rate of the Applicant's Home Energy type will be periodically established by MaineHousing. The DHLC is based on the following factors:

1. The total number of rooms in the Dwelling Unit as listed on the Application. Hallways, bathrooms, and closets are not counted in the total number of rooms;
2. An assumed standard room size for the Dwelling Unit type. Standard room sizes and BTUs required to heat a Dwelling Unit vary by Dwelling Unit type because average room size and surface area exposure to the elements vary by Dwelling Unit type. The standard room sizes and BTUs used for each Dwelling Unit type are as follows:

Dwelling Unit Type	Standard Room Size	BTUs
Stick-built/Modular	144 square feet	14.3
Manufactured Home/mobile home	100 square feet	13
Apartment	120 square feet	8.3

3. The heating degree days for the Service Area. Heating degree days are updated annually using data reported by National Weather Stations in Maine.
4. The estimated BTUs required to heat the Dwelling Unit;
5. Average cost per one million BTU. MaineHousing determines the average costs per one million BTU annually. Oil, kerosene, and propane costs are obtained by averaging the costs reported by the Governor’s Energy Office (GEO). Average costs for all other fuel types are based on a representative survey of Vendors’ pricing.

6. The efficiency rate for the primary Home Energy type listed on the Application. The Energy Cost per one million BTU and efficiency rate are based on the primary Home Energy type specified on the Eligible Household's Application.

Home Energy Type	Efficiency Rate
Oil	65%
Kerosene	65%
Propane	65%
Natural Gas	65%
Biodiesel	65%
Electric	100%
Firewood	50%
Corn	60%
Wood Pellets	80%
Bio-bricks	80%

7. For Tenants in Subsidized Housing with a Direct Energy Cost, the annual utility allowance for heating, as provided by property manager on the Subsidized Housing form, must be deducted from the estimated Energy Cost in order to determine the Eligible Household's heat burden.

8. If after annual utility allowances for heating are deducted from annual Household Energy Cost reported by the Vendor on the Annual Consumption report, the Household has a calculated energy cost of less than or equal to zero (0), the Household is only eligible to receive a Benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program (SNAP)

5. Payment of Benefits.

- A. A Primary Applicant shall select a Vendor that will deliver Home Energy to the Eligible Household. Payment of Benefits will be made directly to the Vendor. Except as set forth below, Vendors may be provided the option to choose to receive HEAP Benefits prior to delivery or post-delivery at MaineHousing's discretion.
 1. For payment prior to delivery, MaineHousing, or a Subgrantee as allowed by MaineHousing, will pay a Benefit to the Vendor or within ten (10) business days of the date the Application is certified eligible or when HEAP grant funds are available, whichever is later.
 2. For payment post-delivery, MaineHousing, or a Subgrantee as allowed by MaineHousing, will provide a Credit Notification Report within ten (10) business days of the date the Application is certified eligible or when HEAP grant funds are available, whichever is later. MaineHousing will make payment for HEAP Benefits after the Vendor makes delivery as authorized by MaineHousing.
 3. In the case of wood Vendors, MaineHousing, or a Subgrantee as allowed by MaineHousing, will make payment for a Benefit after the Vendor makes delivery as authorized by MaineHousing and/or the Subgrantee. The Vendor must return a

completed purchase order, including Applicant and Vendor signatures, to MaineHousing, or a Subgrantee as allowed by MaineHousing, within sixty (60) calendar days of the date of purchase order issuance. Receipt of the purchase order must be entered into the MaineHousing database. Contingent on database entry, MaineHousing, or the Subgrantee as allowed by MaineHousing, will make payment within ten (10) business days of the signed purchase order receipt date. If the purchase order is not returned within sixty (60) calendar days of the date of issuance it may be considered void. Extensions may be granted by the MaineHousing on a case-by-case basis.

- B. If there is no Vendor that serves the area in which the Eligible Household resides then MaineHousing, or the Subgrantee as allowed by MaineHousing, may pay Benefits directly to the Primary Applicant.
- C. Payment of Benefits may be made directly to Tenants with an Indirect Determinable Energy Cost.

6. TANF Supplemental Benefits.

- A. Except as may be expressly provided for elsewhere in this Rule, the use and administration of TANF Supplemental Benefits is subject to the standards for HEAP Benefits set forth in this Rule.
- B. Eligibility. A Household may be eligible for a TANF Supplemental Benefit if its Application for HEAP has been certified eligible in the current Program Year and if on the Date of Application:
 - 1. it included at least one member who was under the age of eighteen (18); and
 - 2. it did not reside in Subsidized Housing with heat included.
- C. Benefit Determination. The TANF Supplemental Benefit per Eligible Household per Program Year shall be determined each Program Year by MaineHousing based on the projected number of Households eligible for TANF Supplemental Benefits and available funding.
- D. Payment of Benefits. Except in the case of utility Vendors, MaineHousing will make payment for a TANF Supplemental Benefit after the Vendor makes delivery as authorized by MaineHousing. The Vendor must submit a delivery ticket or invoice to MaineHousing together with a detailed account history showing delivery activity and payment activity from the previous May 1 through the date of the delivery being invoiced. MaineHousing will make payment within ten (10) business days of MaineHousing's receipt and approval of the required documentation.

7. Benefit Returns and Transfer:

- A. Program benefits may not be sold, released or otherwise conveyed, with or without consideration, by the Eligible Household or the Vendor without written authorization from MaineHousing. MaineHousing will only authorize such conveyances when circumstances arise that prevent the Eligible Household from using the Benefit and MaineHousing determines such conveyance is in the best interest of the Eligible Household and is consistent with the intent of the HEAP Act.
- B. Program benefits may be available for reissue or transfer during the Program Year of issue and up until April 30th of the Program Year immediately following when:
 - 1. All Applicant(s) move in State but continue with same Vendor.
 - 2. All Applicant(s) move in State and change Home Energy vendors.

3. Household changes Vendor.
 4. All Applicant(s) move in State from a Dwelling Unit with Direct Energy Cost to a Dwelling Unit with heat included in their rent (not including Subsidized Housing).
 5. All Applicant(s) move in State to Subsidized Housing with Direct Energy Cost.
 6. Household changes Home Energy type.
 7. Primary Applicant has deceased and there are surviving Applicants remaining in the Household (unless surviving Applicant moves in State to a Household that has received a Benefit in the current Program Year).
- C. Household may be required to provide in writing the following in order to receive a Benefit reissue or transfer:
1. Primary Applicant's name.
 2. Previous address.
 3. Current address.
 4. Current phone number.
 5. Current rental agreement or current property tax bill, whichever is relevant.
 6. Current electric/utility company name and account number.
 7. Name on the electric/utility company account.
 8. Primary Heating System and Home Energy type.
 9. Fuel tank location.
 10. Current Home Energy Vendor name, address, and account number.
 11. Primary Applicant's signature and date submitted.

If for any reason the requested documentation is not provided, the reissuance or transfer of Benefits may be delayed and/or Benefits may be forfeited.

- D. Benefits may not be eligible for reissue or transfer when:
1. It is determined that Primary Applicant committed Errors and Program Abuse when completing the Application.
 2. It is determined that there was an Overpayment.
 3. Primary Applicant's permanent residence changes to a nursing home or long term care facility and there are no surviving Applicants remaining in the Household.
 4. All Applicant(s) move to Subsidized Housing with heat included.

5. Primary Applicant moves in State into a Household that has been determined eligible for a Benefit in the current Program Year.
6. The Benefit was issued before the previous or current Program Year.
7. The Benefit was issued the previous Program Year and was not used on or before April 30th of the Program Year immediately following.
8. All Applicant(s) move to an ineligible Dwelling Unit.
9. Primary Applicant has deceased and there are no surviving Applicants remaining in the Household.
10. All Applicants move out of State.

If the Household subsequently moves to an eligible Dwelling Unit, the Benefit may be eligible for reissue provided the Benefit was for the previous or current Program Year.

- E. In the event Vendor receives a Benefit return form requesting the return of Benefits paid to Vendor on behalf of Eligible Households, Vendor shall return such Benefits to MaineHousing within fifteen (15) calendar days of date of Benefit return form. Once the funds are received, MaineHousing will process the reissue or transfer as appropriate within fifteen (15) calendar days.

8. Energy Crisis Intervention Program (ECIP).

- A. A Household may be eligible for ECIP if a Household member's health and safety is threatened by an Energy Crisis situation and the Household does not have the financial means to avert the Energy Crisis. The Subgrantee will determine whether the Household is experiencing an Energy Crisis on the Date of Application.
 1. An Eligible Household is income eligible for ECIP. If a Household has not been certified eligible for a Benefit, the Household's income eligibility for ECIP will be based on one of the following timeframes, whichever allows eligibility:
 - a. The calendar month immediately preceding the Date of Application for ECIP; or
 - b. The thirty (30) days immediately preceding the Date of Application for ECIP.
 2. To determine if Household is in Energy Crisis:
 - a. Reading of 1/4 tank or less on a standard 275 gallon heating oil tank;
 - b. Reading of 25% or less on a propane tank;
 - c. 7-day or less supply for other delivered Home Energy types.
 3. To determine an Energy Crisis with respect to utility terminations:
 - a. Household has received a disconnection notice; and
 - b. Household has exhausted its ability to negotiate and pay the terms of a reasonable

payment arrangement.

B. Allowable expenditures must be related to averting an Energy Crisis and may include:

1. Home Energy deliveries provided the Eligible Household has exhausted any remaining Benefits previously issued to a Vendor on behalf of the Eligible Household;
2. Delivery charges associated with fuel deliveries made against an ECIP benefit and/or an upfront delivery made against a Household's regular benefit to avert an energy crisis situation.
3. Surcharges, reconnection charges, or penalties related to a final utility disconnect notice. Utility costs must be directly related to the operation of the Heating System;
4. Heating System repair, including restart fees;
5. Purchase of space heaters;
6. Temporary relocation provided the Eligible Household is experiencing a Life Threatening Crisis that cannot be averted within 18 hours by one of the above measures;
7. Rental payment assistance provided the Eligible Household is a Tenant whose rent includes heat and is facing eviction due to nonpayment of rent.

C. Unallowable Expenditures:

1. ECIP funds cannot be used if the Household has any other Heating System that is safe, operable and is capable of heating the dwelling adequately during severe cold weather, and has a supply of product for that Heating System.
2. ECIP funds cannot be used to pay for surcharges, reconnection charges, or penalties related to a final utility disconnect when that utility is not required for the operation of the primary Heating System.
3. ECIP funds cannot be used to pay for Home Energy deliveries or Heating System repairs if the Applicant resides in Subsidized Housing with heat included or a Rental Unit with heat included.
4. An Applicant with an Overpayment balance is not eligible for ECIP benefits unless they have entered into and are in compliance with the terms of a repayment agreement with MaineHousing to resolve the Overpayment.

D. The maximum ECIP benefit per Eligible Household per Program Year shall be determined each Program Year by MaineHousing based on Home Energy costs, economic conditions, and available funding.

E. ECIP will be administered pursuant to HEAP:

1. ECIP timeframe is November 1 through the following April 30;
2. Conditioned on the availability of ECIP funds, some form of assistance that will resolve the Energy Crisis, if Household is eligible to receive such benefits, will be provided

within 48 hours after Household has been certified eligible for ECIP;

3. Conditioned on the availability of ECIP funds, some form of assistance that will resolve the Energy Crisis, if Household is eligible to receive such benefits and is in a Life Threatening Crisis situation, will be provided within 18 hours after a Household has been certified eligible for ECIP.
- F. The Subgrantee will provide the Primary Applicant written notice of ECIP denial within three (3) business days.
- G. If a Household receives ECIP and it is subsequently determined that the Household was not eligible, MaineHousing or the Subgrantee may require the Household to repay the amount of ECIP. MaineHousing will recoup all outstanding Overpayments from any current or future Benefits until the Overpayment is paid in full. MaineHousing will recoup 50% of a Household's current Program Year's Benefit and 50% of a Household's future Program Years' Benefits until the Overpayment has been paid in full.
- H. ECIP Payment to Vendors.
1. Except in the case of wood Vendors, MaineHousing, or a Subgrantee as allowed by MaineHousing, will make payment for ECIP after the Vendor makes delivery as authorized by MaineHousing/Subgrantee. The Vendor must return a completed purchase order and a delivery ticket to MaineHousing/Subgrantee. The Vendor must also submit an invoice if the total amount on the delivery ticket is greater than the ECIP purchase order amount or the delivery ticket does not account for all the charges that were approved on the purchase order. Receipt of the purchase order must be entered into the MaineHousing database. Contingent on database entry, MaineHousing will make payment within ten (10) business days of the receipt of the completed purchase order, a delivery ticket, and invoice (if applicable).
 2. In the case of wood Vendors, MaineHousing, or a Subgrantee as allowed by MaineHousing, will make payment for ECIP after the Vendor makes delivery as authorized by MaineHousing/Subgrantee. The Vendor must return a completed purchase order, including Applicant and Vendor signatures, to MaineHousing/Subgrantee. Receipt of the purchase order must be entered into the MaineHousing database. Contingent on database entry, MaineHousing/Subgrantee will make payment within ten (10) business days of the signed purchase order receipt date.
9. Central Heating Improvement Program (CHIP).
- A. Eligibility. A Household may be eligible for CHIP if the Household:
1. is eligible for HEAP Fuel Assistance benefits;
 2. has a household income less than or equal to 200% Federal Poverty Level;
 3. has an eligible Application that was certified within the preceding twelve (12) months; and
 4. does not have a more recent Application that has been certified-denied.

B. Subgrantees shall provide CHIP services based on the following priority order:

1. Eligible Households experiencing an Energy Crisis caused by Heating System malfunction or failure.
2. Non-wood Heating Systems that cannot achieve a minimum steady state efficiency of 70% (as determined by a CTE).
3. Preventative CTE and minor repairs on a non-emergency basis (owner-occupied dwelling units only). Date of the last CTE by a licensed technician must be more than twelve (12) months prior to the initiation of services date.
4. The installation of a Heat Pump.

Eligible Households shall be served on a first-come, first-served basis with respect to each level of priority except when the Subgrantee is providing weatherization services to a Dwelling Unit. In this case, CHIP activities to Eligible Households that enable the Subgrantee to leverage funds may be served first.

C. Subgrantees shall administer and operate CHIP in their Service Areas unless otherwise determined by MaineHousing.

D. Heating System Replacement. Household may be eligible for assistance to replace a Heating System if the Household is eligible for Benefits pursuant to this Rule. The amount of assistance shall take into account the Applicant Household's and Non-occupying Co-owner's Countable Assets.

1. The Applicant Household will be required to contribute toward the cost of replacing the Heating System if the Applicant Household has Countable Assets in excess of \$5,000, or \$50,000 if a member of the Applicant Household is an Elderly Person. The same guidelines apply to Non-occupying Co-owner's Countable Assets.

The overall purpose of these asset limitations is to encourage a Household's contribution to meeting their needs, when possible, and at the same time recognize that household assets represent needed income and insurance against financial calamities, and that it is prudent to retain these assets to some extent.

2. An Applicant Household's contribution shall be determined by subtracting \$5,000 or \$50,000 (whichever is applicable) from its total Countable Assets. That difference will then be multiplied by the Applicant Household's percentage of ownership. A Non-occupying Co-owner's contribution shall be similarly calculated. The maximum CHIP benefit amount shall be determined by subtracting the sum of the Applicant Household's and Non-occupying Co-owner's contributions from the total replacement costs.

E. Rental Units Occupied By An Eligible Household: A life-time maximum benefit of \$400 for an Eligible Household. The maximum allowed in a non-owner occupied multi-family building is the lesser of \$400 times the number of Heating Systems that provide heat to Eligible Households or \$1,600.

F. Life Estates and Life Leases: If an Eligible Household member holds a life estate or life lease interest in and occupies the Dwelling Unit, the Dwelling Unit may be eligible if:

1. the document conferring the Applicant's rights of the life estate or life lease states that the Eligible Household member is responsible for maintaining the Dwelling Unit, or is silent as to who is responsible for maintenance; or
2. the Dwelling Unit is owned by an Eligible Household.

G. Proof of Ownership. The Subgrantee shall verify ownership of all Dwelling Units and Rental Units prior to performing any work. Proof of ownership may include current property tax bill, statement from the local tax assessor, town clerk or similar municipal official, or documentation from electronic registry.

Life estates and life leases require a copy of the document conferring the Applicant's rights.

The Subgrantee must obtain the written permission of the owner of the Rental Unit prior to performing any work on the Heating System unless the Tenant has exercised his or her right under 14 M.R.S.A. Section 6026 to make certain repairs.

H. A Dwelling Unit will not be eligible under CHIP if:

1. Dwelling Unit is a Rental Unit that has received prior CHIP services to the life-time maximum benefit;
2. Dwelling Unit has been designated for acquisition or clearance by a federal, state, or local program or order;
3. Dwelling Unit has been designated for foreclosure;
4. Dwelling Unit is for sale;
5. Dwelling Unit is vacant;
6. Dwelling Unit is uninhabitable as determined by a local municipality, State Agency, MaineHousing, or a Community Action Agency;
7. Dwelling Unit is in poor structural condition making the installation of CHIP services impractical, impossible, or ineffective;
8. Dwelling Unit is in such poor structural condition that the proposed CHIP services would have a longer life expectancy than the Dwelling Unit;
9. Dwelling Unit has been damaged by fire, flood or an act of God and repair of the damage is covered by insurance;
10. There are obvious discrepancies found between the information supplied on the Application and observed conditions during the CHIP process. The Subgrantee must resolve any discrepancies before work can continue;
11. Subgrantee determines the Applicant failed to properly maintain a Heating System that was previously replaced under CHIP.

12. Eligible Households who apply for CHIP services for more than one Dwelling Unit will be subject to additional review to ensure the requested services are consistent with the intent of the program.

I. CHIP Allowable Uses:

1. Cleaning, tuning, and evaluating oil or gas systems;
2. Cleaning, evaluating, and servicing solid fuel systems;
3. Replacing oil or gas burners;
4. Replacing cracked heat exchangers;
5. Replacing oil, gas, electric or solid fuel Heating Systems;
6. Sealing and insulating Heating System pipes or ducts in unconditioned spaces;
7. Installing electrical or mechanical Heating System ignition systems;
8. Replacing or relocating thermostats and anticipator adjustment;
9. Baffling of the combustion chamber;
10. Optimizing the firing rate;
11. Cleaning of the chimney;
12. Smoke Alarms;
13. Fire extinguishers;
14. Carbon Monoxide detectors;
15. Oil tanks;
16. Oil tank gauges;
16. Installation of a Heat Pump;
17. Temporary relocation provided the Eligible Household is experiencing a Life Threatening Crisis that cannot be adequately addressed through ECIP measures;
18. Other measures necessary to bring Heating Systems into compliance with applicable State and local codes and Maine Fuel Board requirements; and
19. Other measures necessary to correct any Heating System problems that pose an immediate threat to the health and safety of the Eligible Household.

J. CHIP Unallowable Uses:

1. Reimbursement or payment for purchases made by or costs incurred by an Applicant.
 2. Replacement of a Heating System if the Dwelling Unit received a prior Heating System replacement funded by CHIP unless the Heating System is near the end of or beyond its estimated useful life as defined by https://www.hud.gov/sites/documents/EUL_FOR_CNA_E_TOOL.PDF
- K. Fuel Switching. As a general guideline, the practice of fuel switching is not allowed. However, if the Subgrantee determines that the switching of a fuel source is warranted, then a written waiver request must be submitted to MaineHousing for review and consideration (on a case-by-case basis) prior to the installation.
- L. Subgrantee must perform a final inspection on all CHIP services for heating system replacement jobs. Inspections will include an evaluation to determine:
1. Compliance with applicable codes;
 2. That all work performed was authorized by the Subgrantee; and
 3. The combustion efficiency level of the Heating System where technically feasible.
- M. Specific Procurement Requirements. Prior to the performance of CHIP services, the Subgrantee shall follow the procedures below:
1. Procurement less than or equal to \$10,000. Procurement of services, including materials, equipment and services from specialized trades, such as electricians, plumbers, masons and oil burner repair people shall be performed in accordance with the following procedures.
 - a. Solicit by phone, email, vendor website, catalog, or price list, or similar means one price quote for the required materials, equipment and services.
 - b. Determine if the quoted price is reasonable based on one or more factors identified by Subgrantee, such as recent purchases of, or research on, goods or services of the same kind or related knowledge or expertise; otherwise, solicit two price quotes by similar means.
 - c. Copies of all procurement records, including basis for the contractor selection and factors used to determine if the quoted price is reasonable, must be retained in the Subgrantee files.
 2. Procurement over \$10,000. Procurement of services, including materials, equipment and services from specialized trades, such as electricians, plumbers, masons and oil burner repair people shall be performed in accordance with the following procedures.
 - a. Perform a price survey for the required materials, equipment and services.
 - b. Make every reasonable attempt to receive price quotations or bids from at least three (3) reputable Contractors and fully document the bid process and all bids received on a survey sheet.
 - c. Purchase the materials, equipment or services from the Contractor whose bid or proposal is the lowest, taking into consideration the Contractor's performance record and other relevant factors. Fully document the selection process.

- d. Copies of all procurement records, including basis for contractor selection must be retained in the Subgrantee files.
3. The Subgrantee must prepare an Invitation to Bid or a Request for Proposal, which:
 - a. Identifies all requirements which prospective bidders must fulfill, including the due dates for bids; and
 - b. Identifies all factors which the Subgrantees will consider in evaluating and awarding bids.
 4. The Invitation to Bid or Request for Proposal must be mailed, faxed or emailed to no less than three (3) prospective contractors who may reasonably be expected to submit a bid.
 5. All bids must be received by the Subgrantee contact person via mail, fax or e-mail prior to a specified time for a bid opening at a specified time and location. All bids received must be kept in a secure location prior to all bids being received and tabulated. In addition, all correspondence relating to the procurement action must be retained in the bid files.
 6. Sole Source Procurement. Subgrantee may solicit a proposal from only one source for one of the following reasons.
 - a. Sole source procurement may be used in the following instances:
 1. Emergency or Urgent Need. An emergency situation or other urgent need exists and only one known source can provide the required goods or services within the time needed. Emergency or urgent situations include, but are not limited to, natural disasters or a Life Threatening Crisis.
 2. Uniqueness. The item or service is available from only one source, based on a reasonable, good faith review of the market for the type of item or service needed.
 3. Inadequate Competitive Proposals. After evaluation of all proposals submitted in a competitive procurement, all proposals are determined to be inadequate.
 - b. Subgrantee shall submit a written statement justifying the use and approval of all sole source procurements, in excess of \$10,000 to MaineHousing for its consideration prior to the installation of services.
 - c. Subgrantee will retain a copy of the solicitation and the proposal received in response, a record of the approval by MaineHousing in Subgrantee's records.

10. HEAP Weatherization.

- A. The purpose of HEAP Weatherization is to reduce Eligible Households' need for Fuel Assistance, particularly those with the lowest Household Incomes that pay a high proportion of Household Income for Home Energy and those that include Priority Applicants.
- B. Using HEAP Weatherization in conjunction with U.S Department of Energy (DOE) funds: If the requirements in this Rule conflict with those required by [10 CFR Part 440](#), DOE requirements

shall have precedence. HEAP Weatherization funds may only be used to weatherize Dwelling Units occupied by Eligible Households.

- C. Weatherization measures must be installed in accordance with the Maine Weatherization Standards, as may be amended from time to time.
- D. Eligibility. A Household may be eligible for HEAP Weatherization if the Household:
 - 1. is eligible for Benefits pursuant to this Rule;
 - 2. has a household income less than or equal to 200% Federal Poverty Level;
 - 3. has an Application certified-eligible within the twelve (12) months preceding the date of the Subgrantee's energy audit of the Dwelling Unit; and
 - 4. does not have a more recent Application that has been certified-denied.

Apart from the eligibility criteria identified in D.1-3., a Household may qualify for HEAP Weatherization if the:

- i. Household's Application was denied solely based on the Household Income exceeding the income limits for Benefits; and
 - ii. Household Income does not exceed the DOE income threshold.
- E. Proof of Ownership. The Subgrantee shall verify ownership of all Dwelling Units and Rental Units prior to performing any work. Proof of ownership may include current property tax bill, statement from the local tax assessor, town clerk or similar municipal official, or documentation from electronic registry.

Life estates and leases require a copy of the document conferring the Applicant's rights.

The Subgrantee must obtain the written permission of the owner of the Rental Unit prior to performing any work.

- F. A Dwelling Unit will not be eligible under HEAP Weatherization if:
 - 1. Dwelling Unit received weatherization services under HEAP Weatherization or another Maine Housing program within fifteen (15) years of the date of Application.
 - 2. Dwelling Unit has been designated for acquisition or clearance by a federal, state, or local program or order;
 - 3. Dwelling Unit has been designated for foreclosure;
 - 4. Dwelling Unit is for sale;
 - 5. Dwelling Unit is vacant;
 - 6. Dwelling Unit is uninhabitable as determined by a local municipality, State Agency, Maine Housing, or a Community Action Agency ;

7. Dwelling Unit is in poor structural condition making the installation of HEAP Weatherization services impractical, impossible, or ineffective;
8. Dwelling Unit is in such poor structural condition that the proposed HEAP Weatherization services would have a longer life expectancy than the Dwelling Unit;
9. Dwelling Unit has been damaged by fire, flood or an act of God and repair of the damage is covered by insurance;
10. There are obvious discrepancies found between the information supplied on the Application and observed conditions during the HEAP Weatherization process. The Subgrantee must resolve any discrepancies before work can continue.

G. Allowable Uses:

1. Weatherization needs assessments/audits;
2. Air sealing and insulation;
3. Storm windows;
4. Heating System modifications/repairs;
5. Heating System replacements;
6. Heating System cleaning, tuning, and evaluating;
7. Compact fluorescent light bulbs;
8. Energy related roof repairs;
9. Major appliance repairs/replacements, including water heaters, provided total cost of the appliances does not exceed 20% of the labor and material costs associated with the installation of energy conservation measure or one appliance if the 20% will not cover the repair/replacement cost of one appliance;
10. Incidental Repairs – per unit average not to exceed 20%;
11. Health and safety measures – per unit average not to exceed \$1,200;
12. Replacement windows and doors are allowable only under exceptional circumstances and only after all other reasonable repair options have been considered and rejected.

H. Fuel Switching: As a general guideline, the practice of fuel switching when replacing Heating Systems is not allowed. However, if the Subgrantee determines that the switching of a fuel source is warranted, then a written waiver request should be submitted to MaineHousing for review and consideration (on a case-by-case basis) prior to the installation.

I. Work on an eligible Dwelling Unit previously weatherized under a MaineHousing program may be reopened if:

1. the reopening occurs within six (6) months of completion of the original weatherization service; and
 2. The reopening is required because the previous service is the proximate cause of an immediate threat to the health and safety of the occupants; or
 3. The quality of weatherization material or its installation is deemed deficient by MaineHousing.
- J. Subgrantees shall administer and operate HEAP Weatherization in their Service Areas, unless otherwise authorized by MaineHousing.
- K. For the purposes of HEAP Weatherization, Subgrantees must conduct a public bid process to secure weatherization contractors at least annually as prescribed by MaineHousing.

11. Heat Pump Program.

- A. The purpose of the Heat Pump Program is to help reduce Eligible Households' overall home energy costs.
- B. Eligibility. A Household may be eligible for the Heat Pump Program if the Household:
1. is eligible for Benefits pursuant to this Rule;
 2. has a household income less than or equal to 200% Federal Poverty Level;
 3. has an Application certified-eligible within the twelve (12) months preceding the date of the Subgrantee's energy audit of the Dwelling Unit;
 4. does not have a more recent Application that has been certified-denied; and
 5. has a working primary heating system.
- C. Proof of Ownership. Ownership of all Dwelling Units shall be verified prior to any work being performed. Proof of ownership may include current property tax bill, statement from the local tax assessor, town clerk or similar municipal official, or documentation from electronic registry.

Life estates and leases require a copy of the document conferring the Applicant's rights.

- D. A Dwelling Unit will not be eligible under the Heat Pump Program if:
1. Dwelling Unit already is equipped with a heat pump;
 2. Dwelling Unit has been designated for acquisition or clearance by a federal, state, or local program or order;
 3. Dwelling Unit has been designated for foreclosure;
 4. Dwelling Unit is for sale;

5. Dwelling Unit is vacant;
6. Dwelling Unit is uninhabitable as determined by a local municipality, State Agency, MaineHousing, or a Community Action Agency ;
7. Dwelling Unit is in poor structural condition making the installation of a heat pump impractical, impossible, or ineffective;
8. Dwelling Unit is in such poor structural condition that the proposed Heat Pump Program services would have a longer life expectancy than the Dwelling Unit;
9. There are obvious discrepancies found between the information supplied on the Application and observed conditions during the HEAP Weatherization process. The Subgrantee must resolve any discrepancies before work can continue.

E. Allowable Uses:

1. Installation of a Heat Pump; and
2. Installation of electric subpanel for heat pump if needed.

12. Administration of the Program.

- A. MaineHousing will prepare and submit to the Secretary of the United States Department of Health and Human Services an annual State Plan for HEAP in conformity with the provisions of the HEAP Act. MaineHousing will notice a public hearing for the purpose of taking comments on the State Plan and will also prepare a transcript of such comments.
- B. HEAP Handbook. The HEAP Handbook is an operations manual for the administration of the Programs. This Ruleshall control in the event of any inconsistency between the HEAP Handbook and this Rule.
- C. General. To the extent practicable, MaineHousing will contract with Subgrantees for the purpose of administering the Programs and may require the Subgrantee to provide benefits in connection therewith, including Supplemental Benefits if such benefits become available during the Program Year, to Eligible Households. MaineHousing may, in its discretion, provide benefits in connection with the Programs and make prepayments, installment payments and advances with or without interest in connection therewith, including without limitation, payment of direct benefits to Eligible Households or Vendors, or may contract with other entities, such as municipalities, to administer the Programs and provide benefits.
- D. Conflict of Interest. No employee, officer, board member, agent, consultant or other representative of Subgrantee, Vendor, or Contractor who exercises or has exercised any function or responsibility with respect to Programs' activities or who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest or benefit from Programs' activities or have an interest in any contract, subcontract or agreement regarding the Programs' activities, or the proceeds there under, which benefits him or her or any person with whom he or she has business or family ties. Subgrantees, Vendors, and Contractors shall notify MaineHousing of any potential conflict of interest.
- E. Confidentiality. Subgrantees, Vendors, Contractors, and their employees and agents shall keep confidential:

Applicant or beneficiary information obtained in the administration of the Programs, including without limitation, an individual's name, address and phone number, household income, assets or other financial information, and benefits received ("Confidential Information").

Subgrantees, Vendors, Contractors, and their employees and agents shall safeguard and protect from disclosure at all times Confidential Information including, without limitation, taking the following steps:

1. Put measures in place to prevent the loss, theft, misappropriation or inadvertent disclosure of Confidential Information.
 2. Encrypt all Confidential Information contained on computers, laptops, and other electronic devices and media used in whole or in part, in the operation or administration of the Programs.
 3. Send e-mail or e-mail attachments containing Confidential Information only if encrypted or only through a secure e-mail server.
 4. Make their employees, officers, agents, contractors, sub-contractors and other representatives who operate or administer any of the Programs or otherwise provide services under the Programs aware that the responsibility to safeguard and protect Confidential Information applies at all times, whether or not they are at a work location during normal business hours.
 5. Limit disclosure to persons with a direct need to know.
- F. MaineHousing will conduct program and fiscal monitoring of Subgrantees and Vendors to ensure compliance with Federal, State, and MaineHousing rules and regulations in a manner consistent with applicable State law, as may be amended from time to time, and the HEAP Act.

13. Subgrantees.

- A. Service Areas. MaineHousing will select at least one Subgrantee to administer the Programs in each Service Area.
- B. Selection of Subgrantees. Subgrantees will be selected annually based on the following criteria:
 1. Experience with providing Fuel Assistance or similar programs to low-income persons;
 2. Current capacity to administer a timely and effective Fuel Assistance program for the intended Service Area;
 3. Demonstrated capacity to adequately serve low-income persons residing in their Service Areas;
 4. The availability of other qualified entities to service a particular area;
 5. The geographic area customarily serviced by the potential Subgrantee;
 6. Cost efficiency in administering a Fuel Assistance program;
 7. The ability to enhance accessibility to other low-income programs administered

- by the Subgrantee;
- 8. Acceptable schedule for taking Applications; and
- 9. The ability to perform outreach activities and serve homebound recipients.

Subgrantees shall make annual, written applications to MaineHousing that address each of the criteria listed above. Subgrantee applications must be received no later than June 1 of each year.

- C. Allocation to Each Subgrantee. MaineHousing will determine the annual allocation of HEAP funds to each Subgrantee, the amount of which annual allocation shall not include any amount of HEAP funds allocated to MaineHousing to pay Benefits in the event MaineHousing elects to provide Benefits directly. MaineHousing may base any allocation determination on the number of Applications certified eligible in the Service Areas in the previous Program Year.
- D. Subgrantee Administrative and Program Expenses. Subgrantees shall be permitted administrative and program expenses necessary to carry out their responsibilities under this Rule and the Programs. Such expenses will be allowed in a manner consistent with the provisions of the HEAP Act and must be reasonable in amount as determined by MaineHousing following its review of the Subgrantee work plans and budgets. Allowable administrative and program expenses for each of the Programs are listed below. Other expenses may be allowed if authorized by MaineHousing before the expenses are incurred.

Fuel Assistance and ECIP	Expense Category
Salary and fringe benefit costs for the actual time an individual performs intake, processing, or eligibility determination functions associated with an active Application	Program
Salary and fringe benefit costs for the actual time an individual participates in administering Fuel Assistance or ECIP and is not performing functions associated with an active Application	Program
Salary and fringe benefits and other related and reasonable costs for specific HEAP and ECIP training and professional development of individuals performing intake, application processing, eligibility determination, and administration of HEAP fuel assistance and ECIP	Program
Space costs/rent, telephone, copier/printing, office supplies, postage, transportation/travel, data processing/computer costs, equipment repairs and maintenance, equipment purchase/lease, and consultants/professional services associated with the above referenced activities.	Program
Indirect costs	Administrative
Salary and fringe benefits and other related and reasonable costs for specific HEAP and ECIP training and professional development for	Administrative

individuals whose salary and fringe benefits are budgeted directly to Administrative Costs or for whom salary and fringe are included in the agency's Indirect Rate	
Salary and fringe costs, space costs, rent, telephone, copying, printing, office supplies, postage, transportation, travel, data processing, computer costs, equipment repairs and maintenance, equipment purchase or lease, consultant fees and professional services associated with the administration of HEAP not included in the agency's Indirect Rate or allowable from program funding	Administrative
HEAP Weatherization, CHIP, and Heat Pump Program	Expense Category
Material/labor costs for Heating system repairs/replacements and measures installed as part of weatherization	Program
Either salary and fringe benefit costs for the actual time staff participates in administering HEAP Weatherization, CHIP, Heat Pump Program or a program management fee established by MaineHousing.	Program
Space costs/rent, telephone, copier/printing, office supplies, postage, transportation/travel, equipment purchase/lease, liability insurance, pollution occurrence insurance, and consultants/professional services.	Program
Indirect costs	Administrative
Assurance 16 Services	Expense Category
Salary and fringe benefit costs for staff providing direct services and the direct administrative costs associated with providing the services, such as the costs for supplies, equipment, travel, postage, utilities, rental and maintenance of office space	Program

- E. Assurance 16 Activities. Subgrantees may submit annual proposals, for MaineHousing's consideration, describing their planned activities and expenses associated with providing services to Applicants pursuant to Assurance 16 of the HEAP Act.
- F. Subgrantee's Responsibilities. The responsibilities of the Subgrantee include, but are not limited to, the following and as further defined in the annual Subgrant Agreement:
1. To conduct client outreach in a manner consistent with the HEAP Act and as prescribed in this Rule.
 2. To accept and verify Applications from Primary Applicants in a manner consistent with provisions of the HEAP Act and as prescribed in this Rule.
 3. To determine Household eligibility in a manner consistent with provisions of the HEAP Act and as prescribed in this Rule.
 4. To pay benefits, if required by MaineHousing, to or on behalf of Eligible

Households in a manner consistent with provisions of the HEAP Act and as prescribed in this Rule.

5. To provide documentation and assistance as needed for MaineHousing to conduct informal reviews and fair hearings.
6. To pay Supplemental Benefits, if required by MaineHousing, if such benefits become available during the Program Year.
7. To use MaineHousing database software and equipment.
8. To address no-heat emergencies.
9. To cost effectively administer and operate the Programs.
10. To prioritize Eligible Households for HEAP Weatherization services in accordance with the HEAT Enterprise software.
11. To coordinate services between Programs.
12. To submit to MaineHousing production schedules for the Programs.
13. To submit to MaineHousing work plans and budgets, monthly status reports and any other such reports or information required in connection with the Programs.
14. To submit to MaineHousing billing information, including zero billings, for open contracts by 20th of each month.
15. To use forms provided or approved by MaineHousing to administer the Programs.
16. To protect personally identifiable information.
17. At Applicant's request, to make reasonable accommodations for a Person with a Disability.
18. To ensure that procurement of materials and services is conducted in a manner to provide open and free competition and to avoid any appearance of impropriety, the Subgrantee shall be bound by general federal procurement principles at [45 CFR §§ 75.327](#) to 75.335 and property management principles at [45 CFR §§ 75.316](#) to 75.323..

G. Recordkeeping, Reporting and Accounting. Subgrantee shall comply with the following requirements:

1. Subgrantee shall maintain comprehensive and accurate documentation, payroll reports, financial statements, and other records in connection with its administration of the Programs, including at a minimum, the amount and disposition of the Programs' funds received by the Subgrantee and the total cost necessary to administer the Programs. Subgrantee shall keep such records separate and identifiable from the records of Subgrantee's other business and activities. MaineHousing and its representatives shall have the right to examine such records at reasonable times upon reasonable notice by MaineHousing. Subgrantee shall furnish copies of any such records requested by MaineHousing. All records must be retained by the Subgrantee for a minimum of three (3) years from the end of relevant contract period. In cases of litigation, other claims,

audits, or other disputes the Subgrantee will retain all relevant records for at least one (1) year after the final disposition thereof.

2. Subgrantee shall comply with all reporting requirements of MaineHousing. Subgrantee shall submit to MaineHousing an annual budget prior to each Program Year. Within ninety (90) calendar days after the close of the Subgrantee's fiscal year, Subgrantee shall furnish to MaineHousing an annual financial statement of Subgrantee, prepared by an independent certified public accountant in accordance with audit requirements at 45 CFR Part 75, Subpart F.

H. Funds for administrative expenses for the Program Year and supplemental funding received, if any, may be spent only between October 1 and the following September 30 of the applicable Program Year, unless otherwise authorized by MaineHousing.

I. Noncompliance.

1. MaineHousing shall have the right to terminate the Subgrantee Agreement in its sole discretion if it determines the Subgrantee has failed to perform one or more of its obligations to include malfeasance or misappropriation of funds. A written Notice of Termination of Subgrantee will set forth the specific violation.
2. For non-compliance other than those which MaineHousing determines are subject to immediate termination, a deficiency notice will be sent to the Subgrantee in the event it fails to comply with any provision of this Rule, the Subgrantee Agreement, the Program Handbook, and the provisions of other applicable law. The Notice will set forth the specific violation and allow a reasonable time period for response by the Subgrantee. Upon review and consideration of any responses, MaineHousing will notify the Subgrantee in writing of any action to be taken and may establish a reasonable time period within which remedial action must be taken. Failure of Subgrantee to comply will result in a Notice of Termination of Subgrantee stating the cause and effective date of its termination.
3. MaineHousing shall have the right to suspend in whole or in part the Subgrantee's performance of one or more services provided under the Agreement whenever MaineHousing determines such suspension is in MaineHousing's best interest.
4. MaineHousing may bar a Subgrantee's participation in programs administered by MaineHousing for its malfeasance or misfeasance with respect to the administration or operation of any of the Programs.

14. Indian Tribes.

- A. Direct Allocation to Indian Tribes. Indian Tribes may receive a direct allocation of HEAP funds from the Secretary of the United States Department of Health and Human Services pursuant to the HEAP Act. The amount of the direct allocation is determined by MaineHousing. In its determination MaineHousing will consider the number of Eligible Households during the previous Program Year that include an Applicant who is a member of the Indian Tribe, when that information is available.
- B. Agreements with Indian Tribes. When an Indian Tribe receives a direct allocation of Fuel Assistance and ECIP, MaineHousing will enter into an agreement with the Indian Tribe that, at a minimum, provides for the coordination of services and administration of the Fuel Assistance and ECIP by

Indian Tribe and Subgrantees to prevent duplication of services.

15. Vendors.

- A. Vendor Eligibility. A vendor interested in becoming a Vendor must demonstrate the capacity and stability of its business to MaineHousing's satisfaction. The vendor must supply a credit report and a business plan. The vendor must be in business for one year prior to becoming a Vendor.

MaineHousing reserves the right to exclude a vendor for the following, not limited to:

1. Any bankruptcies or judgments;
2. Owners and/or officers of vendor were previously owner/officer of terminated Vendor;
3. Failure to comply with Close-Out requirements.

B. Enrollment.

1. Open Enrollment for new vendors: vendors may enter into a Vendor Agreement during the time period as prescribed by MaineHousing. If the vendor does not submit accurate and complete documentation the vendor may not be allowed to participate in the current Program Year.
2. Re-Enrollment for Vendors: Vendors who have a current Program Year contract may enroll as prescribed by MaineHousing. Continued participation is contingent upon performance and compliance with terms of Vendor Agreement.

C. MaineHousing, at its discretion, may terminate any Vendor:

1. That does not comply with the terms and conditions of the Vendor Agreement;
2. That fails to provide documentation and cooperate with any audit/investigation and/or the return of unused Benefits as determined by any audit/investigation. In addition, MaineHousing may undertake any of the following:
 - a. Bar the Vendor from future participation;
 - b. Refer the case to State or federal officials for criminal prosecution or civil action; and
 - c. Pursue other remedies as determined by MaineHousing.

D. Vendors must comply with State law concerning consumer home heating rights, which is described in Office of the Maine Attorney General Consumer Law Guide Chapter 19.

E. Vendor may not consider an Eligible Household's outstanding indebtedness to Vendor in calculating the Retail Cash Price applicable to a delivery of Home Energy to that Eligible Household.

F. Return of Payments.

1. In the event Vendor receives a Benefit Return form requesting the return of Benefits paid to Vendor on behalf of Eligible Households, Vendor shall return such Benefits to MaineHousing, or Subgrantee as allowed by MaineHousing, within fifteen (15) calendar

days of date of Benefit Return form.

2. In the event Vendor becomes aware of any of the events listed below affecting an Eligible Household, Vendor shall within fifteen (15) calendar days of the date that Vendor becomes aware of any such event, submit to MaineHousing a completed Benefit Return form and return any remaining Benefits paid to Vendor on behalf of the affected Eligible Household, unless the remaining Benefits are less than \$25.

Vendor may aggregate any remaining Benefits with a balance less than \$25 and return the balance to MaineHousing when the Annual Consumption Report is submitted. All related recordkeeping must clearly show all remaining benefit balances.

- a. The death of an individual who was the sole member of an Eligible Household;
 - b. The institutionalization of an individual who was the sole member of an Eligible Household;
 - c. Vendor's receipt of a written notice from an Eligible Household that it no longer desires to receive Home Energy deliveries from Vendor;
 - d. An Eligible Household has not received deliveries of Home Energy for twelve (12) consecutive months;
 - e. An Eligible Household has moved out of Vendor's Service Area;
 - f. An Eligible Household has moved out of State;
 - g. Vendor has been paid an excessive Benefit on behalf of the Eligible Household.
3. Vendor shall return to MaineHousing all unused Benefits in its possession or custody, whether directly or indirectly, within fifteen (15) calendar days of the termination of the Vendor Agreement.
 4. With respect to each return of Benefits, the Vendor agrees to provide in writing: the name and address of the Vendor; the name and address of the Eligible Household; the Eligible Household's account number; the Benefit amount being returned; and a concise explanation for the return of funds. In addition Vendor must include a detailed account history showing delivery activity and payment activity from twelve (12) months prior to the date the Benefit was received by Vendor to the current date. Vendor must also provide any other information required by MaineHousing related thereto.
 5. Vendors may refund credit balances to Eligible Households only to the extent that such credit balances can be documented and demonstrated to be the Eligible Household's funds and not Fuel Assistance funds.

G. As part of the Annual Consumption Report process, Vendors must review Eligible Household accounts and identify any remaining Benefits that were issued in or prior to the preceding Program Year. All such unused Benefits must be returned to MaineHousing no later than June 30.

H. Use of Benefits.

1. Program benefits may not be sold, released or otherwise conveyed, with or without consideration, by the Eligible Household or the Vendor without written authorization

from MaineHousing. MaineHousing will only authorize such conveyances when circumstances arise that prevent the Eligible Household from using the benefit and MaineHousing determines such conveyance is in the best interest of the Eligible Household and is consistent with the intent of the HEAP Act.

2. Benefits cannot be used to pay Incidental Costs.
 3. Unless otherwise authorized by MaineHousing, the Vendor may only deliver the product stated on the Vendor Voucher Report, the Credit Notification Report, or the purchase order for wood or ECIP.
 4. Vendor may deliver the entire Benefit if the Household has placed an order (for partial Benefit) or if the Household is on automatic delivery unless:
 - a. The Household advises the Vendor all Applicants are moving;
 - b. The Household advises the Vendor that Household's Heating System has mechanical difficulties;
 - c. The Household's Home Energy storage tanks are either being replaced or do not meet code.
- I. In the case of electricity and natural gas Vendors, the Vendor may apply HEAP Benefit funds received for the account of the Eligible Household to past due charges for Home Energy deliveries to the Eligible Household, with the oldest charges being paid first. HEAP Benefits cannot be applied to Incidental Costs.
- J. Vendor Watch List. In the event MaineHousing determines, in its sole judgment based on Vendor's actions or omissions or other information obtained by MaineHousing directly or from any third party, that such actions, omissions or other information raises issues concerning Vendor's continued ability to make Home Energy deliveries or otherwise comply with the terms of the Vendor Agreement, or that Vendor's performance is out of compliance with the requirements of the Vendor Agreement, MaineHousing may place, in its sole discretion, Vendor on a Watch List.
- K. Prohibited Discrimination. The Vendor is prohibited from discriminating against any Eligible Household regarding the extension of credit to purchase Home Energy or other services, the price of Home Energy or other services, or the terms or conditions of the delivery of Home Energy or other services solely on the basis of its being an Eligible Household.

16. Errors and Program Abuse.

A. Reports of Errors and Program Abuse:

1. Subgrantees must report in writing to MaineHousing suspected Errors and Program Abuse related to Programs.
2. Any individual may report to MaineHousing suspected Errors and Program Abuse related to Programs:
 - a. By telephone at 1-800-452-4668 or (207) 626-4600
 - b. In writing to MaineHousing, ATTN: HEAP Errors and Program Abuse, 353 Water Street, Augusta, Maine 04333

- c. By e-mail to LIHEAPcompliance@mainehousing.org;
- d. Or via MaineHousing’s website at <http://mainehousing.org/contact/info-request-form>

The report must include the name of the person being reported, their county of residence, and details of the suspected Errors and Program Abuse.

- B. MaineHousing will investigate all reported Errors and Program Abuse. If there is documented information to indicate Errors and Program Abuse, MaineHousing may notify the Applicant and provide them an opportunity to respond. Based on the response, MaineHousing will determine what, if any, appropriate action should be taken.
- C. Once Errors and Program Abuse is confirmed or if an Applicant fails to respond to inquiries regarding suspected Errors and Program Abuse, an Overpayment will be calculated and communicated to the Applicant. In addition to the Overpayment, the communication will include: 1) the facts surrounding the decision, 2) the reason for the decision, and 3) the manner by which the Applicant can request an appeal. MaineHousing may investigate the previous three (3) Program Years from the Date of Discovery. The Overpayment may include any or all of those three (3) years.
- D. When calculating an Overpayment MaineHousing will use the HEAP Handbook in effect for the applicable years the Overpayment occurred.
- E. An Applicant may request a fair hearing to dispute an Overpayment. The Applicant must submit to MaineHousing a written request for a fair hearing no later than thirty (30) calendar days from the postmark date of the first notification from MaineHousing of suspected Errors and Program Abuse. All requests for fair hearing shall follow the Rule as set forth in Section 15.
- F. MaineHousing will pursue recouping of Overpayments by any and all of the following:
 - 1. Applicant may pay MaineHousing the full amount an Overpayment.
 - 2. Applicant may enter into a payment arrangement. Minimum monthly payment allowed will be set at \$5.00 a month.
 - 3. Despite the existence of a repayment agreement, MaineHousing will recoup any current and future Benefits to offset against an Overpayment balance. MaineHousing will recoup 50% of a Household’s current Program Year’s Benefit and 50% of a Household’s future Program Years’ Benefits until the Overpayment has been paid in full.
 - 4. MaineHousing will recoup Benefits on account with the Applicant’s Vendor to offset against an Overpayment balance.
- G. When Applicant fails to repay Overpayment, the case may be referred to other parties for additional action.
- H. MaineHousing may close an Overpayment for any of the following reasons:
 - 1. Overpayment has been paid in full.

2. The overpayment is determined to be invalid based on a fair hearing decision or a court decision.
3. All adult persons(s) responsible for Overpayment are deceased.

17. Appeal.

- A. The benefit notification shall:
 1. State the Benefit amount;
 2. State the date the Benefit was sent to the Vendor;
 3. State the approved Home Energy type;
 4. State the manner by which the Applicant can request an informal review, if applicable;
 5. State the manner by which the Applicant can request an appeal, if applicable.
- B. The denial notification shall:
 1. State the facts surrounding the decision;
 2. State the reason(s) for the decision;
 3. State the manner by which the Applicant can request an appeal, if applicable.
- C. The Applicant must submit a written appeal request for an informal review no later than:
 1. Thirty (30) calendar days from the postmarked date of the denial notification;
 2. Thirty (30) calendar days from the postmarked date of the benefit notification;
 3. Ninety (90) calendar days from the Date of Application, if the Application has not been approved or denied; or
 4. Ninety (90) calendar days from the postmarked date of the request for refund of an Overpayment.
- D. Written requests for appeal may be mailed to MaineHousing, 26 Edison Drive, Augusta, Maine 04330; or emailed to LIHEAPcompliance@mainehousing.org.
- E. Informal Review. Informal reviews are intended to provide a minimum hearing requirement and need not be as elaborate as the fair hearing. An Applicant may request, in writing, an informal review for any dispute other than a dispute regarding TANF Supplemental Benefits.

The informal review will be conducted by a person other than the one who made or approved the decision under review or a subordinate of this person. MaineHousing will review the file, conduct necessary research, and give the Applicant an opportunity to present written or oral objections to the decision under review. In rendering a decision MaineHousing will evaluate the accuracy of the calculations, the level of documentation provided by the Applicant, and the accuracy of the decision. MaineHousing will communicate the results of the research/review to the Applicant.

F. Fair Hearing.

Pursuant to the HEAP Act, [42 USC §8624\(b\)\(13\)](#), MaineHousing will provide an Applicant an opportunity for a fair administrative hearing if the Applicant's claim for assistance has been denied or not acted upon with reasonable promptness. MaineHousing will also provide an Applicant an opportunity for a fair administrative hearing if the Applicant disputes the amount of their Benefit or if the Applicant is required to refund an Overpayment.

1. Fair hearings shall be conducted in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375 by the Director of MaineHousing (or his/her designee) or such other contractor selected by MaineHousing. The parties may receive a transcript of the hearing upon payment of the reasonable cost for the production thereof.
2. Within thirty (30) calendar days of the hearing's conclusion the hearing officer will prepare a recommended hearing decision. Copies of the recommended decision will be provided to the appellant.
3. A final decision and order will be made by the Director of MaineHousing in writing within sixty (60) calendar days of receipt of the hearing officer's recommendation. In the event the Director of MaineHousing presides over a hearing, she/he shall render his/her decision and order within sixty (60) calendar days of the hearing's conclusion or sixty (60) calendar days of the recommended decision. The Director's decision and order shall include findings of fact sufficient to apprise the parties of its basis. A copy of the decision and order will be provided promptly to each party to the proceeding or his representative of record. Written notice of the party's right to appeal the decision and other relevant information will be provided to the parties at the time of the decision and order. The decision and order will be implemented by the Subgrantee no later than ten (10) calendar days after receipt if it is in the Appellant's favor and otherwise forty-five (45) calendar days unless stayed on appeal.

G. TANF Supplemental Benefits are not subject to appeal.

18. Additional Provisions.

- A. Other Laws. If this Rule conflicts with any provision of applicable federal or State law, including without limitation the Act and the HEAP Act, such federal or State law shall control.
- B. Additional Requirements. This Rule does not preclude such additional or alternative requirements as may be necessary to comply with the Act and the HEAP Act.
- C. Pool of Eligible Households. This Rule establishes a pool of eligible applicants but does not preclude additional reasonable criteria and does not confer any automatic right or entitlement on any person or entity eligible hereunder.
- D. Availability of Funds. Assistance provided pursuant to this Rule is conditioned on the availability of HEAP funds.
- E. Waivers. Upon determination for good cause, the Director of MaineHousing, or the Director's designee, may, subject to statutory limitations, waive any provision of this Rule. Each waiver shall be in writing and shall be supported by documentation of the pertinent facts and grounds for the waiver.

- F. Final Action. The Director of MaineHousing, individually or by exercise of the delegation powers contained in the Act, shall make all decisions and take all action necessary to implement this Rule. Such action of the Director shall constitute final agency action.

BASIS STATEMENT: This replacement rule repeals and replaces in its entirety the current Home Energy Assistance Program Rule. The rule establishes standards for administering fuel assistance, emergency fuel assistance, TANF Supplemental Benefits, weatherization, heat pumps, and heating system repair and replacement funds to low-income households in the State of Maine. This replacement rule: amends the definitions of “Heat Pump”; revises the calculation used to determine electricity costs for the consumption based method of determining a Benefit; updates the Benefit Matrix including rounding method used in determining poverty level brackets, language regarding heating degree days, and adding a new home energy type; removes reference to using an electronic verification system with the Social Security Administration; changes the fuel tank reading necessary for a Household to be eligible for ECIP; adds information regarding the Heat Pump Program; updates language regarding the amount of time a Household must reside in Maine in order to be considered eligible for HEAP; and changes the income verification period from the previous three (3) or twelve (12) month period to the previous one (1) month or thirty (30) day period. Other changes correct errors or provide clarification to the previous version of the rule.

PUBLIC COMMENT:

Process:

Notice of Agency Rule-making Proposal was published in the Wednesday, April 28, 2021, edition of appropriate newspapers. Additionally, MaineHousing sent the web links to the proposed rule and state plan to interested parties on Wednesday, April 28, 2021, and published the proposed rule on its website on Wednesday, April 28, 2021.

MaineHousing held a public hearing on Tuesday, May 18, 2021, to receive testimony on its proposal to repeal and replace the rule. Written comments were accepted until 5:00 p.m. EST on Friday, May 28, 2021. MaineHousing received testimony from Tracey Bruyette, HEAP Client; Joann Pierce, HEAP client; Lynn Lugdon, Chair with Maine Community Action Partnership’s Energy Council; Judy Frost, Community Services Program Manager with Western Maine Community Action; and written testimony and comments from Joby Thoyalil, Senior Policy Advocate with Maine Equal Justice.

Summary of Comments and Responses to Comments:

Testimony from Tracey Bruyette, HEAP Client:

Ms. Bruyette shared that she received a \$21.00 HEAP benefit instead of a regular HEAP benefit; that this was not enough to heat her house; and that she did not understand why all of a sudden, after receiving a regular HEAP benefit for the previous ten years that this change was made. A suggestion was made by MaineHousing Deputy Director, Peter Merrill, to have MaineHousing personnel follow-up with Ms. Bruyette to provide additional information regarding the situation she inquired about.

MaineHousing’s Response: Per the Chapter 24- HEAP Rule, a Household is eligible for a HEAP benefit if on the date of application, the household meets certain eligibility requirements, including, “Has a direct energy cost or indirect determinable energy costs.” In some situations, a household may not have calculated direct energy costs or indirect determinable energy costs. For example, a household may receive a utility allowance to assist with heating costs, that when used in the calculation to determine energy costs, may result in a calculated zero/negative figure. In these instances, a household is not eligible to receive a regular HEAP benefit, rather, they receive a benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program, which is an amount of at least \$20.00. In Maine’s HEAP, this benefit amount is set at \$21.00.

MaineHousing has already proposed a change in the Chapter 24- HEAP Rule to revise the calculation used to determine a household’s heating burden for households that use primary heating systems with electricity as the fuel

type. The proposed change will use a percentage of reported electricity costs versus deducting a standard, flat amount. This change will support heating costs calculations being tailored specifically for each household versus a static amount being used. MaineHousing personnel spoke with Ms. Bruyette on May 19, 2021 and shared the above information with her. MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Bruyette.

Testimony from Joann Pierce, HEAP Client:

Ms. Pierce shared regarding the financial dilemma she experiences as a result of not receiving monthly electrical assistance to help with her monthly electric bills. She said that she qualifies for HEAP and receives \$20.00 of assistance through HEAP per year. She indicates that she is not eligible for ongoing electrical assistance, specifically because she receives subsidized housing assistance. Ms. Pierce references the Electricity Lifeline Program (ELP) and that subsidized housing recipients are not eligible for ELP. Ms. Pierce also shared her understanding and thoughts related to how formulas used to determine electricity use for subsidized housing units are an estimated amount and her concern regarding how the estimates may not consistently align with actual electricity costs.

MaineHousing's Response: Per the Chapter 24- HEAP Rule, a Household is eligible for a HEAP benefit if on the date of application, the household meets certain eligibility requirements, including, "Has a direct energy cost or indirect determinable energy costs." In some situations, a household may not have calculated direct energy costs or indirect determinable energy costs. For example, a household may receive a utility allowance to assist with heating costs, that when used in the calculation to determine energy costs, may result in a calculated zero/negative figure. In these instances, a household is not eligible to receive a regular HEAP benefit, rather, they receive a benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program, which is an amount of at least \$20.00. In Maine's HEAP, this benefit amount is set at \$21.00.

MaineHousing has already proposed a change in the Chapter 24- HEAP Rule to revise the calculation used to determine a household's heating burden for households that use primary heating systems with electricity as the fuel type. The proposed change will use a percentage of reported electricity costs versus deducting a standard, flat amount. This change will support heating costs calculations being tailored specifically for each household versus a static amount being used.

Concerning eligibility for ELP, Central Maine Power (CMP) administers ELP, which is CMP's Low Income Assistance Program (LIAP). Chapter 314- Statewide Low-Income Assistance Program establishes standard design, administration and funding criteria for LIAP, ELP is CMP's LIAP. Per Chapter 314, "Each transmission and distribution utility's LIAP shall be available to its customers who are taking residential electric service on a continuing year-round basis who meet the following eligibility criteria: 1.) The customer or a member of the customer's household must be eligible to receive a LIHEAP benefit; 2.) The customer is not receiving a housing subsidy that limits the household's total housing cost, including utilities, to a fixed percentage of the household's income, with the exception of customers who qualify for participation in the oxygen pump or ventilator program pursuant to section 4(L)(3). These customers are eligible to participate in both the LIAP, as well as the oxygen pump and ventilator programs; and 3.) The customer qualifies for the utility's LIAP." Information available CMP's website: [ELP AMP Customer FactSheet.pdf \(cmpco.com\)](#) states that LIHEAP eligible households may qualify for ELP if they live in subsidized housing and qualify to participate in the oxygen pump or ventilator program. Each applicable electricity company determines eligibility for LIAP per Chapter 314. MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Pierce.

Testimony from Lynn Lugdon, Chair, Maine Community Action Partnership- Energy Council:

Ms. Lugdon thanked MaineHousing's Energy and Housing Services Department (EHS) for everything EHS has done this year to work with the Energy Council. She thanked MaineHousing for helping to support the recommendation for a one-month/30-day income verification period and mentioned how this change will have a

positive impact for HEAP applicants. Ms. Lugdon also expressed support for the proposed change to a 1/4 tank reading from an 1/8 tank reading on a standard 275 gallon fuel oil tank as the level that would indicate a household is in a situation warranting Energy Crisis Intervention Program services. Ms. Lugdon also shared information in response to Ms. Bruyette's testimony regarding HEAP benefit levels, in which Lynn provided some details regarding the proposed heating burden calculation change.

MaineHousing's Response: MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Lugdon.

Testimony from Judy Frost, Community Services Program Manager, Western Maine Community Action:

Ms. Frost provided additional information and clarity regarding Ms. Lugdon's remarks regarding the proposed change with the heating burden calculation. Ms. Frost spoke to the concern the Maine Community Action Partnership- Energy Council has had regarding the current calculation deducting a standard \$600 from reported electricity costs for households that heat with electricity, that the Energy Council had suggested deducting 30% of reported electricity costs to account for non-heating electricity use; and that MaineHousing had worked with the Energy Council to see this proposed change moved forward for consideration in an effort to help households served by the Community Action Agencies.

MaineHousing's Response: MaineHousing is not making any changes in the Chapter 24- HEAP Rule based on the testimony from Ms. Frost.

Written Testimony from Joby Thoyalil, Senior Policy Advocate with Maine Equal Justice:

Mr. Thoyalil submitted written testimony and expressed Maine Equal Justice's (MEJ) appreciation and support of many of the proposed changes within the Chapter 24 Rule and State Plan for PY2022. Mr. Thoyalil shared that MEJ has advocated and continues to advocate for changes to the HEAP in order to make it more efficient and more accessible so that more eligible people can be served by the program.

Recommendation- Instead of replacing the 3-month, or 12-month income verification period with the 1-month/ 30 day period, allow for all three income periods to be considered: Mr. Thoyalil shared MEJ's worry about unintended negative consequences for applicants who earn seasonal wages or who otherwise have very inconsistent earning patterns throughout the year. In these situations, a worker may appear to be over-income when looking at just one month of earnings, when that month may not be representative of their yearly average income.

MaineHousing's Response: The proposed change to move from 3-month or 12-month income verification periods to a 1-month/30-day income verification period was put forward as requested by Community Action Agencies. This change will simplify the process and be supportive of many households applying for HEAP. Households that have income from self-employment will continue to report out on income made in a 12-month period. Households that are over income eligibility limits can reapply for HEAP if/when they have a change with their income. This is the current practice and will continue even if the proposed change to the 1-month/ 30-day income period is implemented. MaineHousing is not making any changes to the proposed Rule or State Model Plan related to this recommendation.

Recommendation- Continue efforts to integrate the HEAP application process with DHHS's ACES system: Mr. Thoyalil shared that MEJ strongly believes that the most efficient way to increase program uptake is to integrate the HEAP application and verification process with the Maine Department of Health and Human Services (DHHS) Automatic Client Eligibility System (ACES). Mr. Thoyalil shared MEJ's appreciation for MaineHousing's and DHHS's efforts to move towards this integration, including the initial step taken to notify applicants of DHHS programs through DHHS's My Maine Connection online application interface, of the existence and availability of assistance through HEAP. MEJ supports and looks forward to implementation of next steps towards allowing people the opportunity to apply for HEAP through DHHS's online program application portal.

MaineHousing's Response: MaineHousing and DHHS have worked closely together since June 2020 to increase visibility of the HEAP for individuals applying for DHHS programming through DHHS's online application. DHHS is committed to having MaineHousing involved in planning for the next phase of DHHS's conversion to a new online application system, to explore having additional questions asked and data shared with MaineHousing to start HEAP applications for individuals who have expressed an interest in applying for HEAP. MaineHousing will continue to work with DHHS towards systems integration and data sharing that will increase efficiency in the HEAP application process for households that apply online for DHHS programs. MaineHousing is not making any changes to the Chapter 24- HEAP Rule or HEAP State Model Plan for PY2022 related to this recommendation.

Recommendation- Utilize categorical eligibility for families who receive TANF cash assistance to address the under-enrollment of families with young children in Maine's HEAP program: Mr. Thoyalil shared that households with children age 5 years and younger represent a considerably smaller share of households receiving heating assistance in Maine than in the nation and other New England states. Mr. Thoyalil shared that all families receiving TANF cash assistance include children and many live in or near deep poverty, meaning their incomes are close to 50 percent or less of the federal poverty level. MEJ stated that determining these families income-eligible for HEAP through categorical eligibility would greatly reduce the administrative burden of the application process.

MaineHousing's Response: MaineHousing has completed some preliminary research regarding how some other states utilize categorical eligibility for HEAP, and has initiated conversations with Maine DHHS to explore data sharing that would need to occur in order to implement categorical HEAP eligibility for households that receive TANF cash assistance. MaineHousing has focused its attention on working with Maine DHHS to streamline the HEAP application process for households applying online for DHHS services, including the feasibility of data sharing. MaineHousing intends to continue exploring the option of implementing categorical eligibility for HEAP, including continued discussion with Maine DHHS in the coming year. MaineHousing is not making any changes to the Chapter 24- HEAP Rule or HEAP State Model Plan for PY2022 related to this recommendation.

DETAILED MODEL PLAN (LIHEAP)

Program Name: Low Income Home Energy Assistance
Grantee Name: ME ST HOUSING AUTHORITY
Report Name: DETAILED MODEL PLAN (LIHEAP)
Report Period: 10/01/2021 to 09/30/2022
Report Status: Draft

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Mandatory Grant Application SF-424

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01

OMB Clearance No.: 0970-0075

Expiration Date: 09/30/2022

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

* 1.a. Type of Submission: <input checked="" type="radio"/> Plan	* 1.b. Frequency: <input checked="" type="radio"/> Annual	* 1.c. Consolidated Application/Plan/Funding Request? Explanation:	* 1.d. Version: <input checked="" type="radio"/> Initial <input type="radio"/> Resubmission <input type="radio"/> Revision <input type="radio"/> Update
		2. Date Received:	State Use Only:
		3. Applicant Identifier:	
		4a. Federal Entity Identifier:	5. Date Received By State:
		4b. Federal Award Identifier:	6. State Application Identifier:

7. APPLICANT INFORMATION

*** a. Legal Name:** Maine State Housing Authority

*** b. Employer/Taxpayer Identification Number (EIN/TIN):** 01-0312916 *** c. Organizational DUNS:** 086877115

* d. Address:

* Street 1:	ENERGY AND HOUSING SERVICES	Street 2:	26 Edison Drive
* City:	AUGUSTA	County:	Kennebec
* State:	ME	Province:	
* Country:	United States	* Zip / Postal Code:	04330 - 6046

e. Organizational Unit:

Department Name: Energy and Housing Services **Division Name:** Energy and Housing Services

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *** First Name:** Michael **Middle Name:** Troy *** Last Name:** Fullmer

Suffix: **Title:** Manager of HEAP **Organizational Affiliation:**

*** Telephone Number:** (207) 624-5720 **Fax Number:** (207) 624-5780 *** Email:** fullmer@mainehousing.org

* 8a. TYPE OF APPLICANT:

A: State Government

b. Additional Description:

* 9. Name of Federal Agency:

	Catalog of Federal Domestic Assistance Number:	CFDA Title:
10. CFDA Numbers and Titles	93568	Low-Income Home Energy Assistance

11. Descriptive Title of Applicant's Project
LIHEAP Administration

12. Areas Affected by Funding:
Statewide

13. CONGRESSIONAL DISTRICTS OF:			
* a. Applicant 1		b. Program/Project: Statewide	
Attach an additional list of Program/Project Congressional Districts if needed. 2			
14. FUNDING PERIOD:		15. ESTIMATED FUNDING:	
a. Start Date: 10/1/2021	b. End Date: 09/30/2022	* a. Federal (\$): \$38,500,000	b. Match (\$): \$0
* 16. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS?			
a. This submission was made available to the State under the Executive Order 12372 Process for Review on :			
b. Program is subject to E.O. 12372 but has not been selected by State for review.			
c. Program is not covered by E.O. 12372.			
* 17. Is The Applicant Delinquent On Any Federal Debt? <input type="radio"/> YES <input checked="" type="radio"/> NO			
Explanation:			
18. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001) **I Agree <input checked="" type="checkbox"/>			
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.			
18a. Typed or Printed Name and Title of Authorized Certifying Official Daniel Brennan, Director		18c. Telephone (area code, number and extension) (207) 626-4611	
		18d. Email Address dbrennan@mainehousing.org	
18b. Signature of Authorized Certifying Official		18e. Date Report Submitted (Month, Day, Year) TBD	
Attach supporting documents as specified in agency instructions.			

Section 1 - Program Components

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01

OMB Clearance No.: 0970-0075

Expiration Date: 09/30/2022

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Department of Health and Human Services
Administration for Children and Families
Office of Community Services
Washington, DC 20201

August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
OMB Approval No. 0970-0075
Expiration Date: 09/30/2022

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) Use of this model plan is optional. However, the information requested is required in order to receive a Low Income Home Energy Assistance Program (LIHEAP) grant in years in which the grantee is not permitted to file an abbreviated plan. Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Section 1 Program Components

Program Components, 2605(a), 2605(b)(1) - Assurance 1, 2605(c)(1)(C)

1.1 Check which components you will operate under the LIHEAP program. (Note: You must provide information for each component designated here as requested elsewhere in this plan.)		Dates of Operation	
		Start Date	End Date
<input checked="" type="checkbox"/>	Heating assistance	10/01/2021	09/30/2022
<input type="checkbox"/>	Cooling assistance		
<input checked="" type="checkbox"/>	Crisis assistance	11/01/2021	04/30/2022
<input checked="" type="checkbox"/>	Weatherization assistance	10/01/2021	09/30/2022

Provide further explanation for the dates of operation, if necessary

Heating Assistance: For FFY 2022, Subgrantees will begin taking applications on August 23, 2021 and will continue taking applications through July 15, 2022.

Weatherization Assistance Component: End date 09/30/2022 unless MaineHousing extends beyond 09/30/2022.

Estimated Funding Allocation, 2604(C), 2605(k)(1), 2605(b)(9), 2605(b)(16) - Assurances 9 and 16

1.2 Estimate what amount of available LIHEAP funds will be used for each component that you will operate: The total of all percentages must add up to 100%.	Percentage (%)
Heating assistance	58.00%
Cooling assistance	0.00%
Crisis assistance	5.00%
Weatherization assistance	15.00%

Carryover to the following federal fiscal year	7.00%
Administrative and planning costs	10.00%
Services to reduce home energy needs including needs assessment (Assurance 16)	5.00%
Used to develop and implement leveraging activities	0.00%
TOTAL	100.00%

Alternate Use of Crisis Assistance Funds, 2605(c)(1)(C)

1.3 The funds reserved for winter crisis assistance that have not been expended by March 15 will be reprogrammed to:

<input checked="" type="checkbox"/>	Heating assistance	<input type="checkbox"/>	Cooling assistance
<input type="checkbox"/>	Weatherization assistance	<input type="checkbox"/>	Other (specify:)

Categorical Eligibility, 2605(b)(2)(A) - Assurance 2, 2605(c)(1)(A), 2605(b)(8A) - Assurance 8

1.4 Do you consider households categorically eligible if one household member receives one of the following categories of benefits in the left column below? Yes No

If you answered "Yes" to question 1.4, you must complete the table below and answer questions 1.5 and 1.6.

	Heating	Cooling	Crisis	Weatherization
TANF	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
SSI	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
SNAP	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No
Means-tested Veterans Programs	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

	Program Name	Heating	Cooling	Crisis	Weatherization
Other(Specify) 1		<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No	<input type="radio"/> Yes <input checked="" type="radio"/> No

1.5 Do you automatically enroll households without a direct annual application? Yes No

If Yes, explain:

1.6 How do you ensure there is no difference in the treatment of categorically eligible households from those not receiving other public assistance when determining eligibility and benefit amounts?

Maine does not implement categorical eligibility.

SNAP Nominal Payments

1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP households? Yes No

If you answered "Yes" to question 1.7a, you must provide a response to questions 1.7b, 1.7c, and 1.7d.

1.7b Amount of Nominal Assistance: \$21.00

1.7c Frequency of Assistance

<input checked="" type="checkbox"/>	Once Per Year
<input type="checkbox"/>	Once every five years
<input type="checkbox"/>	Other - Describe:

1.7d How do you confirm that the household receiving a nominal payment has an energy cost or need?

Applicants residing in subsidized housing with heat included must provide the following to verify that the applicant has an indirect energy cost:

- One of the following documents is required to verify the applicant's/tenant's responsibilities for monthly rent and/or utilities: a) MaineHousing's *HEAP Subsidized Housing* form; b) housing subsidy recertification worksheet; or c) recertification form (HUD 50058/50059 or RD 3560-8).
- Copy of a current electric utility bill (if applicant is responsible for electricity).

Determination of Eligibility - Countable Income

1.8. In determining a household's income eligibility for LIHEAP, do you use gross income or net income?

Gross Income

Net Income

1.9. Select all the applicable forms of countable income used to determine a household's income eligibility for LIHEAP

Wages

Self - Employment Income

Contract Income

Payments from mortgage or Sales Contracts

Unemployment insurance

Strike Pay

Social Security Administration (SSA) benefits

Including MediCare deduction

Excluding MediCare deduction

Supplemental Security Income (SSI)

Retirement / pension benefits

General Assistance benefits

Temporary Assistance for Needy Families (TANF) benefits

Supplemental Nutrition Assistance Program (SNAP) benefits

Women, Infants, and Children Supplemental Nutrition Program (WIC) benefits

Loans that need to be repaid

Cash gifts

Savings account balance

One-time lump-sum payments, such as rebates/credits, winnings from lotteries, refund deposits, etc.

Jury duty compensation

Rental income

Income from employment through Workforce Investment Act (WIA)

Income from work study programs

Alimony

<input checked="" type="checkbox"/>	Child support
<input checked="" type="checkbox"/>	Interest, dividends, or royalties
<input checked="" type="checkbox"/>	Commissions
<input type="checkbox"/>	Legal settlements
<input type="checkbox"/>	Insurance payments made directly to the insured
<input type="checkbox"/>	Insurance payments made specifically for the repayment of a bill, debt, or estimate
<input checked="" type="checkbox"/>	Veterans Administration (VA) benefits
<input type="checkbox"/>	Earned income of a child under the age of 18
<input type="checkbox"/>	Balance of retirement, pension, or annuity accounts where funds cannot be withdrawn without a penalty.
<input type="checkbox"/>	Income tax refunds
<input type="checkbox"/>	Stipends from senior companion programs, such as VISTA
<input type="checkbox"/>	Ameri-Corp Program payments for living allowances, earnings, and in-kind aid
<input type="checkbox"/>	Reimbursements (for mileage, gas, lodging, meals, etc.)
<input type="checkbox"/>	Other
<p>If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.</p>	

Section 2 - HEATING ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
Expiration Date: 09/30/2022

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 2 - Heating Assistance

Eligibility, 2605(b)(2) - Assurance 2

2.1 Designate the income eligibility threshold used for the heating component:

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	HHS Poverty Guidelines	The greater of 150% of Federal Poverty Level or 60% State Median Income

2.2 Do you have additional eligibility requirements for Heating Assistance? Yes No

2.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test? Yes No

Do you have additional/differing eligibility policies for:

Renters? Yes No

Renters Living in subsidized housing? Yes No

Renters with utilities included in the rent? Yes No

Do you give priority in eligibility to:

Elderly? Yes No

Disabled? Yes No

Young children? Yes No

Households with high energy burdens? Yes No

Other? Yes No

Explanations of policies for each "yes" checked above:

Subgrantee will make reasonable and good-faith effort during the first ninety (90) days it takes applications to interview, process, and serve households with direct energy costs and members who are:

- Elderly- at least 60 years of age
- Young Children- 72 months (6 years of age) or younger
- Disabled

Determination of Benefits 2605(b)(5) – Assurance 5, 2605(c)(1)(B)

2.4 Describe how you prioritize the provision of heating assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

Intake/Application Process: Subgrantee will make reasonable and good-faith effort during the first ninety (90) days it takes applications to interview, process, and serve households with direct energy costs and members who are most susceptible to hypothermia (elderly, disabled, and families with children 72 months of age (6 years) or under).

Maine uses a tiered benefit calculation that assures the highest benefits go to households with the highest heating energy costs and the lowest income. Household applications are entered into MaineHousing's centralized LIHEAP database, which automatically calculates household benefit amounts. As set forth in Chapter 24 of MaineHousing's Rules, the benefit calculation takes into account the following factors: i) Household's actual fuel consumption data collected from energy vendors or estimated annual heating costs calculated by using the Design Heat Load formula; ii) Household income; and iii) Household size.

2.5 Check the variables you use to determine your benefit levels. (Check all that apply):

<input checked="" type="checkbox"/> Income
<input checked="" type="checkbox"/> Family (household) size
<input checked="" type="checkbox"/> Home energy cost or need:
<input checked="" type="checkbox"/> Fuel type
<input checked="" type="checkbox"/> Climate/region
<input checked="" type="checkbox"/> Individual bill
<input checked="" type="checkbox"/> Dwelling type
<input type="checkbox"/> Energy burden (% of income spent on home energy)
<input type="checkbox"/> Energy need
<input checked="" type="checkbox"/> Other - Describe:

Other (description): Benefit levels are based on the household's percent of poverty and actual consumption of primary heating fuel type for the prior heating season or by the Design Heat Load formula.

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

2.6 Describe estimated benefit levels for FY 2022:

Minimum Benefit	\$124	Maximum Benefit	\$1,932
------------------------	-------	------------------------	---------

2.7 Do you provide in-kind (e.g., blankets, space heaters) and/or other forms of benefits? Yes X No

If yes, describe.

Subgrantees provide a number of in-kind and/or other benefits including

- Private contributions for fuel assistance

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 3 - COOLING ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
OMB Clearance No.: 0970-0075
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 3 - Cooling Assistance

Eligibility, 2605(c)(1)(A), 2605 (b)(2) - Assurance 2

3.1 Designate The income eligibility threshold used for the Cooling component: N/A Maine does not provide Cooling Assistance.

Add	Household size	Eligibility Guideline	Eligibility Threshold
1			0.00%

3.2 Do you have additional eligibility requirements for Cooling Assistance? Yes No

3.3 Check the appropriate boxes below and describe the policies for each.

Do you require an Assets test? Yes No

Do you have additional/differing eligibility policies for:

Renters? Yes No

Renters Living in subsidized housing? Yes No

Renters with utilities included in the rent? Yes No

Do you give priority in eligibility to:

Elderly? Yes No

Disabled? Yes No

Young children? Yes No

Households with high energy burdens? Yes No

Other? Yes No

Explanations of policies for each "yes" checked above:

3.4 Describe how you prioritize the provision of cooling assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.

Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.5 Check the variables you use to determine your benefit levels. (Check all that apply):

- Income
- Family (household) size
- Home energy cost or need:
 - Fuel type
 - Climate/region
 - Individual bill
 - Dwelling type
 - Energy burden (% of income spent on home energy)
 - Energy need
 - Other - Describe:

Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)

3.6 Describe estimated benefit levels for FY 2022: N/A Maine does not provide Cooling Assistance

Minimum Benefit	\$0	Maximum Benefit	\$0
------------------------	-----	------------------------	-----

3.7 Do you provide in-kind (e.g., fans, air conditioners) and/or other forms of benefits? Yes No

If yes, describe.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 4 - CRISIS ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 4: CRISIS ASSISTANCE

Eligibility - 2604(c), 2605(c)(1)(A)

4.1 Designate the income eligibility threshold used for the crisis component

Add	Household size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	HHS Poverty Guidelines	The greater of 150% Federal Poverty Level or 60% State Median Income

4.2 Provide your LIHEAP program's definition for determining a crisis.

Energy Crisis shall have the same meaning as set forth in 42 U.S.C.A. §8622(3), as same may be amended from time to time. The term "energy crisis" means weather-related and supply shortage emergencies and other household energy-related emergencies.

A household may be eligible for crisis assistance if there is an imminent loss of heat due to: i) Less than 7-day supply of fuel (e.g. reading of 1/4 tank or less on a standard 275 gallon heating oil tank; reading of 25% or less on a propane tank; "7-day or less" supply standard applies to other delivered fuel types) ii.) Disconnection of service notice from natural gas or electric utility if the household's heating system requires electricity/natural gas, iii.) Dysfunctional or unsafe primary heating system and no other operable heating system capable of heating the dwelling adequately during severe cold weather, iv.) Eviction due to nonpayment of rent if heat is included in the household's rent.

A household is not considered to be in an energy crisis if: i.) Household has any other heating system that is safe, operable, and capable of heating the dwelling adequately during severe cold weather, and has a supply of product for that heating system; ii.) Household has financial means to purchase fuel, iii.) Household has financial means to pay rent and avert eviction.

4.3 What constitutes a life-threatening crisis?

- Household is currently without heat or utility service to operate a heating source or heating system.
- Household is tenant whose rent includes heat and is facing eviction within 24 hours for nonpayment of rent.

Crisis Requirement, 2604(c)

4.4 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households? 48 hours

4.5 Within how many hours do you provide an intervention that will resolve the energy crisis for eligible households in life-threatening situations? 18 hours

Crisis Eligibility, 2605(c)(1)(A)

4.6 Do you have additional eligibility requirements for CRISIS ASSISTANCE?

Yes No

4.7 Check the appropriate boxes below and describe the policies for each

Do you require an Assets test?

Yes No

Do you give priority in eligibility to :	
Elderly?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Disabled?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Young Children?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Households with high energy burdens?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Other?	<input type="radio"/> Yes <input checked="" type="radio"/> No
In Order to receive crisis assistance:	
Must the household have received a shut-off notice or have a near empty tank?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Must the household have been shut off or have an empty tank?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Must the household have exhausted their regular heating benefit?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Must renters with heating costs included in their rent have received an eviction notice?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Must heating/cooling be medically necessary?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Must the household have non-working heating or cooling equipment?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Other? see attached	<input type="radio"/> Yes <input checked="" type="radio"/> No
Do you have additional / differing eligibility policies for:	
Renters?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Renters living in subsidized housing?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Renters with utilities included in the rent?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Explanations of policies for each "yes" checked above:	

Allowable expenditures must be related to averting an Energy/Life-Threatening Crisis and may include:

1. Home Energy deliveries provided the Eligible Household has exhausted any remaining Benefits previously paid to a Vendor on behalf of the Eligible Household;
2. Surcharges, reconnection charges, or penalties related to a final utility disconnection notice;
3. Crisis benefits may be paid to a natural gas or an electric utility to prevent disconnection of service if the household's Heating System requires electricity/natural gas;
4. Heating System repairs;
5. Purchasing space heaters;
6. Rental payment assistance provided the household is a tenant whose rent includes heat and is facing eviction due to nonpayment of rent;
7. Temporary relocation provided the household is experiencing a Life Threatening Crisis that cannot be averted within 18 hours by one of the above measures.

Crisis funds cannot be used to pay for Home Energy deliveries or Heating System repairs if the Applicant resides in Subsidized Housing with heat included or a Rental Unit with heat included.

Determination of Benefits	
4.8 How do you handle crisis situations?	
<input checked="" type="checkbox"/>	Separate component
<input type="checkbox"/>	Fast Track
<input type="checkbox"/>	Other - Describe:
4.9 If you have a separate component, how do you determine crisis assistance benefits?	
<input type="checkbox"/>	Amount to resolve the crisis.

<input checked="" type="checkbox"/>	Other - Describe: The maximum (crisis) benefit amount is determined annually based on economic conditions, available funding, and the average cost of a minimum delivery of home energy.
-------------------------------------	--

Crisis Requirements, 2604(c)

4.10 Do you accept applications for energy crisis assistance at sites that are geographically accessible to all households in the area to be served?

Yes No **Explain.**

Crisis applications are given priority at all intake and processing steps. Crisis procedures include home visits if necessary, referrals, or communication with vendors.

Subgrantees take crisis applications by one of the following methods:

- 1) If the household has previously completed an application and has been certified eligible for heating assistance in the current program year, they may apply for crisis assistance over the telephone. In such cases, Subgrantees complete a LIHEAP Emergency Worksheet to assess and document the crisis situation.
- 2) If the household does not have a current certified heating assistance application on file, they may apply for crisis assistance over the telephone. In such cases, the applicant will need to make arrangements to go into the Subgrantee's office or remote intake site to complete the application process - i.e. sign the application documents and provide any required documentation to verify the household's eligibility. Signing and submitting/verifying documents are accommodated remotely with technology as needed and available.
- 3) Elderly or disabled applicants may apply over the telephone. If necessary, the Subgrantee will make arrangements for a home visit to secure the applicant's signature on the application documents and any required documentation to verify the household's income-eligibility. Signing and submitting/verifying documents are accommodated remotely with technology as needed and available.

Conditioned on the availability of crisis funds, some form of assistance that will resolve the Energy Crisis will be provided within 48 hours after household has been certified eligible for the Energy Crisis Intervention Program (ECIP). In Life Threatening Crisis situations some form of assistance that will resolve the crisis will be provided within 18 hours after a Household has been certified eligible for ECIP.

4.11 Do you provide individuals who are physically disabled the means to:

Submit applications for crisis benefits without leaving their homes?

Yes No **If No, explain.**

Travel to the sites at which applications for crisis assistance are accepted?

Yes No **If No, explain.**

If you answered "No" to both options in question 4.11, please explain alternative means of intake to those who are homebound or physically disabled?

At applicant's request, the Subgrantee must make reasonable accommodations for a person with a disability.

Elderly or disabled individuals may apply over the telephone. If necessary, the Subgrantee will make arrangements for a home visit to secure the applicant's signature on the application documents and to obtain any required documentation to verify the household's income-eligibility. Signing and submitting/verifying documents are accommodated remotely with technology as needed and available.

Benefit Levels, 2605(c)(1)(B)

4.12 Indicate the maximum benefit for each type of crisis assistance offered.

Winter Crisis	\$400.00 maximum benefit
Summer Crisis	\$0.00 maximum benefit
Year-round Crisis	\$0.00 maximum benefit

4.13 Do you provide in-kind (e.g. blankets, space heaters, fans) and/or other forms of benefits?

Yes No **If yes, Describe**

If the crisis cannot be resolved within the required timeframe, space heaters may be provided for the household's use until such time as a fuel delivery can be made or the heating system is repaired.

4.14 Do you provide for equipment repair or replacement using crisis funds?

Yes No

If you answered "Yes" to question 4.14, you must complete question 4.15.

4.15 Check appropriate boxes below to indicate type(s) of assistance provided.

	Winter Crisis	Summer Crisis	Year-round Crisis
Heating system repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heating system replacement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooling system repair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooling system replacement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wood stove purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pellet stove purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Solar panel(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utility poles / gas line hook-ups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify): Gas line hook-ups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.16 Do any of the utility vendors you work with enforce a moratorium on shut offs?

Yes No

If you responded "Yes" to question 4.16, you must respond to question 4.17.

4.17 Describe the terms of the moratorium and any special dispensation received by LIHEAP clients during or after the moratorium period.

November 15 through April 15 - Disconnect not permitted if income-eligible customer agrees to a special payment arrangement. Requires Public Utilities Commission (PUC) approval. 30 day delay, with renewals up to 90 days, if physician certifies that disconnect would adversely affect the health of a household member. Cannot disconnect if an overdue amount is less than \$50, unless the overdue amount is more than 90 days old or the utility company bills four times a year or less.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 5 - WEATHERIZATION ASSISTANCE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 5: WEATHERIZATION ASSISTANCE

Eligibility, 2605(c)(1)(A), 2605(b)(2) - Assurance 2

5.1 Designate the income eligibility threshold used for the Weatherization component

Add	Household Size	Eligibility Guideline	Eligibility Threshold
1	All Household Sizes	HHS Poverty Guidelines	200%

5.2 Do you enter into an interagency agreement to have another government agency administer a WEATHERIZATION component? Yes No

5.3 If yes, name the agency.

5.4 Is there a separate monitoring protocol for weatherization? Yes No

WEATHERIZATION - Types of Rules

5.5 Under what rules do you administer LIHEAP weatherization? (Check only one.)

- Entirely under LIHEAP (not DOE) rules
- Entirely under DOE WAP (not LIHEAP) rules
- Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):**
 - Income Threshold
 - Weatherization not subject to DOE WAP maximum statewide average cost per dwelling unit.
 - Weatherization measures are not subject to DOE Savings to Investment Ratio (SIR) standards.
 - Other - Describe:** Weatherization of entire multi-family housing structure is permitted if at least 66% of units (50% in 2- & 4-unit buildings) are eligible units or will become eligible within 180 days. Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities).

Eligibility, 2605(b)(5) - Assurance 5

5.6 Do you require an assets test? Yes No

5.7 Do you have additional/differing eligibility policies for :

Renters	<input type="radio"/> Yes <input checked="" type="radio"/> No
Renters living in subsidized housing?	<input checked="" type="radio"/> Yes <input type="radio"/> No

5.8 Do you give priority in eligibility to:

Elderly?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Disabled?	<input checked="" type="radio"/> Yes <input type="radio"/> No

Young Children?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Households with high energy burdens?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other? Young children 72 months (6 years) of age or less	<input checked="" type="radio"/> Yes <input type="radio"/> No

If you selected "Yes" for any of the options in questions 5.6, 5.7, or 5.8, you must provide further explanation of these policies in the text field below.

5.6 Asset test: Applies to heating system replacement under the Central Heating Improvement Program activities (see attached - Section 5.5 Weatherization)

5.7 Renters living in subsidized housing with heat included (see attached - Section 5 Multifamily Weatherization)

5.8 Priority Applicant means a Household with a Direct Energy Cost as well as a member in the Household who is (i) an Elderly Person 60 years of age or older, or (ii) disabled, or (iii) 72 months (6 years) of age or under.

Subgrantees are required to prioritize their wait list of eligible households for weatherization services in accordance with the HEAT Enterprise software, which ranks an eligible household's priority by taking into account household income, home energy costs, and any household members considered to be Priority Applicants. Households on the Subgrantee's wait list are weatherized in order of priority. A Subgrantee may move up an eligible household's priority based on travel considerations (e.g. Subgrantee's next weatherization project is out of town; another dwelling with a lower priority number in the same area may also be weatherized during the program year to save on travel costs) or due to co-funding a project with other program resources.

Benefit Levels	
5.9 Do you have a maximum LIHEAP weatherization benefit/expenditure per household? <input type="radio"/> Yes <input checked="" type="radio"/> No	
5.10 If yes, what is the maximum? \$0	
Types of Assistance, 2605(c)(1), (B) & (D)	
5.11 What LIHEAP weatherization measures do you provide? (Check all categories that apply.)	
<input checked="" type="checkbox"/> Weatherization needs assessments/audits	<input checked="" type="checkbox"/> Energy related roof repair
<input checked="" type="checkbox"/> Caulking and insulation	<input checked="" type="checkbox"/> Major appliance Repairs
<input checked="" type="checkbox"/> Storm windows	<input checked="" type="checkbox"/> Major appliance replacement
<input checked="" type="checkbox"/> Furnace/heating system modifications/ repairs	<input checked="" type="checkbox"/> Windows/sliding glass doors
<input checked="" type="checkbox"/> Furnace replacement	<input checked="" type="checkbox"/> Doors
<input type="checkbox"/> Cooling system modifications/ repairs	<input checked="" type="checkbox"/> Water Heater
<input type="checkbox"/> Water conservation measures	<input type="checkbox"/> Cooling system replacement
<input checked="" type="checkbox"/> Compact florescent light bulbs	<input checked="" type="checkbox"/> Other - Describe: Heat pump installation

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 6 - Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
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Section 6: Outreach, 2605(b)(3) - Assurance 3, 2605(c)(3)(A)

6.1 Select all outreach activities that you conduct that are designed to assure that eligible households are made aware of all LIHEAP assistance available:

- Place posters/flyers in local and county social service offices, offices of aging, Social Security offices, VA, etc.
- Publish articles in local newspapers or broadcast media announcements.
- Include inserts in energy vendor billings to inform individuals of the availability of all types of LIHEAP assistance.
- Mass mailing(s) to prior-year LIHEAP recipients.
- Inform low income applicants of the availability of all types of LIHEAP assistance at application intake for other low-income programs.
- Execute interagency agreements with other low-income program offices to perform outreach to target groups.
- Other (specify):

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 7 - Coordination, 2605(b)(4) - Assurance 4

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN
SF - 424 - MANDATORY**

Section 7: Coordination, 2605(b)(4) - Assurance 4

7.1 Describe how you will ensure that the LIHEAP program is coordinated with other programs available to low-income households (TANF, SSI, WAP, etc.).

<input type="checkbox"/>	Joint application for multiple programs
<input checked="" type="checkbox"/>	Intake referrals to/from other programs
<input type="checkbox"/>	One - stop intake centers
<input type="checkbox"/>	Other - Describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 8 - Agency Designation, 2605(b)(6) - Assurance 6

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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Section 8: Agency Designation, 2605(b)(6) - Assurance 6 (Required for state grantees and the Commonwealth of Puerto Rico)

8.1 How would you categorize the primary responsibility of your State agency?

<input type="checkbox"/>	Administration Agency
<input type="checkbox"/>	Commerce Agency
<input type="checkbox"/>	Community Services Agency
<input type="checkbox"/>	Energy / Environment Agency
<input checked="" type="checkbox"/>	Housing Agency
<input type="checkbox"/>	Welfare Agency
<input type="checkbox"/>	Other - Describe:

Alternate Outreach and Intake, 2605(b)(15) - Assurance 15

If you selected "Welfare Agency" in question 8.1, you must complete questions 8.2, 8.3, and 8.4, as applicable.

8.2 How do you provide alternate outreach and intake for Heating Assistance?

Subgrantees partner with community based programs including social service organizations and town offices to provide applicants with alternate venues to apply for heating assistance.

8.3 How do you provide alternate outreach and intake for Cooling Assistance?

Not applicable. Maine does not offer cooling assistance.

8.4 How do you provide alternate outreach and intake for Crisis Assistance?

Subgrantees have other funds (non-LIHEAP) funds available to provide crisis assistance. Additionally, Subgrantees keep community partners informed about the availability of crisis assistance funds.

8.5 LIHEAP Component Administration.	Heating	Cooling	Crisis	Weatherization
8.5a Who determines client eligibility?	Community Action Agencies	Non-Applicable	Community Action Agencies	Community Action Agencies
8.5b Who processes benefit payments to gas and electric vendors?	State Housing Agency	Non-Applicable	State Housing Agency	
8.5c who processes benefit payments to bulk fuel vendors?	State Housing Agency	Non-Applicable	State Housing Agency	
8.5d Who performs installation of weatherization measures?				Community Action Agencies, Contractors

If any of your LIHEAP components are not centrally-administered by a state agency, you must complete questions 8.6, 8.7, 8.8, and if applicable, 8.9.

8.6 What is your process for selecting local administering agencies?

Subgrantees will be selected annually based on the following criteria:

1. Experience with providing Fuel Assistance or similar programs to low-income persons;
2. Current capacity to administer a timely and effective Fuel Assistance program for the intended Service Area;
3. Demonstrated capacity to adequately serve low-income persons residing in their Service Areas;
4. The availability of other qualified entities to service a particular area;
5. The geographic area customarily serviced by the potential Subgrantee;
6. Cost efficiency in administering a Fuel Assistance program;
7. The ability to enhance accessibility to other low-income programs administered by the Subgrantee;
8. Acceptable schedule for taking Applications; and
9. The ability to perform outreach activities and serve homebound recipients.

8.7 How many local administering agencies do you use? 9

8.8 Have you changed any local administering agencies in the last year?

- Yes
 No

8.9 If so, why?

<input type="checkbox"/>	Agency was in noncompliance with grantee requirements for LIHEAP -
<input type="checkbox"/>	Agency is under criminal investigation
<input type="checkbox"/>	Added agency
<input type="checkbox"/>	Agency closed
<input type="checkbox"/>	Other - describe

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 9 - Energy Suppliers, 2605(b)(7) - Assurance 7

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 9: Energy Suppliers, 2605(b)(7) - Assurance 7

9.1 Do you make payments directly to home energy suppliers?

Heating Yes No

Cooling Yes No

Crisis Yes No

Are there exceptions? Yes No

If yes, Describe.

MaineHousing may issue direct checks to LIHEAP recipients who do not have a designated vendor in their area or who pay rent with heat included.

MaineHousing and Subgrantees encourage recipients to apply their benefits to their electric utility account if their benefit cannot be used for their primary heating system and the eligible household is responsible for their electric utility bill. Benefits are determined based on a household's designated primary fuel type.

9.2 How do you notify the client of the amount of assistance paid?

Once the client's application has been approved for payment, the Subgrantee mails a benefit notification letter to the Primary Applicant. The benefit notification letter shall:

- State the Benefit amount;
- State the date the Benefit was sent to the Vendor;
- State the approved Home Energy type;
- State the time period for the Benefit; and
- State the manner by which the Primary Applicant can request an appeal.

9.3 How do you assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment?

Vendor performance is ensured through Vendor Agreements, annual reports provided by contracted vendors, and on-site or desk monitoring. Additionally, vendors must submit detailed transactions reports with benefit returns to show delivery and payment activity/history for the LIHEAP client's account.

9.4 How do you assure that no household receiving assistance under this title will be treated adversely because of their receipt of LIHEAP assistance?

The contract between MaineHousing and the vendor explicitly prohibits discrimination. Participating vendors must agree not to discriminate against any eligible household regarding the extension of credit to purchase Home Energy or other services, the price of Home Energy or other services, or the terms or conditions of the delivery of Home Energy or other services solely on the basis of its being an eligible household.

9.5. Do you make payments contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households?

Yes No

If so, describe the measures unregulated vendors may take.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 10 - Program, Fiscal Monitoring, and Audit, 2605(b)(10) - Assurance 10

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) MODEL PLAN SF - 424 - MANDATORY

Section 10: Program, Fiscal Monitoring, and Audit, 2605(b)(10)

10.1. How do you ensure good fiscal accounting and tracking of LIHEAP funds?

In order to ensure good fiscal accounting and tracking around Heating Assistance, Crisis Assistance, Weatherization, and Central Heating Improvement Program, MaineHousing performs onsite and/or desk reviews of each Subgrantee which include, a review of agency fiscal policies and procedures; a reconciliation of billings submitted to agency general ledger detail and supporting documentation; and an examination of each Subgrantee's Uniform Grant Guidance Audit (2CFR 200). Additionally, six month Corrective Action Reviews are required in the event MaineHousing identifies significant compliance concerns with an individual Subgrantee.

Each onsite visit may include an entrance and exit interview. Onsite monitoring includes, but is not limited to: review of the previous audit report to identify focus areas for the review; analyzing the data used by each Subgrantee to determine client income eligibility and benefit determination; observation of the applicant intake process; and other monitoring steps to ensure overall program compliance. Additionally, desk reviews may be completed periodically and would include such things as checking application data residing in MaineHousing's centralized LIHEAP database for anomalies using pre-determined indicators or specific data points (i.e. duplicate addresses, certification outside the required 30 business day period, etc.).

The fair hearing process in place at MaineHousing provides an opportunity to conduct additional in-depth client file monitoring because a thorough analysis is completed by the MaineHousing Compliance Officer of each filed complaint to ensure that the Subgrantee followed program rules in determining client eligibility and benefit determination.

The monitoring of energy suppliers is conducted in a number of ways:

- Onsite visits to vendors (those deemed high risk as well as a sampling of others);
- Desk reviews of vendors: a random sample of client accounts are reviewed to assess the vendor practices and determine vendor risk rating;
- Review of submitted annual vendor reports using data points to identify anomalies;
- Review of transaction reports (delivery and payment activity) from May 1st forward for the benefit year(s) being returned.

After each conducted monitoring, MaineHousing issues a written report containing all findings to the Subgrantee/vendor. The report will establish a reasonable time period for comment and the required corrective action(s) by the Subgrantee/vendor.

Upon request from the Subgrantee/vendor, MaineHousing will provide technical assistance in all areas needing corrective action.

Depending upon the significance of the issue(s), failure to comply with the required corrective action plans could result in a notice of termination of the contract.

Management of Vendor Refunds (Benefit Returns):

All benefit returns must be submitted to MaineHousing. Benefit returns are tracked and reconciled to the appropriate fiscal year. Any expired funds or any amounts exceeding the 10% carryover limit will be returned to DHHS.

Audit Process

10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A - 133?

Yes No

10.3. Describe any audit findings rising to the level of material weakness or reportable condition cited in the A-133 audits, Grantee monitoring assessments, inspector general reviews, or other government agency reviews of the LIHEAP agency from the most recently audited fiscal year.

No Findings

Finding	Type	Brief Summary	Resolved?	Action Taken

10.4. Audits of Local Administering Agencies

What types of annual audit requirements do you have in place for local administering agencies/district offices? Select all that apply.

- Local agencies/district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133
- Local agencies/district offices are required to have an annual audit (other than A-133)
- Local agencies/district offices' A-133 or other independent audits are reviewed by Grantee as part of compliance process.
- Grantee conducts fiscal and program monitoring of local agencies/district offices

Compliance Monitoring

10.5. Describe the Grantee's strategies for monitoring compliance with the Grantee's and Federal LIHEAP policies and procedures: Select all that apply

Grantee employees:

- Internal program review
- Departmental oversight
- Secondary review of invoices and payments
- Other program review mechanisms are in place. Describe:

Local Administering Agencies / District Offices:

- On - site evaluation
- Annual program review
- Monitoring through central database
- Desk reviews
- Client File Testing / Sampling
- Other program review mechanisms are in place. Describe:

10.6 Explain, or attach a copy of your local agency monitoring schedule and protocol.

MaineHousing's Program Compliance Officers performs onsite audits of the Subgrantees. These field audits allow for first-hand observation of program activity. Monitoring tasks include:

- Reviewing procedures and client file documentation
- Confirming and evaluating use of LIHEAP statewide database
- Verifying Subgrantees are knowledgeable of regulations
- Confirming that quality of work meets minimum program standards

Additionally, each Subgrantee is audited by an independent public accountant who performs single audit test work. MaineHousing reviews each Subgrantee's independent audit, noting any findings and following up on all findings/questioned costs to ensure that they are addressed and corrected in a timely manner.

10.7. Describe how you select local agencies for monitoring reviews.

Site Visits:

Onsite program and fiscal monitoring reviews are conducted annually at all local agencies. Additional reviews may be conducted if major issues are identified during the annual review.

Desk Reviews:

MaineHousing conducts desk reviews throughout the program year to ensure compliance with program requirements. MaineHousing's Program Compliance Officers conduct desk audits of the following application files:

- Fair Hearing Requests: applicants submit requests for fair hearings if their claim for assistance has been denied or not acted upon with reasonable promptness, or they dispute the amount of their benefit. The Program Compliance Officers will review the file for accuracy and completeness.
- Computer generated reports: MaineHousing generates periodic healthy data queries to identify and resolve potential compliance issues - ex. duplicate social security numbers, Applicant/Landlord same address, and Medical Deduction for analysis. The Program Compliance Office or Program Officers review these reports and application files as necessary.
- Files involving reports of alleged fraud.
- Files where questions arise during billing reviews of Weatherization, Central Heating Improvement Program or Heat Pump Program jobs.

10.8. How often is each local agency monitored?

MaineHousing conducts program and fiscal monitoring of Subgrantees at least once per year for compliance with Federal and State rules and regulations in a manner consistent with applicable state law and the HEAP Act.

10.9. What is the combined error rate for eligibility determinations? OPTIONAL

10.10. What is the combined error rate for benefit determinations? OPTIONAL

10.11. How many local agencies are currently on corrective action plans for eligibility and/or benefit determination issues? 0

10.12. How many local agencies are currently on corrective action plans for financial accounting or administrative issues? 0

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 11 - Timely and Meaningful Public Participation, 2605(b)(12) - Assurance 12, 2605(c)(2)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
 ADMINISTRATION FOR CHILDREN AND FAMILIES

August 1987, revised 05/92,02/95,03/96,12/98,11/01
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
 MODEL PLAN
 SF - 424 - MANDATORY**

Section 11: Timely and Meaningful Public Participation, 2605(b)(12), 2605(C)(2)

**11.1 How did you obtain input from the public in the development of your LIHEAP plan?
 Select all that apply.**

- Tribal Council meeting(s)
- Public Hearing(s)
- Draft Plan posted to website and available for comment
- Hard copy of plan is available for public view and comment
- Comments from applicants are recorded
- Request for comments on draft Plan is advertised
- Stakeholder consultation meeting(s)
- Comments are solicited during outreach activities
- Other - Describe:

11.2 What changes did you make to your LIHEAP plan as a result of this participation?

Prior to the public hearing process, MaineHousing worked with its Subgrantees, vendors, vendor industry agency, and representatives from Maine Equal Justice, Maine Public Advocates office, other State agencies and interested parties. As a result of these meetings, MaineHousing proposed a number of changes, including:

1. Requiring applicants to provide income verification documentation for a one (1) month or 30-day period preceding the date of application verses the current three (3) or twelve (12) month income verification period.
2. The methodology used to determine how non-heating electricity costs are calculated and accounted for when using the consumption based method for determining heating burden for households that heat with electricity.
3. Using a 1/4 tank reading verses a 1/8 tank reading on a standard 275 gallon heating oil tank as the standard to determine when an household may be eligible for energy crisis assistance.

Public Hearings, 2605(a)(2) - For States and the Commonwealth of Puerto Rico Only

11.3 List the date and location(s) that you held public hearing(s) on the proposed use and distribution of your LIHEAP funds?

	Date	Event Description
1	5/18/2021	Public Hearing to be held at MaineHousing 26 Edison Dr., Augusta, ME 04330

11.4. How many parties commented on your plan at the hearing(s)? To Be Determined

11.5 Summarize the comments you received at the hearing(s).

Two HEAP clients shared that they would like to see HEAP eligible households that have a calculated heating burden of zero or less be eligible for a regular HEAP benefit versus the nominal HEAP benefit issued to households for SNAP.

Two Subgrantees provided comments in support of proposed changes with 1.) criteria related to crisis assistance (crisis being defined as 1/4 tank reading for a standard 275 gallon fuel tank versus an 1/8 tank reading, and a 7-day supply of fuel versus a 3-day supply of fuel for other deliverable home energy types); 2.) change with how heating burden is calculated for households that heat with electricity; and 3.) moving to a 1-month/30 day income verification period versus a 3-month or 12-month verification period.

One HEAP stakeholder agency asked for the 1-month/30 day income verification period to be added as an option along with the 3-month and 12-month periods, versus replacing these verification periods; requested for MaineHousing to continue working with Maine DHHS towards integrating the LIHEAP and Maine DHHS client intake systems; and to implement HEAP categorical eligibility for households receiving TANF cash assistance.

11.6 What changes did you make to your LIHEAP plan as a result of the comments received at the public hearing(s)?

MaineHousing did not make any changes specifically related to comments received through the hearing process; however, the support expressed for changes already being planned was confirming; and MaineHousing will continue as planned to work with Maine DHHS towards integrating client intake systems and data sharing to help support efficiencies with households applying for LIHEAP.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 12 - Fair Hearings, 2605(b)(13) - Assurance 13

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Section 12: Fair Hearings, 2605(b)(13) - Assurance 13

12.1 How many fair hearings did the grantee have in the prior Federal fiscal year? 3

12.2 How many of those fair hearings resulted in the initial decision being reversed? 0

12.3 Describe any policy and/or procedural changes made in the last Federal fiscal year as a result of fair hearings?

To Be Determined

12.4 Describe your fair hearing procedures for households whose applications are denied.

Fair hearings will be conducted by MaineHousing, in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375, upon request of any applicant in accordance with the Maine State Housing Authority, Home Energy Assistance Program Rule, Chapter 24, as amended.

12.5 When and how are applicants informed of these rights?

Applicants are notified of their fair hearing rights at the time of application and through the benefit determination process. An Appeal Information sheet is provided to the applicant at the time of application. The benefit notification and denial notice provide the applicant information about their rights to an appeal/fair hearing.

12.6 Describe your fair hearing procedures for households whose applications are not acted on in a timely manner.

MaineHousing requires each applicant requesting a fair hearing be contacted by telephone and receive a letter. If an application is not acted on in a timely manner, MaineHousing works directly with the Subgrantee to help facilitate/expedite the application process.

12.7 When and how are applicants informed of these rights?

Applicants are notified of their fair hearing rights at the time of application and through the benefit determination process. Fair hearing rights information is provided to the applicant at the time of application, the benefit notification, and the denial notice.

Section 13 - Reduction of home energy needs, 2605(b)(16) - Assurance 16

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Section 13: Reduction of home energy needs, 2605(b)(16) - Assurance 16

13.1 Describe how you use LIHEAP funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance?

Subgrantees may submit annual proposals for MaineHousing's consideration, describing their planned activities and expenses associated with providing services to applicants pursuant to Assurance 16 of the LIHEAP Act. Assurance 16 funds may only be used to fund activities that encourage and enable eligible households to reduce their home energy needs and thereby the need for energy assistance.

Only LIHEAP eligible households may receive Assurance 16 services. Services funded by Assurance 16 must be energy related and may include family development case management and educational activities. Subgrantees are required to have proper fiscal controls to ensure the LIHEAP funds are expended proportional to the overall funding sources using proper cost allocation methodology. There must be proper documentation of participation and a methodology to measure outcomes from the Assurance 16 activities.

Allowable Costs:

- Salaries and benefit costs for any staff directly providing services "that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance is allowable".
- Additionally, direct costs associated with providing these services, including supplies, equipment, postage, utilities, rental office space, and travel costs incurred for official business are allowable.

Unallowable Costs: Services that are already provided as part of the delivery of other federal programs cannot be charged to Assurance 16. Examples:

- Working with an electric utility to forestall a shut-off as part of providing an Energy Crisis Intervention Program (ECIP) benefit cannot be charged to Assurance 16 because this activity is already required and funded under ECIP.
- Outreach/Intake services, regardless of where they are provided, or who (which staff member/position) provides them, cannot be charged to Assurance 16. These activities are already required under HEAP fuel assistance, and therefore, do not provide an additional benefit to eligible households.
- Mailed out applications are not allowed to be charged to Assurance 16.
- Indirect charges cannot be charged to Assurance 16.
- Client referrals to other programs or resources that are not related to clients' home energy needs or do not reflect an additional net benefit for the client.

13.2 How do you ensure that you don't use more than 5% of your LIHEAP funds for these activities?

MaineHousing has established the following requirements to ensure compliance:

- Budget up to 5% of Maine's LIHEAP funds for Assurance 16 activities; Subgrant agreements specify the allocation amount for these activities.
- Subgrantees are required to submit budgets and work-plans that outline their processes for administering these activities.
- Monitor Subgrantees' expenditures monthly.
- Subgrantee's record-keeping must demonstrate a direct link between services provided to clients and costs charged to Assurance 16. Salary costs for providing Assurance 16 services must be supported by timesheet documentation.

13.3 Describe the impact of such activities on the number of households served in the previous Federal fiscal year.

MaineHousing provides its Subgrantees with an opportunity to develop/submit proposals and funding requests for Assurance 16 (A16) initiatives. Six (6) Subgrantees were awarded funds for Assurance 16 activities. Activities included short-term case management, comprehensive energy saving education/counseling, and providing participants with energy kits.

13.4 Describe the level of direct benefits provided to those households in the previous Federal fiscal year.

Some subgrantees offer incentives to households that complete milestones/modules of financial literacy education and demonstrate a reduction in their home energy costs. Incentives range from \$50- \$425 (depending on the subgrantee's incentive model and the number of milestones achieved by a household) that are issued to the household's fuel or electricity vendor.

13.5 How many households applied for these services? To Be Determined

13.6 How many households received these services? To Be Determined

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 14 - Leveraging Incentive Program, 2607A

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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Section 14: Leveraging Incentive Program, 2607(A)

14.1 Do you plan to submit an application for the leveraging incentive program?

Yes No

14.2 Describe instructions to any third parties and/or local agencies for submitting LIHEAP leveraging resource information and retaining records.

If leveraging awards become available, MaineHousing will collect leveraging information from Subgrantees. Subgrantees will maintain and provide the following information:

1. Identify and describe each resource/benefit;
2. Identify the source(s) of each resource; and
3. Describe the integration/coordination of each resource/benefit with the LIHEAP program, consistent with 1 or more of conditions A-H in 45 CFR 96.87(d)(2)(iii).

14.3 For each type of resource and/or benefit to be leveraged in the upcoming year that will meet the requirements of 45 C.F.R. Â§ 96.87(d)(2)(iii), describe the following:

Resource	What is the type of resource or benefit?	What is the source(s) of the resource?	How will the resource be integrated and coordinated with LIHEAP?
1	Home Repair	State funds	Home Repair funds are administered by the Subgrantees operating the LIHEAP /Weatherization programs. MaineHousing's Home Repair Program funds may be used in conjunction with HEAP weatherization for repairs and weatherization measures.
2	Heating Assistance	Local organizations/ partnerships, including United Way, fuel vendors, and faith-based organizations	Subgrantees appropriate and distribute these funds to low-income households as supplements and/or alternatives to the LIHEAP program.
3	Discount rates and debt forgiveness for electricity	Maine's public utility companies	Coordinated through the utility company and Subgrantee. Outreach and intake are incorporated in the LIHEAP application process.
4	Winterization assistance	Donations from local church groups and other organizations.	Donated materials or volunteer labor for the installation of winterization measures.
5	In-kind and other benefits, including blankets, sleepers, snow suits, and sweatshirts, which are intended to improve client comfort and reduce heating costs.	Fund-raising initiatives and drives; examples Project Santa and American Red Cross.	Subgrantees ensure LIHEAP clients are aware of and have access to these benefits.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 15 - Training

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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Section 15: Training

15.1 Describe the training you provide for each of the following groups:

a. Grantee Staff:

Formal training on grantee policies and procedures

How often?

Annually

Biannually

As needed

Other - Describe:

Employees are provided with policy manual

Other-Describe:

MaineHousing's participation in monthly Maine Community Action Partnership's Energy Council meetings provides venue for additional training and feedback throughout the program year.

b. Local Agencies:

Formal training conference

How often?

Annually

Biannually

As needed

Other - Describe:

On-site training

How often?

Annually

Biannually

As needed

Other - Describe:

Employees are provided with policy manual

Other - Describe

MaineHousing provides annual LIHEAP training for Subgrantees. MaineHousing also provides training and technical assistance to all Subgrantees through regular monthly meetings and through monitoring visits. Additionally, MaineHousing will, upon request from the Subgrantee or in response to needs identified by MaineHousing, provide technical assistance.

c. Vendors
<input checked="" type="checkbox"/> Formal training conference
How often?
<input checked="" type="checkbox"/> Annually
<input type="checkbox"/> Biannually
<input type="checkbox"/> As needed
<input type="checkbox"/> Other - Describe:
<input checked="" type="checkbox"/> Policies communicated through vendor agreements
<input checked="" type="checkbox"/> Policies are outlined in a vendor manual
<input checked="" type="checkbox"/> Other - Describe: MaineHousing provides annual training for vendors. MaineHousing also provides training and technical assistance to vendors through monitoring visits. Additionally, MaineHousing will, upon request from the vendor or in response to needs identified by MaineHousing, provide technical assistance.

15.2 Does your training program address fraud reporting and prevention?
<input checked="" type="radio"/> Yes
<input type="radio"/> No
If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 16 - Performance Goals and Measures, 2605(b)

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP) **MODEL PLAN** **SF - 424 - MANDATORY**

Section 16: Performance Goals and Measures, 2605(b) - Required for States Only

16.1 Describe your progress toward meeting the data collection and reporting requirements of the four required LIHEAP performance measures. Include timeframes and plans for meeting these requirements and what you believe will be accomplished in the coming federal fiscal year.

Energy Cost Data:

MaineHousing's centralized LIHEAP database and application documents require the following information:

- Main fuel type and vendor account number;
- As part of the application process applicants age 18 years or older are required to sign a release permitting the Subgrantee and MaineHousing to provide information to and obtain information from other parties or agencies; and
- Electric utility account information.

Home Energy Consumption: Per the vendor agreement, vendors are contractually obligated to submit **Annual Consumption Reports** to MaineHousing to report deliveries for a household's main fuel, from May 1 through April 30. The consumption data is entered/imported into MaineHousing's centralized LIHEAP database.

Electricity vendors are required to provide non-heat usage data for clients. Household Income is entered into MaineHousing's centralized LIHEAP database. LIHEAP benefits are calculated by and stored in MaineHousing's centralized LIHEAP database.

Home Energy Status

Crisis Assistance: MaineHousing's centralized LIHEAP database and Crisis application documents capture the number of households without home energy service (disconnected, out of fuel, inoperable equipment) and the number of households at risk of losing home energy (past due/disconnect notice, nearly out of fuel, at risk equipment).

Heating Assistance: MaineHousing's centralized LIHEAP database supports the collection and reporting of the LIHEAP Performance Measures Restoration and Prevention data requirements.

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 17 - Program Integrity, 2605(b)(10)

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Section 17: Program Integrity, 2605(b)(10)

17.1 Fraud Reporting Mechanisms

a. Describe all mechanisms available to the public for reporting cases of suspected waste, fraud, and abuse. Select all that apply.

- Online Fraud Reporting
- Dedicated Fraud Reporting Hotline
- Report directly to local agency/district office or Grantee office
- Report to State Inspector General or Attorney General
- Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste, and abuse
- Other - Describe:

MaineHousing has zero tolerance for fraud. MaineHousing's Compliance Program Officer investigates any concerns reported by energy vendors, Subgrantees, or third-parties.

Suspected fraud and abuse may be reported to a dedicated email address: LIHEAPcompliance@mainehousing.org

b. Describe strategies in place for advertising the above-referenced resources. Select all that apply

- Printed outreach materials
- Addressed on LIHEAP application
- Website
- Other - Describe:

The LIHEAP Handbook for Subgrantees and the Vendor guide, which are distributed annually and maintained on MaineHousing's website portal to accommodate real-time changes, include information about reporting suspected fraud, misuse, and abuse.

17.2. Identification Documentation Requirements

a. Indicate which of the following forms of identification are required or requested to be collected from LIHEAP applicants or their household members.

Type of Identification Collected	Collected from Whom?						
	Applicant Only		All Adults in Household		All Household Members		
Social Security Card is photocopied and retained	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	
	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	<input checked="" type="checkbox"/>	Requested	
Social Security Number (Without actual Card)	<input type="checkbox"/>	Required	<input type="checkbox"/>	Required	<input checked="" type="checkbox"/>	Required	
	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	
Government-issued identification card (i.e.: driver's license, state ID, Tribal ID, passport, etc.)	<input checked="" type="checkbox"/>	Required	<input type="checkbox"/>	Required		Required	
	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested		Requested	
Other		Applicant Only Required	Applicant Only Requested	All Adults in Household Required	All Adults in Household Requested	All Household Members Required	All Household Members Requested
1		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Describe any exceptions to the above policies.

See attachment - Section 17 Program Integrity

17.3 Identification Verification

Describe what methods are used to verify the authenticity of identification documents provided by clients or household members. Select all that apply

- Verify SSNs with Social Security Administration
- Match SSNs with death records from Social Security Administration or state agency
- Match SSNs with state eligibility/case management system (e.g., SNAP, TANF)
- Match with state Department of Labor system
- Match with state and/or federal corrections system
- Match with state child support system
- Verification using private software (e.g., The Work Number)
- In-person certification by staff (for tribal grantees only)
- Match SSN/Tribal ID number with tribal database or enrollment records (for tribal grantees only)
- Other - Describe: All Applicants two years of age or older must provide proof of Social Security Number (SSN). Any document used to prove SSN must contain all nine (9) digits and the Applicant's full name. SSN documentation is saved in MaineHousing's centralized LIHEAP database.

17.4. Citizenship/Legal Residency Verification

What are your procedures for ensuring that household members are U.S. citizens or aliens who are qualified to receive LIHEAP benefits? Select all that apply.

- Clients sign an attestation of citizenship or legal residency
- Client's submission of Social Security cards is accepted as proof of legal residency
- Noncitizens must provide documentation of immigration status
- Citizens must provide a copy of their birth certificate, naturalization papers, or passport
- Noncitizens are verified through the SAVE system
- Tribal members are verified through Tribal enrollment records/Tribal ID card
- Other - Describe:

17.5. Income Verification

What methods does your agency utilize to verify household income? Select all that apply.

- Require documentation of income for all adult household members
 - Pay stubs
 - Social Security award letters
 - Bank statements
 - Tax statements
 - Zero-income statements
 - Unemployment Insurance letters
 - Other - Describe: Odd Job Income Worksheet and/or Self-Employment Worksheet are used for applicable situations. Department of Labor history report required for all applicants who self-declare receipt of unemployment benefits. Applicants who claim zero income or self-declare they are unemployed must sign an affidavit. Applicants who self-declare receipt of Social Security income and/or Supplemental Security Income are required to provide a copy of their Social Security award letter.
- Computer data matches:
 - Income information matched against state computer system (e.g., SNAP, TANF)
 - Proof of unemployment benefits verified with state Department of Labor
 - Social Security income verified with SSA
 - Utilize state directory of new hires
 - Other - Describe:

17.6. Protection of Privacy and Confidentiality

Describe the financial and operating controls in place to protect client information against improper use or disclosure. Select all that apply.

- Policy in place prohibiting release of information without written consent
- Grantee LIHEAP database includes privacy/confidentiality safeguards
- Employee training on confidentiality for:
 - Grantee employees
 - Local agencies/district offices
- Employees must sign confidentiality agreement
 - Grantee employees
 - Local agencies/district offices
- Physical files are stored in a secure location

Other - Describe: Mandatory cybersecurity training for all users of MaineHousing's centralized LIHEAP database system.

17.7. Verifying the Authenticity

What policies are in place for verifying vendor authenticity? Select all that apply.

All vendors must register with the State/Tribe.

All vendors must supply a valid SSN or TIN/W-9 form

Vendors are verified through energy bills provided by the household

Grantee and/or local agencies/district offices perform physical monitoring of vendors

Other - Describe and note any exceptions to policies above:

MaineHousing runs a background check for all new vendors to verify there are no civil or federal judgments or bankruptcies.

Contracts are made only with vendors who possess the ability to perform successfully under the terms and conditions of a proposed procurement with consideration given to matters such as vendor integrity, record of past performance, financial and technical resources or accessibility to other necessary resources. All vendors must supply valid TIN number, or Social Security number, in the contracting process.

17.8. Benefits Policy - Gas and Electric Utilities

What policies are in place to protect against fraud when making benefit payments to gas and electric utilities on behalf of clients? Select all that apply.

- Applicants required to submit proof of physical residency
- Applicants must submit current utility bill
- Data exchange with utilities that verifies:
 - Account ownership
 - Consumption
 - Balances
 - Payment history
 - Account is properly credited with benefit
 - Other - Describe:
- Centralized computer system/database tracks payments to all utilities
- Centralized computer system automatically generates benefit level
- Separation of duties between intake and payment approval
- Payments coordinated among other energy assistance programs to avoid duplication of payments
- Payments to utilities and invoices from utilities are reviewed for accuracy
- Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities
- Direct payment to households are made in limited cases only
- Procedures are in place to require prompt refunds from utilities in cases of account closure
- Vendor agreements specify requirements selected above, and provide enforcement mechanism
- Other - Describe:

17.9. Benefits Policy - Bulk Fuel Vendors

What procedures are in place for averting fraud and improper payments when dealing with bulk fuel suppliers of heating oil, propane, wood, and other bulk fuel vendors? Select all that apply.

- Vendors are checked against an approved vendors list
- Centralized computer system/database is used to track payments to all vendors
- Clients are relied on for reports of non-delivery or partial delivery
- Two-party checks are issued naming client and vendor
- Direct payment to households are made in limited cases only
- Vendors are only paid once they provide a delivery receipt signed by the client
- Conduct monitoring of bulk fuel vendors
- Bulk fuel vendors are required to submit reports to the Grantee
- Vendor agreements specify requirements selected above, and provide enforcement mechanism
- Other - Describe:

Wood vendors are paid after they provide a delivery receipt signed by the client.

17.10. Investigations and Prosecutions

Describe the Grantee's procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients/staff/vendors found to have committed fraud. Select all that apply.

- Refer to state Inspector General
- Refer to local prosecutor or state Attorney General
- Refer to US DHHS Inspector General (including referral to OIG hotline)
- Local agencies/district offices or Grantee conduct investigation of fraud complaints from public

Grantee attempts collection of improper payments. If so, describe the recoupment process

MaineHousing will investigate all reported Errors and Program Abuse. If there is documented information to indicate Errors and Program Abuse, MaineHousing will notify the Applicant and provide them an opportunity to respond. Based on the response, MaineHousing will determine what, if any, appropriate action should be taken.

Once Errors and Program Abuse is confirmed or if an Applicant fails to respond to inquiries regarding suspected Errors and Program Abuse, an overpayment will be calculated and communicated to the Applicant. In addition to the overpayment, the communication will include: 1) the facts surrounding the decision, 2) the reason for the decision, and 3) the manner by which the Applicant can request an appeal. MaineHousing may investigate the previous three (3) Program Years from the Date of Discovery. The overpayment may include any or all of those three (3) years.

- Applicant may pay MaineHousing the full amount of an overpayment.
- Applicant may enter into a payment arrangement. Minimum monthly payment allowed will be set at \$5.00 a month.
- Despite the existence of a repayment agreement, MaineHousing will recoup 50% of any current and future Benefits to offset against an overpayment balance.
- MaineHousing will recoup Benefits on account with the Applicant's Vendor to offset against an overpayment balance. When Applicant fails to repay overpayment, the case may be referred to other internal and external groups for additional action.

MaineHousing may close an overpayment for any of the following reasons:

- Overpayment has been paid in full;
- The overpayment is determined to be invalid based on a fair hearing decision or a court decision; or
- All adult persons(s) responsible for overpayment are deceased.

Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned?

Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated

Vendors found to have committed fraud may no longer participate in LIHEAP

Other - Describe:

If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.

Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Section 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

Certification Regarding Debarment, Suspension, and Other Responsibility Matters- Primary Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled ``Certification Regarding Debarment,

Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility an Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

By checking this box, the prospective primary participant is providing the certification set out above.

Section 19: Certification Regarding Drug-Free Workplace Requirements

Section 19: Certification Regarding Drug-Free Workplace Requirements

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

- By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
- The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- For grantees other than individuals, Alternate I applies.
- For grantees who are individuals, Alternate II applies.
- Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
- Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
- If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously

identified the workplaces in question (see paragraph five).

8. Definitions of terms in the Non-procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

Controlled substance means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

Criminal drug statute means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

Employee means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of sub-recipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements

Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs;and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
- (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to any employee who is so convicted --
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
- (B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

26 Edison Drive

Address Line 2

Address Line 3

Augusta

ME

04330

Check if there are workplaces on file that are not identified here.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other

designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

By checking this box, the prospective primary participant is providing the certification set out above.

Section 20: Certification Regarding Lobbying

Section 20: Certification Regarding Lobbying

The submitter of this application certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any

person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

By checking this box, the prospective primary participant is providing the certification set out above.

Assurances

Assurances

(1) use the funds available under this title to--

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those with the lowest incomes that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs, and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to--

(A) households in which one or more individuals are receiving--

(i) assistance under the State program funded under part A of title IV of the Social Security Act;

(ii) supplemental security income payments under title XVI of the Social Security Act;

(iii) food stamps under the Food Stamp Act of 1977; or

(iv) payments under section 415, 521, 541, or 542 of title 38, United States Code, or under section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978; or

(B) households with incomes which do not exceed the greater of -

(i) an amount equal to 150 percent of the poverty level for such State; or

(ii) an amount equal to 60 percent of the State median income;

(except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income.

(3) conduct outreach activities designed to assure that eligible households, especially households with elderly individuals or disabled individuals, or both, and households with high home energy burdens, are made aware of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;(4) coordinate its activities under this title with similar and related programs administered by the Federal Government and such State, particularly low-income energy-related programs under subtitle B of title VI (relating to community services block grant program), under the supplemental security income program, under part A of title IV of the Social Security Act, under title XX of the Social Security Act, under the low-income weatherization assistance program under title IV of the Energy Conservation and Production Act, or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs or needs in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses 2(A) and 2(B) of this subsection;

(6) to the extent it is necessary to designate local administrative agencies in order to carry out the purposes of this title, to give special consideration, in the designation of such agencies, to any local public or private nonprofit agency which was receiving Federal funds under any low-income energy assistance program or weatherization program under the Economic Opportunity Act of 1964 or any other provision of law on the day before the date of the enactment of this Act, except that -

(A) the State shall, before giving such special consideration, determine that the agency involved meets program and fiscal requirements established by the State; and

(B) if there is no such agency because of any change in the assistance furnished to programs for economically disadvantaged persons, then the State shall give special consideration in the designation of local administrative agencies to any successor agency which is operated in substantially the same manner as the predecessor agency which did receive funds for the fiscal year preceding the fiscal year for which the determination is made;

(7) if the State chooses to pay home energy suppliers directly, establish procedures to --

(A) notify each participating household of the amount of assistance paid on its behalf;

(B) assure that the home energy supplier will charge the eligible household, in the normal billing process, the difference between the actual cost of the home energy and the amount of the payment made by the State under this title;

(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

(D) ensure that the provision of vendor payments remains at the option of the State in consultation with local grantees and may be contingent on unregulated vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for agreements between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

(8) provide assurances that,

(A) the State will not exclude households described in clause (2)(B) of this subsection from receiving home energy assistance benefits under clause (2), and

(B) the State will treat owners and renters equitably under the program assisted under this title;

(9) provide that--

(A) the State may use for planning and administering the use of funds under this title an amount not to exceed 10 percent of the funds payable to such State under this title for a fiscal year; and

(B) the State will pay from non-Federal sources the remaining costs of planning

and administering the program assisted under this title and will not use Federal funds for such remaining cost (except for the costs of the activities described in paragraph (16));

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursement of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");

(11) permit and cooperate with Federal investigations undertaken in accordance with section 2608;

(12) provide for timely and meaningful public participation in the development of the plan described in subsection (c);

(13) provide an opportunity for a fair administrative hearing to individuals whose claims for assistance under the plan described in subsection (c) are denied or are not acted upon with reasonable promptness; and

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610.

(15) * beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs.

* This assurance is applicable only to States, and to territories whose annual regular LIHEAP allotments exceed \$200,000. Neither territories with annual allotments of \$200,000 or less nor Indian tribes/tribal organizations are subject to Assurance 15.

(16) use up to 5 percent of such funds, at its option, to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors, and report to the Secretary concerning the impact of such activities on the number of households served, the level of direct benefits provided to those households, and the number of households that remain unserved.

File Attachment: Low Income Home Energy Assistance

Grantee Name: Maine State Housing Authority

Report Name: Detailed Model Plan (LIHEAP)

Report Period: 10/01/2021 to 09/30/2022

Section 2 Heating Assistance

2.1 Eligibility Guideline

Maine will use the following standards to determine income eligibility:

- i. the greater of 150% of Federal poverty guidelines or 60% of State median income.

MaineHousing will establish eligibility guidelines based on the availability of federal funding for the programs during each program year. MaineHousing strives to provide an average benefit in an amount to purchase at least 100 gallons of fuel. MaineHousing reserves the right to lower the percent of poverty criteria for HEAP eligibility to manage funding, benefit levels, and eligibility.

File Attachment: Low Income Home Energy Assistance

Grantee Name: Maine State Housing Authority

Report Name: Detailed Model Plan (LIHEAP)

Report Period: 10/01/2021 to 09/30/2022

Section 5.5 Weatherization

Maine will allocate up to 15% of the FFY 2022 grant for HEAP Weatherization and other energy-related home repair, including the Central Heating Improvement Program (CHIP) and Heat Pump Program.

HEAP Weatherization

1. The purpose of HEAP Weatherization is to reduce Eligible Households' need for Fuel Assistance, particularly those with the lowest Household Incomes that pay a high proportion of Household Income for Home Energy and those that include Priority Applicants.
 - a. Using HEAP Weatherization in conjunction with DOE funds: If the HEAP Weatherization guidelines conflict with those required by 10 CFR Part 440, DOE requirements shall have precedence. HEAP Weatherization funds may only be used to weatherize Dwelling Units occupied by HEAP income-eligible households.
 - b. Weatherization measures must be installed in accordance with the Maine Weatherization Standards, as may be amended from time to time.
 - c. A Household may be eligible for HEAP Weatherization if the Household:
 - i. is eligible for HEAP/fuel assistance;
 - ii. has a HEAP application certified-eligible within the twelve (12) months preceding the date of the Subgrantee's energy audit of the Dwelling Unit; and
 - iii. does not have a more recent Application that has been certified-denied, unless the sole reason for the denial is over-income and the Household income does not exceed 200% of federal poverty.
 - d. Income Eligibility. MaineHousing uses the DOE income threshold of 200% of federal poverty to determine income-eligibility for HEAP Weatherization. If a Household's total income exceeds the HEAP income guidelines, but is less than or equal to 200% of poverty, the Household may be eligible for HEAP Weatherization provided the following are true:
 - i. Household is otherwise eligible for HEAP/fuel assistance (income is the sole reason for denial). The Application must be complete and all required documentation has

been submitted/accepted and the eligibility was determined/certified within the twelve (12) months preceding the date of the Subgrantee's energy audit of the Dwelling Unit;

- ii. Household does not have a more recent Application that has been certified-denied, unless the sole reason for the denial is over-income and the Household income does not exceed 200% of federal poverty guidelines.

2. Proof of Ownership. The Subgrantee shall verify ownership of all Dwelling Units and Rental Units prior to performing any work. Proof of ownership may include current property tax bill, statement from the local tax assessor, town clerk or similar municipal official, or documentation from electronic registry.

Life estates and leases require a copy of the document conferring the Applicant's rights.

The Subgrantee must obtain the written permission of the owner of the Rental Unit prior to performing any work.

3. A Dwelling Unit will not be eligible under HEAP Weatherization if:

- a. Dwelling Unit received weatherization services under HEAP Weatherization or another MaineHousing program within the prior fifteen (15) year period.
- b. Dwelling Unit has been designated for acquisition or clearance by a federal, state, or local program or order;
- c. Dwelling Unit has been designated for foreclosure;
- d. Dwelling Unit is for sale;
- e. Dwelling Unit is vacant;
- f. Dwelling Unit is uninhabitable as determined by a local municipality, State Agency, MaineHousing, or a Community Action Agency;
- g. Dwelling Unit is in poor structural condition making the installation of HEAP Weatherization services impractical, impossible, or ineffective;
- h. Dwelling Unit is in such poor structural condition that the proposed HEAP Weatherization services would have a longer life expectancy than the Dwelling Unit;
- i. Dwelling Unit has been damaged by fire, flood or an act of God and repair of the damage is covered by insurance;
- j. There are obvious discrepancies found between the information supplied on the Application and observed conditions during the HEAP Weatherization process. The Subgrantee must resolve any discrepancies before work can continue.

4. Allowable Uses:

- a. Weatherization needs assessments/audits;
- b. Air sealing and insulation;
- c. Storm windows;
- d. Heating System modifications/repairs;
- e. Heating System replacements;
- f. Heating System cleaning, tuning, and evaluating;
- g. Compact fluorescent light bulbs;
- h. Energy related roof repairs;
- i. Major appliance repairs/replacements, including water heaters, provided the total cost of the appliances does not exceed 20% of the labor and material costs associated with the installation of energy conservation measures or one appliance if the 20% will not cover the repair/replacement cost of one appliance;
- j. Incidental Repairs – per unit average not to exceed 20%;
- k. Health and safety measures – per unit average not to exceed \$1,200;
- l. Replacement windows and doors are allowable only under exceptional circumstances and only after all other reasonable repair options have been considered and rejected.

5. Fuel Switching: As a general guideline, the practice of fuel switching when replacing Heating Systems is not allowed. However, if the Subgrantee determines that the switching of a fuel source is warranted, then a written waiver request must be submitted to MaineHousing for review and consideration (on a case-by-case basis) prior to the installation.

6. Work on an eligible Dwelling Unit previously weatherized under a MaineHousing program may be reopened if:

- a. the reopening occurs within six (6) months of completion of the original weatherization service; and
- b. The reopening is required because the previous service is the proximate cause of an immediate threat to the health and safety of the occupants; or

- c. The quality of weatherization material or its installation is deemed deficient by MaineHousing.
7. Subgrantees shall administer and operate HEAP Weatherization in their Service Areas, unless otherwise authorized by MaineHousing.
8. For the purposes of HEAP Weatherization, Subgrantees must conduct a public bid process to secure weatherization contractors at least annually as prescribed by MaineHousing.

Central Heating Improvement Program (CHIP)

1. A Household may be eligible for CHIP services if the Household:
 - A. is eligible for HEAP/fuel assistance;
 - B. has a household income less than or equal to 200% federal poverty level;
 - C. has a HEAP application certified-eligible within the prior twelve (12) months; and
 - D. does not have a more recent Application that has been certified-denied.
2. Subgrantees shall provide CHIP services based on the following priority order:
 - A. Eligible Households experiencing an Energy Crisis caused by Heating System malfunction or failure.
 - B. Non-wood Heating Systems that cannot achieve a minimum steady state efficiency of 70% (as determined by a CTE).
 - C. Preventative CTE and minor repairs on a non-emergency basis (owner-occupied dwelling units only). Date of the last CTE by a licensed technician must be more than 12 months prior to the initiation of services date.
 - D. The installation of a Heat Pump.
3. Eligible Households shall be served on a first-come, first-served basis with respect to each level of priority except when the Subgrantee is providing weatherization services to a Dwelling Unit. In this case, CHIP activities to Eligible Households that enable the Subgrantee to leverage funds may be served first.
4. Subgrantees shall administer and operate CHIP in their Service Areas unless otherwise determined by MaineHousing.
5. Heating System Replacement. Household may be eligible for assistance to replace a Heating System if the Household is eligible for HEAP/fuel assistance benefits. The amount of assistance shall take into account the Household's and non-occupying co-owner's countable assets.

The overall purpose of these asset limitations is to encourage a Household's contribution to meeting their needs, when possible, and at the same time recognize that household assets represent needed income and insurance against financial calamities, and that it is prudent to retain these assets to some extent.

- A. The Household will be required to contribute toward the cost of replacing the Heating System if the Household has countable assets in excess of \$5,000 or \$50,000 if a member of the Applicant Household is an Elderly Person. The same guidelines apply to Non-occupying Co-owner's Countable Assets. Countable assets are resources that are available to meet the immediate and urgent needs of the Household, and include:
- iii. Cash and funds on prepaid debit cards;
 - iv. Money in a checking or savings account (health savings accounts, educational funds, and burial accounts are excluded);
 - v. Stocks or bonds;
 - vi. U.S. Treasury bills;
 - vii. Money market funds; and
 - viii. Retirement accounts if there are no penalties or fees for withdrawals.
- B. A Household's contribution shall be determined by subtracting \$5,000 or \$50,000 (whichever is applicable) from its total countable assets. That difference will then be multiplied by the Household's percentage of ownership. A non-occupying co-owner's contribution shall be similarly calculated. The maximum CHIP benefit amount shall be determined by subtracting the sum of the Household's and non-occupying co-owner's contributions from the total replacement costs.

6. Rental Units Occupied By An Eligible Household: A life-time maximum benefit of \$400 for an Eligible Household. The maximum allowed in a non-owner occupied multi-family building is the lesser of \$400 times the number of Heating Systems that provide heat to Eligible Households or \$1,600.

7. If an Eligible Household member holds a life estate or life lease interest in and occupies the Dwelling Unit, the Dwelling Unit may be eligible if:

- the document conferring the Applicant's rights of the life estate or life lease states that the Eligible Household member is responsible for maintaining the Dwelling Unit, or is silent as to who is responsible for maintenance, or
- the Dwelling Unit is owned by an Eligible Household.

8. Proof of Ownership. The Subgrantee shall verify ownership of all Dwelling Units and Rental Units prior to performing any work. Proof of ownership may include current property tax bill, statement from the local tax assessor, town clerk or similar municipal official, or documentation from electronic registry.

9. A Dwelling Unit will not be eligible under CHIP if:

- A. Dwelling Unit is a Rental Unit that has received prior CHIP services to the life-time maximum benefit;
- B. Dwelling Unit has been designated for acquisition or clearance by a federal, state, or local program or order;
- C. Dwelling Unit has been designated for foreclosure;
- D. Dwelling Unit is for sale;
- E. Dwelling Unit is vacant;
- F. Dwelling Unit is uninhabitable as deemed by a local municipality, State Agency, MaineHousing, or a Community Action Agency;
- G. Dwelling Unit is in poor structural condition making the installation of CHIP services impractical, impossible, or ineffective;
- H. Dwelling Unit is in such poor structural condition that the proposed CHIP services would have a longer life expectancy than the Dwelling Unit;
- I. Dwelling Unit has been damaged by fire, flood or an act of God and repair of the damage is covered by insurance;
- J. There are obvious discrepancies found between the information supplied on the Application and observed conditions during the CHIP process. The Subgrantee must resolve any discrepancies before work can continue;
- K. Dwelling Unit has any other Heating System that is safe, operable, and is capable of heating the dwelling adequately during severe cold weather; or
- L. Subgrantee determines the Applicant failed to properly maintain a Heating System that was previously repaired or replaced under CHIP.

Eligible Households who apply for CHIP services for more than one Dwelling Unit will be subject to additional review to ensure the requested services are consistent with the intent of the program.

10. CHIP Allowable Uses:

- A. Cleaning, tuning, and evaluating oil or gas systems;
- B. Cleaning, evaluating, and servicing solid fuel systems;
- C. Replacing oil or gas burners;
- D. Replacing cracked heat exchangers;
- E. Replacing oil, gas, electric or solid fuel Heating Systems;
- F. Sealing and insulating Heating System pipes or ducts in unconditioned spaces;

- G. Installing electrical or mechanical Heating System ignition systems;
- H. Replacing or relocating thermostats and anticipator adjustment;
- I. Baffling of the combustion chamber;
- J. Optimizing the firing rate;
- K. Cleaning of the chimney;
- L. Smoke Alarms;
- M. Fire extinguishers;
- N. Carbon Monoxide detectors;
- O. Oil tanks;
- P. Oil tank gauges;
- Q. Installation of a heat pump;
- R. Temporary relocation provided the Eligible Household is experiencing a Life Threatening Crisis that cannot be adequately addressed through ECIP Measures;
- S. Other measures necessary to bring Heating Systems into compliance with applicable State and local codes and Maine Fuel Board requirements; and
- T. Other measures necessary to correct any Heating System problems that pose an immediate threat to the health and safety of the Eligible Household.

11. CHIP Unallowable Uses:

- A. Reimbursement or payment for purchases made by or costs incurred by an Applicant.
- B. Replacement of a Heating System if the Dwelling Unit received a prior Heating System replacement funded by CHIP unless the Heating System is near the end of or beyond its estimated useful life as defined by [EUL_FOR_CNA_E_TOOL.PDF \(hud.gov\)](#)

12. Fuel Switching. As a general guideline, the practice of fuel switching is not allowed. However, if the Subgrantee determines that the switching of a fuel source is warranted, then a written waiver request must be submitted to MaineHousing for review and consideration (on a case-by-case basis) prior to the installation.

13. Subgrantee must perform a final inspection on all CHIP services for heating system replacement jobs. Inspections will include an evaluation to determine:

- A. Compliance with applicable codes;
- B. That all work performed was authorized by the Subgrantee; and
- C. The combustion efficiency level of the Heating System where technically feasible.

14. Specific Procurement Requirements. Prior to the performance of CHIP services, the Subgrantee shall follow the procedures below:

- A. Procurement less than or equal to \$10,000. Procurement of services, including materials, equipment and services from specialized trades, such as electricians, plumbers, masons and oil burner repair people shall be performed in accordance with the following procedures.
 - i. Solicit by telephone, email, vendor website, catalog, price list, or similar means one price quote for the required materials, equipment and services.
 - ii. Determine if the quoted price is reasonable based on one or more factors identified by Subgrantee, such as recent purchases of, or research on, goods or services of the same kind or related knowledge or expertise; otherwise, solicit two price quotes by similar means.
 - iii. Copies of all procurement records, including basis for the contractor selection and factors used to determine if the quoted price is reasonable, must be retained in the Subgrantee files.
- B. Procurement over \$10,000. Procurement of services, including materials, equipment and services from specialized trades, such as electricians, plumbers, masons and oil burner repair people shall be performed in accordance with the following procedures.
 - i. Perform a price survey for the required materials, equipment and services.
 - ii. Make every reasonable attempt to receive price quotations or bids from at least three (3) reputable Contractors and fully document the bid process and all bids received on a survey sheet.
 - iii. Purchase the materials, equipment or services from the Contractor, whose bid or proposal is the lowest, taking into consideration the Contractor's performance record and other relevant factors. Fully document the selection process.
 - iv. Copies of all procurement records, including basis for contractor selection must be retained in the Subgrantee files.
- C. The Subgrantee must prepare an Invitation to Bid or a Request for Proposal, which:

- i. Identifies all requirements which prospective bidders must fulfill, including the due dates for bids; and
- ii. Identifies all factors which the Subgrantees will consider in evaluating and awarding bids.

D. The Invitation to Bid or Request for Proposal must be mailed, faxed or emailed to no less than three (3) prospective contractors who may reasonably be expected to submit a bid.

E. All bids must be received by the Subgrantee contact person via mail, fax or e-mail prior to a specified time for a bid opening at a specified time and location. All bids received must be kept in a secure location prior to all bids being received and tabulated. In addition, all correspondence relating to the procurement action must be retained in the bid files.

F. Sole Source Procurement. Subgrantee may solicit a proposal from only one source for one of the following reasons.

- i. Sole source procurement may be used in the following instances:
 - ii. Emergency or Urgent Need. An emergency situation or other urgent need exists and only one known source can provide the required goods or services within the time needed. Emergency or urgent situations include, but are not limited to, natural disasters or a Life Threatening Crisis.
 - iii. Uniqueness. The item or service is available from only one source, based on a reasonable, good faith review of the market for the type of item or service needed.
 - iv. Inadequate Competitive Proposals. After evaluation of all proposals submitted in a competitive procurement, all proposals are determined to be inadequate.
 - v. Subgrantee shall submit a written statement justifying the use and approval of all sole source procurements, in excess of \$10,000, to MaineHousing for its consideration prior to the installation of services.
 - vi. Subgrantee will retain a copy of the solicitation and the proposal received in response, a record of the approval by MaineHousing in Subgrantee's records.

Heat Pump Program (HPP)

- A. Eligibility. A Household may be eligible for the Heat Pump Program if the Household:
 1. is eligible for HEAP/fuel assistance;
 2. has a household income less than or equal to 200% Federal Poverty Level;
 3. has an Application certified-eligible within the twelve (12) months preceding the date of the Subgrantee's energy audit of the Dwelling Unit;

4. does not have a more recent Application that has been certified-denied; and
 5. has a working primary heating system.
- B. Proof of Ownership. Ownership of all Dwelling Units shall be verified prior to any work being performed. Proof of ownership may include current property tax bill, statement from the local tax assessor, town clerk or similar municipal official, or documentation from electronic registry.

Life estates and leases require a copy of the document conferring the Applicant's rights.

C. A Dwelling Unit will not be eligible under the Heat Pump Program if:

1. Dwelling Unit already is equipped with a heat pump;
2. Dwelling Unit has been designated for acquisition or clearance by a federal, state, or local program or order;
3. Dwelling Unit has been designated for foreclosure;
4. Dwelling Unit is for sale;
5. Dwelling Unit is vacant;
6. Dwelling Unit is uninhabitable as determined by a local municipality, State Agency, MaineHousing, or a Community Action Agency ;
7. Dwelling Unit is in poor structural condition making the installation of a heat pump impractical, impossible, or ineffective;
8. Dwelling Unit is in such poor structural condition that the proposed Heat Pump Program services would have a longer life expectancy than the Dwelling Unit;
9. There are obvious discrepancies found between the information supplied on the Application and observed conditions during the HEAP Weatherization process. The Subgrantee must resolve any discrepancies before work can continue.

D. Allowable Uses:

1. Installation of a Heat Pump; and
2. Installation of electric subpanel for heat pump if needed.

File Attachment: Low Income Home Energy Assistance
Grantee Name: Maine State Housing Authority
Report Name: Detailed Model Plan (LIHEAP)
Report Period: 10/01/2021 to 09/30/2022

Section 5 Multifamily Weatherization

MaineHousing's goal for the weatherization of multifamily units is for the low income tenants to receive a direct benefit. Multifamily properties are those with two or more units. If the owner occupies one of the units in a two to four unit rental property, the property will be considered a single family dwelling provided the owner is LIHEAP eligible.

MaineHousing allows for the weatherization of the entire building rather than just the low income units. If a property consists of more than one building, each building will need to qualify on its own.

The purpose of HEAP Weatherization is to reduce Eligible Households' need for Fuel Assistance, particularly those that include Priority Applicants and pay a high proportion of Household Income for Home Energy. Therefore, the primary focus is on properties where the low income tenants see a direct financial benefit. For these reasons, HEAP Weatherization funding may be used to weatherize multifamily units according to the following guidelines:

1. Not less than 66% (or 50% in the case of multi-family units of 2 or 4 dwelling units), must be LIHEAP eligible (all buildings if a multi-building property).

File Attachment: Low Income Home Energy Assistance

Grantee Name: Maine State Housing Authority

Report Name: Detailed Model Plan (LIHEAP)

Report Period: 10/01/2021 to 09/30/2022

Section 5.5 Weatherization – Quality Assurance and Training Protocols

MaineHousing administers the HEAP Weatherization and other energy-related home repair, including the Central Heating Improvement Program (CHIP) mostly under LIHEAP rules. Pursuant to the requirements of the Model Plan, MaineHousing has established quality control, training, inspection, and installation protocols to ensure program integrity and work quality.

1. HEAP Weatherization Protocols:

- a. **Maine State Housing 2020 Maine Weatherization Standards (“Standards”):** HEAP Weatherization work shall comply with all applicable codes and Standards. The Standards provide guidelines to local administering agencies and contractors regarding the proper delivery of weatherization services for residential buildings. The purpose of the Standards is to ensure that high quality service is given at a reasonable cost and is delivered uniformly throughout Maine. The success of this program depends upon agencies and contractors having a full understanding of these weatherization standards.

The objective of the Standards is twofold. First, it serves to define the appropriate application of weatherization measures for each residence serviced. The Standards delineate material specifications as well as the steps that should be followed to complete each measure. Alternative methods will be allowed, but whatever method is used must meet or exceed the standard described in the relevant section of this document. Second, the Standards set guides for the expectation of quality of the installed product. Procedures are included for evaluating the quality of each installed conservation measure and the overall quality of the completed job. Additionally, the Standards help ensure that weatherization program funds are used in the most cost-effective manner possible.

The Standards are intended to be a dynamic document, changing as necessary to reflect advances in best practices for weatherization and the health and safety of clients and weatherization personnel.

- b. **Final Inspection:** No dwelling unit may be billed under HEAP Weatherization until the subgrantee has performed a final inspection and certified that the applicable work was performed in an acceptable manner.
- c. **Desk Reviews:** MaineHousing staff performs a comprehensive compliance and technical (desk) review of jobs submitted for billing. This review verifies weatherization services were administered and installed in accordance with program requirements; verifies eligibility of dwelling unit and household, required documentation has been signed by the appropriate parties, and the pre- and post-weatherization testing and measures installed were consistent/compliant with program requirements. Any identified issues or questions must be addressed with and resolved by the subgrantee prior to payment.
- d. **Monitoring:** MaineHousing’s Technical Service Specialists do quality control. At a minimum, 5% of all units billed as completed will receive State unit inspections. If the work does not comply with program requirements and Standards, the MaineHousing Technical Service Specialist will require the subgrantee to issue an add-work/rework order or de-bill the job.

e. **Training:**

- i. MaineHousing organizes specialized trainings as determined necessary.
- ii. MaineHousing conducts ongoing assessment of subgrantee training needs during onsite inspections, audits, desk reviews, and joint meetings. MaineHousing's Technical Service Specialists work in the field with subgrantee staff to provide training and support as needed.
- iii. Maine Community Action Partnership's (MeCAP) Building Technical Committee (BTC) meets on a monthly basis to discuss all aspects of the weatherization program. The committee consists of a technical representative from each subgrantee. MaineHousing participates in the monthly BTC meetings where production, training, and other programmatic developments and standards are discussed. Through this venue subgrantees are continually updated with information and techniques regarding energy conservation and health and safety issues. This ensures that all subgrantees are receiving the same information and creates consistency for a quality program across the state.
- iv. MaineHousing participates in monthly meetings with the MeCAP Housing Council. This council consists of weatherization managers from each subgrantee. This serves as a forum for discussing policy issues, identifying training needs, and for sharing information.

2. **Central Heating Improvement Program (CHIP) Protocols:**

- a. **Final Inspections:** Subgrantee must perform a final inspection on all CHIP services for heating system replacements. Inspections will include an evaluation to determine:
 - i. Compliance with applicable codes;
 - ii. That all work performed was authorized by the subgrantee; and
 - iii. The combustion efficiency level of the Heating System (when technically feasible).
- b. **Desk Reviews:** The EHS Weatherization Program Officer performs desk audits of 25% of the CHIP job billings. This review verifies – i) services were procured, administered and installed in accordance with program requirements; ii) eligibility of dwelling unit and household; and iii) required documentation has been signed by the appropriate parties. Any identified issues or questions must be addressed with and resolved by the subgrantee prior to payment.
- c. **Monitoring:** MaineHousing performs onsite inspections as deemed necessary.

3. **Heat Pump Program (HPP) Protocols:**

- a. **Final Inspections:** Subgrantee must perform a final inspection on a minimum of 5% of all HPP jobs. Inspections will include an evaluation to determine:
 - i. Compliance with applicable standards and regulations; and
 - ii. That all work performed was authorized by the subgrantee.
- b. **Desk Reviews:** The EHS Weatherization Program Officer performs desk audits of 25% of the HPP job billings. This review verifies – i) services were procured, administered and installed in accordance with program requirements; ii) eligibility of dwelling unit and household; and iii) required documentation has been signed by the appropriate parties. Any identified issues or questions must be addressed with and resolved by the subgrantee prior to payment.
- c. **Monitoring:** MaineHousing performs onsite inspections on a minimum of 5% of all HPP jobs.

File Attachment: Low Income Home Energy Assistance

Grantee Name: Maine State Housing Authority

Report Name: Detailed Model Plan (LIHEAP)

Report Period: 10/1/2021 to 9/30/2022

Section 10: Program Monitoring Schedule PY2022 (tentative)

Maine State Housing Authority – FFA 2022 LIHEAP Program Monitoring Schedule		
Subgrantee	From	To
Aroostook County Action Program	11/8/2021	11/10/2021
Community Concepts, Inc.	3/28/2022	3/30/2022
Downeast Community Partners	1/10/2022	1/12/2022
Kennebec Valley Community Action Program	12/13/2021	12/15/2021
Penquis Community Action Program	2/21/2022	2/23/2022
The Opportunity Alliance	11/15/2021	11/17/2021
Waldo Community Action Program	3/14/2022	3/16/2022
Western Maine Community Action	2/7/2022	2/9/2022
York County Community Action Corp.	3/7/2022	3/9/2022

File Attachment: Low Income Home Energy Assistance

Grantee Name: Maine State Housing Authority

Report Name: Detailed Model Plan (LIHEAP)

Report Period: 10/1/2021 to 9/30/2022

Section 10: Fiscal Monitoring Schedule PY2022 (tentative)

Maine State Housing Authority – FY 2022 LIHEAP Fiscal Monitoring Schedule		
Subgrantee	From	To
Aroostook County Action Program	6/6/2022	6/10/2022
Community Concepts, Inc.	11/8/2021	11/12/2021
Downeast Community Partners	8/15/2022	8/19/2022
Kennebec Valley Community Action Program	11/15/2021	11/19/2021
Penquis Community Action Program	9/19/2022	9/23/2022
The Opportunity Alliance	12/6/2021	12/10/2021
Waldo Community Action Program	7/11/2022	7/15/2022
Western Maine Community Action	4/18/2022	4/22/2022
York County Community Action Corp.	5/16/2022	5/20/2022

File Attachment: Low Income Home Energy Assistance

Grantee Name: Maine State Housing Authority

Report Name: Detailed Model Plan (LIHEAP)

Report Period: 10/01/2021 to 09/30/2022

Section 17 Program Integrity

17.2 Identification Documentation Requirements

Social Security Numbers:

All Applicants two years of age or older must provide proof of Social Security Number (SSN). Any document used to prove SSN must contain all nine (9) digits and the Applicant's full name.

Acceptable documents are:

- a. Social Security Card issued by the Social Security Administration;
- b. SSA 1099 tax form;
- c. Non SSA-1099 tax form;
- d. Medicare card with number ending with the suffix "A";
- e. Valid unexpired U.S. Military documents such as DD 214 Certificate of Release or Discharge from Active Duty issued by the U.S. Department of Defense;
- f. Bank tax form; or
- g. W-2 (current wage and tax statement).

If the household includes a child under the age of two who has not received a SSN, the application is processed. However, the applicant must provide the child's SSN for subsequent program year applications.

Verification of Primary Applicant's Identity:

Subgrantees shall verify Primary Applicants' identities by requesting government-issued identification cards. One of the following can be provided to establish the identity of the Primary Applicant:

- Driver's license;
- State issued ID card;
- Passport or passport card;
- U.S. Military ID; or
- SNAP electronic benefit transfer (EBT) card with photo.

Non-U.S. Citizens:

If a Household member is not a U.S. citizen, Applicant must provide a Social Security Card issued by the Social Security Administration or one of the following:

1. Permanent Resident Card (I-551)
2. Unexpired foreign passport with a valid unexpired U.S. Visa affixed accompanied by the approved I-94 form, documenting the Applicant's most recent admittance into the United States.
3. Permanent resident Re-entry Permit (I-327)

4. Arrival Departure Form I-94 with “Temporary I-551” stamp and holder’s photograph affixed
5. Travel Document issued to Permanent Residents (I-327)
6. Travel Document issued to Refugees (I-571) Form
7. I-94 stamped with one of the following statuses: Asylee, Parolee or Parole, Refugee, Asylum, HP-humanitarian parolee, PIP-public interest parolee, or Cuban-Haitian Entrant

17.6 Protection of Privacy and Confidentiality

Any information obtained by grantee or Subgrantee, its employees, agents, contractors, or any other representatives in the administration of Programs, whether obtained from the applicant or household or from a third-party, shall be kept confidential and shall not be made available for public inspection or released to any person, entity or agency unless: there is written consent to do so; information is required for an audit or the like; applicant or household has released such information for participation in a fair hearing; or disclosure of said information is required by law.

Any statements of financial condition or information concerning LIHEAP or Energy Crisis Intervention Program (ECIP) applicants or recipients submitted to vendors, or its employees, agents, contractors or other representatives is kept confidential.

Contracts with Subgrantees and energy vendors include specific guidelines for protecting client confidentiality and personally identifiable information. Keeping protected information secure is an obligation mandated by contractual agreements between MaineHousing and its partners.

Additionally, MaineHousing has an Acceptable Use Policy in-place with Subgrantees.

17.9 Benefits Policy

MaineHousing uses Vendor Agreements, annual reports provided by all contracted vendors, and on-site monitoring. LIHEAP household shall select vendor who has entered into a Vendor Agreement to provide Home Energy; HEAP benefits are paid directly to vendor.

Vendors must maintain records, including delivery tickets, for all customer deliveries. Each year MaineHousing audits a number of vendors on a rotating basis. MaineHousing verifies the vendor’s compliance with LIHEAP policies and procedures and selects for review, at a minimum, a 10% sample of client accounts. Delivery tickets are verified to ensure that the vendor is making deliveries and is providing the required discount.

If significant problems are found, MaineHousing places the vendor on a “Watch List”. The vendor will receive benefit payments post-delivery and will be closely monitored by MaineHousing.

MaineHousing investigates any and all client, Subgrantee, or third-party reports of vendor issues and pursues corrective action with the vendor as warranted (including placement on the Watch List).

17.10 Investigations and Prosecutions (Other description)

Primary Applicants will be required to refund any overpayment. A Household's eligibility to receive benefits from Programs is contingent on the resolution of any overpayment.

1. MaineHousing will recoup 50% of all outstanding overpayments from any current or future Benefits until the overpayment is paid in full.
2. The Household may be eligible for ECIP if they have entered into and are in compliance with the terms of a repayment agreement with MaineHousing to resolve the overpayment or the overpayment has been paid in full.
3. The Household will not be eligible to receive benefits under the Weatherization Assistance Program, CHIP, or the Heat Pump Program until the overpayment is paid in full.

“Overpayment” means any HEAP benefit paid to, or on behalf of, any Applicant or Household that exceeds the amount the Applicant or Household was eligible to receive.

BENEFIT DETERMINATION

- The number of points assigned to an Eligible Household will be determined pursuant to the following:

Calculated or Reported Energy Cost	Points
\$0.01-\$400	5
\$401-\$800	10
\$801-\$1200	15
\$1201-\$1600	20
\$1601-\$2000	25
\$2001-\$2500	30
\$2501 and over	35
Calculated or Reported Energy Cost falling between brackets will be rounded to the next higher or lower dollar amount, as appropriate. For example: \$400.01-\$400.49 will be rounded to \$400; \$400.50-\$400.99 will be rounded to \$401.	

Poverty Level as Calculated under the Federal Poverty Income Guidelines	Percentage of Points
0%-25%	130%
26%-50%	120%
51%-75%	110%
76%-100%	100%
101%-125%	90%
126%-150%	80%
>than 150% FPIG but not exceeding the maximum of the greater of 150% FPIG or 60% State Median Income	70%
Calculated poverty level amounts falling between brackets will be rounded to the next higher or lower amount. For example: income at 75.1% will be rounded to 75%; income at 100.6% will be rounded to 101%.	

All final point results that are fractional will be rounded up to the nearest whole number.

Final point results will be multiplied by a dollar-per-point value, which is set by MaineHousing upon confirmation of LIHEAP grant/award amount.

Section 2.6 of the Model Plan:

FFY 2021 minimum and maximum benefits were calculated using the tables above and point values for the Consumption based and Design Heat Load Calculation method, which were \$42 and \$31 per point respectively.

FFY 2021	Minimum Benefit = \$124	Maximum Benefit = \$1,932
Consumption	Lowest consumption (\$.01-\$400) = 5 points	Highest consumption (\$2,501+) = 35 points
Income	Highest income (greater of 150% FPL or 60% AMI) = 70% of points	Lowest income (0%-25% FPL) = 130% of points
Final points	5 x 0.70 = 4 points	35 x 1.30 = 46 points
Benefit	\$31 x 4 points = \$124	\$42 x 46 = \$1,932

2. Calculating Energy Costs. Energy Costs are calculated by the Consumption Based or DHLC method.

A. Consumption Based. Energy Costs will be based on the Eligible Household’s actual Home Energy deliveries, as reported on the Annual Consumption Report, for the primary Heating System as declared on the Eligible Household’s Application.

1. If the primary Heating System is electric, Energy Costs will be calculated by deducting 30% of the Household’s annual electricity cost as reported by the Vendor on the Annual Consumption Report from the total annual electricity cost as reported by the Vendor on the Annual Consumption Report. The 30% deduction accounts for the non-heating usage of electricity.
2. If an Eligible Household resides in Subsidized Housing and has a Direct Energy Cost, any annual utility allowance for heating will be deducted from the Eligible Household’s Energy Cost reported by the Vendor on the Annual Consumption Report.
3. If after 30% of annual electricity cost is deducted for non-heating usage of electricity when applicable, and after annual utility allowances for heating are deducted from annual Household Energy Cost reported by the Vendor on the Annual Consumption report, the Household has a calculated energy cost of less than or equal to zero (0), the Household is only eligible to receive a Benefit in an amount to maximize benefits under the Supplemental Nutrition Assistance Program (SNAP)
4. Energy Cost will be calculated using the Consumption Based method provided the Eligible Household meets the following requirements:
 - i. The Eligible Household has a Direct Energy Cost and;
 - ii. An Applicant occupied the residence for the entire previous Heating Season and;
 - iii. The Eligible Household purchased all of their Home Energy for their primary Heating System from a Reporting Vendor(s) for the previous Heating Season and;
 - iv. Reporting Vendor(s) submitted an Annual Consumption Report to MaineHousing that provided the Eligible Household’s Home Energy delivery information and;
 - v. The Eligible Household’s Energy Costs, as reported by Vendor(s) to MaineHousing, is for their residence only and;
 - iv. The Eligible Household’s primary Heating System does not use wood, wood pellets, corn, coal, or bio-bricks.

B. Design Heat Load Calculation. DHLC shall be used to estimate the Energy Costs for Eligible Households that do not meet the requirements of the Consumption Based method. Under the

DHLC, the number of rooms occupied by the Eligible Household shall be multiplied by the number of BTUs needed to heat an average sized room in a Dwelling Unit. That product will then be multiplied by the number of square feet of an average sized room in a Dwelling Unit. Next, that second product will be multiplied by the number of heating degree days of the Service Area in which the Eligible Household's Dwelling Unit is located. That third product is then divided by one million BTUs. The quotient is then multiplied by the cost of the Eligible Household's primary Home Energy type per one million BTUs. That fourth product is then divided by the efficiency rate of the primary Home Energy type to arrive at the Eligible Household's amount of energy consumption. The cost per one million BTUs and efficiency rate of the Applicant's Home Energy type will be periodically established by MaineHousing. The DHLC is based on the following factors:

1. The total number of rooms in the Dwelling Unit as listed on the Application. Hallways, bathrooms, and closets are not counted in the total number of rooms;
2. An assumed standard room size for the Dwelling Unit type. Standard room sizes and BTUs required to heat a Dwelling Unit vary by Dwelling Unit type because average room size and surface area exposure to the elements vary by Dwelling Unit type. The standard room sizes and BTUs used for each Dwelling Unit type are as:

Dwelling Unit Type	Standard Room Size	BTUs
Stick-built/Modular	144 square feet	14.3
Manufactured Home/mobile home	100 square feet	13
Apartment	120 square feet	8.3

3. The heating degree days for the Service Area. Heating degree days are updated annually using data reported by National Weather Stations in Maine.
4. The estimated BTUs required to heat the Dwelling Unit;
5. Average cost per one million BTU. MaineHousing determines the average costs per one million BTU annually. Oil, kerosene, and propane costs are obtained by averaging the costs reported by the Governor's Energy Office (GEO). Average costs for all other fuel types are based on a representative survey of Vendors' pricing.
6. The efficiency rate for the primary Home Energy type listed on the Application. The Energy Cost per one million BTU and efficiency rate are based on the primary Home Energy type specified on the Eligible Household's Application.

Home Energy Type	Efficiency Rate
Oil	65%
Kerosene	65%
Propane	65%
Natural Gas	65%
Biodiesel	65%
Electric	100%
Firewood	50%
Corn	60%
Wood Pellets	80%
Bio-bricks	80%

Adoption of Proposed HCV Annual Plan

Public Comment Requirements

§ 903.17 What is the process for obtaining public comment on the plans?

(a) The PHA's board of directors or similar governing body must conduct a public hearing to discuss the PHA plan (either the 5-Year Plan and/or Annual Plan, as applicable) and invite public comment on the plan(s). The hearing must be conducted at a location that is convenient to the residents served by the PHA.

(b) Not later than 45 days before the public hearing is to take place, the PHA must:

(1) Make the proposed PHA plan(s), the required attachments and documents related to the plans, and all information relevant to the public hearing to be conducted, available for inspection by the public at the principal office of the PHA during normal business hours; and

(2) Publish a notice informing the public that the information is available for review and inspection, and that a public hearing will take place on the plan, and the date, time and location of the hearing.

(c) PHAs shall conduct reasonable outreach activities to encourage broad public participation in the PHA plans.

TIMELINE

August 2, 2021	Public Notice of Public Hearing Public availability of Proposed Plan including feedback/recommendations from Resident Advisory Board
August 17, 2021	Submit draft plan to Board for review prior to Public Hearing
September 21, 2021	Public Hearing
October 19, 2021	Board adoption

Newspapers we publish in:
Portland Press Herald
Lewiston Sun Journal
Kennebec Journal
Bangor Daily News

Press the ReStart Button!

Get back on track with your financial goals with ReStart



What is the ReStart Program?

ReStart is a free and easy way to work with a coach who will help you with your financial, employment and educational goals while helping you to build a savings account that will be released when you've successfully completed your goals.

The ReStart Program offers coaching with:

Finances

- Develop a financial fitness plan
- Get your credit report
- Review and understand your credit report.

Then make a plan to improve your credit score by:

- Eliminating credit errors
- Building positive credit
- Working to get rid of bad credit
- Learn about money management

Employment or Education

- Determine your work or career path
- Explore job options
- Find resources to meet challenges
- ReStart your employment journey
- Accomplish your educational goals with ease and support



Am I eligible?

You may be eligible for Restart if you:

- Have a MaineHousing Housing Choice Voucher
- Have a desire to work
- Want to invest in your future

Press the ReStart Button!

Savings & Success

While on the ReStart program if your income from working causes an increase to the rent that you pay, a monthly deposit may be made (up to the amount of the rent increase) into a savings account for you! When you graduate successfully from the program the money will be given to you.



ReStart Success Stories

They pushed the ReStart button:

Beth says, “The ReStart program helped me obtain an education. This helped me to start my own small business, improve my credit score, pay off my credit cards, reduce my loans, and learn to manage my income and expenses. It also helped me to obtain child care, learn budgeting basics, and with vehicle repairs when I needed them most. As a result I feel more confident moving forward in my life and am pre-approved for a loan on a home! My son and I are forever grateful for everything the ReStart team has helped me to accomplish. Thank you!”

April wanted full time work and financial stability. She worked with a coach and graduated from the ReStart program. “Through my coaches resource bank and guidance I now have my first real credit score and can start looking into buying a home. The best part of all is I now have a down payment for when I choose my home. All of this going a long way to securing our future.”

Push the
ReStart button -
Contact us today!

Call or email:

Laurie Glidden
207-626-4660

lglidden@mainehousing.org

Brianna Martin
207-624-5778

bmartin@mainehousing.org

Asset Management Department Memorandum

To: MaineHousing Board of Commissioners
From: Robert Conroy – Director, Asset Management
Date: June 6, 2021
Subject: June Board Report - Asset Management

Department Reorganization - Asset Management

The Asset Management Department is embarking on a reorganizational effort intended to streamline administrative processing and balance the existing portfolio workloads.

The current structure includes two Teams with one Manager for each.

The Financial Team is comprised of six members and manages all of the financial aspects of the portfolio including financial reviews, escrow funds, rental assistance processing and ownership transfers, among other responsibilities.

The Asset Manager Team is comprised of sixteen members and is responsible for all of the field audits, property inspections, Tenant calls, program compliance and other related tasks at the properties.

The new structure will be comprised of four Teams.

The Asset Manager Team will be divided into two Teams, Multifamily and PBCA.

The Multifamily Team will be comprised of one Manager and seven members. They will be responsible for all the program compliance requirements of the rent-restricted (LIHTC, FedHOME, Bond) properties.

The PBCA Team will be comprised of one Manager and six members and they will oversee compliance with the projects in the HUD PBCA portfolio.

A newly-created Operations Team will have one Manager and five members. They will be responsible for the Supportive Housing portfolio, Inspections, Database management, electronic processes, electronic filing and Reporting.

The Financial Team will remain unaltered, both in membership and tasks.

As a result, we will begin the process of adding two new Managers and two new Asset Managers to help round out the Teams.

Communications & Planning Department Memorandum

To: Board of Commissioners

From: Denise Lord

Date: June 8, 2021

Subject: June Board Report

Marketing and Communications

- MaineHousing's communications and marketing staff have continued to promote the Emergency Rental Assistance Program and plan for the upcoming communications and marketing changes to the program.
- Communications and marketing staff are also planning for the influx of funding for various programs and the implications for marketing those programs. This includes the Home Energy Assistance Program, the heat pump program, and others.
- Communications and marketing staff worked through a round of marketing efforts for homeownership, including paid marketing through August to support our First Home Loan program.
- Staff finalized the annual report. Board members will receive a sneak peek via email soon.

ERA/Housing Stability

We continue to host the Housing Stability Services community of practice. Housing Stability Services are intended to assist tenants receiving emergency rental assistance to remain stably housed. These sessions occur every two weeks.

We are preparing to hold two trainings for General Assistance administrators the Emergency Rental Assistance program and how to assist residents to apply and access housing stability services.

With the CDC eviction moratorium scheduled to end June 30th, we have been talking with Pine Tree Legal about offering a robust eviction prevention program.

Reports/Dashboards/Data

Work continues on dashboards; the next dashboard being prepared for external review is the Development Department. The ERA public dashboard continues to receive good feedback.

We are working to develop fact based proxies for determining eligibility for the Emergency Rental Assistance program.

Staff Development

The second class of the Leadership Development Program completed the final element of the program working in teams on a experiential learning project. This class developed projects within

the general theme of managing change during a pandemic. Three teams presented their final projects to the Leadership Team. They did an amazing job of researching and presenting their findings and recommendations. We are all so proud of this class!

Supporting/Accessing American Rescue Plan funds

We continue to assist the Bureau of Consumer Credit Protection as they prepare to offer the Homeowner Assistance Fund, a \$50 million program, to help homeowners at risk of foreclosure. We are working with state officials to address the lack of affordable housing with the State Fiscal Recovery funds.

Affordable Housing Conference

Registration for the Affordable Housing Conference is opening. Scheduled for October 20-21, the conference will be virtual.

Development Department Memorandum

To: MaineHousing Board of Commissioners
From: Mark C. Wiesendanger, Director of Development
Date: June 15, 2021
Subject: Monthly Report

9% LIHTC Pre-applications

Pre-applications for 2022 9% LIHTC were due on June 10. The Pre-applications will be used to award 9% LIHTC, and 4% LIHTC combined with State Affordable Tax Credits. A list of projects is forthcoming.

Staff

Kin Dydasco is joining the Development team as a Construction Analyst. Kin has done a great job as a Lead and Housing Rehab Specialist with EHS, and we know that his skillset and experience will serve him very well in his new role. We look forward to the knowledge and energy Kin brings to his new position.

Cindy Wardwell returns to us as a Loan Officer, after a brief stint with another organization. We are excited to bring her underwriting expertise and leadership back to our team.

Kelly Purington has been promoted into the newly created Multifamily Loan Officer Team Leader position. We've been trying to look at ways to balance workload in light of the unprecedented amount of new funding resources, and found a place where we could use a little more administrative leadership. This will allow us to make better use of Kelly's talents and natural leadership while freeing up work capacity for other team members.

Development is very excited to have assembled a great team – please join us in congratulating these folks on their new positions!

Increasing Construction Costs

According to the National Association of Homebuilders (NAHB), material costs for a single-family home have increased 26.1% over the past year, creating an increase of nearly \$36,000 in the average price of a home. This is largely caused by the dramatic increase in lumber costs. Along with this, 90% of builders are reporting shortages of appliances, framing lumber, and plywood.

https://nahbnow.com/2021/06/building-costs-skyrocket-over-the-past-12-months/?_ga=2.155743225.353692744.1623236679-961075373.1623236679



These factors have caused, and will continue to cause longer construction times, increased design changes, and occasional building standard compromises in MaineHousing-funded projects. We will continue to work closely with developers, architects, and contractors to ensure the best quality product can be delivered within the shortest time frame possible.



To: MaineHousing Board of Commissioners
From: Daniel Drost, Director of Energy and Housing Services
Date: June 15, 2021
Subject: EHS Monthly Report – June 2021

HOME ENERGY ASSISTANCE PROGRAM (HEAP)

PRODUCTION STATISTICS FOR PROGRAM YEAR 2021 (BEGUN AUGUST 24, 2020)

Number of Applications	PY 2021 THRU 6-2-2021	PY 2020 THRU 6-4-2020	+/-	% change
Total Applications Taken	47,163	46,627	+536	+1.1%
Confirmed Eligible/Paid	35,104	37,776	-2,672	-7.1%
Pending (in process)	3,468	2,562	+906	+35.4%
Other (ineligible, denied, void, etc.)	8,591	6,289	2,302	+36.6%

ENERGY CRISIS INTERVENTION PROGRAM (ECIP):

The federal Low-Income Home Energy Assistance Program (LIHEAP- referred to as HEAP in Maine) Statute requires timely and effective intervention of energy related crises, with an energy crisis meaning, “weather-related and supply shortage emergencies and other household energy-related emergencies”. A life-threatening crisis means, “a household is currently without heat or utility service to operate a heating source or heating system.” The ECIP is administered by Maine’s Community Action Agency network as the emergency fuel component of the HEAP, and ECIP services are available November 1 through April 30 of each year. Some form of assistance must be provided to resolve life-threatening situations within eighteen hours and to resolve energy crisis situations within forty-eight hours after a household applies for crisis benefits. The amount of ECIP benefit per eligible household per program year is determined annually and in PY2021, the benefit amount was \$400. In PY2021, over 2,800 households received ECIP benefits totaling over \$750,000 of assistance.

COMMUNITY AGING IN PLACE PROGRAM:

The Community Aging in Place Grant Program (CAIP) offers no-cost home safety checks, minor maintenance repairs, and accessibility modifications to eligible low-income elderly and disabled homeowners. These services enable recipients to continue to live safely and comfortable in their homes. The CAIP program began in 2017 and until recently, the program was administered through MaineHousing’s Communication and Planning Department (CPD). Payments are scheduled to be completed this week.

HOME ACCESSIBILITY AND REPAIR PROGRAM (HARP):

The Home Accessibility and Repair Program (HARP) provides grants to income eligible homeowners for professional home repairs; assistance with home replacement when deemed necessary, and accessibility modifications. The HARP is funded with State Home funds and the

program period runs from January 1 through December 31. The HARP program is comprised of five components: Home Repair, Elderly, Accessibility, Emergency Home Repair, and Emergency Manufactured Home Repair. The HARP is delivered statewide through the network of Community Action Agencies (CAAs).

Total Units By Project Type	
Home Repair	11
Elderly Home Repair	5
Accessibility	8
Emergency Home Repair	22
Emergency Manufacture Home Repair	22
Total Projects in Progress	68
<i>Projects in the Pipeline</i>	<i>~100</i>

LEAD PAINT HAZARD REDUCTION PROGRAMS:

MaineHousing’s Lead Hazard Reduction Programs provide grants to homeowners and owners of rental properties in Maine to help make their homes and rental properties lead safe. Priority for these program funds are granted to abatement projects for housing in which a child resides and who has been determined to have an elevated blood lead level.

HUD Lead Hazard Reduction Program (LHR): In 2019, MaineHousing was awarded \$3.8 million from the U.S. Department of Housing and Urban Development for the Lead Hazard Reduction Program (LHR) to complete lead hazard reduction statewide in 240 units.

Total Units By Status and Agency				
	ACAP	CCI	PCAP	Total
Complete	1	15	8	24
Declined	0	3	5	8
Under Contract	0	53	31	84
Approved ER	3	0	5	8
Pending ER Approval	2	4	6	12
Total	6	75	55	136

State Lead Hazard Reduction Program (N261): In November 2018, MaineHousing received \$4 million from the state to fund the State Lead Hazard Reduction Program (N261) to complete lead hazard reduction statewide in 190 units.

Total Units By Status and Agency				
	ACAP	CCI	PCAP	Total
Complete	2	100	50	152
Under Contract	0	13	8	21
Out To Bid	0	0	3	3
SHPO	0	0	6	6
Total	2	113	67	182

Finance Department Memorandum

To: Board of Commissioners
From: Darren R. Brown
Date: June 8, 2021
Subject: Monthly Report – Finance Department

ACCOUNTING AND FINANCIAL REPORTING:

- The Accounting and Financial Reporting (AFR) staff continued work on the A-133 Single Audit for the year ended December 31, 2020. This is an annual audit of MaineHousing’s federally funded programs to determine whether the programs have been administered in compliance with federal guidelines. The auditors from Baker Newman & Noyes are conducting the audit remotely again this year because of COVID-19.

MaineHousing administered and disbursed approximately \$193 million through twenty-six different federal programs in 2020. Major federal programs are audited on a rotating basis. The major programs for the 2020 audit are the Section 8 Housing Choice Voucher, HOME Investment Partnership, CARES Act – Rent Relief, and FEMA Homelessness programs. The A-133 Single Audit needs to be completed and filed with the federal Single Audit Clearinghouse and the HUD Real Estate Assessment Center (REAC) within nine months after the fiscal year end, which is September 30th for MaineHousing.

LOAN ADMINISTRATION:

- The number of single-family borrowers in our portfolio requesting COVID-19 financial hardship assistance continues to decline. Through the end of May, MaineHousing has provided COVID-19 financial hardship assistance to 523 of its first-time homebuyer borrowers. The assistance provided has been primarily in the form of a forbearance or through the Maine HOPE Program. A total of 479 borrowers received a forbearance and 44 received assistance through Maine HOPE. Of the 523 borrowers assisted, 353 or 68% have subsequently brought their loan current and are no longer in forbearance or delinquent status.

MaineHousing’s single-family loan portfolio consist of approximately 10,500 borrowers and amounts to \$940 million. The 170 loans in forbearance at the end of May amount to approximately \$15.3 million and represents about 1.63% of the portfolio, which is the lowest rate for the past twelve months. The Mortgage Bankers Association reported that the national forbearance rate is also declining and was 4.18% as of the end of May, which is a decrease of 0.31% from the end of April.

- Recruitment activities were recently completed to fill the department’s vacant Claims Specialist and Loan Administration Assistant positions. The Claims Specialist position oversees the filing and collection of mortgage insurance claims associated with defaulted single-family loans and ensures that related expenses are handled in accordance with federal law and insurer requirements. Cheryl Twitchell has

filled this position. Cheryl worked 25 years in several positions at Kennebec Valley Community Action Program (KVCAP).

The Loan Administration Assistant prepares financial records, provides technical support, and handles partner inquiries and customer service for the default area of Loan Administration. Cynthia Hallowell has filled this position. Cynthia has recently worked for the Town of Brunswick as a General Assistance Administrator. We are very excited to have both Cheryl and Cynthia join our team.

Finance Department Memorandum

To: Board of Commissioners
From: Darren R. Brown
Date: June 8, 2021
Subject: Monthly Financial and Budget Report

FINANCIAL RESULTS

Attached are the Balance Sheets and Statements of Revenues, Expenses, and Changes in Net Assets for the four-month period ended April 30, 2021.

MaineHousing's programs are accounted for in Fund Groups, based on funding sources. For financial reporting purposes, each Fund Group is a separate and standalone entity. There are seven Fund Groups and the individual Balance Sheets and Statements of Revenues, Expenses and Changes in Net Assets for each are presented in columns on the attachments (pages 1 and 2). The following is a summary of MaineHousing's total combined financial position and operating results for the current year and a brief explanation for the changes between the current and prior year net operating results.

Total combined assets are approximately \$2.06 billion and total combined liabilities approximate \$1.67 billion. Total net assets amount to approximately \$385.2 million. Total combined revenues approximate \$114.8 million and total expenses amount to approximately \$109.8 million, which results in net operating income of \$5 million. For this four-month period in 2020, there was a total combined net operating loss of \$3.4 million. Net operating income is \$8.4 million higher in 2021 and the increase is attributed primarily to the following:

The HOME Fund has net operating income of \$4.9 million, which is an increase of \$9.5 million compared with a net operating loss of \$4.6 million in 2020. MaineHousing's portion of the real estate transfer taxes received from the State are accounted for in this Fund Group. The increase in net operating income is due to higher real estate transfer tax receipts and timing differences with the expending of funds and recognition of grant expenses. Income from the State is \$2.6 million higher, while program grant expenditures are \$6.9 million lower at this point in 2021.

The net operating income for the Mortgage Purchase Fund (MPP), MaineHousing's largest fund group, is approximately \$0.6 million compared to net operating income of \$1.4 million in 2020. MPP's net operating income has decreased by \$0.8 million due to a change in the carrying values of non-mortgage investments and lower interest rates. A paper loss of \$0.2 million has been recognized in 2021, which represents a decrease of \$0.3 million compared with a paper gain of \$0.1 million recorded in 2020. The change associated with the recording of paper gains and losses is attributed to interest rate changes during the year.

The recording of paper gains and losses is required for accounting purposes. However, because MaineHousing does not actively buy and sell related investments, actual gains and losses will not occur and these amounts are ignored by the rating agencies, bond analysts, and management when assessing profitability.

Excluding the paper losses and gains, MPP's net operating income is \$0.8 million as of April 30, 2021 compared to \$1.3 million at the end April 2020. This \$0.5 million reduction is due mainly to lower interest rates, which have reduced interest income from non-mortgage investments

BUDGET RESULTS

Also attached are the budget variance results for the period ended April 30, 2021. These results are summarized and presented on the attachment described below:

OPERATING REVENUES AND EXPENSES BUDGET

MaineHousing has two primary business segments, which consist of mortgage lending activities and the administration of federal and other programs. All operating and program administrative costs are paid by either the net interest income from mortgage lending activities, which is the difference between interest income earned from mortgage and non-mortgage investment assets and the interest paid on bonds, or fee income received for the administration of federal and other programs.

The Operating Revenues and Expenses Budget, **Attachment A**, presents the revenues available to pay operating and program administrative expenses. It also presents the aggregate operating and program administrative expenses. Total budgeted revenues for 2021 are \$76.4 million and total expenses are budgeted at \$71.6 million. Total actual revenues as of April 30, 2021 amount to \$24.2 million, while total expenses amount to \$23.3 million. For the four-month period ended April 30, 2021, revenues exceed expenses by approximately \$0.9 million.

Total revenues are slightly under budget at this point due to lower interest income from non-mortgage investments. Interest rates have decreased during the year and average yields from investments are lower than projected. Total expenses are consistent with that anticipated for the period.

The operating and other program administration expenses (the first two expense lines) are detailed on **Attachment B** and summarized below:

OPERATING AND OTHER PROGRAM ADMINISTRATIVE EXPENSES

MaineHousing's overhead and operational costs for the year as well as other program administrative expenses, which are costs that are specifically and exclusively related to a particular program, are itemized on **Attachment B**.

Total 2021 operating expenses are budgeted at approximately \$19.5 million. As of April 30, 2021, approximately \$6.5 million or 33% of the total operating budget has been used. Total other program administrative expenses are budgeted at \$8.8 million and actual expenses amount to \$2.6 million as of April 30, 2021. At this point, total expenditures for these areas are running in line with budget amounts.

CAPITAL BUDGET

The Capital Budget, **Attachment C**, presents items that provide an economic benefit to MaineHousing over a period of time. Items are recorded as assets and depreciated over an estimated useful life. The total authorized capital budget for 2021 is \$385,000. Expenditures amounted to \$67,000 as of April 30, 2021 and were mainly for software upgrades to the Hancock systems used to administer the federal LHEAP and Weatherization programs and window shades for the office building.

MEMBERSHIPS, DUES AND SPONSORSHIPS

In accordance with MaineHousing's Contributions Policy, all payments for memberships, dues and sponsorship are required to be reported to the Commissioners each month as part of the budget variance reports. **Attachment D** presents an itemized listing of the membership, dues, and sponsorship expenses as of April 30, 2021.

**MAINE STATE HOUSING AUTHORITY
OPERATING REVENUES AND EXPENSES BUDGET VARIANCE REPORT
FOR THE PERIOD ENDED APRIL 30, 2021**

(IN THOUSANDS OF DOLLARS)

	Mortgage Lending Activities Actual	Federal & Other Program Administration Actual	Total Combined Actual	Total Annual Budget	Total Under/(Over)	% Variance
REVENUES:						
Interest from mortgages and notes	20,503	0	20,503	64,025	43,522	68%
Income from investments	326	1	327	1,500	1,173	78%
Fee income	299	3,040	3,339	10,764	7,425	69%
Other revenue	60	0	60	140	80	57%
Total Revenues	21,188	3,041	24,229	76,429	52,200	68%
EXPENSES:						
Operating expenses	3,931	2,518	6,449	19,510	13,061	67%
Other program administrative expenses	2,446	145	2,591	8,811	6,220	71%
Interest expense	14,308	0	14,308	43,270	28,962	67%
Total Expenses	20,685	2,663	23,348	71,591	48,243	67%
Excess Revenues Over Expenses	503	378	881	4,838	3,957	82%

**MAINE STATE HOUSING AUTHORITY
OPERATING AND OTHER PROGRAM ADMINISTRATIVE EXPENSES
FOR THE PERIOD ENDED APRIL 30, 2021**

ATTACHMENT B

	Total Annual Budget	Total Year to Date Actual	Budget Available	Percentage of Budget Available
Operating Expenses				
Salaries	10,777,009	3,734,743	7,042,266	65%
Payroll Taxes	788,606	262,920	525,686	67%
Retirement	1,065,276	363,959	701,317	66%
Medical and Life Insurance	2,619,299	837,752	1,781,547	68%
Other Fringe Benefits	10,000	834	9,166	92%
Office Supplies	54,095	14,594	39,501	73%
Printing	118,044	25,239	92,805	79%
Membership and Dues	61,745	17,772	43,973	71%
Subscriptions	22,660	7,608	15,052	66%
Sponsorships	13,500	0	13,500	100%
Staff Educ/Train/Conf	114,176	36,548	77,628	68%
Travel/Meals - Staff Educ/Train/Conf	74,801	41	74,760	100%
Partner/Client Train/Meetings	56,672	25,858	30,814	54%
Travel/Meals - Partner/Client Training	46,325	1,510	44,815	97%
Staff Events	10,225	3,187	7,038	69%
Meals - Staff Events	16,175	0	16,175	100%
Leased Vehicles	141,429	33,442	107,987	76%
Computer Supplies	19,300	6,378	12,922	67%
Computer License SAAS	177,415	51,904	125,511	71%
Rent-Other	34,130	12,810	21,320	62%
Computer Maintenance	622,493	141,286	481,207	77%
Depreciation	940,000	304,701	635,299	68%
Telephone	125,384	41,471	83,913	67%
Employment Advertising	3,400	375	3,025	89%
Postage and Shipping	97,050	46,660	50,390	52%
Insurance	90,935	7,375	83,560	92%
Recording Fees	1,300	154	1,146	88%
Payroll Services	36,075	12,849	23,226	64%
Audit Services	153,800	70,000	83,800	54%
Building Interest Expense	491,495	163,733	327,762	67%
Property Expenses	410,779	159,349	251,430	61%
Professional Services	316,088	64,068	252,020	80%
Total Operating Expenses	19,509,681	6,449,119	13,060,562	67%
Other Program Administrative Expenses				
Loan foreclosure expenses	200,000	35,351	164,649	82%
REO expenses	50,000	916	49,084	98%
Mortgage Servicing fees	1,820,000	587,970	1,232,030	68%
Provision for losses on loans & REOs	175,000	(15,700)	190,700	109%
Loan Origination expenses	3,000,000	720,766	2,279,234	76%
Bond Issuance Costs	900,000	195,802	704,198	78%
Trustee/Bank fees	158,000	56,110	101,890	64%
Program advertising/printing	147,500	17,850	129,650	88%
Bond and mortgagee insurance	15,200	0	15,200	100%
Variable rate bond remarket/liquidity facilities	1,175,000	501,582	673,418	57%
Cash flow/arbitrage/swap consultants/legal	600,000	338,707	261,293	44%
Homebuyer education	110,000	8,400	101,600	92%
Program administrator fees	447,000	143,158	303,842	68%
Section 8 security deposits/landlord incentives	13,000	0	13,000	100%
Total Other Program Administration Expenses	8,810,700	2,590,912	6,219,788	71%

**MAINE STATE HOUSING AUTHORITY
CAPITAL BUDGET
FOR THE PERIOD ENDED APRIL 30, 2021**

ATTACHMENT C

Description	2021 Budget	2021 Actual	Budget Available	% Expended
Computer Hardware:				
Network backup hardware - Data Domain	50,000	0	50,000	
Laptops	18,000	1,398	16,602	
Total computer hardware	<u>68,000</u>	<u>1,398</u>	<u>66,602</u>	<u>2%</u>
Computer Software:				
Enterprise multi-family housing system	170,000	0	170,000	
Coordinated Entry Portal - client list software homeless programs	10,000	0	10,000	
Mobile device management system	5,000	0	5,000	
Website redesign	27,000	18,355	8,645	
Hancock system upgrades (LIHEAP & Wx Programs)	50,000	17,500	32,500	
Salesforce software upgrades (Lead Program)	10,000	0	10,000	
Single Family loan servicing system modifications	10,000	0	10,000	
Community Outreach Dashboard	25,000	0	25,000	
Emphasys (AOD) Single Family lender (LOL) & tracking (LT) systems modifications	10,200	4,875	5,325	
Total computer software	<u>317,200</u>	<u>40,730</u>	<u>276,470</u>	<u>13%</u>
Office Building:				
Window Shades	0	25,170	(25,170)	
	<u>0</u>	<u>25,170</u>	<u>(25,170)</u>	<u>N/A</u>
Total	<u><u>385,200</u></u>	<u><u>67,298</u></u>	<u><u>317,902</u></u>	<u><u>17%</u></u>

**MAINE STATE HOUSING AUTHORITY
MEMBERSHIPS, DUES, AND SPONSORSHIPS
FOR THE PERIOD ENDED APRIL 30, 2021**

Description	Amount
Memberships and Dues	
Kennebec Valley Board of Realtors - annual affiliate membership	171
Maine Association of Mortgage Professionals - annual membership	375
Maine Bankers Association - annual affiliate membership	950
Maine Real Estate Management Association - annual membership	125
National Leased Housing Association - annual membership	600
National Association for State Community Services Programs - annual membership	2,603
National Energy Assistance Directors' Association - annual membership	6,341
International Code Council - annual membership	145
Construction Specifications Institute - employee annual membership	325
Council of State Community Development Agencies - annual membership	1,500
Maine Real Estate & Development Association - annual membership	1,200
National Affordable Housing Management Association - affiliate membership	1,075
Maine Department of Environmental Protection - lead inspector license renewal	200
Association of Government Accountants - (6) employee annual memberships	660
American Payroll Association - employee annual membership	262
Institute of Internal Auditors - employee annual membership	175
Association of Certified Fraud Examiners - employee annual membership	225
Maine Public Relations Council - employee annual membership	90
American College of Mortgage Attorneys - employee dues	525
American College of Real Estate Lawyers - employees dues	225
Total	<u>\$ 17,772</u>
Sponsorships	
Total	<u>\$ -</u>

Finance Department Memorandum

To: Board of Commissioners
From: Darren Brown
Date: June 3, 2021
Subject: Monthly Delinquencies Report

MULTI-FAMILY DELINQUENCIES

The Multi-Family portfolio totals \$672 million with 1,145 loans as of May 31, 2021. There are no 60+ days delinquent loan, as shown in *Exhibit 1*. The delinquency rate is 0.00%. The Multi-Family delinquency rate is benchmarked against MaineHousing's historical rates, as shown in *Exhibit 2*.

SINGLE-FAMILY DELINQUENCIES

The Single-Family portfolio totals \$940 million with 10,437 loans as of April 30, 2021. The over 60-day delinquencies decreased from 3.54% to 3.23% and the in-foreclosures decreased from 0.45% to 0.44%. The over 60-day delinquencies amount to \$30 million, with approximately \$4.1 million representing accounts in foreclosure. The over 60-day and in-foreclosure historic rates are shown in *Exhibit 4*. MaineHousing's overall delinquency rate by loan dollars is 3.23%; and the overall delinquency rate by loan count is 3.33%. As reflected in *Exhibit 5*, the overall delinquency rate by loan count is below the delinquency rate for all Maine Loans.

Servicer Delinquencies – As of April 30, 2021, Bank of America, NA had the highest overall delinquency rate of 16.84%, with an in-foreclosure rate of 2.40%. Delinquencies for our largest servicer, Mortgage Servicing Solutions, decreased from 4.02% to 3.82%, while the in-foreclosure rate increased from 0.42% to 0.43%. Bangor Savings Bank had the lowest rate of delinquencies at 0.82%. Delinquency rates for each servicer are shown in *Exhibit 3*.

Delinquencies by Insurance Type – In April 2021, FHA insured loans had the highest delinquency rate by total insurance type of 6.02%, with in-foreclosures at 0.59%. When compared to the total loan portfolio, RD insured loans had the highest delinquency rate of 1.74%, with in-foreclosures at 0.25%. Delinquencies by insurance type and the portfolio as a whole are shown in *Exhibit 6*.

FHA insured loans comprise 16% of the Single-Family portfolio and 31% of delinquencies, while RD insured loans comprise 60% of the portfolio and represent 54% of all delinquent loans. The current composition of the Single-Family portfolio by insurance type, along with the percentage of delinquencies by insurance type, is shown in *Exhibit 7*.

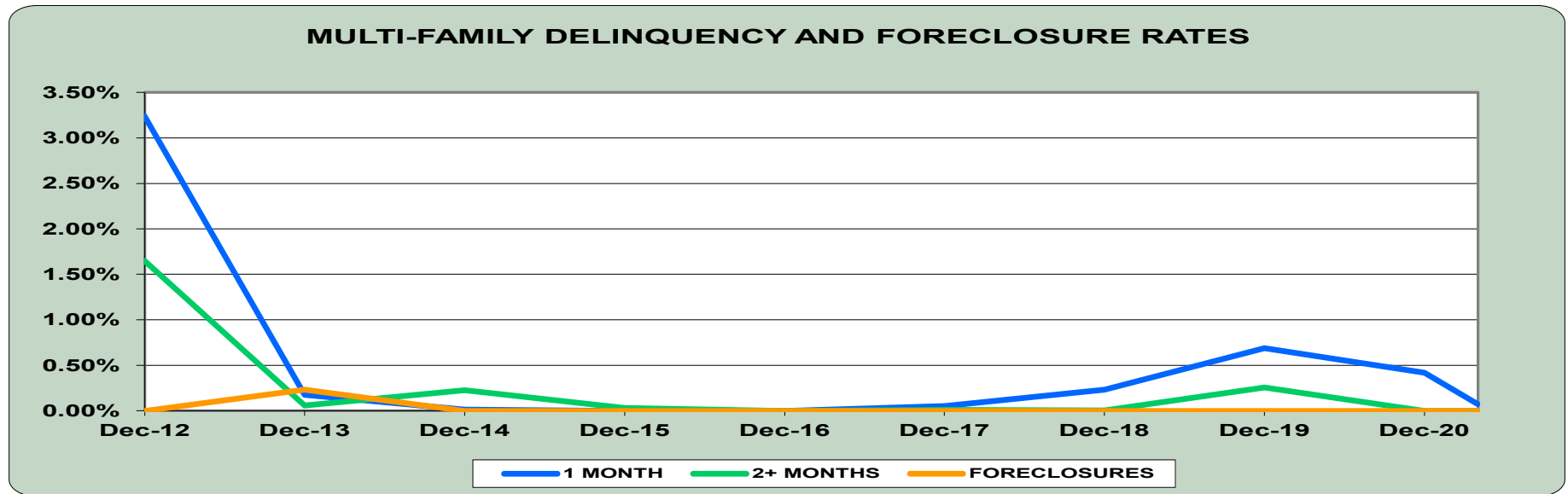
Foreclosure Prevention Activities – *Exhibit 8* summarizes our foreclosure prevention activities, as well as the number of completed foreclosures. As of April 2021, we have assisted 482 borrowers with various foreclosure prevention options. In 2020, we assisted a total of 1,652 borrowers. Activity increased in 2020 due to financial hardship requests associated with the COVID-19 pandemic.

Multi-Family Delinquent Loans

MAINE STATE HOUSING AUTHORITY MULTI-FAMILY DELINQUENCIES 5/31/2021									
Section 8					ORIGINATION	DELINQUENT			
BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	DATE	1 MONTH	2 MONTHS	3+ MONTHS	
NONE									
						0.00	0.00	0.00	
Rental Housing					ORIGINATION	DELINQUENT			
BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	DATE	1 MONTH	2 MONTHS	3+ MONTHS	
SUMMER ST, 50	2,672.43	04/01/21	ROCKLAND	50 SUMMER STREET LLC	03/11/19	494,665.00			
						494,665.00	0.00	0.00	
Supportive Housing & Other					ORIGINATION	DELINQUENT			
BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	DATE	1 MONTH	2 MONTHS	3+ MONTHS	
NONE									
						0.00	0.00	0.00	
						494,665.00	0.00	0.00	
Grand Total									
% of Portfolio Delq 60+ days							0.00%		
Total Number of Loans									1,145



Multi-Family Delinquency & Foreclosure Trends



	OUTSTANDING PRINCIPAL		1 MONTH		2+ MONTHS		FORECLOSURES	
	DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE
May-21	\$ 672,348,273		\$ 494,665	0.07%	\$ -	0.00%	\$ -	0.00%
Dec-20	\$ 666,678,177		\$ 2,791,073	0.42%	\$ -	0.00%	\$ -	0.00%
Dec-19	\$ 635,961,774		\$ 4,379,009	0.69%	\$ 1,620,600	0.25%	\$ -	0.00%
Dec-18	\$ 630,936,475		\$ 1,473,376	0.23%	\$ 20,600	0.00%	\$ -	0.00%
Dec-17	\$ 608,939,257		\$ 319,836	0.05%	\$ 60,624	0.01%	\$ -	0.00%
Dec-16	\$ 579,916,852		\$ -	0.00%	\$ -	0.00%	\$ -	0.00%
Dec-15	\$ 573,932,384		\$ -	0.00%	\$ 185,320	0.03%	\$ -	0.00%
Dec-14	\$ 513,937,525		\$ 77,568	0.02%	\$ 1,169,620	0.23%	\$ -	0.00%
Dec-13	\$ 506,871,177		\$ 896,386	0.18%	\$ 297,366	0.06%	\$ 1,166,866	0.23%
Dec-12	\$ 487,638,082		\$ 15,815,491	3.24%	\$ 8,056,115	1.65%	\$ -	0.00%



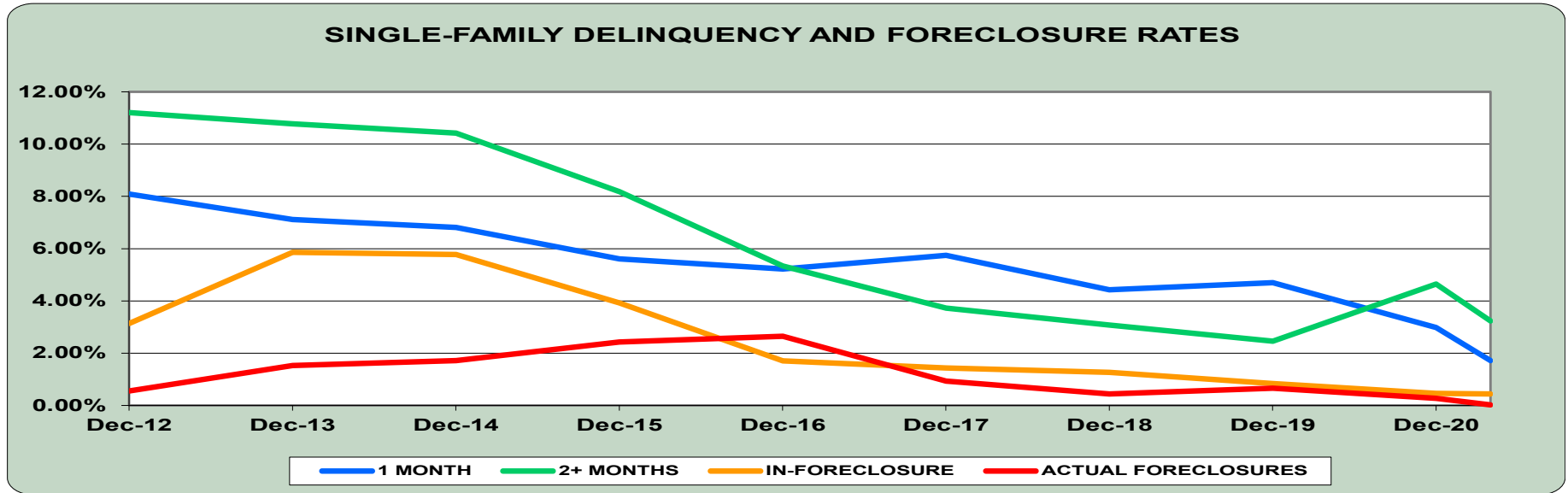
Single-Family Delinquent Loans

**Maine State Housing Authority
Single-Family Delinquencies by Servicer
4/30/2021**

SERVICER	% OF PORTFOLIO	% of Portfolio Delq 60 + days	OUTSTANDING PRINCIPAL	----- 1 MONTH	DELINQUENT 2 MONTHS	----- 3+ MONTHS	IN- FORECLOSURE
MORTGAGE SERVICING SOLUTIONS	66.64%	3.82%	626,540,434.30	11,522,953.49	2,945,300.94	18,339,534.80	2,678,931.21
BANGOR SAVINGS BANK	16.60%	0.82%	156,088,137.29	1,850,231.23	52,754.07	939,845.22	283,487.40
CAMDEN NATIONAL BANK UK	9.06%	2.06%	85,147,270.86	1,215,566.81	71,441.23	1,386,003.10	293,188.54
MACHIAS SAVINGS BANK	6.77%	3.13%	63,693,464.52	1,143,964.25	360,369.89	963,308.59	671,802.94
BANK OF AMERICA NA	0.86%	16.84%	8,068,596.81	422,332.60	0.00	1,165,039.46	193,427.97
SALEM FIVE MORTGAGE CORP	0.06%	3.24%	606,472.48	0.00	0.00	19,645.95	0.00
TOTAL	100.00%	3.23%	940,144,376.26	16,155,048.38	3,429,866.13	22,813,377.12	4,120,838.06



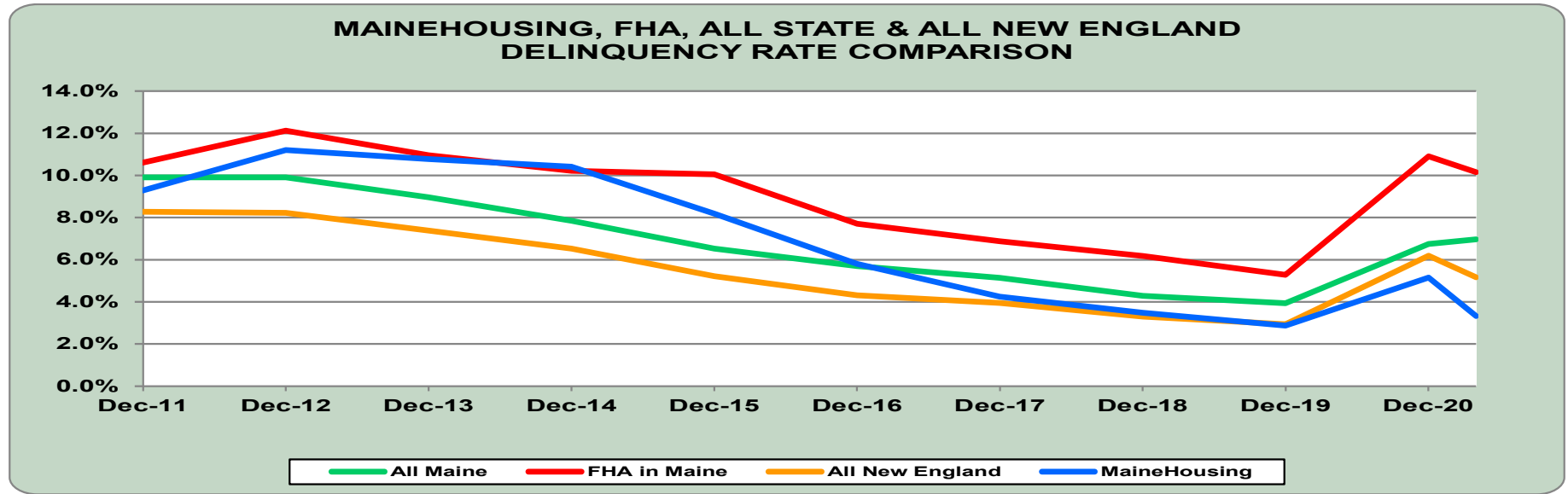
Single-Family Delinquency & Foreclosure Trends



	OUTSTANDING PRINCIPAL		1 MONTH DOLLARS RATE		2+ MONTHS DOLLARS RATE		IN-FORECLOSURE DOLLARS RATE		ACTUAL FORECLOSURES DOLLARS RATE					
Apr-21	\$	940,144,376	\$	16,155,048	1.72%	\$	30,364,081	3.23%	\$	4,120,838	0.44%	\$	215,164	0.02%
Dec-20	\$	960,761,414	\$	28,645,024	2.98%	\$	44,603,599	4.64%	\$	4,471,656	0.47%	\$	2,617,001	0.27%
Dec-19	\$	967,171,381	\$	45,399,415	4.69%	\$	23,774,547	2.46%	\$	8,037,512	0.83%	\$	6,357,994	0.66%
Dec-18	\$	916,608,577	\$	40,526,473	4.42%	\$	28,155,105	3.07%	\$	11,647,401	1.27%	\$	4,056,247	0.44%
Dec-17	\$	844,497,676	\$	48,457,930	5.74%	\$	31,454,643	3.72%	\$	12,099,518	1.43%	\$	7,847,858	0.93%
Dec-16	\$	799,557,471	\$	41,780,468	5.23%	\$	42,682,410	5.34%	\$	13,625,991	1.70%	\$	21,142,137	2.64%
Dec-15	\$	790,409,905	\$	44,303,365	5.61%	\$	64,656,769	8.18%	\$	31,066,182	3.93%	\$	20,797,314	2.43%
Dec-14	\$	810,139,060	\$	55,171,703	6.81%	\$	84,385,397	10.42%	\$	46,711,687	5.77%	\$	13,904,155	1.72%
Dec-13	\$	849,385,825	\$	60,378,599	7.11%	\$	91,501,809	10.77%	\$	49,783,071	5.86%	\$	12,980,502	1.53%
Dec-12	\$	899,788,247	\$	72,815,090	8.09%	\$	100,738,963	11.20%	\$	28,237,109	3.14%	\$	4,987,749	0.55%



Single-Family Delinquency Comparison Trends



MAINEHOUSING LOAN COUNT COMPARISON

	<u>Loan Count</u>	<u>2 Months</u>	<u>3+ Months</u>	<u>In-Foreclosure</u>	<u>Totals</u>
All State*	118,395	0.66%	4.88%	1.43%	6.97%
FHA for State*	17,908	0.93%	7.75%	1.47%	10.15%
All New England*	1,675,941	0.60%	3.86%	0.71%	5.17%
MaineHousing**	10,437	0.40%	2.47%	0.46%	3.33%

*This information is obtained from MBA's National Delinquency Survey for the first quarter of 2021.

**MaineHousing's overall delinquency rate based on loan dollars is 3.23%, whereas rates in this exhibit are based on loan count.



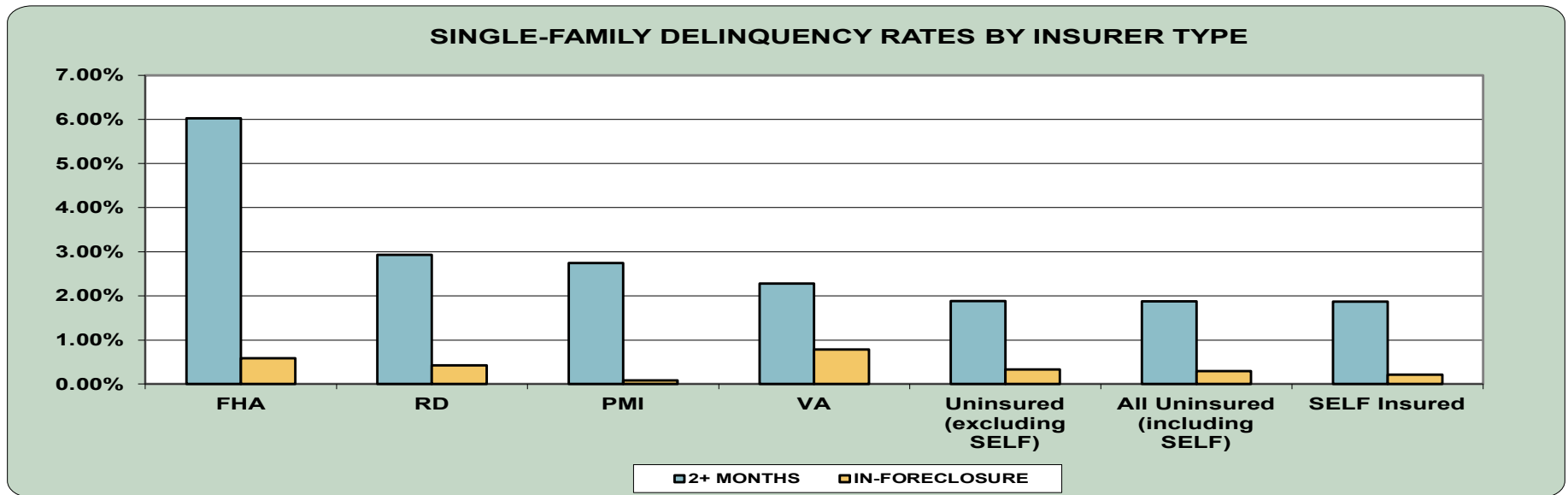
Single-Family Delinquencies by Mortgage Insurer

As A Percent of Total Insurance Type
4/30/2021

TYPE	2+ MONTHS	IN-FORECLOSURE
FHA	6.02%	0.59%
RD	2.93%	0.43%
PMI	2.74%	0.08%
VA	2.28%	0.78%
Uninsured (excluding SELF)	1.88%	0.33%
All Uninsured (including SELF)	1.88%	0.29%
SELF Insured	1.87%	0.21%

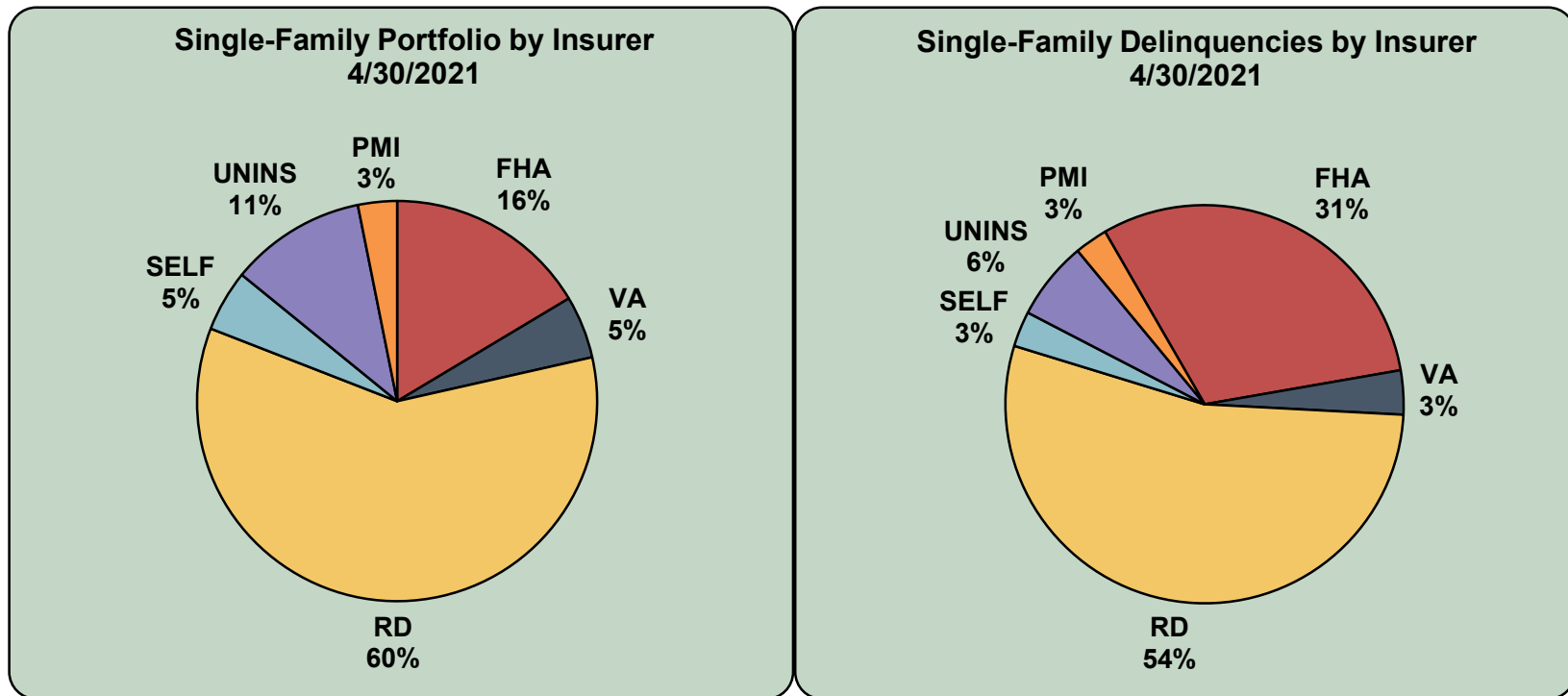
As A Percent of Total Loan Portfolio
4/30/2021

TYPE	2+ MONTHS	IN-FORECLOSURE
RD	1.74%	0.25%
FHA	0.99%	0.10%
All Uninsured (including SELF)	0.30%	0.05%
Uninsured (excluding SELF)	0.21%	0.04%
VA	0.12%	0.04%
SELF Insured	0.09%	0.04%
PMI	0.09%	0.00%

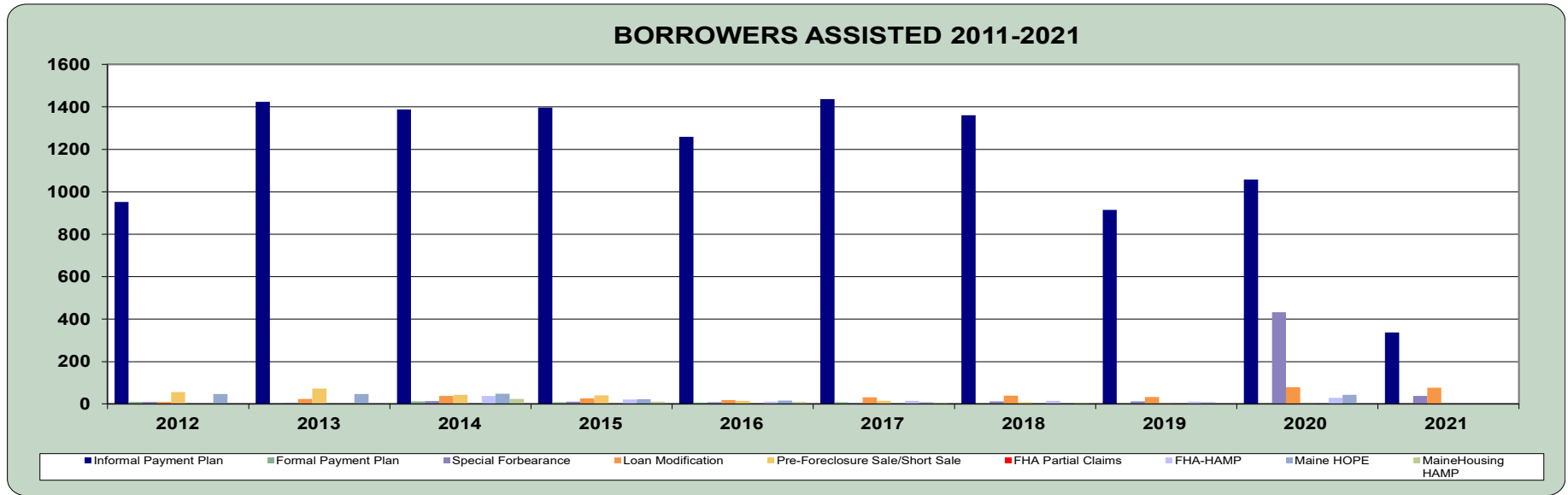


Single-Family Delinquencies by Mortgage Insurer

The following charts show the composition of MaineHousing loans by mortgage insurer. Self insured loans are mainly mobile homes. Uninsured loans are those not needing mortgage insurance (i.e. for loans under 80% property value). The following charts are in dollar amounts.



Single-Family Foreclosure Prevention Activities



Number of Borrowers Approved for Assistance

	Informal Payment Plan	Formal Payment Plan	Special Forbearance	Loan Modification	Pre-Foreclosure Sale/Short Sale	FHA Partial Claims	FHA-HAMP	Maine HOPE	MaineHousing HAMP	Total Workouts
Apr-21	337	0	38	77	2		27	1	0	482
Dec-20	1058	5	432	79	3		29	44	2	1652
Dec-19	914	3	12	32	4		10	8	0	983
Dec-18	1361	4	12	39	8		15	3	6	1448
Dec-17	1437	8	4	31	14		14	8	7	1523
Dec-16	1259	6	8	19	15		10	16	9	1342
Dec-15	1397	8	11	26	40		21	22	10	1535
Dec-14	1388	12	13	38	44		38	48	24	1605
Dec-13	1424	4	5	24	73			46		1576
Dec-12	952	9	9	9	56			47		1082

Actual Foreclosures

	Number of Foreclosures	Number of Loans in Portfolio	Percentage of Portfolio
Apr-21	4	10,437	0.04%
Dec-20	38	10,668	0.36%
Dec-19	86	10,904	0.79%
Dec-18	57	10,673	0.53%
Dec-17	97	10,332	0.94%
Dec-16	258	10,097	2.56%
Dec-15	233	10,258	2.27%
Dec-14	162	10,526	1.54%
Dec-13	146	10,952	1.33%
Dec-12	60	11,571	0.52%



Homeownership Department Memorandum

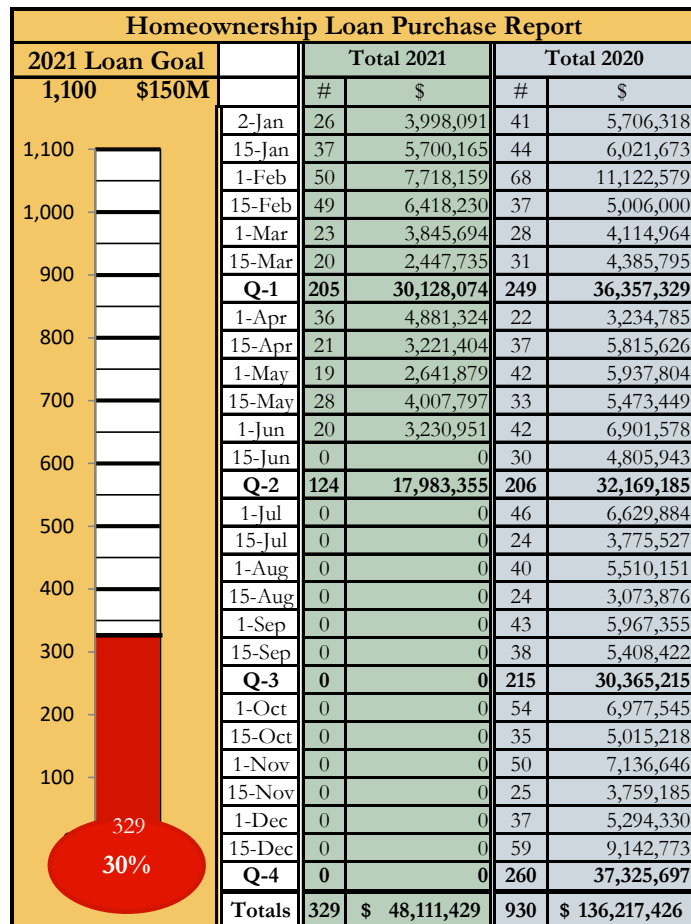
To: MaineHousing Board of Commissioners

From: Craig Reynolds, Director of Homeownership

Date: June 7, 2021

Subject: Monthly Report – Homeownership Department

PRODUCTION UPDATE



Monthly Loan Reservations: 06/01/21	
#	\$ Volume
91	\$ 15,226,430

Loan Pipeline as of: 06/01/21	
#	\$ Volume
250	\$ 40,198,336

YTD Loan Reservation Comparison					
May 2020		May 2021		2020 vs 2021	
#	\$ Volume	#	\$ Volume	#	\$ Volume
273	\$ 40,220,260	250	\$ 40,198,336	-8%	0%

PROGRAM HIGHLIGHTS

Loan Production & Market Status

First Home Loan purchases are steady entering June but continue to trail 2020 production. However as shown in the Production Update, the number of new reservations at this time is very close to the same point in 2020, and the actual dollar volume of the reservation pipeline is nearly the same at \$40M+-. This statistic is a reflection of the increase in loan amounts resulting from the surge in homes sales prices. The following press release excerpt from the Maine Association of Realtors affiliate organization Maine Listings, speaks to the ongoing trend in the real estate market in Maine and shows the challenge faced by home buyers in most price ranges, and especially being encountered by first time buyers who are facing a very competitive rising prices/low inventory market environment.

AUGUSTA (May 21, 2021)—Highly motivated buyers of single-family existing homes continue to pursue Maine real estate options. Statistics released today by Maine Listings show a 35.68 percent sales leap in April 2021 compared to April 2020. The statewide median sales price (MSP) reached \$276,000—an increase of 17.05 percent comparing April 2021 to April 2020. The MSP indicates that half of the homes were sold for more and half sold for less.

“Maine’s residential real estate market continues to be fast-paced,” says Aaron Bolster, Broker/Owner of Allied Realty in Skowhegan and 2021 President of the Maine Association of REALTORS®, “The April 2021 statistics released today reflect a comparison to one year ago, when the state of Maine was in COVID-shutdown status. Last month’s sales volume was strong—13 percent above the pre-pandemic April 2019 figures.

“As homes come onto the market, buyers are waiting and ready,” added Bolster.

“Statewide, the *Days on Market* for April 2021 was eight days, compared to 25 days one year ago, and 46 days in 2019.”

The First Home Loan (FHL) program has managed to maintain its 2.875% 30 year fixed interest base rate for the past several months, while market rates have recently risen to an average of approximately 3.20%, placing the FHL in a very competitive position enhanced by the \$3,500 Advantage down payment and closing cost assistance option.

New First Home Loan Income & Purchase Price Limits

Revised First Home Loan program Income and Purchase Price Limits have been calculated by Homeownership from information contained in the IRS Rev. Proc. 2021-17 and 2021-19 sent to MaineHousing in April. Once concurrence of the calculations was received from our bond counsel Kutak Rock LLP, the revised limits were distributed to lenders and other interested partners and became effective on May 17th. The current limits are available to view on the MaineHousing website. In general, the purchase price limit for a single family home increased over the previous limit by \$17,000 in some counties, and just over \$27,000 in other counties and high cost areas. These increases acknowledge the change in real estate market conditions over the past year and will help our first time homebuyers to compete in areas where sales prices continue to rise. Unfortunately however, the significant purchase price limit increases were not matched by the income limits issued by the IRS. Income limits increased less than \$1,000 over previous levels for a 1 or 2 person household in most areas, and were virtually unchanged in others. The exceptions being in York

County and the York/Kittery HMFA where 1 or 2 person household income limits increased by \$3,900 and \$4,600 respectively. Without a corresponding increase in income limits enabling borrowers to support potentially higher loan amount payments, the full benefit of having increased purchase price limits has to some degree been offset.

Staff Improvement Training

Mortgage Lending Officer, Casey Erlebach attended a Maine Relay training and a staff development webinar called Active Listening both of which will prove to be useful in the performance of her job in Homeownership. The relay training provided information concerning resources to assist the deaf and hard of hearing community, and provided an explanation of the different communication options that can be used for both phone calls and direct group presentations.

Lender Partner Training

Partner Education & Outreach Officer, Michelle White recently conducted a general lender training for eleven staff members of a Fairway Mortgage Co. branch located in Massachusetts. The goal was to prepare Fairway's loan officers and lending staff to assist customers who are interested in using the First Home Loan program. Fairway plans to institute a process for taking loan applications via internet or phone which will route the applications to loan officers versed in the First Home Loan program.

Michelle also conducted the third in a series of scheduled general trainings for any interested staff members with all lenders in the MaineHousing network. The May presentation was entitled 'Closing and Delivery' of MaineHousing loans. There were 22 attendees from various lenders in the class which covered a variety of topics including preparing for a closing, verifying rates and programs, required documents, and uploading of loan files to MaineHousing for purchase. Attendee feedback regarding the presentation and content of the class was all very positive.



Housing Choice Vouchers Department Memorandum

To: MaineHousing Board of Commissioners

From: Allison Gallagher - Director of HCV Programs

Date: June 15, 2021

Subject: Monthly Report – Housing Choice Voucher Program

Program Updates:

Emergency Rental Assistance Program (ERA)-
Andrew Parlin will be starting with HCV as the ERA Program Specialist on June 21st.

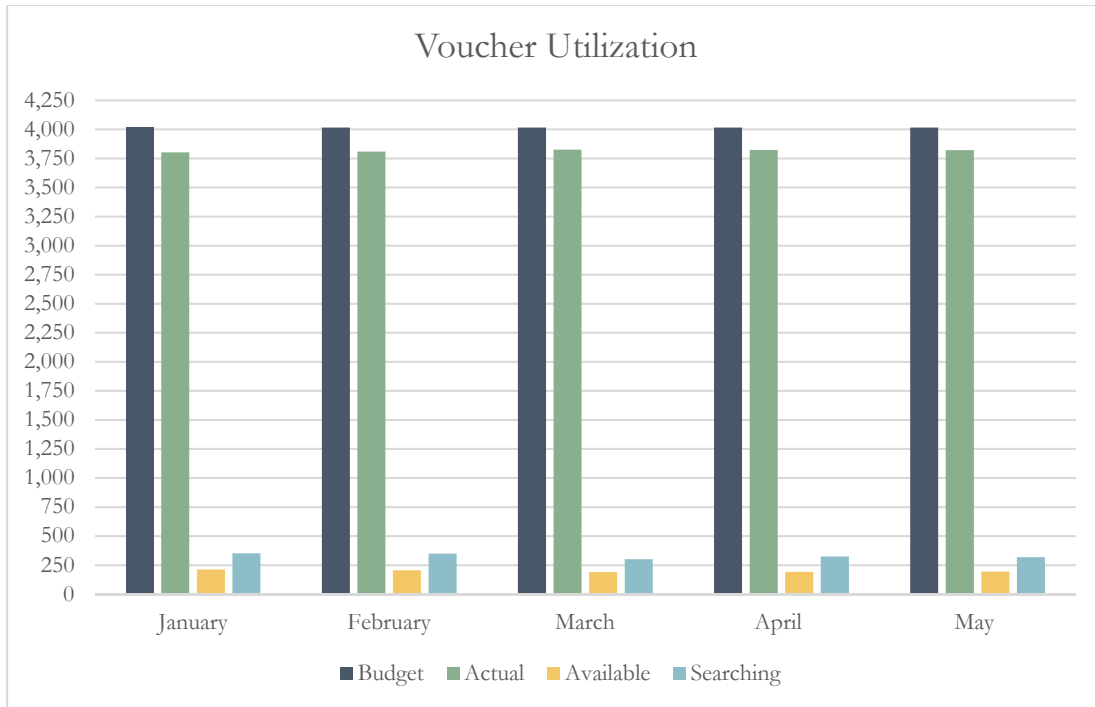
Christopher Anderson has been hired as a HCV Occupancy Specialist he started with HCV on June 7th.

HCV accepted an offer of 99 Emergency Housing Vouchers (EHV) from HUD. EHV will assist homeless individuals or those at risk of being homeless and require direct referrals from the states COC. We are currently working with our COC and other community partners to coordinate this effort statewide. The funding will be available to housing authorities July 1, 2021.

Maine	ME003	Portland Housing Authority	21
Maine	ME005	Lewiston Housing Authority	15
Maine	ME008	Waterville Housing Authority	15
Maine	ME009	Housing Authority City of Bangor	15
Maine	ME025	Caribou Housing Authority	15
Maine	ME901	Maine State Housing Authority	99
Maine Total		180	

LEAN Update:

HCV staff are working on scanning all physical tenant files as a 2021 LEAN initiative. We have scanned 13.1% of our files to date and are scanning all new participants and ongoing tenant certifications into Docuware.



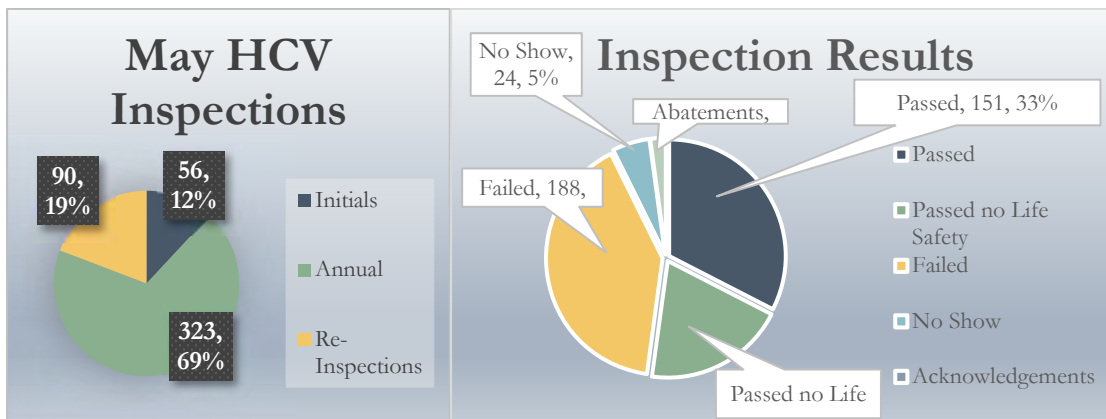
HCV (homeless initiatives)

STEP, Home to Stay, Homeless priority

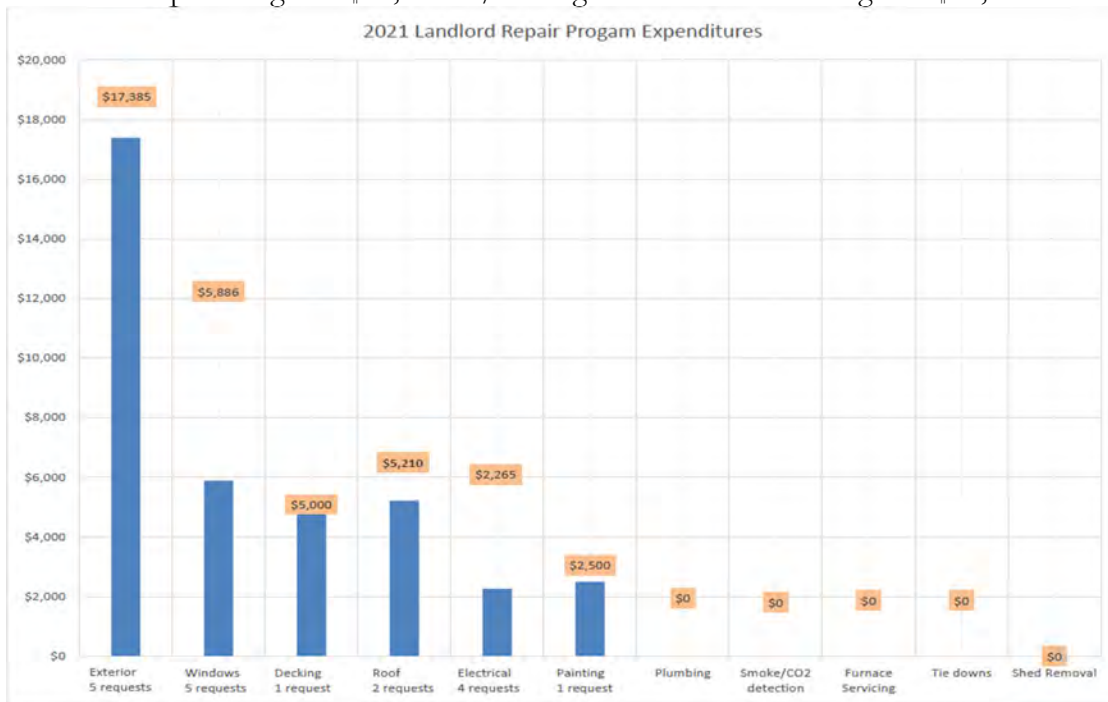
	Leased	Searching
STEP	139	49
Home to Stay	166	55
Homeless Priority	238	39

Inspection Updates:

- Days to schedule initial inspections: 3
- Days to schedule homeless initial inspections: 2



Landlord Repair Program: \$38,244.87/Damage Reimbursement Program: \$18,322.90



Outreach:

The MAPHD and MaineHousing will be partnering to expand our landlord incentive programs state wide. MaineHousing is working on the contract and program guide and hope to launch the programs by July 1st. This will provide funding to support a statewide incentive program for landlord repair, damage reimbursement and security deposits.

Laurie, Daniel and I met with TOA, PCAP, WMCA, WCAP and MMCA to support ongoing efforts to work with the individual CAA's who are administering the ERA program. The check-ins center around barriers to administering an efficient program and how MaineHousing can help support them.

Human Resources and Facilities Department Memorandum

To: Board of Commissioners
From: Jane Whitley, Director of Human Resources & Facilities
Date: June 2021
Subject: Board Report

Human Resources Updates

Staff Announcements

Welcome to our new hires, we are thrilled to have you here!

- ✓ Cheryl Twitchell, Claims Specialist, Finance
- ✓ Cynthia Hallowell, Loan Administration Assistant, Finance
- ✓ Ashley Janotta, Counsel, Legal
- ✓ Andrew Parlin, ERA Program Specialist, HCV
- ✓ Kevin Strout, Fraud Prevention Specialist, Audit
- ✓ Cindy Wardwell, Multifamily Loan Officer, Development

Congratulations to staff who have moved into a different position at MaineHousing, we wish you the best in your new adventure!

- ✓ Kin Dydasco, from Lead Paint & Housing Rehab Specialist, EHS to Construction Analyst, Development
- ✓ Chris Anderson, from Property Preservation Coordinator, Finance to HCV Occupancy Specialist, HCV
- ✓ Kelly Purington, from Multifamily Loan Officer to Multifamily Loan Officer Team Leader

Happy retirement and thank you for your many years of service!

- ✓ John Bobrowiecki, 15 years of service, retiring June 18
- ✓ Laurie Murray, 25 years of service, retiring July 1

We are currently advertising for the following positions:

- Lead Paint & Housing Rehab Specialist
- Operations Manager
- PBCA Manager

Upcoming Staff Training

We are working with Kantola, a company who creates award-winning storybased workplace training videos, to provide training to staff using our own Bridge Learning Management System. Kantola has a collaborative partnership with Littler, the worlds largest labor and employment practice, and are trusted by SHRM (Society for Human Resources Management) to provide HR compliance training to staff. Kantola is committed to making workplaces better for everyone, by enabling organizations to change perspectives, achieve compliance, and elevate culture. You may visit their website at www.kantola.com.



We are always looking for great people to fill our positions!

Please encourage your family and friends to visit our website at www.mainehousing.org/careers.

We also advertise on Indeed and Jobsinme.com.

Staff will be completing the following courses this summer:

- ❖ Harassment Prevention: A commonsense approach combines relatable video scenarios with thought-provoking interactivity, exercises, and legal instruction delivered in micro-learning modules. Employees will learn how to identify different types of harassment such as quid pro quo, bullying, and unwelcome romantic attention, in a variety of physical and remote workplace settings. They will also learn concepts and obtain skills to create a harassment-free workplace, such as bystander intervention, consent, risk factors for harassment, and remedies. Both employee and manager versions are included in this training.
- ❖ Diversity, Equity & Inclusion: Features real scenarios, first-person interviews, discussion and exploration questions, exercises, and instruction for an engaging and illuminating learner experience. The course is designed to allow employees at all levels to step into the shoes of individuals with identities that are different from their own, and learn about how others can experience the same workplace in very different ways. It will teach key definitions and concepts, including identities & perspectives, unconscious bias, and microaggressions in an immersive and accessible way. Employees will also learn the foundation for being an ally and advocate to support a workplace that embraces diversity and inclusion at all levels.
- ❖ Office Ergonomics: A step-by-step guide helps employees set up their computer work environment to maximize comfort and productivity while avoiding long-term injury caused by repetitive stress and strain. The course also provides helpful micro-break exercises.

Facilities Updates

- ✓ We celebrated our One Year Anniversary on Tuesday, June 8. The Facilities Team hosted a reception in the Moxie Cafe, and offered an assortment of delicious whoopie pies and drinks.





Information Technology Department Memorandum

To: Board of Commissioners

From: Sheila Nielsen, Director of IT

Date: June 15, 2021

Subject: Monthly Report

The IT Department has been working on the following efforts over the last month.

- Completed upgrade for the Elite system which is used by the HCV department to manage section 8 vouchers.
- Published answers to vendor questions and reviewed responses to Request for Proposal (RFP) for Managed Detection and Response Service. Evaluation is in progress.
- 100% of quarterly telecommuting computer updates have been completed to date.
- Hired and completed onboarding of IT Intern who is finalizing computer science degree requirements at University of Maine at Augusta.
- Support agency hiring efforts by providing computers, phones and all other IT related onboarding activities.

Board Calendar 2021

<p>JANUARY 19</p> <ul style="list-style-type: none"> • Adopt DOE Weatherization State Plan • Legislative Preview (P. Merrill) <p>NCSHA HFA Institute (Jan. 25-Feb. 5) Virtual</p>	<p>FEBRUARY 16</p> <ul style="list-style-type: none"> • Introduce HEAP
<p>MARCH 16</p> <ul style="list-style-type: none"> • HEAP discussion • Audit Committee update <p>NCSHA Legislative Conference (March 22-24) Washington, DC</p>	<p>APRIL 20</p> <ul style="list-style-type: none"> • Commence rulemaking HEAP • 2020 Year-end Financials
<p>MAY 18</p> <ul style="list-style-type: none"> • HEAP public hearing 	<p>JUNE 15</p> <ul style="list-style-type: none"> • Adopt HEAP rule • HCV Annual Plan Timeline <p>NCSHA Credit Connect (June 22-25) Denver, CO</p>
<p>JULY 20</p> <ul style="list-style-type: none"> • BOARD MEETING IF NEEDED 	<p>AUGUST 17</p> <ul style="list-style-type: none"> • HCV Annual Plan Review prior to Public Hearing
<p>SEPTEMBER 21</p> <ul style="list-style-type: none"> • HCV Annual Plan Public Hearing <p>NCSHA Annual Conf. (Sept. 25-27) Detroit, MI</p>	<p>OCTOBER 19</p> <ul style="list-style-type: none"> • Introduce DOE Weatherization State Plan • Adopt HCV Annual Plan
<p>NOVEMBER 16</p> <ul style="list-style-type: none"> • Review Preliminary 2022 Budget • DOE Weatherization State Plan Public Hearing 	<p>DECEMBER 21</p> <ul style="list-style-type: none"> • Approve 2022 Budget • Elect Officers • MPP Series Resolution • Adopt DOE Weatherization State Plan