

June 18, 2024 Board Packet

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Board of Commissioners Meeting – June 18, 2024 9:00 a.m. to 12:00 p.m.

MEMBERS OF THE BOARD: Frank O’Hara (Chair), Daniel Brennan, Henry Beck, Laura Buxbaum (Vice Chair), Nancy Harrison, Elizabeth Dietz (Secretary), Renee Lewis, Noël Bonam, Paul Shepherd and Melissa Hue

9:00	Adopt Agenda (VOTE)	All
	Remote Commissioners	Frank O’Hara
	- Reason remote	
	- Any other persons at their location	
	Approve minutes of May 21, 2024 meeting (VOTE)	All
	Communications and Conflicts	All
	Chair of the Board Updates	Frank O’Hara
9:15	Director Updates	Dan Brennan
9:30	LIHEAP State Plan Public Hearing	Jamie Johnson/Sarah Johnson/Ashley Carson
9:50	Adopt HEAP Rule (VOTE)	Jamie Johnson/Sarah Johnson/Ashley Carson
10:00	Adopt QAP (VOTE)	Mark Wiesendanger/Ashley Carson
10:15	Legislative Update (final)	Erik Jorgensen
10:30	Updates from the Governor’s Office	Greg Payne
11:00	Housing Choice Voucher Department Presentation	Allison Gallagher
11:30	Homeless Update	Lauren Bustard
	<u>Department Reports:</u>	All
	Asset Management	
	Development	
	Energy and Housing Services	
	Finance Monthly Report	
	Financial & Budget Report	
	Finance Delinquency Report & Charts	
	Homeless Initiatives	
	Homeownership	
	Housing Choice Vouchers	
	Human Resources & Facilities	
	Information Technology	
	Planning and Research	
	2024 Board Calendar	
EXECUTIVE SESSION (VOTE)		All
Adjourn (VOTE)		All

The next meeting of the Board is scheduled for August 20, 2024
virtually and in person at 26 Edison Drive, Augusta, Maine



Minutes of the Board of Commissioners Meeting May 21, 2024

MEETING CONVENED

A meeting of the Board of Commissioners for MaineHousing convened on May 21, 2024 at the offices of MaineHousing, 26 Edison Drive, Augusta, Maine and virtually. Notice of the meeting was published on May 10, 2024 in Central Maine newspapers. Notice of Board of Commissioners meetings is also on MaineHousing's website at www.mainehousing.org.

Chair Frank O'Hara called the meeting to order at 9:00 a.m. Director Dan Brennan, Commissioners, Paul Shepherd, Elizabeth Dietz, and Noël Bonam attended in person. State Treasurer Henry Beck attended remotely due to a scheduling conflict, he was alone at his location. Commissioner Renee Lewis attended remotely due to a scheduling conflict, she was alone at her location. Commissioner Nancy Harrison attended remotely due to a scheduling conflict, she was alone at her location. Commissioner Melissa Hue attended remotely due to preparation for a graduation, she was alone at her location. Vice Chair Laura Buxbaum was absent.

There was a quorum present.

PUBLIC ATTENDANCE

Guests and staff present for all or part of the meeting included: Ashley Carson, Chief Counsel; Adam Krea, Senior Director of Finance and Lending; Tom Cary, Treasurer; Karen Lawlor, Executive Administrator; Jamie Johnson, Senior Director of Operations; Genevieve Soucy, Director of Energy and Housing Services; Scott Thistle, Communications Director; Erik Jorgensen, Senior Director of Government Relations and Communications; Jonny Kurzfeld, Director of Planning and Research; Allison Gallagher, Director of Housing Choice Vouchers; Craig Given, Director of Information Technology; Patricia Harriman, Director of Homeownership; Andrew Thomas, Help Desk Analyst II; Sarah Johnson, Manager of Home Energy Assistance Programs; Amanda Roy, Manager of Weatherization; Linda Grotton, Director of Audit; Mark Wiesendanger, Director of Development; Darren Brown, Director of Finance; Judie Stevens, Legal Counsel; Bob Conroy, Director of Asset Management; Alyssa Marcoux, Legal Department Intern, Christina Link, Opportunity Alliance; Melissa Howard, Penquis; Megan Hannan, Maine Community Action Partnership; Chris Hastedt, Maine Equal Justice Partners; Jessica Fajardo and Victoria Caronio, York County Community Action Corp.; Kate Lorden, Unutil; Deana Rich, Kennebec Valley Community Action Program; and Gerrylynn Ricker, Legal Compliance Officer and Note taker.

ADOPT AGENDA

Commissioner Dietz made a motion seconded by Commissioner Shepherd to adopt the May 21, 2024 agenda. The vote carried unanimously.

APPROVE MINUTES OF APRIL 16, 2024 MEETING

Commissioner Dietz made a motion seconded by Commissioner Shepherd to accept the April 16, 2024 corrected minutes as written.

COMMUNICATIONS AND CONFLICTS

None

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CHAIR OF THE BOARD UPDATES

Chair O'Hara and Commissioner Noël Bonam met with MaineHousing Director Dan Brennan to go over the Board's discussion during Director Brennan's evaluation.

DIRECTOR UPDATES

Director Brennan summarized recent issues and his activities as follows:

- Legislation – the appropriations committee is giving MaineHousing \$30 million dollars for production. Erik and Greg will be attending next month's meeting to give more details regarding the money received. The funds will become available August 9th. The Legislature also provided \$7.5 million for Low-Barrier Shelters over the next several years.
- Visited Houston Commons with Preble Street, AVESTA, and DHHS.
- Attended Maine Association of Public Housing Directors quarterly meeting in Bath with a surprise visit of Jason Woolwine and Cam O'Brien, who are typically seen in Washington D.C when working with Senator Susan Collins office.
- Onboarding underway with Tangible Development, a consultant hired to assess MaineHousing around diversity, equity, inclusion, belonging. An internal leadership team has been established with weekly meetings underway with the consultant.
- Attended the Maine Human Rights Conference.
- Attended a Federal Home Loan Boston Bank visit with Community Banks.
- Hosted a national meeting with HFA executive director colleagues and Federal Home Loan Bank with a focus on how housing finance agencies can call upon federal home banks to do more regarding affordable housing.
- There were 5 openings – Porter Station (5/2), Phoenix Flats (5/6), Uptown (5/6), 100 Ohio street (5/20), School House (5/20).
- Visited 55 Weston with Representative Jack Ducharme and developer Sam Hight, project is almost complete with a scheduled date for opening as 5/28 in Madison.
- Bill signing ceremony with Governor Mills to celebrate the bill signing that allows the state to transfer 3 courthouses to public housing authorities.
- Met with ProsperityME executive director Claude Rwaganje along with Nicole McKeith and Dana Totman.
- Attended Maine Real Estate Development Agency Spring Conference.
- Presented to Kennebec Valley Council Governments Economic Development Committee about affordable housing.
- Will not be approving the QAP this meeting, now will be looking to adopt in June.
- Followed up with Commissioner Buxbaum about audits and the audit committee.
- Continuing to work with Continuum of Care and Statewide Homeless Council.
- Department of Energy has been monitoring the weatherization program.

HEAP PUBLIC HEARING

Chief Counsel Ashley Carson explained that we would hold a hearing on our Home Energy Assistance Program Rule (HEAP). Chief Counsel Carson introduced the Commissioners and staff representing MaineHousing. Notice of the hearing was published on our website, and in newspapers statewide May 1, 2024, and sent to interested parties May 7, 2024. The comment period expires May 31st at 5:00 o'clock. Chief Counsel Carson opened the hearing at 9:30 a.m. Christina Link, Chris Hastedt, and Megan Hannan testified. The public hearing was adjourned at 10 a.m. by Counsel Jodie Stevens.

HEAP STATE PLAN INTRODUCTION

The HEAP State Plan is due to be submitted to the Department of Human and Health Services by September of 2024. The memo includes changes such as a new benefit matrix and a fully online application. There will also be an income verification adjustment made along with a change in language in the accessibility to application sites. The HEAP State Plan is to be introduced this month with a public hearing next month.

HOMLESS UPDATE

Lauren Bustard, Senior Director of Homeless Initiative Department gave a homeless update. The homeless structure was re-designed to set up feedback loops with the nine regional Homeless Service Hubs and the State. There is currently a lack of housing stabilization in Maine due to insufficient funding. MaineHousing has only had the resources to fund diversion programs. MaineHousing's Emergency Shelter and Housing Assistance Program (ESHAP) currently funds 35 shelters, which also provide housing navigation and stability services. The Housing First Program, MaineHousing's Supportive Housing program and the new QAP guidelines that create a set aside for special populations, such as individuals experiencing homelessness, will have a significant impact on permanent housing opportunities for the homeless population.

MaineHousing and the Statewide Homeless Council are currently working on a list of priorities and funding groups for what needs to be done with a hopeful projection of completion by the end of the summer. Continuum of Care and statewide organizations are main priorities for this upcoming year as HUD has expressed dissatisfaction with the current governance and practices of the Maine Continuum of Care. MaineHousing is currently working with HUD Technical Assistance to rethink the governance structure of the Maine Continuum of Care to make it more responsive to current needs as well as more inclusive of diverse opinions and identities. Some of the other key priorities are prevention of homelessness, emergency shelter financing, housing navigation and stability/rapid rehousing, and the Housing First bill.

There have been some thoughts about looking for small communities or any place willing to help contribute money, if possible, for shelters. Other thoughts have been raised about possibly receiving funding from hospitals or police stations, where a partnership can be created, and they can reserve beds to refer people to the reserved beds. There is a significant impact of losing just one shelter.

2023 MORTGAGE PURCHASE PROGRAM (MPP) REVIEW

Treasurer Tom Cary reviewed the financial results and focused his review on the Mortgage Purchase Program (MPP), MaineHousing's largest Fund Group. Mr. Cary noted that the MPP is rated AA1 by Moody's and AA+ by Standards & Poor. He reviewed for the Commissioners the balance sheets which show around \$2.2 billion in assets and around \$1.9 billion in liabilities, which is mostly mortgage bonds and notes payable. 2023 was a good year for three reasons: MaineHousing purchased close to \$280 million in mortgages; had low pre-payments; and sold seven bond issues totaling approximately \$348 million. The financial overview of the MPP is \$9.21 billion issued from 1972 to 2023 with \$1,904,225,000 outstanding as of December 31, 2023. Mr. Cary noted that mortgage delinquencies are still at historically low rates. He also reviewed the statement of revenues, expenses and changes in net assets and the Swap arrangements.

ADJOURN

Commissioner Dietz made a motion seconded by Commissioner Shepherd to adjourn the meeting. The meeting was adjourned at 11:36 a.m. by unanimous vote of the Board.

Respectfully submitted,

Elizabeth Dietz

Human Resources and Facilities Department Memorandum

To: Dan Brennan, Director

From: Jane Whitley, Director of Human Resources & Facilities

Date: June 4, 2024

Subject: Procurement: Sole Source Recommendation for Recruiting and Onboarding Modules

Background

MaineHousing engages with Paylocity for payroll, benefits, and compensation services. We have partnered with them since 2011.

Scope of Project

As we continue to lean out processes and procedures, we would like to move forward with two additional Paylocity modules as follows:

Recruitment Module Highlights:

- Post a vacancy notice one time – the system would automatically post the position on Indeed and our website, saving staff time in posting it in several places
- The applicant can seamlessly upload their resume
- Manager's would be given access to their position, receive resumes in real time, and mark if they would like the candidate to be scheduled for an interview
 - Currently we download resumes from Indeed, save them to the recruitment folder, then email the resumes to the hiring manager, and the hiring manager emails us back to schedule interviews
- We can correspond directly with the candidates through the system

Onboarding Module Highlights:

- Once a candidate is approved for hire, their personal information is automatically uploaded into the Onboarding module – name, address, phone number, and email address and they are sent an email to create a login to the system
- An offer letter is sent directly to the new employee including a link to complete their criminal background check
- Once they pass the background check, the remaining HR paperwork is sent to them, and can be signed and dated within the system
- The new employee can also enter in their tax and direct deposit information into the system so they are set up on day one
 - Currently, this process includes several emails going back and forth to the new employee, and they bring in their new hire paperwork on day one for payroll to manually input

Request

Paylocity has been and continues to be an effective platform for the delivery of payroll services for MaineHousing. A great deal of time and financial resources have been invested to make Paylocity a robust, accessible, web-based payroll system for all.

We are requesting funding approval for a five-year contract with Paylocity to add these additional modules based on Sole Source procurement. The cost for both modules would be \$8,640 annually, with a one-time set up charge of \$500. (Our current annual cost for Paylocity is \$51,700)

The rationale for this request falls under the Uniqueness category in MaineHousing’s procurement policy, Section II(G)(1):

Uniqueness: A reasonable review of the market indicates that transitioning to another full service payroll platform would be expensive, time consuming, and inefficient.

ACKNOWLEDGED & APPROVED

6/4/2024

Date



Daniel Brennan
Director, Maine State Housing Authority

Memorandum

To: Daniel E. Brennan, Director
From: Adam S. Krea, Senior Director of Finance and Lending
Date: May 20, 2024
RE: Sole Source – Forensic Accountant – ERA Audit

Background

The State of Maine through the Department of Economic and Community Development (the “State”) was the primary recipient of funds (the “Funds”) for Emergency Rental Assistance (“ERA”) from the U.S. Department of Treasury. Maine State Housing Authority (“MaineHousing”), acting as the subrecipient of the Funds pursuant to a Memorandum of Understanding between the State and MaineHousing, made subawards to Community Action Agencies (“CAA”) to provide financial assistance to eligible renters within their service areas.

The ERA Program concluded in September of 2022. MaineHousing and the CAAs have been working on close-outs of the accounting for the ERA Program, which has required some CAAs to return money to MaineHousing. One of the CAAs that was required to return Funds has been unable to account for said Funds. For that reason, MaineHousing intends to conduct a forensic audit to determine where the Funds went.

Justification

MaineHousing as a subrecipient of the Funds is responsible for the actions of the CAAs. There is potential financial and regulatory risk to MaineHousing if action is not taken immediately. Having to conduct and Request for Proposals and vet numerous responses will delay the work that needs to be conducted immediately. MaineHousing reached out to its accountant, Baker Newman Noyes, who recommended Wipfli to conduct a forensic audit. Wipfli has offices in Maine and is large enough to handle a forensic audit of this magnitude. Wipfli is a known and trusted entity and as discretion and expediency is required, they are best to handle this matter.

MaineHousing’s Procurement Policy, Section IV allows for Sole Source Procurement in an emergency or urgent need. If an emergency situation or other urgent need exists and only one known source can provide the required goods or services within the time needed, then sole source procurement is allowed. Due to the seriousness of this situation and the need to take action immediately, sole source procurement is justified as Wipfli is best able to handle the urgent need. The impact of delaying selection of a forensic accountant could result in financial or regulatory consequences to MaineHousing.

Request

To enter into an Agreement with Wipfli to perform a forensic audit for the length of time necessary to complete a full accounting of the missing Funds (not to exceed five years).

ACKNOWLEDGED & APPROVED

5/22/24

Date



Daniel Brennan
Director, Maine State Housing Authority

Energy & Housing Services Department Memorandum

To: MaineHousing Board of Commissioners

From: Jamie Johnson, Senior Director of Operations

Date: June 11, 2024

Subject: Low-Income Home Energy Assistance Program (HEAP) State Model Plan
Public Hearing

In preparation of the Public Hearing for the Low-Income Home Energy Assistance Program State Model Plan for PY2025, MaineHousing provided opportunities for engagement with stakeholders and partners. These opportunities provided interested parties with a venue in which to comment on and recommend changes to the Plan in preparation for HEAP PY2025, which will commence on October 1, 2025.

The LIHEAP State Model Plan is typically made available for public hearing and adopted in tandem with the HEAP Rule. Due to changes in the LIHEAP State Model Plan Template the process was adjusted this year. MaineHousing will make changes to the Rule should there be a need because of comments received during the LIHEAP State Plan Public Hearing.

In addition to minor changes relating to clarifications and corrections, MaineHousing is recommending the following substantive changes to the Model Plan:

Section 1.4 – Definition of Categorical Eligibility

Clarification for the usage of Categorical Income Eligibility for the HEAP program to align with changes to the Chapter 24 Rule.

Section 1.6 – Treatment of recipients of Public Assistance

Clarification to the language that there is no difference in the treatment of household who are receiving other types of public assistance.

Section 1.7d – Nominal Payment Energy Cost/Need

With the changes to the new benefit matrix, households who are subsidized will not be required to provide the recertification form for benefit determination.

Section 1.10 – Online application

New section to the model plan with additional detail regarding the online application process and additional detail with how applications can be submitted.

Section 2.3 & 4 – Priority Households

Clarification of language regarding the treatment of priority applicants.

Section 2.5 – Variables in determining benefits

Removed “Individual bill” from the variables used, this was not used in prior benefit determination. Also removed “Other” and language following, this was unnecessary information.

Section 4.2 & 3 4.8 – Definition of Crisis

Clarification to provide definition from the Chapter 24 Rule.

Section 4.10 – Accessibility of application sites

Removed unnecessary language.

Section 4.17 – Moratorium language

Updated section to include language from Maine Statute Title 35-A regarding winter terminations.

Section 5.6 – 5.8 – Weatherization Services

Provided language from program guidance regarding the usage of Asset testing, eligibility of Renters and priority applicants.

Section 17.2 – Identification Documentation Requirements

Updated to include language from Chapter 24 Rule.

Section 17.4 – Citizen or Legal Residency Verification Requirements

Updated to include documentation requirements from Chapter 24 Rule.

Section 17.5 – Income Verification

Removed “Bank Statements” from the income verification methods, this was not acceptable method of verification in prior years.

Below is a list of events and key dates related to stakeholders and partners providing comments and recommendations on the State Model Plan:

- | | |
|-------------------------|---|
| February 2, 2024 | MaineHousing and the Maine Community Action Partnership’s Energy and Housing Councils had initial discussions regarding the PY2025 rulemaking and HEAP State Plan process and recommendations. |
| March 5, 2024 | MaineHousing sent an invitation to HEAP stakeholders and partners to complete a survey providing their comments and recommendations for the HEAP Program. The input from the survey was compiled and reviewed by MaineHousing’s Energy and Housing Services Department. |
| May 2, 2024 | MaineHousing and the Maine Community Action Partnership’s Energy and Housing Councils had discussions regarding the planned changes to the PY2025 HEAP Rule and State Plan. |
| May 21, 2024 | MaineHousing introduced the PY2025 LIHEAP State Model Plan to the MaineHousing Board of Commissioners. The Public Hearing for the State Model Plan is scheduled for June 18, 2024. |

Low Income Home Energy Assistance Program (LIHEAP)

LIHEAP Model Plan Template

Note: This template cannot be submitted as an application for LIHEAP funding. The template is for demonstration purposes only. A complete LIHEAP Model Plan must be submitted in the Online Data Collection System (OLDC) to be considered for funding. Formatting within OLDC may appear different than this document.



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: 02/28/2027

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
 MODEL PLAN
 SF – 424: MANDATORY**

* 1.a. Type of Submission: <input checked="" type="checkbox"/> Plan	* 1.b. Frequency: <input checked="" type="checkbox"/> Annual	* 1.c. Consolidated Application/Plan/Funding Request? Explanation:	* 1.d. Version: <input checked="" type="checkbox"/> Initial <input type="checkbox"/> Resubmission <input type="checkbox"/> Revision <input type="checkbox"/> Update
		2. Date Received:	State Use Only:
		3. Applicant Identifier:	5. Date Received By State:
		4a. Unique Entity Identifier (UEI): NJEKQK2U8ZJ5 4b. Federal Award Identifier:	6. State Application Identifier:

7. APPLICANT INFORMATION

*a. Legal Name: Maine State Housing Authority

*b. Address:

*Street 1:	26 Edison Drive	Street 2:	
*City:	Augusta	County:	Kennebec
*State:	Maine	Province:	
*Country:	United States	*Zip/Postal Code:	04330-4633

c. Organizational Unit:

Department Name:	Energy and Housing Services	Division Name:	
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d. Name and contact information of person to be contacted on matters involving this application (person will be listed on the Notice of Funding Awards and on the U.S. Department of Health and Human Services' LIHEAP contact list web page):

*First Name:	Sarah	*Last Name:	Johnson
Title:	Manager of HEAP	Organizational Affiliation:	
*Telephone Number:	207-624-5777	Fax Number:	
*Email:	sjohnson@mainehousing.org		

***8. TYPE OF APPLICANT:**

State Government

a. Is the applicant a Tribal Consortium:

No

If yes, please attach at least one of the following documents:

1. Current State-Tribe agreement between their state and the Consortium, signed by the State Chief Executive Officer (such as the Governor or the delegate) and the Consortium President;
2. Consortium letter listing the tribes, signed by the elected Tribal Chief or President of each tribe in the Consortium and signed by the Consortium President;
3. A current resolution letter from each tribe in the Consortium, signed by the elected Tribal Chief or President of that tribe. Each resolution letter needs to state that the Consortium has the tribes' permission to apply for, and administer, LIHEAP on their behalf and needs to designate a time period for the permission or until rescinded or revoked.

	Catalog of Federal Domestic Assistance Number	CFDA Title:
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9. CFDA NUMBERS AND TITLES	93.568	Low-Income Home Energy Assistance Program
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10. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

LIHEAP Administration

11. AREAS AFFECTED BY FUNDING:

Statewide	
12. CONGRESSIONAL DISTRICTS OF APPLICANT:	
2	
13. FUNDING PERIOD:	
a. Start Date: 10/1/202 4 ³	b. End Date: 09/30/202 5 ⁴
*14. IS SUBMISSION SUBJECT TO REVIEW BY STATE UNDER EXECUTIVE ORDER 12372 PROCESS? <u>C</u>	
a. This submission was made available to the State under 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.	
*15. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
<input type="checkbox"/> YES	
<input checked="" type="checkbox"/> NO	
If yes, explain:	
16. 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)	
<input type="checkbox"/> I AGREE	
**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.	
17a. Typed or Printed Name and Title of Authorized Certifying Official	17c. Telephone (area code, number, and extension)
Daniel Brennan, Director	207-626-4600
17b. Signature of Authorized Certifying Official (on)	17d. Email Address:
	dbrennan@mainehousing.org
17e. Date Report Submitted (Month, Day, Year)	
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: 02/28/2027

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM(LIHEAP)
MODEL PLAN**

Section 1 – Program Components

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. 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	10/1/2024 3	09/30/202 5 4
<input type="checkbox"/>	Cooling assistance		
<input checked="" type="checkbox"/>	Weatherization assistance	10/1/2024 3	09/30/2023 31/20264
<input type="checkbox"/>	Summer Crisis assistance		
<input checked="" type="checkbox"/>	Winter Crisis assistance	11/1/2024 3	04/30/202 5 4
<input type="checkbox"/>	Year-round crisis assistance		

Provide further explanation for the dates of operation, if necessary

Heating Assistance: For FFY2024~~5~~, Subgrantees will begin taking applications on July ~~4/22~~, 2023~~4~~ and will continue taking applications through May 31, 2024~~5~~.
Weatherization Assistance: ~~End date of 09/30/2024 unless Maine Housing extends beyond 09/30/2024. Funding for the Weatherization Assistance components is made available to Subgrantees during the program year and is obligated for use through 3/31/2026 or as extended by contract.~~

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 (%):	Prior year totals (auto-populate)
Heating assistance	62.00%	59.00%
Cooling assistance	0.00%	0.00%
Summer crisis assistance	0.00%	0.00%
Winter crisis assistance	4.00%	10.00%
Year-round crisis assistance	0.00%	0.00%
Weatherization assistance	15.00%	15.00%
Carryover to the following federal fiscal year	4.00%	7.00%
Administrative and planning costs	10.00%	8.00%
Services to reduce home energy needs including needs assessment (Assurance 16)	5.00%	1.00%
Used to develop and implement leverages activities	0.00%	0.00%
TOTAL:	100.00%	100.00%

Tribal grant recipients: direct-grant tribes, tribal organizations, or territories with allotments of \$20,000 or less may use for planning and administration up to 20% of the funds payable. Grant recipients that are direct grant tribes, tribal organizations, or territories with allotments over \$20,000 may use for planning and administration purposes up to 20% of the first \$20,000 (or \$4,000) plus 10% of the funds payable that exceeds \$20,000. Any administrative costs in excess of these limits must be paid from non-federal sources.

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 checked="" 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 at least one household member receives at least one of the following categories of benefits in the left column below?								
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
SSI	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
SNAP	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Means-tested Veterans programs	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1.4 a. Provide your definition of categorical eligibility. Please explain how households are categorically eligible (i.e., do all household members need to receive the benefits or just one member, is there a data exchange in place?) and how categorical eligibility streamlines the LIHEAP application process.								
Maine utilizes the above categories of benefits to determine if a Household is Categorical Income Eligibility. Household who enroll using Categorical Income Eligibility will have their benefit calculated based on the highest FPL allowable for each benefit type above. A Household may still choose to provide actual income documentation for benefit determination. From Chapter 24 Home Energy Assistance Program Rule: "Categorical Income Eligibility" means Household Members who are included on a Maine Department of Health and Human Services ("Maine DHHS") Notice of Decision for TANF or SNAP assistance will be considered income eligible for HEAP, as the Household Members' incomes have already been vetted. Household Members who are not included on the Notice of Decision must provide income documentation as outlined in this Rule and the HEAP Handbook.								
1.5 Do you automatically enroll households without a direct annual application?								
<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	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?								
Income use for LIHEAP Eligibility purposes is either actual household income vetted by Maine DHHS for TANF or SNAP eligibility if available from LIHEAP applicant; documented income for households receiving TANF or SNAP if they don't have documentation of services from Maine DHHS or if they choose to provide income documentation; using an income banding method for households receiving TANF or SNAP that provide documentation of service receipt from Maine DHHS, but not actual vetted income; or income documentation from the established income verification period. The HEAP system of record calculates eligibility and benefit levels. All applicants must provide the required application documentation regardless of receipt of other means of public assistance. Households who currently participate in one of the means-tested programs in section 1.3 have the option of utilizing Categorical Income Eligibility when applying for LIHEAP. Household who enroll using Categorical Income Eligibility will have their benefit calculated based on the highest FPL allowable for each benefit type above. A Categorical Income Eligible Household may still choose to provide actual income documentation for benefit determination.								
SNAP Nominal Payments								
1.7a Do you allocate LIHEAP funds toward a nominal payment for SNAP households?								
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	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?								

Commented [SJ1]: Rule 3.C.2. Eligibility
2. Categorical Income Eligibility. Household Members who are included on a Maine DHHS Notice of Decision for TANF or SNAP assistance will have Categorical Income Eligibility for HEAP. Household Members with Categorical Income Eligibility may have their income determined at a pre-established percentage of the federal poverty level, or using actual vetted income if provided by Maine DHHS. Household Members who are not included in the Notice of Decision must provide income documentation as outlined in this Rule and HEAP Handbook.

Commented [SJ2]: Rule 4.C. Benefit Determination - 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.

Applicants residing in subsidized housing with heat included must provide documentation to verify the applicant has an indirect energy cost; this documentation may include a copy of a current lease or a copy of a current electric bill.

1. One of the following documents is required to verify the applicant's/tenant's responsibilities for monthly rent and/or utilities: a) Mainhousing HEAP Subsidized Housing form; b) housing subsidy recertification worksheet; or c) recertification form (HUD-50058/59 or RD 3560-8).

2. Copy of a current electric utility bill (if applicant is responsible for electricity). this documentation may include a copy of a current lease or a copy of a current electric bill.

Determination of Eligibility - Countable Income

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

<input checked="" type="checkbox"/>	Gross Income
<input type="checkbox"/>	Net Income
<input type="checkbox"/>	Other – Describe:

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

<input checked="" type="checkbox"/>	Wages
<input checked="" type="checkbox"/>	Self - Employment Income
<input checked="" type="checkbox"/>	Contract Income
<input checked="" type="checkbox"/>	Payments from mortgage or Sales Contracts
<input checked="" type="checkbox"/>	Unemployment insurance
<input checked="" type="checkbox"/>	Strike Pay
<input checked="" type="checkbox"/>	Social Security Administration (SSA) benefits
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Including Medicare deduction <input type="checkbox"/> Excluding Medicare deduction
<input checked="" type="checkbox"/>	Supplemental Security Income (SSI)
<input checked="" type="checkbox"/>	Retirement/pension benefits
<input type="checkbox"/>	General Assistance benefits
<input type="checkbox"/>	Temporary Assistance for Needy Families (TANF) benefits
<input type="checkbox"/>	Loans that need to be repaid
<input checked="" type="checkbox"/>	Cash gifts
<input type="checkbox"/>	Savings account balance
<input checked="" type="checkbox"/>	One-time lump sum payments, such as rebates or credits, winnings from lotteries, refund deposits, etc.
<input checked="" type="checkbox"/>	Jury duty compensation
<input checked="" type="checkbox"/>	Rental income
<input type="checkbox"/>	Income from employment through Workforce Investment Act (WIA)
<input type="checkbox"/>	Income from work study programs
<input checked="" type="checkbox"/>	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"/>	Funds received by household for the care of a foster child

Commented [SJ3]: Section 3.C. 1. Household Income is determined and verified in accordance with the information provided on the Application. Household Income means the total combined income of all Household Members (not otherwise excluded) from all sources before taxes and deductions and is verified in accordance with the guidelines in the HEAP Handbook. Household Income includes, but is not limited to, the following:

Commented [SJ4]: Listing in 3.c.1

<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		
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.			
1.10 Do you have an online application process?			
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.10a If yes, describe the type of online application (select all boxes that apply)			
<input type="checkbox"/>	A PDF version of the application is available online and can be downloaded, filled out, and mailed, emailed, dropped off in-person, or faxed in for processing.		
<input checked="" type="checkbox"/>	A state-wide online application that allows a customer to complete data entry and submit an application electronically for processing		
<input type="checkbox"/>	One or more local subgrant recipients have an online application that allows a customer to complete data entry and submit an application electronically for processing		
<input checked="" type="checkbox"/>	Online application that is also mobile friendly		
<input type="checkbox"/>	Other, please describe		
<input checked="" type="checkbox"/>	Please include a link(s) to a statewide application, if available: Maine is currently implementing software with a state-wide online application. The application will be available by July 22, 2024 and a link can be provided at that time.		
1.10b Can all program components be applied for online?			
<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, explain which components can and cannot be applied for online:			
Households are able to apply online for Energy Assistance. Households will not be able to indicate that they are in need of cCrisis assistance and will be instructed to contact the subgrantee in their service area via messaging during the online application process. Households will also need to contact their Community Action Agency if they are interested in Assurance 16 or Weatherization services.			
1.11 Do you have a process for conducting and completing applications by phone:			
Yes, Subgrantees have the capacity to conduct intake appointment over the phone, or in person.			
1.12 Do you or any of your subrecipients require in person appointments in order to apply?			
<u>No</u>			
If yes, please provide more information regarding why in-person appointments are required and in what circumstances they are required.			
1.13 How can applicants submit documentation for verification? Select all that apply:			
<input checked="" type="checkbox"/>	In-person		
<input checked="" type="checkbox"/>	Mail		
<input checked="" type="checkbox"/>	Email		
<input checked="" type="checkbox"/>	Portal application		
<input type="checkbox"/>	Other, describe:		

Section 2 - HEATING ASSISTANCE

U.S. Department of Health and Human Services August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
 Administration for Children and Families OMB Clearance No.: 0970-0075
 Expiration Date: 02/28/2027

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
 MODEL PLAN
 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	State Median Income	60.00%
	2	State Median Income	60.00%
	3	State Median Income	60.00%
	4	State Median Income	60.00%
	5	State Median Income	60.00%
	6	State Median Income	60.00%
	7	State Median Income	60.00%
	8	State Median Income	60.00%
	9	State Median Income	60.00%
	10	HHS Poverty Guideline	150.00%
	11	HHS Poverty Guideline	150.00%
	12	HHS Poverty Guideline	150.00%

Commented [SJ5]: Threshold is not mentioned but the 60% SMI and 150% FPL are in the table for the Benefit Determination

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

If yes, describe:

Do you have additional or differing eligibility policies for:

Renters? Yes No

If yes, describe:

Renters living in subsidized housing? Yes No

If yes, describe:

Renters with utilities included in the rent? Yes No

If yes, describe:

Do you give priority in eligibility to:

Older adults? Yes No

If yes, describe:

~~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:~~
 At least 60 years of age

~~Young Children — 72 months (6 years of age) or under~~

~~Disabled~~Subgrantees will make a good faith effort during the first ninety (90) days to serve Households who have a direct energy cost and who contain a Household member who is an Older Adult, Individual with a disability or a Household that contains a young (6 years of age or younger) child.

Individuals with a disability? Yes No

If yes, describe:

Subgrantees will make a good faith effort during the first ninety (90) days to serve Households who have a direct energy cost and who contain a Household member who is an Older Adult, Individual with a disability or a Household that contains a young (6 years of age or younger) child.

~~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:~~

~~At least 60 years of age~~

~~Young Children — 72 months (6 years of age) or under~~

Commented [SJ6]: 2.C.5. 5. Subgrantee will make all reasonable efforts during the first ninety (90) days it takes Applications to process and serve returning Households that have a Direct Energy Cost and a member in the Household who (i) is 60 years of age or older, (ii) has a disability, or (ii) is 6 years or younger.
 Also 4.A. in Benefit Matrix

Disabled			
Young children?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
If yes, describe:			
Subgrantees will make a good faith effort during the first ninety (90) days to serve Households who have a direct energy cost and who contain a Household member who is an Older Adult, Individual with a disability or a Household that contains a young (6 years of age or younger) child. 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: At least 60 years of age Young Children — 72 months (6 years of age) or under Disabled			
Households with high energy burdens?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
If yes, describe:			
Other?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No
If yes, describe:			
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 prioritization: Subgrantees will make a good faith effort during the first ninety (90) days to serve Households who have a direct energy cost and who contain a Household member who is an Older Adult, Individual with a disability or a Household that contains a young (6 years of age or younger) child. Intake/Application Process: give priority to those households most susceptible to hypothermia (60 years of age or older, disabled, with children 72 months of age (6 years) or under).			
Benefit Amount: Households where a member is an Older Adult, Individual with a disability or have a young child will be awarded additional priority points during benefit determination. 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 database, which automatically calculates household benefit amounts. As set forth in Maine's Chapter 24 Heap Rule, the benefit calculation takes into account the following factors: Household's estimated annual heating costs calculated by using Design Heat Load formula; Household income; and 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 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 type="checkbox"/>	Other - Describe: Benefit levels are based on the household's percent of poverty and estimated annual heating costs calculated by using the Design Heat Load formula.		
Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)			
2.6 Describe estimated benefit levels for the fiscal year for which this plan applies. Please note, the maximum and minimum benefits must be shown in the payment matrix.			
Minimum Benefit	\$17688.00	Maximum Benefit	\$2,530,001.012.00
2.7 Do you provide in-kind (e.g., blankets, space heaters) or other forms of benefits?			
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:			

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Commented [SJ7]: 4.A. Benefit Determination

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 Expiration Date: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
Section 3 – Cooling Assistance**

Eligibility, 2605(b)(2) - Assurance 2				
3.1 Designate the income eligibility threshold used for the cooling component:				
Add	Household size	Eligibility Guideline	Eligibility Threshold	
3.2 Do you have additional eligibility requirements for cooling assistance?				
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	
3.3 Check the appropriate boxes below and describe the policies for each.				
Do you require an Assets test?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Do you have additional or differing eligibility policies for:				
Renters?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Renters living in subsidized housing?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Renters with utilities included in the rent?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Do you give priority in eligibility to:				
Older adults?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Individuals with a disability?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Young children?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Households with high energy burdens?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Other?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If yes, describe:				
Determination of Benefits 2605(b)(5) - Assurance 5, 2605(c)(1)(B)				
3.4 Describe how you prioritize the provision of cooling assistance to vulnerable populations, e.g., benefit amounts, early application periods, etc.				
3.5 Check the variables you use to determine your benefit levels. (Check all that apply):				
<input type="checkbox"/>	Income			
<input type="checkbox"/>	Family (household) size			
<input type="checkbox"/>	Home energy cost or need:			
<input type="checkbox"/>	Fuel type			
<input type="checkbox"/>	Climate/region			
<input type="checkbox"/>	Individual bill			

<input type="checkbox"/>	Dwelling type		
<input type="checkbox"/>	Energy burden (% of income spent on home energy)		
<input type="checkbox"/>	Energy need		
<input type="checkbox"/>	Other - Describe:		
Benefit Levels, 2605(b)(5) - Assurance 5, 2605(c)(1)(B)			
3.6 Describe estimated benefit levels for the fiscal year for which this plan applies. Please note, the maximum and minimum benefits must be shown in the payment matrix.			
Minimum Benefit	Maximum Benefit		
3.7 Do you provide in-kind (e.g., fans, air conditioners) and/or other forms of benefits?			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	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 August 1987, revised 05/92, 02/95, 03/96, 12/98, 11/01
 Administration for Children and Families OMB Clearance No.: 0970-0075
 Expiration Date: 02/28/2027

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
 MODEL PLAN
 Section 4 – Crisis Assistance**

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

4.1 Designate the income eligibility threshold used for the cooling component:

Add	Household size	Eligibility Guideline	Eligibility Threshold
	1	State Median Income	60.00%
	2	State Median Income	60.00%
	3	State Median Income	60.00%
	4	State Median Income	60.00%
	5	State Median Income	60.00%
	6	State Median Income	60.00%
	7	State Median Income	60.00%
	8	State Median Income	60.00%
	9	State Median Income	60.00%
	10	HHS Poverty Guidelines	150.00%
	11	HHS Poverty Guidelines	150.00%
	12	HHS Poverty Guidelines	150.00%

4.2 Provide your LIHEAP program's definition for determining a crisis. If you administer multiple crisis assistance programs (i.e. winter, summer, or year-round), include all program definitions.

~~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.~~

~~From Chapter 24 Home Energy Assistance Program Rule: A household may be eligible for crisis assistance if there is an imminent loss of heat due to:~~

~~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.~~

Commented [SJ8]: 7.A.A. included in definition of State Plan below

Section 7.A. A Household may be eligible for ECIP if a Household Member’s health and safety is threatened by an Energy Crisis situation on the Date of Application and the Household does not have the financial means to avert the Energy Crisis. The Household will not be eligible if: they have any other Heating System that is safe and operable and has a supply of product; they reside in Subsidized Housing with heat included or a Rental Unit with heat included (with the exception that if the Household has a utility disconnection notice that relates to the operation of the Heating System, they may receive ECIP to restore the utility); or they have an overpayment balance and have not entered into or complied with a repayment agreement. An Eligible Household under HEAP is income eligible for ECIP.

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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).

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Section 7.B. An Energy Crisis includes:

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- Reading of ¼ 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 for other delivered Home Energy types; and
- A utility disconnection notice that relates to the operation of the Heating System

Disconnection of service notice from natural gas or electric utility if the household’s heating system requires electricity/natural gas.

Dysfunctional or unsafe primary heating system and no other operable heating system capable of heating the dwelling adequately during severe cold weather.

A household is not considered to be in an energy crisis if:

- 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. Household has financial means to purchase fuel.

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4.3 What constitutes a life-threatening crisis?

From Chapter 24 Home Energy Assistance Program Rule:

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“Life Threatening Crisis” means the household is currently without heat or utility service to operate a Heating Source or a Heating System.

Household is currently without heat or utility service to operate a heating source or heating system.

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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)

	Winter Crisis	Summer Crisis	Year-Round Crisis
--	---------------	---------------	-------------------

4.6 Do you have additional eligibility requirements for crisis assistance?

4.7 Check the appropriate boxes below to indicate type(s) of assistance provided

Do you require an assets test?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you give priority in eligibility to:			
Older adults?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Individuals with a disability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Young children?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Households with high energy burdens?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In Order to receive crisis assistance:

Must the household have received a shut-off notice or have a near empty tank?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Must the household have been shut off or have an empty tank?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Must the household have exhausted their regular heating benefit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Commented [SJ9]: 7.B. An Energy Crisis Includes... Reading of ¼ tank or less... reading of 25% or less on a propane tank... 7 day or less supply for other delivered home energy types... utility disconnection notice that relates to the operation of the heating system

Must renters with heating costs included in their rent have received an eviction notice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Must heating or cooling be medically necessary?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Must the household have non-working heating or cooling equipment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do you have additional or differing eligibility policies for:			
Renters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renters living in subsidized housing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renters with utilities included in the rent?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explanations of policies for each "yes" checked above:			
<p>Allowable expenditures must be related to averting an Energy/Life Threatening Crisis and may include:</p> <ol style="list-style-type: none"> 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. Temporary relocation provided the household is experiencing a Life Threatening Crisis that cannot be averted within 18 hours by one of the above measures. <p>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. Section 7.B. An Energy Crisis includes:</p> <ul style="list-style-type: none"> • Reading of ¼ 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 for other delivered Home Energy types; and • A utility disconnection notice that relates to the operation of the Heating System <p>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 (with the exception that if the Household has a utility disconnection notice that relates to the operation of the Heating System, they may receive ECIP to restore the utility).</p>			
Determination of Benefits			
4.8 How do you handle crisis situations?			
<input type="checkbox"/>	Separate component.		
<input checked="" type="checkbox"/>	Benefit Fast Track, no separate amount of crisis funds is issued. Rather, benefits are issued to crisis customers within crisis response time frames.		
<input checked="" type="checkbox"/>	Other - Describe: <u>If a household is in a crisis situation, and they have not yet had a LIHEAP Intake appointment, the application is fast tracked. Crisis is also offered as a separate component in the event that a LIHEAP benefit does not provide enough to resolve the crisis or the LIHEAP Benefit has been exhausted.</u>		
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: <u>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. The amount the Household will receive will be the amount necessary to resolve the energy crisis as well as any remaining HEAP Benefit, up to the annual maximum Crisis benefit amount.</u>		
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?			
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

Commented [SJ10]: 7.A. ...The Household will not be eligible if: they have any other Heating System that is safe and operable and has a supply of product; they reside in Subsidized Housing with heat included or a Rental Unit with heat included. The exception will be if there is a utility disconnect that relates to the operation of the heating system.

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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:
 *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. 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.
 *Applicants 60 years of age or older, 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.

Subgrantees maintain offices in all counties across the state as well as alternative remote offices, they offer services to homebound applicants, have the ability to take applications over the phone and accept documentation electronically.

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4.11 Do you provide individuals with a disability the means to:

Submit applications for crisis benefits without leaving their homes?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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If no, explain.

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

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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If no, explain.

In person applications for crisis assistance are not necessary, an applicant may seek assistance with the crisis over the phone.

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. Individuals who are 60 years of age or older, 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	Maximum Benefit	\$800.00
Summer Crisis	Maximum Benefit	\$0.00
Year-Round Crisis	Maximum Benefit	\$0.00

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

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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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 repaired.

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

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Specify): <u>gas line hook-ups</u>	<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?			
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	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.			
<p>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. Maine Sstatute Title 35-A, §718: Winter terminations</p> <p><u>A. "Disconnection prohibition period" means any time between November 15th and April 15th, or during any other period when, pursuant to rules adopted under section 704, the commission has prohibited a transmission and distribution utility from disconnecting residential customers or prohibited such disconnections without the permission from the consumer assistance and safety division. [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</u></p> <p><u>B. "Residential customer" includes any customer account to which electric service is provided for residential purposes, regardless of whether the electricity received under that account is also used for business purposes. [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</u> [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</p> <p><u>2. Notice of winter disconnection. During a disconnection prohibition period, a transmission and distribution utility may not send or deliver, orally, on paper or electronically, to any residential customer of the utility any notice or communication that:</u></p> <p><u>A. Provides for disconnection of the customer's electric service on a specified date or within a specified interval of time during a disconnection prohibition period, unless the utility has received the prior permission of the consumer assistance and safety division to make the disconnection on the specified date or within the specified interval of time; or [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</u></p> <p><u>B. Makes any reference to disconnection or involuntary termination of the customer's electric service during a disconnection prohibition period, unless the notice or communication includes a prominent statement that disconnection of a residential customer's electric service during the disconnection prohibition period cannot take place without the advance permission of the consumer assistance and safety division, that the customer will be notified of any request for such permission and that the customer will have the opportunity to be heard by the consumer assistance and safety division. [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</u> [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</p> <p><u>3. Past due accounts; assistance programs. Notwithstanding any provision of law to the contrary, the notice permitted under subsection 2 to a residential customer from a transmission and distribution utility is deemed a notice of disconnection for the purpose of establishing eligibility for certain emergency assistance programs, including, but not limited to, the emergency general assistance described in Title 22, chapter 1161 and the fuel assistance described in Title 30-A, chapter 201, subchapter 13. [PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</u></p>			
4.18 If you experience a natural disaster, do you intend to utilize LIHEAP crisis funds to address disaster related crisis situations?			
<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	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.			

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Section 5 - WEATHERIZATION 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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN**

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	State Median Income	60.00%
	2	State Median Income	60.00%
	3	State Median Income	60.00%
	4	State Median Income	60.00%
	5	State Median Income	60.00%
	6	State Median Income	60.00%
	7	State Median Income	60.00%
	8	State Median Income	60.00%
	9	State Median Income	60.00%
	10	HHS Poverty Guidelines	150.00%
	11	HHS Poverty Guidelines	150.00%
	12	HHS Poverty Guidelines	150.00%

5.2 Do you enter into an interagency agreement to have another government agency administer a Weatherization component?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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5.3 If yes, name the agency and attach a copy of the internal agreement or contract.

5.4 Is there a separate monitoring protocol for weatherization?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Weatherization - Types of Rules

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

<input type="checkbox"/>	Entirely under LIHEAP (not DOE) rules
<input type="checkbox"/>	Entirely under DOE WAP (not LIHEAP) rules

<input type="checkbox"/>	Mostly under LIHEAP rules with the following DOE WAP rule(s) where LIHEAP and WAP rules differ (Check all that apply):
<input type="checkbox"/>	Income Threshold
<input type="checkbox"/>	Weatherization of entire multi-family housing structure is permitted if at least 66% of units (50% in 2- and 4-unit buildings) are eligible units or will become eligible within 180 days.
<input type="checkbox"/>	Weatherize shelters temporarily housing primarily low income persons (excluding nursing homes, prisons, and similar institutional care facilities)
<input type="checkbox"/>	Other - Describe:
<input checked="" type="checkbox"/>	Mostly under DOE WAP rules, with the following LIHEAP rule(s) where LIHEAP and WAP rules differ (Check all that apply.)
<input type="checkbox"/>	Income threshold
<input checked="" type="checkbox"/>	Weatherization not subject to DOE WAP maximum statewide average cost per dwelling unit
<input checked="" type="checkbox"/>	Weatherization measures are not subject to DOE Savings to Investment Ratio (SIR) standards.
<input checked="" type="checkbox"/>	Other - Describe: <ul style="list-style-type: none"> 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). Health & Safety and Incidental costs are not subject to DOE rules.

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

5.6 Do you require an assets test?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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5.7 Do you have additional or differing eligibility policies for:

Do you require an assets test?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Do you have additional or differing eligibility policies for:

Renters?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Renters living in subsidized housing?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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Renters with utilities included in the rent?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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Do you give priority in eligibility to:

Older adults?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Individuals with a disability?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Young children?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Households with high energy burdens?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
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Other?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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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 - revised~~ Program Guidance rev 09012023)

F. Asset Test (Heating System Replacements Only)

1. Asset Limits

The Applicant household will be required to contribute toward the cost of a Heating System replacement if the Applicant household has Countable Assets in excess of \$5,000 or \$50,000 if a member of the Applicant household is 60 years of age or older (or 55 years or older if the member is a member of an Indian Tribe). The same guidelines apply to non-occupying co-owner's countable assets. If there is a penalty to withdraw funds from an account the funds will not be part of the Countable Asset. Ex: funds from a retirement account when the declarant is younger than the age to withdraw (account documentation will be needed).

5.7 Renters and Renters living in subsidized housing with heat included (see attached - Section 5B Multifamily Weatherization - revised)WAP Program Guidance rev 03052024

B. 2-4 Unit Dwellings

A rental dwelling containing 2 to 4 rental units is eligible for WAP if it is occupied by an eligible Household(s). Prior to conducting the energy audit, the CAA must verify the ownership of the unit/building and secure confirmation from the property owner.

Commented [SJ11]: 9.A.2.2. Dwelling Unit Eligibility. Ownership will be verified for all Dwelling Units and Rental Units and additional documentation or written permission may be required for life estates and life leases or tenants.

(1) WAP funds may be used to weatherize rental dwellings provided at least 66 percent of residents in a three (3) unit property and 50 percent in a two (2) or four (4) unit property (determined on a building-by-building basis) meet WAP income guidelines.

(2) 2-4 unit dwellings are those with four (4) or less units, and three (3) stories or less.

(3) 2-4 unit dwellings will be prioritized similar to single-family: tenants with the highest energy use and highest energy burden (as a percentage of income) will receive priority.

1. Written Permission

Secure owner's and tenant's consent on the *WAP Consent* form to proceed with weatherization measures. Additionally, the owner and tenant are required to sign MaineHousing's *Weatherization Rental Agreement* before the CAA can proceed with weatherization.

5.8 Priority Applicant means a Household with a Direct Energy Cost as well as a member in the Household who is (i) 60 years of age or older, or (ii) is disabled, or (iii) 72 months (6 years of age) or under. (see attached Section 5.5 Weatherization – revised) WAP Program Guidance rev 03052024

SECTION 3: PRIORITIZATION AND WAIT LIST REQUIREMENTS

A. Prioritization

Priority for weatherization services is identified through HEAT Enterprise, based on household composition, annual energy consumption usage for heat (cost), and poverty level. Households with an older adult person, a person with disabilities, and/or a child younger than six (6) years of age are given priority for weatherization services.

Benefit Levels

5.9 Do you have a maximum LIHEAP weatherization benefit or expenditure per household?

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If yes, what is the maximum:		\$	

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 type="checkbox"/>	Community Solar projects
<input type="checkbox"/>	Rooftop solar	<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.

Commented [SJ12]: 9.B.1.1. HEAP Weatherization allowable uses include: Weatherization needs assessments/audits; air sealing and insulation, storm windows, Heating System modifications/repairs/replacements, Heating System cleaning, tuning and evaluating, compact florescent light bulbs and LED light bulbs, energy related roof repairs, major appliance repairs/replacements, including water heaters, up to two appliances, with one being a water heater, incidental repairs, health and safety measures, replacement windows and doors after all reasonable repair options are considered.

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

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
Section 6 – Outreach**

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:

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

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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) MODEL PLAN Section 7 – Coordination		
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 checked="" type="checkbox"/>	Joint application for multiple programs	
Indicate programs included:		
<input checked="" type="checkbox"/>	Intake referrals to or from other programs	
Indicate programs included:		
<input checked="" 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 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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
Section 8 – Agency Designation**

Section 8: Agency Designation, 2605(b)(6) - Assurance 6 (Required for state grant recipients and the Commonwealth of Puerto Rico)

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

- Administration Agency
- Commerce Agency
- Community Services Agency
- Energy/Environment Agency
- Housing Agency
- State Department of Welfare Agency (administers TANF, SNAP, and/or Medicaid)
- Economic Development Agency
- 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, the 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 Subgrantees	Not Applicable	Community Action Agencies Subgrantees	Community Action Agencies Subgrantees
8.5b Who processes benefit payments to gas and electric vendors?	State Housing Agency	Not Applicable	State Housing Agency	
8.5c Who processes benefit payments to bulk fuel vendors?	State Housing Agency	Not Applicable	State Housing Agency	
8.5d Who performs installation of weatherization measures?				Other

Include a current list of subrecipient(s) name, main office address (do not list P.O. Box), phone number, county(s) served, Congressional District, and UEI number.

If any of your LIHEAP components are not centrally-administered by a state agency, you must complete

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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. C 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.			
Subgrantee shall make annual, written applications to MaineHousing that address each of the above criteria. Subgrantee applications must be received no later than June 1st of each year.			
8.7 How many local administering agencies do you use? 1 2			
8.8 Have you changed any local administering agencies in the last year?			
<input checked="" type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
8.9 If so, why?			
<input type="checkbox"/>	Agency was in non-compliance with grant recipient requirements for LIHEAP -		
<input type="checkbox"/>	Agency is under criminal investigation.		
<input type="checkbox"/>	Added agency		
<input checked="" type="checkbox"/>	Agency closed		
<input type="checkbox"/>	Other – describe		
8.10 If a subrecipient is no longer providing LIHEAP, are you aware of prior-year LIHEAP funds being mismanaged or misspent?			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
8.10a If yes, please explain:			
8.10b If you are aware, were other federal programs impacted such as CSBG, SSBG, Head Start, TANF, and Department of Energy Weatherization funding, etc.			
<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
8.10c if yes, please explain:			
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

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
Section 9 – Energy Suppliers**

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

9.1 Do you make payments directly to home energy suppliers?

Heating	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Cooling	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
Crisis	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Are there exceptions?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

If yes, Describe.

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

MaineHousing and Subgrantees encourage recipients to apply their benefits to their electric utility account if their benefit cannot be used for their primary or secondary heating system and the eligible household is responsible for their electric utility bill. Benefits are determined based on a household’s selected 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, MaineHousing mails a benefit notification letter to the Primary Applicant. [The benefit notification letter will also be available through the application portal if the client has applied online.](#) 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 transaction reports with benefit returns to show delivery and payment activity/history for the LIHEAP client’s account [and must maintain a daily cash price log while an active vendor.](#)

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. [Any accusations of discrimination are investigated.](#)

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

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
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If so, describe the measures unregulated vendors may take.

[Attach a copy of the template statewide vendor agreement or a policy that indicates local agreements must adhere to statewide policies and assurances.](#)

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 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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN**

Section 10 – Program, Fiscal Monitoring, and Audit

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

10.1. How do you ensure proper fiscal accounting and tracking of funds? Be specific about tracking of grant award, tracking of expenditures, tracking vendor (benefit) refunds, fiscal reporting process, and fiscal software systems being used.

In order to ensure good fiscal accounting and tracking ~~around Heating Assistance, Crisis Assistance, Weatherization, Central Heating Improvement Program, and Heat Pump Program~~ of all grants including LIHEAP, MaineHousing performs onsite and 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 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~~ staff 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.

10.1a Provide Definitions for the following:

Obligation:	<u>A contractually legal commitment for funding, payment, services or activities.</u>
Expenditures:	<u>Payment made for the purposes of acquiring goods, services or to pay obligations.</u>
Expenditure timeframe:	<u>The allowable time period to perform an obligation as set forth in contractual agreements.</u>
Administrative costs:	<u>Necessary costs incurred performing activities for the program that are not directly related to processing of clients requested services. Typical examples would be</u>

	preparing budgets, creating policies and procedures, attending planning meetings or professional development related to the program as well as indirect costs proportionally charged in relation to a cost allocation plan or fiscal policies.			
Audit Process				
10.2. Is your LIHEAP program audited annually under the Single Audit Act and OMB Circular A - 133?				
<input checked="" type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	
10.2a If yes, describe your auditor selection process.				
10.3. Describe any audit findings of the grant recipient (i.e., state, tribe, territory) rising to the level of a material weakness or reportable condition cited in the single audits, inspector general reviews, or other government agency reviews from the most recently audited fiscal year.				
<input checked="" type="checkbox"/>	No Findings			
Finding	Type	Brief Summary	Resolved?	Action Taken
1.				
10.4. Audits of Local Administering Agencies				
What types of annual audit requirements do you have in place for local administering agencies or district offices? Select all that apply.				
<input checked="" type="checkbox"/>	Local agencies and district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133.			
<input type="checkbox"/>	Local agencies and district offices are required to have an annual audit (other than A-133).			
<input checked="" type="checkbox"/>	Local agencies or district offices' A-133 or other independent audits are reviewed by Grant recipient as part of compliance process.			
<input checked="" type="checkbox"/>	Grant recipient conducts fiscal and program monitoring of local agencies or district offices.			
<input type="checkbox"/>	Local agencies and district offices are required to have an annual audit in compliance with Single Audit Act and OMB Circular A-133.			
Compliance Monitoring				
10.5. Describe your monitoring process for compliance at each level below. Check all that apply.				
Grant recipient employees:				
<input checked="" type="checkbox"/>	Internal program review			
<input checked="" type="checkbox"/>	Departmental oversight			
<input checked="" type="checkbox"/>	Secondary review of invoices and payments			
<input type="checkbox"/>	Other program review mechanisms are in place. Describe:			
Local Administering Agencies or District Offices:				
<input checked="" type="checkbox"/>	On-site evaluation			
<input checked="" type="checkbox"/>	Annual program review			
<input checked="" type="checkbox"/>	Monitoring through central database			
<input checked="" type="checkbox"/>	Desk reviews			
<input checked="" type="checkbox"/>	Client File Testing/Sampling			
<input type="checkbox"/>	Other program review mechanisms are in place. Describe:			
10.6 Explain or attach a copy of your local agency monitoring schedule and protocol.				
<p>MaineHousing's Program Compliance Officer staff performs onsite and desk review audits of the subgrantees. These field-on-site 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</p> <p>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.</p>				
10.7. Describe how you select local agencies for monitoring reviews. Attach a risk assessment if subrecipients are utilized.				

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:	<p>MaineHousing conducts desk reviews throughout the program year to ensure compliance with program requirements. MaineHousing's Compliance Officer staff conducts desk audits of the following application files:</p> <ul style="list-style-type: none"> Informal Reviews or Fair Hearing Requests: applicants submitted 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 Officer will review the file for accuracy and completeness. an informal review or fair hearings will require that an individual, other than the one who made or approved the decision, review the file and documentation provided to determine accuracy. •Computer generated reports: MaineHousing generates periodic healthy data queries to identify and resolve potential compliance issues, for example, 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 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? Please attach a monitoring schedule if one has been developed.	
<input checked="" type="checkbox"/>	Annually
<input type="checkbox"/>	Biannually
<input type="checkbox"/>	Triannually
<input type="checkbox"/>	Other,
10.9. How many local agencies are currently on corrective action plans? 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 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**

Section 11 – Timely and Meaningful Public Participation

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. Note: Tribes do not need to hold a public hearing but must ensure participation through other means.

- 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:

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	05/23/2023 05/21/2024	Public Hearing held at MaineHousing 26 Edison Dr., Augusta, ME and via web meeting Public Hearing for Maine Chapter 24 HEAP Rule for the Low Income Home Energy Assistance Program held during the MaineHousing monthly board meeting both virtually and in person at 26 Edison Dr. Augusta ME.
2	06/18/2024	Public Hearing for State Model plan held during the MaineHousing monthly Board meeting both virtually and in person at 26 Edison Dr., Augusta, ME.

11.4. How many parties commented on your plan at the hearing(s)? ~~tbd~~

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

Community Action Agencies (CAAs) shared support for using the Design Heat Load Calculation method as the only method to determine LIHEAP benefits, as this will make it easier for LIHEAP vendors, CAAs and clients. One individual providing comments requested for an online application and process to be created; that compensation for CAAs should be dependent on the speed of assistance delivery; and to consider giving a portion of HEAP funds to non-profit community agencies that provide heating assistance.

~~tbd~~

11.6 What changes did you make to your LIHEAP plan as a result of public participation and solicitation of input?

MaineHousing did not make any changes specifically related to comments received through the public hearing process; however, the support expressed for changes already being planned was confirming. MaineHousing already has an online application portal where individuals can start a LIHEAP application online and complete the application process with their CAA. MaineHousing is looking to enhance the online application process starting in FFY 2025.

~~tbd~~

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.

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

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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
Section 12 – Fair Hearings**

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

12.1 How many fair hearings did the grant recipient have in the prior federal Fiscal Year?

32

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

none

12.3 Describe any policy or procedural changes made in the last federal Fiscal Year as a result of fair hearings?

No policies or procedures were changed as a result of fair hearings.

12.4 Describe your fair hearing procedures for households whose applications are denied or not acted upon in a timely manner.

~~complete~~ MaineHousing requires that 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. A denial for missing information will be rescinded if the required information is received by the Subgrantee within (15) fifteen business days from the written notification of denial. The Applicant may submit a written request for a Fair Hearing, but only in the following limited circumstances: the Applicant's claim for assistance was denied or not acted upon with reasonable promptness; the Applicant disputes the criteria used to calculate the amount of their Benefit; or the Applicant is required to refund an Overpayment.

Pursuant to the HEAP Act, 42 U.S.C. §8624(b)(13), MaineHousing will provide an Applicant an opportunity for a fair administrative hearing. Fair hearings shall be conducted in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375 by the Director of MaineHousing (or their 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.

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 Applicant.

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, they shall render their 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 their 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 Applicant's favor and otherwise forty-five (45) calendar days unless stayed on appeal.

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~~. Fair hearing rights information is also provided to the applicant at the time of application, as part of the benefit notification, ~~and or as part of~~ the denial notice.

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.

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

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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN**

Section 13 – Reduction of Home Energy Needs

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. The services being funded by Assurance 16 must be energy related and may include family development case management and education 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.

Salaries and benefit costs for any staff providing services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance are 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 also allowable.

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 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; and 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? Impact can be measured in many different ways: using logic models, data tracking systems, process evaluation, impact evaluation, number of households served versus applied, and performance management for example.

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 saving 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 who 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 received these services?

1043

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 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**

Section 14 – Leveraging Incentive Program

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 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 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 or benefit to be leveraged in the upcoming year that will meet the requirements of 45 C.F.R. § 96. 87(d)(2)(iii), describe the following:

Resource	What is the type of resource benefit?	What is the source(s) of the resource?	How will the resource be integrated and coordinated with LIHEAP?
	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.
	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.
	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.
	Winterization assistance	Donations from local faith-based organizations and other organizations.	Donated materials or volunteer labor for the installation of winterization measures.
	In-kind and other benefits, including blankets, sleepers, snow suits and sweatshirts which are intended to improve client	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.

	comfort and reduce heating costs.		
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 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: 02/28/2027	
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM LIHEAP) MODEL PLAN Section 15 – Training			
Section 15: Training			
15.1 Describe the training you provide for each of the following groups:			
a. Grant recipient Staff:			
<input checked="" type="checkbox"/>	Formal training provided virtually, on-site, and/or 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"/>	Employees are provided with policy manual		
<input checked="" type="checkbox"/>	Other - Describe: MaineHousing's participation in monthly Maine Community Action Partner's Energy Council meetings provides a venue for additional training and feedback throughout the program year.		
b. Local Agencies:			
<input checked="" type="checkbox"/>	Formal training provided virtually, on-site, and/or formal training conference		
How often?			
<input checked="" type="checkbox"/>	Annually		
<input type="checkbox"/>	Biannually		
<input checked="" type="checkbox"/>	As needed		
<input type="checkbox"/>	Other - Describe:		
<input checked="" type="checkbox"/>	Employees are provided with policy manual		
<input checked="" type="checkbox"/>	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 provided virtually, on-site, and/or formal training conference		
How often?			
<input checked="" type="checkbox"/>	Annually		
<input type="checkbox"/>	Biannually		
<input type="checkbox"/>	As needed		
<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.		
<input checked="" type="checkbox"/>	Policies communicated through vendor agreements		
<input checked="" type="checkbox"/>	Policies are outlined in a vendor manual		
15.2 Does your training program address fraud reporting and prevention?			
<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

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

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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN**

Section 16 – Performance Goals and Measures

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 Maine'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 system supports 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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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
Section 17 – Program Integrity**

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.

<input checked="" type="checkbox"/>	Online Fraud Reporting
<input type="checkbox"/>	Dedicated Fraud Reporting Hotline
<input checked="" type="checkbox"/>	Report directly to local agency/district office or Grant recipient office
<input checked="" type="checkbox"/>	Report to State Inspector General or Attorney General
<input checked="" type="checkbox"/>	Forms and procedures in place for local agencies/district offices and vendors to report fraud, waste, and abuse
<input type="checkbox"/>	Posted in local administering agencies offices
	Other - Describe:

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

<input type="checkbox"/>	Printed outreach materials
<input type="checkbox"/>	Addressed on LIHEAP application
<input checked="" type="checkbox"/>	Website
<input type="checkbox"/>	Printed outreach materials
<input checked="" type="checkbox"/>	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 checked="" 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	<input type="checkbox"/>	Required
	<input type="checkbox"/>	Requested	<input type="checkbox"/>	Requested	<input type="checkbox"/>	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"/>

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b. Describe any exceptions to the above policies.

See attachment – Section 17 Program Integrity

- The Applicant must also verify their identity. All documentation must be valid. Expired or absent documentation is not acceptable. If the documentation provided by the Applicant to verify citizenship or legal status bears a photograph of the Applicant, this will be acceptable to verify identity. Otherwise, ONE of the following documents will be acceptable:

Driver's license	SNAP electronic benefit transfer (EBT) card wit
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	<u>photo</u>
<u>State issued ID card</u>	<u>U.S. Military ID</u>
<u>Passport or passport card</u>	

If the documentation listed above is unavailable for the Applicant the Subgrantee may allow the Applicant to verify identity by providing TWO of the following documents:

<u>Adoption Decree</u>	<u>Birth Certificate</u>	<u>Divorce Decree</u>
<u>Employer Identification Card</u>	<u>Foreign School Record that contains a photograph</u>	<u>High School or College Diploma</u>
<u>Marriage Certificate</u>	<u>Notice from a Public Benefits Agency (i.e. Notice of Decision from DHHS, Social Security Benefit Award Letter, MaineCare Award Letter)</u>	<u>Property Deed or Title Document</u>
<u>Social Security Card</u>	<u>Union or Worker's Center Identification Card</u>	<u>Voter Registration Card</u>

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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

- 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 grant recipients only)
- Match SSN/Tribal ID number with tribal database or enrollment records (for tribal grant recipients only)
- Other - Describe: All Applicants two years of age or older must provide proof of Social Security Number (SSN). Any documentation 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 or Legal Residency Verification

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

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

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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

<input type="checkbox"/>	Bank statements
<input checked="" type="checkbox"/>	Tax statements
<input checked="" type="checkbox"/>	Zero income statements
<input checked="" type="checkbox"/>	Unemployment Insurance letters
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	Computer data matches:
<input type="checkbox"/>	Income information matched against state computer system (e.g., SNAP, TANF)
<input type="checkbox"/>	Proof of unemployment benefits verified with state Department of Labor
<input type="checkbox"/>	Social Security income verified with SSA
<input type="checkbox"/>	Utilize state directory of new hires
<input type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	Policy in place prohibiting release of information without written consent
<input checked="" type="checkbox"/>	Grant recipient LIHEAP database includes privacy/confidentiality safeguards.
<input checked="" type="checkbox"/>	Employee training on confidentiality for:
<input checked="" type="checkbox"/>	Grant recipient employees
<input checked="" type="checkbox"/>	Local agencies/district offices
<input checked="" type="checkbox"/>	Employees must sign confidentiality agreement
<input checked="" type="checkbox"/>	Grant recipient employees
<input checked="" type="checkbox"/>	Local agencies/district offices
<input checked="" type="checkbox"/>	Physical files are stored in a secure location.
<input checked="" type="checkbox"/>	Electronic files are protected in a secure location.
<input checked="" type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	All vendors must register with the state/tribe.
<input checked="" type="checkbox"/>	All vendors must supply a valid SSN or TIN/W-9 form.
<input type="checkbox"/>	Vendors are verified through energy bills provided by the household.
<input checked="" type="checkbox"/>	Grant recipient and/or local agencies/district offices perform physical monitoring of vendors.
<input checked="" type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	Applicants required to submit proof of physical residency.
<input checked="" type="checkbox"/>	Applicants must submit current utility bill.
<input checked="" type="checkbox"/>	Data exchange with utilities that verifies:
<input checked="" type="checkbox"/>	Account ownership
<input checked="" type="checkbox"/>	Consumption
<input checked="" type="checkbox"/>	Balances

<input checked="" type="checkbox"/>	Payment history
<input checked="" type="checkbox"/>	Account is properly credited with benefit
<input type="checkbox"/>	Other - Describe:
<input checked="" type="checkbox"/>	Centralized computer system/database tracks payments to all utilities.
<input checked="" type="checkbox"/>	Centralized computer system automatically generates benefit level.
<input checked="" type="checkbox"/>	Separation of duties between intake and payment approval.
<input type="checkbox"/>	Payments coordinated among other energy assistance programs to avoid duplication of payments.
<input type="checkbox"/>	Payments to utilities and invoices from utilities are reviewed for accuracy.
<input checked="" type="checkbox"/>	Computer databases are periodically reviewed to verify accuracy and timeliness of payments made to utilities.
<input checked="" type="checkbox"/>	Direct payment to households are made in limited cases only.
<input checked="" type="checkbox"/>	Procedures are in place to require prompt refunds from utilities in cases of account closure.
<input checked="" type="checkbox"/>	Vendor agreements specify requirements selected above and provide enforcement mechanism.
<input type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	Vendors are checked against an approved vendor list.
<input checked="" type="checkbox"/>	Centralized computer system/database is used to track payments to all vendors.
<input checked="" type="checkbox"/>	Clients are relied on for reports of non-delivery or partial delivery.
<input type="checkbox"/>	Two-party checks are issued naming client and vendor.
<input checked="" type="checkbox"/>	Direct payment to households is made in limited cases only.
<input type="checkbox"/>	Vendors are only paid once they provide a delivery receipt signed by the client.
<input checked="" type="checkbox"/>	Conduct monitoring of bulk fuel vendors.
<input checked="" type="checkbox"/>	Bulk fuel vendors are required to submit reports to the grant recipient.
<input checked="" type="checkbox"/>	Vendor agreements specify requirements selected above, and provide enforcement mechanism
<input type="checkbox"/>	Other - Describe:
17.10. Investigations and Prosecutions	
Describe the Grant recipient's procedures for investigating and prosecuting reports of fraud, and any sanctions placed on clients, staff, or vendors found to have committed fraud. Select all that apply.	
<input type="checkbox"/>	Refer to state Inspector General.
<input checked="" type="checkbox"/>	Refer to local prosecutor or state Attorney General.
<input type="checkbox"/>	Refer to U.S. DHHS Inspector General (including referral to OIG hotline).
<input checked="" type="checkbox"/>	Local agencies/district offices or Grant recipient conduct investigation of fraud complaints from public.
<input checked="" type="checkbox"/>	Grant recipient 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. 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.

	<p>MaineHousing will pursue recoupment of Overpayments by any and all of the following: Applicant may pay MaineHousing the full amount of an Overpayment.</p> <ul style="list-style-type: none"> • 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 BenefitsBenefits and 50% future Benefits to offset against an overpayment balance until the overpayment has been paid in full. • 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. <p>MaineHousing may close an overpayment for any of the following reasons: Overpayment has been paid in full;</p> <ul style="list-style-type: none"> • 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.
<input checked="" type="checkbox"/>	Clients found to have committed fraud are banned from LIHEAP assistance. For how long is a household banned? <u>Until any overpayment has been resolved</u>
<input type="checkbox"/>	Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated.
<input checked="" type="checkbox"/>	Vendors found to have committed fraud may no longer participate in LIHEAP.
<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 18: Certification Regarding Debarment, Suspension, and Other Responsibility Matters

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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN**

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 Nonprocurement 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 Nonprocurement 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 a 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

U.S. Department of Health and Human Services August 1987, revised 05/92, 02/95,
Administration for Children and Families 03/96, 12/98, 11/01
OMB Clearance No.: 0970-0075
Expiration Date: 02/28/2027

**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN**

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 STATEWIDE 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)

1. By signing and/or submitting this application or grant agreement, the grant recipient is providing the certification set out below.
2. 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 grant recipient 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.
3. For grant recipients other than individuals, Alternate I applies.
4. For grant recipients who are individuals, Alternate II applies.
5. Workplaces under grants, for grant recipients other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grant recipient does not identify the workplaces at the time of application, or upon award, if there is no application, the grant recipient 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 grant recipient's drug-free workplace requirements.
6. 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).
7. If the workplace identified to the agency changes during the performance of the grant, the grant recipient shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grant recipients' 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 grant recipient 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 grant recipient's payroll. This definition does not include workers not on the payroll of the grant recipient (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grant recipient's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements Alternate I. (Grant

recipients Other Than Individuals)

The grant recipient 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 grant recipient'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 grant recipient'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 grant recipient 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)

* Address Line 1, do not enter P.O. Box
Address Line 2
Address Line 3

*City	*State	*Zip Code
<p>Check if there are workplaces on file that are not identified here. Alternate II. (Grant recipients Who Are Individuals)</p> <p>(a) The grant recipient 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;</p> <p>(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.</p> <p>[55 FR 21690, 21702, May 25, 1990]</p>		
<input type="checkbox"/>	By checking this box, the prospective primary participant is providing the certification set out above.	

Section 20: Certification Regarding Lobbying

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: 02/28/2027
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LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)

MODEL PLAN

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 subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients 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.

Section 21: Assurances

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: 02/28/2027
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**LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)
MODEL PLAN
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;

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 grant recipients 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.

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

Plan Attachments

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: 02/28/2027
LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) MODEL PLAN Plan Attachments	
The following documents must be attached to this application	
<ul style="list-style-type: none">• Delegation Letter is required if someone other than the Governor or Chairman Certified this Report.• Heating component benefit matrix, if applicable• Cooling component benefit matrix, if applicable• Minutes, notes, or transcripts of public hearing(s).	
Optional: Policy Manual	
Optional: Subrecipient contract	
Optional: Model Plan Participation notes for Tribes	

Energy & Housing Services Department Memorandum

To: MaineHousing Board of Commissioners

From: Jamie Johnson, Senior Director of Operations

Date: June 11, 2024

Subject: Adoption of Home Energy Assistance Program (HEAP) Rule

At your meeting on June 18, 2024, we will ask you to repeal the existing Home Energy Assistance Program Rule and replace it with the attached Home Energy Assistance Program Rule.

The public hearing was held on May 21, 2024. We continued to receive written comments through the close of business on May 31, 2024. A summary of the comments and our proposed responses to the comments begins on **page 31** of the Rule contained in the board report 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.

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 from Senior Director of Operations Jamie Johnson and Chief Counsel Ashley Carson to the Board of Commissioners dated June 11, 2024.

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 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. § 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. “Applicant” means a person who signs the completed Application.
 - D. “Application” means forms and documents completed, signed, and provided by Applicant to determine eligibility for a Benefit and ECIP.
 - E. “Application Intake Date” means the date an Application is taken with the Applicant by Subgrantee personnel both online or not online.
 - F. “Benefit” means the dollar amount of Fuel Assistance an Eligible Household receives.
 - G. “Benefit Return” means a Benefit, partial or whole, returned to MaineHousing.
 - H. “Categorical Income Eligibility” means Household Members who are included on a Maine Department of Health and Human Services (“Maine DHHS”) Notice of Decision for TANF or SNAP assistance will be considered income eligible for HEAP, as the Household Members’ incomes have already been vetted. Household Members who are not included on the Notice of Decision must provide income documentation as outlined in this Rule and the HEAP Handbook.
 - I. “CHIP” means the Central Heating Improvement Program.
 - J. “Citizenship Attestation Form” means an attestation form prescribed by MaineHousing in the HEAP Handbook.
 - K. “Contractor” means a provider of materials or services to EligibleHouseholds.
 - L. “Date of Application” means the date an Application is received by the Subgrantee.
 - M. “Direct Energy Cost” means an Energy Cost that is directly paid by the Household.
 - N. “Dwelling Unit” means an occupied residential housing structure with one or more rooms that

was originally constructed and designed as permanent living quarters 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, trailer, semitrailer, truck camper, motor home, boat, railroad car, bus, yurt or other structure designed and constructed to provide temporary living quarters.

- O. “ECIP” means the Energy Crisis Intervention Program.
- P. “Eligible Household” means a Household that satisfies all eligibility and income requirements of the HEAP Act and requirements of this Rule.
- Q. “Energy Cost” means cost of energy used for heating a Dwelling Unit or Rental Unit.
- R. “Energy Crisis” shall have the same meaning as set forth in [42 U.S.C. §8622\(3\)](#), as same may be amended from time to time.
- S. “Errors and Program Abuse” means the act of applying for or 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.
- T. “Fuel Assistance” means the component of HEAP that assists Eligible Households with their Home Energy Costs.
- U. “Functioning Heating System” means a Heating System that is working safely.
- V. “HEAP” means the Home Energy Assistance Program established pursuant to the HEAP Act and the Act.
- W. “HEAP Act” means [42 U.S.C. §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.
- X. “HEAP Handbook” means the handbook in effect for a Program Year that is used as a resource and guide for the administration of HEAP.
- Y. “HEAP Weatherization” means the weatherization component of HEAP that provides Low- cost/no-cost Weatherization Activities, as defined by [10 C.F.R. §440.20](#), and other cost-effective energy-related home repairs or installations.
- Z. “Heating Season” means the period of time beginning October 1 and ending April 30.
- AA. “Heating Source” means any device used to provide heat to a Dwelling Unit.
- BB. “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.
- CC. “Home Energy” means a source of heating or cooling in residential dwellings as set forth in [42 U.S.C. §8622\(6\)](#), as same may be amended from time to time.
- DD. “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. §8622\(5\)](#), as same may be amended from time to time.

- EE. “Household Income” means the total income from all sources before taxes and deductions as further defined in this Rule.
- FF. “Household Member” or “Household Members” means those individuals who are part of the Household.
- GG. “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, and insurance.
- HH. “Indirect Determinable Energy Cost” means a cost for Home Energy that is not directly paid for by the Household but is a cost to the Household, such as heat that is included in rent.
- II. “Life Threatening Crisis” means the household is currently without heat or utility service to operate a Heating Source or a Heating System.
- JJ. “MaineHousing” means the Maine State Housing Authority.
- KK. “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), was originally constructed and designed as permanent living quarters, 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.
- LL. “Modular” means a residence that is constructed at a manufacturing facility, but not constructed on a permanent chassis, was originally constructed and designed as permanent living quarters, and is transportable in one or more sections on an independent chassis such as a truck or train.
- MM. “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.
- NN. “Person with a Disability” means a person with a physical or mental disability as defined pursuant to 5 M.R.S. § 4553-A.
- OO. “Programs” means Fuel Assistance, Assurance 16, ECIP, CHIP, Heat Pump Program, and HEAP Weatherization.
- PP. “Program Year” means the period of time beginning October 1 and ending September 30.
- QQ. “Rental Unit” means a Dwelling Unit that is rented.
- RR. “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. A Roomer also includes a boarder (meaning a Roomer who is provided meals).
- SS. “Service Area” means the geographic area, as defined by MaineHousing, within which the Subgrantee operates and administers the Programs and the Vendor provides services.
- TT. “State” means the State of Maine.
- UU. “Subgrantee” means a public or private nonprofit agency, or municipality, selected by MaineHousing to

administer the Programs.

- VV. “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.
- WW. “Supplemental Benefits” means the benefits that are funded with supplemental HEAP funds.
- XX. “Supplemental Nutrition Assistance Program (SNAP)” means the nutrition assistance program administered by the United States Department of Agriculture.
- YY. “TANF” means payments under the Temporary Assistance for Needy Families program as defined in [22 M.R.S., Chapter 1053-B, § 3762 et seq.](#), as same be amended from time to time.
- ZZ. “TANF Fuel Supplemental Benefits” means the benefits that are funded with TANF funds pursuant to [22 M.R.S., Chapter 1053-B, § 3769-E.](#)
- AAA. “Tenant” means an Applicant who resides in a Rental Unit.
- BBB. “Vendor” means an energy supplier that has entered into an agreement (“Vendor Agreement”) with MaineHousing to provide Home Energy to Eligible Households.

2. Application.

- A. An Applicant may have only one certified eligible Application per Program Year. Household Members may not submit an Application for a given Program Year if they were included on a certified eligible Application for that Program Year
- B. An Applicant may resubmit a new Application if the Applicant’s Application has either been denied or withdrawn any time prior to the issuance of a Benefit.
- C. Subgrantees will process Applications in accordance with the requirements of this Section and the HEAP Handbook:
1. Applications will be taken as prescribed by MaineHousing each Program Year and will continue to be taken until the last working day of May of the Program Year or until otherwise prescribed by MaineHousing, whichever occurs sooner.
 2. Subgrantee will only take Applications for Households in its Service Area. Applications received in error will be forwarded to the correct Subgrantee and the Applicant will be informed of the error.
 3. The Application forms provided or approved by MaineHousing must be used to administer the Programs and will be reviewed annually prior to the commencement of taking Applications each Program Year.
 4. Applications may be taken via telephone. Subgrantee will complete the Application over the telephone and send the completed Application and other appropriate documents to the Applicant for review and signature.

5. All Applications require Applicants to return the signed Application within twenty (20) business days of the interview with the Subgrantee.
6. Subgrantee will make all reasonable efforts during the first ninety (90) days it takes Applications to process and serve returning Households that have a Direct Energy Cost and a member in the Household who (i) is 60 years of age or older, (ii) has a disability, or (iii) is 6 years or younger.
7. Subgrantees must comply with MaineHousing’s Equal Access Handbook to assist Households with Limited English Proficiency (LEP) and must make reasonable accommodations for a Person with a Disability.
8. Subgrantee must certify or deny an Application within thirty (30) business days from the Date of Application. Written notification of eligibility must be sent to the Applicant within ten (10) calendar days of the decision or when funding is available, whichever is later. Written notification of denial must be sent to the Applicant within three (3) business days.
 - a. **Written notification of eligibility.** The written notification of eligibility must state the Benefit amount, the date the Benefit or credit notification was sent to the Vendor, the approved Home Energy type and the manner by which the Applicant can request an Informal Review or Fair Hearing, if applicable.
 - b. **Written notification of denial.** The written notification of denial must state the facts surrounding the decision, the reason for the decision and the manner by which the Applicant can request an Informal Review or Fair Hearing.
 - i. 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 written notification of denial.
9. The Subgrantee must verify citizenship or legal status, income and Social Security Numbers of all Household Members as well as the identity of the Applicant as prescribed by the HEAP Handbook and this Rule.

3. Eligibility.

Except as may be expressly provided for elsewhere in this Rule, eligibility shall be determined on the basis of information submitted by the Applicant as of the Date of Application. MaineHousing and Subgrantees reserve the right to ask for additional or clarifying information from Applicant, Household Members, or third parties to determine eligibility.

A. Household Eligibility.

1. The Applicant and each additional Household Member must be one of the following: (1) a U.S. Citizen; (2) a U.S. Non-Citizen National; or (3) a Qualified Alien. If the Applicant or any Household Member does not meet this requirement they must be excluded from the total number of Household Members when calculating a Benefit. All documentation must be valid. Expired or absent documentation is not acceptable.

U.S. Citizenship or U.S. Non-Citizen National status may be verified using ONE of the following documents:

- a. U.S. Passport

- b. Maine Real ID
- c. Certificate of Naturalization (N-550/N-570)
- d. Certificate of Citizenship (N-560/N-561)
- e. U.S. Birth Certificate
- f. Document from federally recognized Indian Tribe that includes your name and the name of the federally recognized Indian Tribe that issued the document, and shows your membership, enrollment, or affiliation with the tribe. Documents that can be provided:
 - i. A Tribal enrollment card;
 - ii. A Certificate of Degree of Indian Blood;
 - iii. A Tribal census document;
 - iv. Documents on Tribal letterhead signed by a Tribal official

If the documentation listed above is unavailable for an Applicant or any Household Member, then Subgrantee may accept ONE document from each of the two lists (List A & List B) below to show U.S. Citizenship or U.S. Non-Citizen National status.

LIST A	LIST B
Social Security Card and Citizenship Attestation Form	Driver's license issued by a U.S. State or Territory
Consular Report of Birth Abroad (DS-1350)	Identification card issued by the Federal, state or local government
Certification of Birth Abroad (FS-545)	School identification card
U.S. Citizen Identification Card (I-197)	A clinic, doctor, hospital, or school record, including preschool or day care records (for children under 19 years old)
Northern Mariana Card (I-873)	U.S. Military card or draft record or Military dependent's identification card
Military record showing a U.S. place of birth	U.S. Coast Guard Merchant Mariner card
U.S. medical record from a clinic, hospital, physician, midwife or institution showing a U.S. place of birth	Voter Registration Card
U.S. life, health or other insurance record showing U.S. place of birth	Two other documents that prove your identity, like employer identification cards, high school or college diplomas, marriage certificates, divorce decrees, property deeds or titles
Religious record showing U.S. place of birth recorded in the U.S.	
School record showing the child's name and U.S. place of birth	
Federal or State census record showing U.S. citizenship or U.S. place of birth	
Final adoption decree showing the person's name and U.S. place of birth	
Documentation of a foreign-born adopted child who received automatic U.S. Citizenship (IR3 or IH3)	

Qualified Alien status may be verified using ONE of the following documents:	
<i>Alien lawfully admitted for permanent residence:</i>	Permanent Resident Card, “Green Card” (I-551); OR Unexpired Temporary I-551 stamp in foreign passport or on INS Form I-94
<i>Asylee</i>	INS Form I-94 annotated with stamp showing grant of asylum under Section 208 of the INA; INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(5)”; INS Form I-766 (Employment Authorization Document) annotated “A5”; Grant letter from the Asylum Office or INS; OR Order of an immigration judge granting asylum
<i>Refugee</i>	INS Form I-94 annotated with stamp showing admission under § 207 of the INA; INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(3)”; INS Form I-766 (Employment Authorization Document) annotated “A3”; OR INS Form I-571 (Refugee Travel Document)
<i>Alien Paroled into the U.S. for at least one year</i>	INS Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Cannot aggregate period of admission for less than one year to meet the one-year requirement)
<i>Alien whose deportation or removal was withheld</i>	INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(10)”; INS Form I-766 (Employment Authorization Document) annotated “A10”; OR Order from an immigration judge showing deportation withheld under § 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under § 241(b)(3) of the INA
<i>Alien Granted Conditional Entry</i>	INS Form I-94 with stamp showing admission under § 203(a)(7) of the INA; INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(3)”; INS Form I-766 (Employment Authorization Document) annotated “A3”
<i>Cuban/Haitian Entrant</i>	INS Form I-551 (Alien Registration Receipt Card, commonly known as a “green card”) with the code CU6, CU7, or CH6; Unexpired temporary I-551 stamp in foreign passport or on *INS Form I-94 with the code CU6 or CU7; OR INS Form I-94 with stamp showing parole as “Cuba/Haitian Entrant” under Section 212(d)(5) of the INA

2. The Applicant must also verify their identity. All documentation must be valid. Expired or absent documentation is not acceptable. If the documentation provided by the Applicant to verify citizenship or legal status bears a photograph of the Applicant, this will be acceptable to verify identity. Otherwise, ONE of the following documents will be acceptable:

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

If the documentation listed above is unavailable for the Applicant the Subgrantee may allow the Applicant to verify identity by providing TWO of the following documents:

Adoption Decree	Birth Certificate	Divorce Decree
Employer Identification Card	Foreign School Record that contains a photograph	High School or College Diploma
Marriage Certificate	Notice from a Public Benefits Agency (i.e. Notice of Decision from DHHS, Social Security Benefit Award Letter, MaineCare Award Letter)	Property Deed or Title Document
Social Security Card	Union or Worker's Center Identification Card	Voter Registration Card

If the Applicant cannot verify their identity they are not eligible for a Benefit. If the Applicant is applying on behalf of other eligible Household Members, at least one of the eligible Household Members must provide the required identity documentation.

3. All Household Members 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 Household Member's full name:

Bank tax form	Medicare card with number ending with the suffix "A"
Non SSA-1099 tax form	Social Security Card issued by the Social Security Administration
SSA 1099 tax form	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
W-2 (wage and tax statement)	

If the documentation listed above is unavailable for any Household Member the Subgrantee may allow the Household Member to provide one of the following documents:

Two recent paystubs (within the last sixty (60) days) showing Household Member's full SSN	Most recent (within the last two years) full Federal Tax Return showing Household member's full SSN and confirmation of filing
A Notice of Decision issued by a Public Benefits Agency that shows the Household member's full SSN	An Income Withholding Order/Notice for Support showing Household Member's full SSN
A recent (within the last year) Social Security Administration letter or notice showing Household Member's full SSN	

If the Household includes a child under the age of 24 months old who has not received a SSN, the Application is processed. However, the Applicant must provide the child's SSN for subsequent Program Year Applications, after the child reaches the age of 24 months old.

4. On the Date of Application, all Household Members must be full-time residents of the State and reside, intend to reside, or have resided in a Dwelling full-time for at least four (4) months during a Heating Season and have a Direct Energy Cost or Indirect Determinable Energy Cost.
5. As part of the application process all Household Members 18 years of age or older must sign a release to grant permission to share their personal information between the Maine Department of Health and Human Services, the Maine Department of Labor, the Social Security Administration, Subgrantee and other organizations designated on the permission to share form and MaineHousing to determine eligibility for Benefits as well as eligibility for other programs administered by State, Federal and local agencies.
6. A Household's eligibility to receive benefits from Programs is contingent on the resolution of any Overpayment as described in Section 14, Errors and Program Abuse. During repayment a Household will be eligible for ECIP if they are in compliance with the terms of the repayment agreement. The Household will not be eligible under the HEAP Weatherization and the Department of Energy Weatherization Assistance Program, CHIP, or the Heat Pump Program until repayment is complete.
7. Roomers may be eligible Households if the Applicant can show a rental agreement that was in existence for at least sixty (60) days prior to the Date of Application and the Roomers meet all of the other eligibility criteria. The Roomers cannot commingle funds or share expenses with the lessor's Household and must show proof that a reasonable market rate rent has been paid under the rental agreement for the entire sixty (60) day period prior to the Date of Application.
8. A member of the Household who is away from the Dwelling Unit part of the time must be included as a Household Member unless the member is a full-time college student as described below in Section 3(A)(9).
9. A full-time college student, up to age 23 years old, or more than 23 years of age if permanently or totally disabled, who is a dependent of the Household may be excluded from the Household if the Applicant chooses as long as the student is not the Applicant.
10. A Live-In-Care Attendant who (i) provides needed health/supportive services to a member of the Household as documented by a qualified professional; (ii) would not be living in the unit expect to provide the necessary supportive services; and (iii) does not contribute financially to the Household, will not be considered part of the Household. If an individual does not meet this definition, they must be included as a Household Member.
11. TANF Fuel Supplemental Benefits. A Household may be eligible for TANF Fuel Supplemental Benefits if its Application for HEAP has been certified eligible in the current Program Year and on the Date of Application the Household included at least one member who was under the age of eighteen (18) and the Dwelling Unit was not considered Subsidized Housing with heat included.

B. Dwelling Unit Eligibility.

1. The Dwelling Unit must:
 - a. Have a Functioning Heating System;
 - b. Be occupied by the Household as its primary residence on a full-time/year-round basis;
 - c. Be permanently connected to or serviced by standard utilities such as electricity and water unless the Household can provide supporting documentation to show the Household occupies the Dwelling Unit as its primary residence on a full-time/year-round basis; and
 - d. Be a residential housing structure with one or more rooms that was originally constructed and designed as permanent living quarters.
2. A Dwelling Unit does not include a camper, trailer, semitrailer, truck camper, motor home, boat, railroad car, bus, yurt or any other structure designed and constructed to provide temporary living quarters, regardless of any and all modification(s) or length. For Fuel Assistance only, a Dwelling Unit may include a hotel or motel if the Household provides documentation showing that the hotel/motel has been their permanent residence for at least sixty (60) days prior to the Date of Application.
3. A Dwelling Unit that is considered Subsidized Housing may be eligible for Fuel Assistance if the heat is included in the rent and the Household pays a portion of their rent or utility costs.
4. Dwelling Units that are used partially for business activity are eligible.

C. Income Eligibility

Income Eligibility is based on documented Household Income or Categorical Income Eligibility. 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.

1. Household Income is determined and verified in accordance with the information provided on the Application. Household Income means the total combined income of all Household Members (not otherwise excluded) from all sources before taxes and deductions and is verified in accordance with the guidelines in the HEAP Handbook. Household Income includes, but is not limited to, the following:
 - a. Wages, salaries, and bonuses before any taxes or deductions;
 - b. Self-employment income;
 - 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 a Household Member, or

mortgage/rent payments in lieu of or in addition to payments;

- f. Court ordered or voluntary child support payments received by a Household Member, 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;
- 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. Jury duty fees.

Household Income does not include:

- a. Assets drawn down from financial institutions;
- b. Foster care payments;
- c. Adoption assistance;
- d. In-kind payments to a Household Member 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 (except 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 a Household Member who is a full time high school student, unless they are the Applicant;
 - q. Income earned by a full-time college student who is not counted as a Household Member in accordance with 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:
 - i. 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](#)).
 - ii. 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](#).
 - iii. 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.
 - iv. The value of the allotment provided a household under the Supplemental Nutrition Assistance Program ([7 U.S.C.A. 51](#)).
 - v. 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\(b\)](#)).
 - vi. The value of commodities distributed under the Temporary Emergency Food Assistance Act of 1983 ([Public Law. 98-8](#), [7 U.S.C. 612c](#)).
 - vii. Allowances, earnings and payments to individuals participating in programs under the Workforce Innovation and Opportunity Act <https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>
 - viii. 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).
- ix. Payments to volunteers under the Domestic Volunteer Service Act of 1973 ([Public Law 93-113](#), [42 U.S.C. 5044](#)).
 - x. 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.
 - xi. 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\(a\)](#)).
 - xii. 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](#).
 - xiii. 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](#).
 - xiv. All student financial assistance including the following programs funded under Title IV of the Higher Education Act as amended:
 - 1) Pell Grants;
 - 2) Supplemental Educational Opportunity Grants;
 - 3) Grants to States for State Student Incentives;
 - 4) Special Programs for Students from Disadvantaged Backgrounds;
 - 5) Special Programs for Students Whose Families are Engaged in Migrant and Seasonal Farm work;
 - 6) Robert C. Byrd Honors Scholarship Program;
 - 7) Assistance to Institutions of Higher Education;
 - 8) Veterans Education Outreach Program;
 - 9) Special Child Care Services for Disadvantaged College Students;
 - 10) Payments to veterans for Aid and Attendance benefits.

An adjustment to a Household Member's gross income will be made for court ordered child support payments made by the Household Member that are documented as paid during the income period.

An adjustment to a Household’s gross income may be made if the Household is over income and has documented medical expenses that were paid during the income period. The amount of medical expenses deducted will be equal to only the amount necessary to make the Household eligible. Medical expenses are defined by Internal Revenue Service Publication 502, as the same may be amended from time to time.

The income of Household Members who do not meet the citizenship or legal status requirements must be included in the Household’s income.

2. **Categorical Income Eligibility.** Household Members who are included on a Maine DHHS Notice of Decision or similar document containing the same information, as determined acceptable by the Subgrantee, for TANF or SNAP assistance will have Categorical Income Eligibility for HEAP. Household Members with Categorical Income Eligibility may have their income determined at a pre-established percentage of the federal poverty level, or using actual vetted income if provided by Maine DHHS. Household Members who are not included in the Notice of Decision must provide income documentation as outlined in this Rule and HEAP Handbook.

4. **Benefit Determination.**

Benefits are determined to ensure that the highest level of assistance will be furnished to Eligible Households which have the lowest incomes and the highest Energy Costs or needs. Benefit availability is based on HEAP funding availability.

- A. 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 and prorated based on any ineligible Household Members. The adjusted number of points will then be multiplied by a dollar value.

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

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

Dwelling Type	Points
Stick-built/Modular	9
Mobile/Manufactured	8
Condo/Duplex	6
Apartment	6

Residing County	Points
Aroostook	7
Somerset	6
Franklin	6
Piscataquis	6
Oxford	5
Penobscot	5
Androscoggin	4
Hancock	4
Waldo	3

Cumberland	3
Lincoln	3
Knox	3
York	3
Washington	2
Kennebec	2
Sagadahoc	2

Fuel Type	Points
Electricity	14
LP Gas	10
Kerosene	8
Oil	7
Bio-Fuel	6
Coal	5
Wood Pellets	5
Corn	5
Natural Gas	5
Wood	4
Heating Subsidized	-9

Priority Determination	Points
60+, Disabled or child 6 and under	5
or	
Child 7-17	3

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.

- B. TANF Fuel Supplemental Benefits are determined each Program Year by MaineHousing based on the projected number of Households eligible for TANF Fuel Supplemental Benefits and available funding.
- C. 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.

5. Payment of Benefits.

A. An Applicant shall select a Vendor that will deliver Home Energy to the Eligible Household. Payment of Benefits and TANF Fuel Supplemental Benefits will be made directly to the Vendor, unless otherwise specified, by the methods prescribed below:

1. For payment prior to delivery, MaineHousing, or a Subgrantee as allowed by MaineHousing, will pay a Benefit to the Vendor 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. The Credit Notification Report will list the Applicant's name, address, Home Energy type, account information and, as applicable, Benefit or TANF Fuel Supplemental Benefit. MaineHousing will make payment for Benefits after the Vendor makes delivery as authorized by MaineHousing.
3. For payment to wood vendors, MaineHousing, or a Subgrantee as allowed by MaineHousing, will make payment for a Benefit by direct check to the Applicant upon receipt of a signed Attestation from the Applicant attesting the Benefit received will be used for its intended purpose.

For Applicants with no available Vendors serving the area where the Household resides, MaineHousing, or the Subgrantee as allowed by MaineHousing, may pay Benefits directly to the Applicant upon receipt of a signed Attestation from the Applicant attesting the Benefit received will be used for its intended purpose

B. Payment of Benefits may be made directly to Applicants with an Indirect Determinable Energy Cost.

6. Benefit Returns and Transfer:

A. Program benefits may not be sold, transferred, released or otherwise conveyed by the Eligible Household or the Vendor without written authorization from MaineHousing. MaineHousing will only authorize such conveyances when it is in the best interest of the Eligible Household and is consistent with the intent of the HEAP Act. Examples of situations where MaineHousing may authorize such conveyances include, but are not limited to:

1. Relocation of all Household Members within the State;
2. Change in Vendor by Household;
3. Change in Home Energy vendors available to Household;
4. Relocation from a Dwelling Unit with a Direct Energy Cost to a Dwelling Unit with Indirect Determinable Energy Cost (not including Subsidized Housing);
5. Relocation to Subsidized Housing with Direct Energy Cost;
6. Change in Home Energy type; and

7. Applicant passes away and surviving Household Members remain in the Household.

Program benefits will only be available for reissue or transfer during the Program Year of issue up until March 31st of the Program Year immediately following.

- B. In order to reissue or transfer a Benefit MaineHousing may require the Household to provide an Application update form bearing the Applicant's signature and date. Failure to provide the information may result in delay or forfeiture of the Benefit.
- C. Program Benefits may not be eligible for reissue or transfer if the Applicant committed Errors and Program Abuse when completing the Application, there was an Overpayment, the Applicant's primary residence changes to a nursing home or long term care facility and there are no remaining Household Members, the Household moves to Subsidized Housing with heat included, the Applicant moves into another Household that received a Benefit in the current Program Year, the Household moves into an ineligible Dwelling Unit, the Program Benefit was not reissued before the deadline, the Applicant passes away and there are no surviving Household Members or the Household moves out of State.
- D. Vendors that receive a Benefit return form requesting the return of Benefits paid to Vendor on behalf of Eligible Households, shall return such Benefits to MaineHousing within fifteen (15) business 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 of receiving all required documentation.

7. Energy Crisis Intervention Program (ECIP).

All ECIP services will be conducted by Subgrantees within their Service Area, unless otherwise authorized by MaineHousing, and will be subject to the availability of ECIP funds

- A. A Household may be eligible for ECIP if a Household Member's health and safety is threatened by an Energy Crisis situation on the Date of Application and the Household does not have the financial means to avert the Energy Crisis. The Household will not be eligible if: they have any other Heating System that is safe and operable and has a supply of product; they reside in Subsidized Housing with heat included or a Rental Unit with heat included (with the exception that if the Household has a utility disconnection notice that relates to the operation of the Heating System, they may receive ECIP to restore the utility); or they have an Overpayment balance and have not entered into or complied with a repayment agreement. An Eligible Household under HEAP is income eligible for ECIP.
- B. An Energy Crisis includes:
 - 1. Reading of 1/4 tank or less on a standard 275 gallon heating oil tank;
 - 2. Reading of 25% or less on a propane tank;
 - 3. 7-day or less supply for other delivered Home Energy types; and
 - 4. A utility disconnection notice that relates to the operation of the Heating System,
- C. Allowable expenditures may include:

1. Home Energy deliveries provided the Eligible Household has exhausted any remaining Benefits previously issued;
 2. Delivery charges associated with fuel deliveries under ECIP;
 3. Surcharges, reconnection charges, or penalties related to a final utility disconnect notice;
 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.
- D. ECIP will be administered pursuant to HEAP between November 1 and April 30. Conditioned on the availability of ECIP funds, Energy Crisis benefits will be provided within 48 hours of the Household being certified eligible and Life Threatening Crisis funds will be provided within 18 hours of the Household being certified eligible.
- E. ECIP benefits are determined each Program Year by MaineHousing based on Home Energy costs, economic conditions, and available funding.
- F. Any denial of ECIP benefits will be provided to the Applicant within three (3) business days.
- G. ECIP Payments.
1. Payment will be made after the vendor makes delivery and returns documentation required by MaineHousing to Subgrantee. MaineHousing will make payment within ten (10) business days of Subgrantee entering required information into the MaineHousing database.
8. Central Heating Improvement Program (CHIP).

All CHIP services will be conducted by Subgrantees within their Service Area, unless otherwise authorized by MaineHousing, and will be subject to the availability of HEAP funds.

A. Eligibility.

1. Household Eligibility.
 - a. A Household may be eligible for CHIP if the Household is eligible for HEAP, has an eligible Application that was certified within the preceding twelve (12) months, and does not have a more recent Application that has been certified-denied.
 - b. Eligible Households shall be served on a first-come, first-served basis with respect to each level of priority listed below, except when the Subgrantee is providing weatherization services to a Dwelling Unit in which case the Subgrantee can serve Eligible Households that allow the Subgrantee to leverage CHIP funds first. Subgrantees may prioritize within the priority levels listed below by Households that have a Household Member that (i) is 60 years of age or older, (ii) has a disability, or (iii) is 6 years or younger.

- i. Eligible Households experiencing an Energy Crisis caused by Heating System malfunction or failure.
- ii. Non-wood Heating Systems that cannot achieve a minimum steady state efficiency of 70% (as determined by an evaluation of a Heating System).
- iii. Preventative cleaning, tuning, evaluation and minor repairs on a non-emergency basis (owner-occupied dwelling units only). Date of the last cleaning, tuning and evaluation by a licensed technician must be more than twelve (12) months prior to the initiation of services date.

B. Dwelling Unit Eligibility.

- 1. Ownership will be verified for all Dwelling Units and Rental Units and additional documentation or written permission may be required for life estates and life leases or tenants.
 - a. A Dwelling Unit that has a life estate or life lease interest may be eligible if the document conferring the Applicant rights of the life estate or life lease is recorded in the appropriate registry of deeds and states that the Applicant is responsible for maintaining the Dwelling Unit or is silent as to who is responsible for maintenance.
- 2. A Dwelling Unit will not be eligible under CHIP if: it is a Rental Unit that has reached the life-time maximum benefit, it has been designated for acquisition or clearance by a federal state or local program or order, it is in foreclosure, for sale, vacant, uninhabitable, it is in poor structural condition making CHIP services impractical, ineffective or impossible, it has been damaged by fire, flood or an act of God and insurance will cover the damage, there are discrepancies on the Household's Application, there is evidence that the Heating System was not properly maintained or the Household applied for services for more than one Dwelling Unit and did not provide the required information.

C. Heating System Replacement Eligibility. A Household may be eligible for assistance to replace a Heating System if the Household meets the eligibility requirements for CHIP. The amount of assistance shall be determined by subtracting the sum of the contributions towards the Heating System replacement cost by the Household and any person who shares a legal ownership interest in the Dwelling Unit, but does not reside in the Dwelling Unit ("Non-occupying Co-owner").

- 1. Contributions. The Household and Non-occupying Co-owner (if applicable) will be required to contribute toward the cost of replacing the Heating System if there are Countable Assets in excess of \$5,000, or \$50,000 if a member of the Household or the Non-occupying Co-owner is 60 years of age or older. Countable Assets include cash, 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 for withdrawals). The amount of the contribution is determined for the Household and the Non-occupying Co-owner separately by subtracting either \$5,000 or \$50,000 (as applicable) from total Countable Assets and multiplying that number by the percentage of ownership. All contributions are subtracted from the total Heating System replacement cost to determine the CHIP benefit amount.

D. CHIP Uses.

1. CHIP allowable uses include cleaning, tuning and evaluating oil, gas or solid fuel systems, replacing oil or gas burners and cracked heat exchangers, replacing oil, gas, electric or solid fuel Heating Systems, scaling and installing electrical or mechanical Heating System ignition systems, replacing or relocating thermostats and anticipator adjustment, baffling of combustion chamber, optimizing firing rate, cleaning chimneys, smoke alarms, fire extinguishers, carbon monoxide and gas detectors, oil tanks and gauges, temporary relocation in Life Threatening Crisis situations that cannot be adequately address by ECIP measures, measures to bring a Heating System in compliance with applicable laws and codes or to correct measures that pose an immediate health or safety threat.
2. CHIP may not be used as reimbursement or payment for costs incurred by the Applicant, replacement of a Heating System that was previously replaced by CHIP unless the Heating System has reached its useful life as defined by: https://www.hud.gov/sites/documents/EUL_FOR_CNA_E_TOOL.PDF, or for fuel switching.

E. CHIP Benefit Maximums

1. Single-Family Owner-Occupied Dwelling Units. There is no life-time maximum benefit amount for an Eligible Household.
2. Single-Family Rental Units occupied by an Eligible Household. There is a life-time maximum benefit of \$600.
3. Multi-Family Rental Units. The maximum benefit is the lesser of \$600 times the number of Heating Systems that provide heat to Eligible Households or \$2,400.

F. Subgrantee Responsibilities.

1. Subgrantees are responsible for performing final inspections on all CHIP services for heating replacement jobs. The inspections will evaluate compliance with all applicable codes, confirm the work performed was authorized and determine the combustion efficiency level of the Heating System where technically feasible.
2. Subgrantees are responsible for procuring all services, including materials, equipment and services from specialized trades, such as electricians, masons and oil burner repairman, and shall follow the procedures below:

Amount	Requirements	Notes
\$10,000 or less	Solicit by phone, email, vendor website, catalog, or price list, or similar means one price quote.	If Subgrantee considers the quoted price reasonable based on one or more factors, such as recent purchases of, or research on, goods or services of the same kind or related knowledge or experience, no further solicitation is required. If the quote price is not reasonable, solicit two

		price quotes by similar means.
Over \$10,000	Perform a price survey by making every reasonable attempt to receive price quotations or bids from at least three (3) Contractors.	Choose the lowest quote or bid while taking into consideration the Contractor's performance record and other relevant factors.

3. Subgrantees are also responsible for procuring Contractors and shall follow the procedures below:
 - a. Prepare an Invitation to Bid or a Request for Proposal that identifies all requirements and factors to be considered including a due date for bids;
 - b. Mail, fax or email the Invitation to Bid or Request for Proposal to at least three (3) contractors; and
 - c. Receive by mail, fax or email by the due date all bids and keep bids in a secure location to be reviewed and tabulated.

4. Sole Source Procurement. A Subgrantee may solicit a proposal from only one source if the following circumstances are met:
 - a. 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.
 - b. 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.
 - c. Inadequate Competitive Proposals. After evaluation of all proposals submitted in a competitive procurement, all proposals are determined to be inadequate.

Subgrantee shall submit a written statement justifying the sole source procurement for any procurement over \$10,000 to MaineHousing prior to the installation of services.

5. Records. Copies of all procurement records, including sole source procurement documents, correspondence, factors considered and the basis for selection must be kept in the Subgrantee's files.
9. HEAP Weatherization.

Weatherization measures must be installed in accordance with the Maine Weatherization Standards. When HEAP Weatherization is used in conjunction with U.S. Department of Energy (DOE) funds, [10 C.F.R. Part 440](#), will govern with the exception to variations listed and approved in the LIHEAP State Model Plan Weatherization Assistance Section.

All HEAP Weatherization services will be conducted by Subgrantees within their Service Area, unless otherwise authorized by MaineHousing, and will be subject to the availability of HEAP funds.

A. Eligibility.

1. Household Eligibility. A Household may be eligible for HEAP Weatherization if the

Household is eligible for HEAP, has an eligible Application that was certified within the preceding twelve (12) month, and does not have a more recent Application that has been certified-denied.

2. Dwelling Unit Eligibility. Ownership will be verified for all Dwelling Units and Rental Units and additional documentation or written permission may be required for life estates and life leases or tenants.
 - a. A Dwelling Unit that has a life estate or life lease interest may be eligible if the document conferring the Applicant rights of the life estate or life lease is recorded in the appropriate registry of deeds and states that the Applicant is responsible for maintaining the Dwelling Unit or is silent as to who is responsible for maintenance.
 - b. A Dwelling Unit will not be eligible under HEAP Weatherization if the Dwelling Unit received weatherization services under HEAP Weatherization or another MaineHousing program within fifteen (15) years of the date of Application, it has been designated for acquisition or clearance by a federal state or local program or order, it is in foreclosure, for sale, vacant, uninhabitable, it is in poor structural condition making HEAP Weatherization services impractical, ineffective or impossible, it has been damaged by fire, flood or an act of God and insurance will cover the damage, or there are discrepancies on the Household's Application.
 - c. A Dwelling Unit that was previously weatherized may be reopened if the reopening occurs within six (6) months of completion of the original weatherization service and reopening is required because the previous services are the proximate cause of an immediate threat to the health and safety of the occupants or the quality of the weatherization material or installation is deficient as determined by MaineHousing.

B. HEAP Weatherization Uses:

1. HEAP Weatherization allowable uses include: Weatherization needs assessments/audits; air sealing and insulation, storm windows, Heating System modifications/repairs/replacements, Heating System cleaning, tuning and evaluating, compact florescent light bulbs and LED light bulbs, energy related roof repairs, major appliance repairs/replacements, including water heaters, up to two appliances, with one being a water heater, incidental repairs, health and safety measures, replacement windows and doors after all reasonable repair options are considered.

C. Subgrantee Responsibilities.

1. Subgrantees must conduct a public bid process to secure weatherization contractors at least annually as prescribed by MaineHousing.

10. Heat Pump Program.

All Heat Pump Program services will be conducted by Subgrantees within their Service Area, unless otherwise authorized by MaineHousing, and will be subject to the availability of HEAP funds.

A. Eligibility.

1. Household Eligibility. A Household may be eligible for the Heat Pump Program if the Household is eligible for HEAP, has an eligible Application that was certified within the preceding twelve (12) month, does not have a more recent Application that has been certified-denied and has a working primary Heating System.
2. Dwelling Unit Eligibility.
 - a. Ownership will be verified for all Dwelling Units and for Dwelling Units that have a life estate or life lease interest, the document conferring the Applicant rights of the life estate or life lease must be recorded in the appropriate registry of deeds and state that the Applicant is responsible for maintaining the Dwelling Unit or is silent as to who is responsible for maintenance.
 - b. A Dwelling Unit will not be eligible under the Heat Pump Program if the Dwelling Unit is already equipped with a heat pump, it has been designated for acquisition or clearance by a federal state or local program or order, it is in foreclosure, for sale, vacant, uninhabitable, it is in poor structural condition making the installation of a heat pump impractical or there are discrepancies on the Household's Application.
3. Heat Pump Program Uses
 - a. Heat Pump Program allowable uses include the installation of a heat pump and electric subpanel for the heat pump if needed.

11. Administration of the Programs.

A. MaineHousing's Responsibilities.

1. 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 after conducting a public hearing for the purpose of taking comments.
2. MaineHousing will maintain this Rule, the HEAP Handbook and any other guidance and documents that relate to the administration of the Programs.
3. MaineHousing will contract with Subgrantees and other entities to administer the Programs and may, at its discretion, make payments to Eligible Households or Vendors or provide Supplemental Benefits to the extent available. MaineHousing will assign at least one Subgrantee to each Service Area to administer the Programs and will select Subgrantees annually based on applications received by June 1st outlining the Subgrantee's: experience in administering the Programs or similar programs; capacity; availability of other qualified entities within a Service Area; cost efficiency; ability to enhance accessibility to the Programs; schedule for taking Applications; and ability to perform outreach and serve homebound Applicants.
4. MaineHousing will determine the annual allocation of HEAP funds to each Subgrantee, not including any amount allocated to MaineHousing to pay Benefits.
5. MaineHousing will conduct program and fiscal monitoring of Subgrantees and Vendors to ensure compliance with all rules, regulations and laws applicable to this Rule.

B. Subgrantee, Vendor and Contractor Responsibilities.

1. Subgrantees, Vendors and Contractors are responsible for the following:
 - a. 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.
 - b. Confidentiality. Subgrantees, Vendors, Contractors, and their employees and agents shall keep confidential Applicant or Household 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") and shall safeguard and protect from disclosure at all times Confidential Information.
 - c. Prohibited Discrimination. Subgrantees, Vendors, Contractors, and their employees and agents are prohibited from discriminating against any Household applying for or receiving goods or services in accordance with this Rule.
2. Subgrantees responsibilities also include, but are not limited to, the following as further defined in the annual Subgrant Agreement between MaineHousing and Subgrantees and in accordance with the HEAP Act and this Rule:
 - a. Conduct outreach, accept and verify Applications, determine Household eligibility, pay Benefits, coordinate with MaineHousing on denials and requests for Informal Review and Fair Hearing, use MaineHousing's database software and equipment, address emergencies, cost effectively administer and operate the Programs, prioritize Eligible Households where required, coordinate services between Programs, submit production schedules, work plans, budgets, monthly status reports, and billing information to MaineHousing, use forms provided by MaineHousing, make reasonable accommodations upon request for a Person with a Disability, follow procurement requirements as may be required by 45 C.F.R. §§ 75.327 – 75.335 and 45 C.F.R. §§ 75.316-753.23, and inform Applicants of their rights to request an Informal Review and Fair Hearing;
 - b. Maintain comprehensive, accurate and separate 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 and provide MaineHousing with copies of any such records as requested and maintain such records for a minimum of three (3) years from the end of the relevant contract period or a longer period as prescribed by MaineHousing. 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;
 - c. Provide an annual budget prior to each Program Year and within ninety (90)

calendar days of the close of Subgrantee’s fiscal year furnish to MaineHousing an annual financial statement prepared by an independent certified public accountant in accordance with 45 C.F.R. Part 75, Subpart F.

- C. **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. Administrative expenses for the Program Year may be spent only between October 1 and the following September 30 of the applicable Program Year, unless otherwise authorized. 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 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	Administrative
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
Indirect costs	Administrative

1. 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. Administration of Assurance 16 Activities will be conditioned on the availability of HEAP funds.

D. Vendors.

1. Eligibility. In order to participate in the Programs Vendors must demonstrate the capacity and stability of their business and supply a credit report and business plan to MaineHousing’s satisfaction. Vendors must also show they have been in business for one year prior to enrolling to participate. MaineHousing reserves the right to exclude Vendors in certain situations, including but not limited to, bankruptcies or judgments and prior Program terminations, violations and defaults.
2. Enrollment. Upon approval of a Vendor, Vendors may enter into a Vendor Agreement during the time period as prescribed by MaineHousing. Returning Vendors may reenroll each Program Year as prescribed by MaineHousing contingent upon performance and compliance in previous Program Years.
3. Use of Benefits. Benefits may not:
 - a. Be sold, released, transferred or otherwise conveyed without written authorization from MaineHousing;
 - b. Be used to pay Incidental Costs Benefits;
 - c. Be used to deliver a different Home Energy product than the one authorized by MaineHousing or
 - d. Be used to deliver Home Energy products to a Household that is moving, has a Heating System experiencing mechanical difficulties or has storage tanks that need replacement or do not meet code.

For electricity and natural gas, Vendors may apply Benefits to past due charges for Home Energy deliveries with the oldest charges being paid first.

4. Annual Consumption Report. 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.

5. Return of Payments. Upon receipt of a Benefit Return form Vendor shall return such Benefits to MaineHousing or Subgrantee within fifteen (15) business days of the date of the Benefit Return form. If any of the following events occur, Vendor shall within fifteen (15) business days of becoming aware, submit to MaineHousing a completed Benefit Return form and return any Benefits paid to Vendor:
 - a. Death of an individual who is a sole member of an Eligible Household;
 - b. 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.

For Benefits with a balance of less than \$25, Vendors may aggregate remaining Benefits and return the balance to MaineHousing when the Annual Consumption Report is submitted.

All Benefit Return forms should be accompanied by documentation evidencing: 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; a concise explanation for the return of funds; a detailed account history showing delivery activity and payment for the twelve (12) months prior; and any other documentation requested by MaineHousing.

E. Noncompliance.

1. MaineHousing shall have the right to terminate or suspend in whole or in part the Subgrantee Agreement in its sole discretion if it determines the Subgrantee has failed to comply with any provision of this Rule, the Subgrantee Agreement, the HEAP Handbook, or the provisions of other applicable law. A written notice will be sent to Subgrantee and shall set forth as applicable, the reason for termination, the specific violations and any suspensions. For non-compliance not resulting in termination or suspension a written notice setting forth the specific violation and cure period will be provided to Subgrantee. In situations of malfeasance or misfeasance MaineHousing may bar a Subgrantee's participation in the Programs.
2. MaineHousing shall have the right to terminate a Vendor for failure to comply with the terms of the Vendor Agreement, State law concerning consumer home heating rights as prescribed by the Office of the Maine Attorney General, documentation, audit/investigation requirements and the requirements of this Rule. In situations of malfeasance or misfeasance MaineHousing may bar a Vendor's participation in the Programs and pursue any other remedies available under the law. MaineHousing may also choose to place the Vendor on a watch list and monitor Vendor's performance.

12. Native American Tribal Organizations.

Native American Tribal Organizations 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. §6201 et](#)

[seq.](#), and the Aroostook Band of Micmacs as defined in the Micmac Settlement Act, [30 M.R.S. §7201](#) et seq.

- A. Direct Allocation to Native American Tribal Organizations. Native American Tribal Organizations 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 the percentage of Maine's total annual LIHEAP award that MaineHousing indicates will be awarded to Maine's Native American Tribal Organizations. In its determination MaineHousing will consider the number of Eligible Households during the previous Program Year that include Household Members who are members of the Native American Tribal Organization, when that information is available.
- B. Agreements with Native American Tribal Organizations. When a Native American Tribal Organization receives a direct allocation of Fuel Assistance and ECIP, MaineHousing will enter into an agreement with the Native American Tribal Organization that, at a minimum, provides for the coordination of services and administration of the Fuel Assistance and ECIP by the Native American Tribal Organization and Subgrantees to prevent duplication of services.

13. Informal Review and Fair Hearing.

- A. Informal Review. For any dispute other than a dispute regarding TANF Fuel Supplemental Benefits (which are not subject to Informal Review), the Applicant must submit a written request for an Informal Review no later than:
 - 1. Thirty (30) calendar days from the postmarked date of the denial notification or the benefit notification;
 - 2. Ninety (90) calendar days from the Date of Application, if the Application has not been approved or denied; or
 - 3. Ninety (90) calendar days from the postmarked date of the request for refund of an Overpayment.

Written requests for Informal Review may be mailed to MaineHousing, 26 Edison Drive, Augusta, Maine 04330; or emailed to LIHEAPcompliance@mainehousing.org. The Informal Review will be conducted by a person other than the one who made or approved the decision under review. MaineHousing will review the file, conduct necessary research, and give the Applicant an opportunity to present written or oral objections. 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. If the Applicant does not agree with the results of the Informal Review the Applicant may submit a written request for a Fair Hearing, but only in the following limited circumstances: the Applicant's claim for assistance was denied or not acted upon with reasonable promptness (meaning it was not certified or denied within the required time-frame outline in this Rule or as approved by waiver); the Applicant disputes the criteria used to calculate the amount of their Benefit; or the Applicant is required to refund an Overpayment.

B. Fair Hearing.

- 1. Pursuant to the HEAP Act, [42 U.S.C. §8624\(b\)\(13\)](#), MaineHousing will provide an Applicant an opportunity for a fair administrative hearing. Fair hearings shall be conducted in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375 by the Director of MaineHousing (or their 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 Applicant.
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, they shall render their 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 their 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 Applicant's favor and otherwise forty-five (45) calendar days unless stayed on appeal.

14. Errors and Program Abuse.

- A. Reporting Errors and Program Abuse. Subgrantees are required to report any suspected or alleged Errors or Program Abuse. Any individual may also report suspected Errors or Program Abuse by telephone 1-800-452-4668 or (207) 626-4600, in writing to MaineHousing, Attn: HEAP Errors and Program Abuse, 26 Edison Drive, Augusta, ME 04330 or by email at LIHEAPcompliance@mainehousing.org. Any report should include at minimum, the name and address of the person being reported and any details of the suspected Errors and Program Abuse.
- B. Investigation. MaineHousing will investigate all reported and alleged Errors and Program Abuse and may investigate the previous three (3) Program Years and may place Benefits on hold during the investigation. Applicants will be notified and given the opportunity to respond and provide additional documentation. MaineHousing will make a determination on the appropriate action, based on the response. If an Applicant fails to respond or fails to provide the documentation requested, the Applicant may be subject to denial, an Overpayment or other actions available under the law. If Errors and Program Abuse are confirmed or Applicant fails to respond, Applicant will receive a written notification outlining the facts of the decision, the reason for the decision, the Overpayment due (if applicable), and any avenue available to request an Informal Review or Fair Hearing. If MaineHousing determines the Errors were at no fault of the Applicant, MaineHousing will not require an Overpayment from the Applicant.
- C. Overpayments. If an Applicant is required to pay an Overpayment (including any Overpayments due from the previous three (3) Program Years) the Applicant may pay the full amount of the Overpayment, enter into an agreeable payment arrangement and/or be subject to recoupment by MaineHousing. MaineHousing may exercise its right to recoup Overpayments by collecting up to 100% 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.

15. Waivers of the Rule and HEAP Handbook.

MaineHousing will only grant waivers of the Rule and/or HEAP Handbook in very limited circumstances. The below is a list of the only provisions that will be considered for a waiver. Consideration does not mean the waiver will be granted. Any grant of a waiver is at MaineHousing's discretion.

- A. Subgrantee must certify or deny an Application within thirty (30) business days from the Date of Application.

1. **MaineHousing will consider providing a waiver up to forty-five (45) business days.**
- B. Program benefits will only be available for reissue or transfer during the Program Year of issue up until March 31st of the Program Year immediately following.
 1. **MaineHousing will consider extending the deadline to April 15th for good cause.**
- C. ECIP will be administered pursuant to HEAP between November 1 and April 30.
 1. **Depending on the availability of funds and other factors MaineHousing may extend the April 30th ECIP end date.**
- D. Applications will be voided in HEAP System of Record if the signed application is not received within twenty (20) business days of the date of the interview with the Subgrantee.
 1. **MaineHousing will consider extending the deadline to thirty (30) business days.**
- E. 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 written notification of denial.
 1. **MaineHousing will consider extending the deadline to twenty-five (25) business days.**
- F. CHIP may not be used as reimbursement or payment for costs incurred by the Applicant, replacement of a Heating System that was previously replaced by CHIP unless the Heating System has reached its useful life as defined by: https://www.hud.gov/sites/documents/EUL_FOR_CNA_E_TOOL.PDF, or for fuel switching.
 1. **In the case of replacing a Heating System before the end of its useful life or fuel switching, in limited circumstances, MaineHousing may consider a waiver on a case-by-case basis review.**
- G. HEAP Weatherization does not allow fuel switching when replacing a Heating System.
 1. **MaineHousing may consider a waiver on a case-by-case basis review.**

STATUTORY AUTHORITY: 30-A M.R.S. §§4722(1)(W), 4741(1) and (15), and 4991 et seq.; 42 U.S.C. §§8621, et seq.

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 Fuel Supplemental Benefits, weatherization, heat pumps, and heating system repair and replacement funds to income eligible households in the State of Maine. This replacement rule: removes unnecessary definitions and language from the Rule and places it within the HEAP Handbook and other relevant guidance; clarifies existing definitions; modifies the requirements for Categorical Income Eligibility; reorganizes the sections for a more logical flow; adds additional alternatives to the allowable documentation Applicants must provide to verify citizenship/legal status, identity and social security numbers; establishes a new points system for determining Benefits that will assist with the move to mostly online Applications; and clarifies the limited circumstances in which MaineHousing will allow a waiver of the Rule.

PUBLIC COMMENT:

Process:

Notice of Agency Rule-making Proposal (MAPA-3) was submitted to the Secretary of State for publication in the May 1, 2024 edition of the appropriate newspapers. Additionally, MaineHousing sent the proposed rule to Interested Parties on May 7, 2024 and published the proposed rule on its website on May 1, 2024. MaineHousing held a public hearing on May 21, 2024. The comment period was held open until May 31, 2024 at 5:00 PM.

Summary of Comments and Responses to Comments:

Comment: Christina Link, Director of Housing and Energy Services for The Opportunity Alliance provided testimony at the public hearing in support of the proposed changes to the Rule. Christina thanked MaineHousing for working with The Opportunity Alliance this year to allow: applicants to choose their requested fuel type; applicants with a negative heat burden to have access to ECIP funds; and benefits to be paid out before the start of the ECIP season.

MaineHousing's Response: MaineHousing appreciates the support.

Comment: Christina Link, also endorsed the change to categorical income eligibility that would require household members not listed on a SNAP Notice of Decision from DHHS to provide income documentation for eligibility verification.

MaineHousing's Response: MaineHousing appreciates the support.

Comment: Christina Link further endorsed the change to the calculation of benefits, moving away from consumption and design heat load to a points system that she feels will streamline the application process, lessen subjectivity and make it easier for applicants to better anticipate their benefits from year to year.

MaineHousing's Response: MaineHousing appreciates the support.

Comment: Chris Hastedt, Senior Policy Advisor for Maine Equal Justice provided testimony at the public hearing thanking MaineHousing for the work it had done to improve the Rule and solicit advice from interested parties. Chris commented that Maine Equal Justice had concerns about the processing of applications in a timely manner and asked MaineHousing to consider changing to Rule to require a written determination of eligibility within ten (10) days regardless of whether funds are available or not.

MaineHousing's Response: MaineHousing appreciates the suggestion, however, providing a determination of eligibility for a Program that does not have any funds creates an expectation of receipt of benefits and if the Program were not funded all of the individuals that were told they were eligible would then be told their applications were denied. This could significantly increase the number of denials and/or fair hearings and create an administrative burden. Additionally, the benefit notification process is currently tied to the payment process. So by providing a determination of eligibility, it would trigger the benefit notification process even in situations where funding is not available.

Comment: Chris Hastedt also commented on Household Eligibility as it relates to Citizenship Status and asked MaineHousing to consider providing benefits in situations where not all of the household members are qualified and the ability to prorate a benefit is not possible. As an example Chris referenced the Central Heating Improvement Program and a household's need for a furnace repair, which cannot be provided to just one individual. Chris asserted there is Federal guidance that suggests in those circumstances a benefit could be provided to the household even if the household includes individuals that are not eligible for HEAP.

MaineHousing's Response: Section 3, Eligibility, states that if the Applicant or any Household Member does not meet the citizenship requirement, they must be excluded from the total number of Household Members when calculating a Fuel Assistance Benefit. This prorates the Fuel Assistance Benefit based on the number of eligible Household Members. For CHIP the eligibility is based on whether or not the Household was eligible for HEAP as a whole, had an eligible

Application that was certified within the preceding 12 months and did not have a more recent Application that had been certified denied. This is not based on proration and a Household that includes Household Members that are not eligible for HEAP can still receive benefits under CHIP. The same is true for HEAP Weatherization and the Heat Pump Program. ECIP also allows a Household as a whole to receive a benefit if a Household Member's health and safety is threatened. There is no restriction on receiving benefits if some of the Household Members are not HEAP eligible.

Comment: Chris Hastedt provided testimony and written comments as follows:

- 1) Asked MaineHousing to consider revising the Rule to allow benefits to be paid to individuals living in campers or RVs. Chris emphasized the statutory goal of LIHEAP is to provide benefits to those of the lowest income with the highest heat burden. Chris indicated Vermont and New Hampshire had begun providing benefits to these individuals, but that not much data was available at this time. Chris addressed a number of concerns such as safety, overburdening of the Program and impact on other programs by saying that MaineHousing could address these through Rulemaking and advocacy by creating regulatory standards for safety, asking the governor for more money and excluding these individuals from other programs. Chris also noted that LIAP currently allows campers if residential electric is being provided on a year round basis.
- 2) Attached comments from Suzy Young, an individual residing in an RV. The comments state Suzy does not understand why MaineHousing has chosen to make families living in RVs ineligible for LIHEAP. Suzy's RV is permanently attached to the earth, electricity, a septic tank and a well pump and pressure tank and is a permanent year-round home. The local Code Enforcement Officer inspected the RV and issued a Certificate of Occupancy. While the RV may still have wheels it is not moving.
- 3) Attached a Memorandum dated March 8, 2024, addressed to MaineHousing regarding the authority to implement LIHEAP changes to include Mainers living in campers. The Memorandum states MaineHousing has the authority under federal and state law to include campers in the definition of "dwelling unit." In support of this comment, the Memorandum states neither dwelling nor dwelling unit is defined in the LIHEAP statute or State law and therefore MaineHousing has the authority to define the term. The Memorandum urges MaineHousing to align its definition of dwelling unit with neighboring states such as New Hampshire and Vermont, who have specifically included certain campers in their respective LIHEAP Programs. The Memorandum also provides that the Low Income Assistance Program which helps low-income Mainers with their electricity allows campers to receive benefits.

MaineHousing's Response: MaineHousing acknowledges that some States have chosen to include campers as eligible dwellings for the purpose of LIHEAP and acknowledges that the LIHEAP statute does not provide clear guidance on the definition of a dwelling unit, which leaves the definition open for interpretation by individual States. The laws in New Hampshire and Vermont define the term "dwelling unit" differently from Maine law. In setting its definition of dwelling unit for the purposes of the Rule, MaineHousing looked to federal law, Maine law and other program guidance to establish a definition that was consistent with already existing definitions and MaineHousing's other programs. The definition of dwelling unit has consistently excluded campers, boats, yurts and other structures designed and constructed to provide temporary living quarters for over twenty-four years. Similarly, MaineHousing has operated a number of other programs through the same lens, not allowing campers to be deemed eligible dwelling units. A change to LIHEAP would be inconsistent with other MaineHousing programs. It would also allow campers and other temporary living quarters to qualify for HEAP Weatherization, the Central Heating Improvement Program and the Heat Pump Program. MaineHousing does not believe it is feasible to provide these services to campers and other temporary living quarters based on the nature and construction, which is designed to provide temporary living quarters for recreational, camping, travel or other use. While MaineHousing appreciates the suggestion that campers and temporary living quarters could be excluded from other programs, doing so would require additional rulemaking and coordination with other non-MaineHousing programs that use LIHEAP as eligibility for their own programs. Additionally, the suggestion that MaineHousing could create regulatory standards to determine some campers eligible as dwelling units, but exclude all other types of campers and temporary living quarters, is not feasible and would be burdensome to verify and enforce to ensure cars, boats, yurts and other temporary living quarters could not meet those standards. Additionally, with the latitude provided to municipalities throughout the State to determine when a certificate of occupancy may be issued, it would be near impossible to create a

standard that is fair across the board as some municipalities may refuse to recognize a camper as a dwelling unit.

LIAP is run by the Maine Public Utilities Commission. It is not a MaineHousing program. Eligibility for LIAP is based on eligibility for LIHEAP and/or participation in a DHHS means tested programs with a household income at or less than 150% of the Federal Poverty Guidelines. A camper would not be eligible for LIHEAP, which means eligibility would have to be verified by participation in a DHHS means tested programs, which looks at income versus the status of a dwelling unit. The LIAP application for customers who participate in a DHHS program asks nothing about the type of dwelling unit and instead asks for the address, name of the utility provider and the utility account number. So as long as the household has a utility account and is paying for and receiving electricity, it qualifies. There is no dwelling unit eligibility, which is substantially different from LIHEAP.

In the last two years the number of applications MaineHousing has received for LIHEAP has increased by over 160% and the amount of funding MaineHousing has received for LIHEAP has decreased significantly with the termination of supplemental benefits and the return to the regular amount of funding. LIHEAP funding does not increase based on the number of applicants and MaineHousing expects the number of applications to continue to increase. MaineHousing already cannot serve all of the applicants who have applied for LIHEAP and for those MaineHousing can serve, the average benefit has been cut by more than 50%. Opening the door to allow temporary living quarters originally designed and constructed for recreational, camping, travel or other use to be determined eligible dwelling units, would only further reduce benefits to individuals residing in permanent living quarters. While MaineHousing may advocate for additional funding when the opportunity presents itself, there is no guaranty that additional funding will be provided and even if it were provided, there is no guaranty it would be provided on a consistent ongoing basis.

Comment: Chris Hastedt commented on Income Eligibility stating that the current Rule looks at the most recent or 1 month income and that this is no longer in the Rule. Chris asked MaineHousing to include a provision in the Rule regarding what income is going to be considered and asked MaineHousing to consider excluding terminated sources of income.

MaineHousing's Response: MaineHousing made the decision to have the Rule defer to the HEAP Handbook for the income eligibility verification period as it wanted the flexibility to be able to adjust the verification period if it found that the selected verification period was causing a burden to Applicants. The requirements for what is included in Household Income still remains in the Rule as does the requirements for categorical eligibility, it is just the verification period that has been moved to the HEAP Handbook. MaineHousing will not include terminated sources of income in the household income calculation and will outline this in the HEAP Handbook.

Comment: Chris Hastedt also commented on the Benefit Determination and expressed concern about prioritizing simply on the basis of age, disability or age of a child. Chris indicated that there are a number of people with low incomes and high energy burdens who are not in one of those categories and therefore do not receive additional points for eligibility for benefits. Chris recommended MaineHousing consider taking into account income and energy burden within the age, disability and age of a child categories to have the points be more directly weighted.

MaineHousing's Response: The LIHEAP Guidance explicitly states LIHEAP benefits target households with low incomes, particularly those that have a high home energy burden and/or have members who are elderly, disabled, and/or a young child. MaineHousing made the decision to follow this guidance and provide priority for those populations. Additionally, the data supports providing priority to those populations. Of the 65,583 households that have applied in PY2024, approximately 86% of the households have a household member who is either elderly, disabled, and/or a young child.

Comment: Chris Hastedt also commented on ECIP and urged MaineHousing to consider establishing separate, clear and distinct standards for benefits in ECIP. Chris indicated the current practice is to give priority in taking ECIP applications, but this is not codified in the Rule. Chris suggested revising the Rule to require an initial screening to see if an applicant meets the definition of Energy Crisis outlined in the Rule and if so, allow the applicant the right to apply within 48 hours, receive a decision within 24 hours and then be provided assistance. Chris indicated the proposed Rule does not account for

a situation where an application is not processed in a timely manner.

MaineHousing's Response: The current practice is to prioritize ECIP applicants. The Subgrantees are directed to schedule HEAP appointments in a way that allows room for Applicants who are in an emergency. Generally, when a household calls a Subgrantee with an emergency, the Subgrantee will schedule them for an appointment the same day or as soon as possible. The Application is taken and processed and a delivery is set up to take place within 18 or 48 hours depending upon the type of emergency. All of the documentation required for the ECIP Application is the same as the HEAP Application. MaineHousing does not have separate applications, however, designating an Application as an ECIP Application forces the Vendors to comply with their contracts and take action immediately. MaineHousing does not believe the standards for ECIP should be different than the standards for HEAP other than the fact that ECIP should be prioritized. MaineHousing believes ECIP Applications are being processed as quickly as feasible under the current standards.

Comment: Chris Hastedt further commented MaineHousing should consider a presumptive eligibility methodology like the one used in SNAP where they determine an application without fully verifying all the elements of that application so that they are able to make a determination of eligibility within 24 hours.

MaineHousing's Response: All of the elements of an Application must be fully verified prior to determining a Household eligible for benefits to ensure MaineHousing is complying with Federal law. The HEAP and ECIP applications require the same information and MaineHousing believes that all of the information is necessary in order to ensure compliance. Creating a pared down version of the Application that would then require follow-up after the issuance of benefits, would create a burden on both the Applicants and the Subgrantees and make it more difficult to complete Applications.

Comment: Chris Hastedt commented with respect to Fair Hearings that MaineHousing should consider revising the Rule to allow individuals to request a fair hearing in instances where the amount of the benefit itself is disputed as opposed to the criteria used to determine the benefit.

MaineHousing's Response: The LIHEAP Statute only requires fair administrative hearings for individuals who were denied assistance or applied and their application was not acted upon with reasonable promptness. MaineHousing's Rule adds additional opportunities for Fair Hearing, one of which is if the Applicant disputes the criteria used to calculate the amount of their Benefit. This is not required under Federal law, but MaineHousing feels it is important as it allows an Applicant that believes their benefit was incorrectly calculated to ask for review to see if an error was made. Changing the language to allow a fair hearing for any dispute of the amount with no justification, would allow fair hearings for any situation where an individual is not happy with the amount of the benefit. With the increase in applications and the decrease in benefits, this would likely result in a larger number of fair hearings which would cause administrative concerns.

Comment: Chris Hastedt provided testimony and written comments suggesting that an individual should be able to request a fair hearing on the basis of who was included and excluded as household members.

MaineHousing's Response: The Rule allows an individual to request a Fair Hearing if they dispute the criteria used to calculate the amount of their Benefit.

Comment: Chris Hastedt asked MaineHousing to define "reasonable promptness" which is one of the allowable criteria for requesting an Informal Review and Fair Hearing. Chris suggested MaineHousing adopt a 30 day standard to meet the definition of "reasonable promptness" and suggested using a similar standard for ECIP.

MaineHousing's Response: Reasonable promptness is defined by the deadline Subgrantees have to certify or deny an Application. The Rule states that within thirty (30) business days of the Date of Application Subgrantees must certify or deny an Application unless a waiver up to forty-five (45) business days is granted by MaineHousing. MaineHousing has added clarifying language to Section 13(A) which reads "(meaning it was not certified or denied within the required timeframe outlined in this Rule or as approved by waiver)".

Comment: Chris Hastedt submitted written comments encouraging MaineHousing to allow applicants to make an oral request by telephone or in-person for an Informal Review.

MaineHousing's Response: If an individual making a request for an Informal Review needs a reasonable accommodation to submit that request by telephone or in-person that individual may make a request for that accommodation.

Comment: Chris Hastedt also submitted written comments stating 60 days for a written decision with an additional 10 days for implementation in the Fair Hearing process was too long and that there should be an expedited hearing process for ECIP as well as a shorter time period for implementation of any decision.

MaineHousing's Response: MaineHousing's Fair Hearings are conducted by trained and impartial hearing officers. There are a limited number of individuals in the State of Maine that do this type of work and currently MaineHousing only has one hearing officer despite numerous attempts to retain additional hearing officers. The hearing officer holds a hearing and considers all of the evidence presented and issues a recommended decision to MaineHousing and the individual that is then available for both parties to comment on. The hearing officer then has a chance to modify the recommended decision based on comments received and issue a final recommended decision. That final recommended decision must then be reviewed by MaineHousing's Director and a final agency decision must be issued within the sixty day timeframe. The sixty days is a quick turnaround given all of the steps that need to occur. Shortening the timeframe would be to the detriment of all parties involved. That being said, MaineHousing does its best to issue decisions as quickly as possible. As to the implementation timeframe, MaineHousing does not believe ten days is too long.

Comment: Chris Hastedt also commented on Errors and Program Abuse asking MaineHousing to consider modifying the Rule to not require collection of overpayments in situations where an agency caused the error or the error was unintentional on the part of the household. Chris suggested modeling a revision after the Unemployment Insurance Program that offers guidance on what an unintentional overpayment is. Chris provided in the alternative that MaineHousing could automatically excuse these types of overpayments for anyone under 100% FPL or a member of a "priority population."

MaineHousing's Response: Section 14, Errors and Program Abuse, allows individuals the chance to correct unintentional errors by working with MaineHousing and the Subgrantees to provide additional documentation and information showing the error was unintentional. If the error was not caused by the individual and was instead caused by the Subgrantee, MaineHousing would not hold the individual responsible for the error. MaineHousing has added clarifying language to Section 14(B) that states "If MaineHousing determines the Errors were at no fault of the Applicant, MaineHousing will not require an Overpayment from the Applicant."

Comment: Chris Hastedt commented on the waiver provision that allows MaineHousing to consider providing a waiver to the thirty (30) business day certification or denial period of an Application. Chris expressed concern that if this was to become a blanket waiver it would undermine the importance of timeliness in processing applications. Chris recommended MaineHousing grant these waivers judiciously and only after the Subgrantee has provided a plan with the reasons for the delay and the corrective action that will be taken in the future to avoid delay.

MaineHousing's Response: Section 15 clearly states MaineHousing will only grant waivers of the Rule and/or HEAP Handbook in very limited circumstances. In order to request a waiver Subgrantees are required to submit a Waiver Request Form that asks for the reason for the request, actions/research the Subgrantee has compiled to justify the exception and identification and attachment of supporting documentation. MaineHousing reviews all of this information in determining whether or not a waiver is appropriate. This process does not lend itself to blanket waivers and is not intended to allow a Subgrantee to circumvent the Rule.

Comment: Chris Hastedt commented that no waivers as to timeliness for ECIP Applications should be allowed.

MaineHousing's Response: In the majority of cases if an individual submits an ECIP Application and provides all the

required documentation, which most do, the individual is provided with a same day appointment and benefits are issued within the required 18 to 48 hour timeframes. MaineHousing does not anticipate any requests for waivers for ECIP applications, but would do its due diligence if one was received to review all the surrounding facts and circumstances.

Comment: Chris Hastedt also commented that the waiver provision allowing MaineHousing to extend the deadline to receive a signed application within twenty (20) business days of a telephone interview is not supported by an underlying provision in the Rule.

MaineHousing's Response: MaineHousing agrees this is not clear in the Rule. A clarification has been added to Section 2(C)(4) and a new section 2(C)(5) has been added to require all Applications to be returned, signed by the Applicant, within twenty (20) business days of the interview with the Subgrantee. This change has also been reflected in Section 15(D).

Comment: Chris Hastedt also provided written comments that the Rule does not support the notion that an application will be denied for missing information within a certain time.

MaineHousing's Response: Section 2(C) provides that a Subgrantee must certify or deny an Application within thirty (30) business days from the Date of Application, so it is implied that if an Applicant does not provide the required documentation within thirty (30) business days from the Date of Application, the Application will be denied.

Comment: Chris Hastedt also provided written comments encouraging MaineHousing to accept electronic signatures and telephonic signatures to expedite telephone applications.

MaineHousing's Response: MaineHousing does acceptable electronic signatures for all Applicants that apply online. Additionally, MaineHousing provides guidance on acceptable signatures in the HEAP Handbook. At this time MaineHousing does not have the capability to accept telephonic signatures.

Comment: Chris Hastedt also provided written comments asking MaineHousing to increase the deadline to receive a signed application from twenty (20) business days to thirty (30) business days.

MaineHousing's Response: Section 15(D) allows the Subgrantee to request a waiver on behalf of an applicant for up to thirty (30) business days if a waiver is justified.

Comment: Chris Hastedt also provided written comments asking MaineHousing to increase the deadline for denials for missing information to twenty-five (25) business days from the date of written notification of the denial rather than allowing a waiver for it.

MaineHousing's Response: MaineHousing believes a waiver for this provision is appropriate rather than a change to the Rule. The Rule allows fifteen (15) business days, which is more than fifteen (15) calendar days and if an Applicant misses the fifteen (15) business day window they can ask the Subgrantee to submit a waiver for good cause.

Comment: Chris Hastedt also recommended that MaineHousing should revise the Rule to allow an applicant to show good cause for an extension of the twenty (20) business day deadline for returning a signed application when an application is completed over the phone.

MaineHousing's Response: Section 15(D) allows the Subgrantee to request a waiver on behalf of an applicant for up to thirty (30) business days if a waiver is justified.

Comment: Chris Hastedt submitted written comments suggesting that instead of switching to “indirect determinable energy cost” MaineHousing add the word “undesigned” in describing payments for energy in the form of rent.

MaineHousing's Response: MaineHousing believes the term has been described appropriately.

Comment: Chris Hastedt submitted written comments suggesting MaineHousing add to the definition of “Person with a Disability” a person receiving SSI or Social Security Disability.

MaineHousing’s Response: MaineHousing has chosen to define “Person with a Disability” in accordance with the Maine Human Rights Act, 5 M.R.S. § 4553-A. Neither HUD nor the Maine Human Rights Act defines disability to include a person receiving SSI or Social Security Disability. A physical or mental disability is not based on receipt of public assistance.

Comment: Chris Hastedt submitted written comments asking MaineHousing to add “boarders” back to the definition section indicating that other programs, such as SNAP, do make a distinction between roomers and boarders and it would provide clarity for HEAP applicants that both qualify for benefits.

MaineHousing’s Response: A clarification has been added to Section 1(RR) stating “A Roomer also includes a boarder (meaning a Roomer who is provided meals)”.

Comment: Chris Hastedt submitted written comments suggesting “date of application” be clarified to explicitly name that it also applies to the date on which an online application is filed.

MaineHousing’s Response: MaineHousing chose to define “date of application” with one simple definition which includes all methods of delivery.

Comment: Chris Hastedt submitted written comments suggesting in the written notice of eligibility and denial sections, the Rule require that a list of household members found eligible and ineligible also be included in both notices.

MaineHousing’s Response: If Applicants have questions regarding eligible and ineligible Household Members they may request information from the Subgrantee. In the future, MaineHousing will review options available with the HEAP software to determine how this information might be able to be provided.

Comment: Chris Hastedt submitted written comments encouraging MaineHousing to consider creating a state-funded HEAP program for immigrants not eligible for federal HEAP.

MaineHousing’s Response: MaineHousing encourages Maine Equal Justice Partners to approach the Legislature for funding for a program that could provide these services.

Comment: Chris Hastedt submitted written comments thanking MaineHousing for the proposed changes that make it easier for people to show proof of their citizenship/legal status. Chris commented that if MaineHousing considers using the SAVE System/Social Security Administrative System in the future to determine eligibility, that MaineHousing only use it in conjunction with other methods as it is often unreliable.

MaineHousing’s Response: MaineHousing appreciates the support and will certainly consider the reliability of any system it may adopt in the future for eligibility determination.

Comment: Chris Hastedt submitted written comments stating SNAP electronic benefit transfer cards are no longer issued by Maine DHHS and MaineHousing should be aware of this change, as while people may still have these cards, going forward this form of identification may no longer exist.

MaineHousing’s Response: MaineHousing will certainly keep this in mind and may consider removing it as an acceptable form of identification in the future if it becomes obsolete.

Comment: Chris Hastedt submitted written comments thanking MaineHousing for the changes to Categorical Income Eligibility but asking MaineHousing to consider other forms of verification in addition to the Notice of Decision from DHHS, such as a screenshot from DHHS’ online benefits system.

MaineHousing’s Response: MaineHousing has added clarifying language to Section 3(C)(2) indicating that a document similar to the DHHS Notice of Decision containing the same information, as determined acceptable by the Subgrantee, may be accepted to establish Categorical Income Eligibility.

Comment: Chris Hastedt submitted written comments concurring with MeCAP’s suggestion that MaineHousing allow administering agencies to start accepting ECIP applications earlier in the Program Year.

MaineHousing’s Response: MaineHousing does not receive its allocation of LIHEAP funding until mid-November, so in order to start the ECIP prior to November 1, MaineHousing would need to obtain funding from another source to run the program until funds from the Federal government were received. Due to the nature of ECIP and the requirement that deliveries happen within 18 to 48 hours, most Vendors are making deliveries in good faith, with the contractual promise that MaineHousing will provide the funding in a reasonable amount of time. If ECIP started prior to the receipt of Federal funding, there is no guaranty MaineHousing could meet its contractual obligation to Vendors to pay within a reasonable amount of time. For those reasons, ECIP must begin no earlier than November 1.

Comment: Chris Hastedt also submitted written comments regarding the HEAP Handbook expressing concern that the Handbook, which is not easily located, affects people’s rights to benefits, and implements, interprets or makes specific the law administered by the agency or describes the procedures or practices of the agency. Chris recommended that any material in the Handbook that affects these things be incorporated into the Rule.

MaineHousing’s Response: The Rule clearly outlines the required eligibility requirements for HEAP. The HEAP Handbook is designed to assist in the procedures for operating the program, and is to be used in conjunction with the Rule, State Plan and Subgrantee Agreement. If an Applicant would like a copy of the HEAP Handbook, they may request it from the Subgrantee or MaineHousing.

Comment: Chris Hastedt also submitted written comments encouraging MaineHousing to publish public-facing data on wait times as measured against established improvement goals.

MaineHousing’s Response: MaineHousing appreciates this feedback, but would not incorporate this type of request into the Rule. This is something that could be considered outside of Rulemaking.

Comment: Megan Hannan, Executive Director of Maine Community Action Partnership provided testimony at the public hearing agreeing with what Christina Link provided for comments and quite a few things that Chris Hastedt recommended. One additional item Megan commented on was ECIP timing. She suggested that administrators who are doing ECIP and HEAP should put into their Plans that they can do ECIP earlier. Megan indicated this would be good for areas of the State that get colder faster.

MaineHousing’s Response: MaineHousing does not receive its allocation of LIHEAP funding until mid-November, so in order to start the ECIP prior to November 1, MaineHousing would need to obtain funding from another source to run the program until funds from the Federal government were received. Due to the nature of ECIP and the requirement that deliveries happen within 18 to 48 hours, most Vendors are making deliveries in good faith, with the contractual promise that MaineHousing will provide the funding in a reasonable amount of time. If ECIP started prior to the receipt of Federal funding, there is no guaranty MaineHousing could meet its contractual obligation to Vendors to pay within a reasonable amount of time. For those reasons, ECIP must begin no earlier than November 1.

Comment: The Office of the Public Advocate, William S. Harwood Public Advocate, Elizabeth Deprey Consumer Advocate, and Kristina Winther Senior Counsel submitted written comments stating while campers/RVs may have originally been constructed as temporary living quarters, if a camper or RV has been made a permanent residence with heating and electrical service, the residents of these dwellings should qualify for HEAP. The Office of the Public Advocate commented this would be consistent with other states such as Vermont and New Hampshire and the Low-Income Assistance Program (“LIAP”) which states to be eligible for the program a customer must be a residential customer, who is

receiving electrical service on a continuing year-round basis and qualifies for LIHEAP or participates in a DHHS means-tested program and is at or below 150% of the Federal Poverty Line. The Office of the Public Advocate commented that individuals living in campers/RVs are likely among those who need HEAP the most and qualifying for HEAP opens the doors to many other support programs such as LIAP, the Arrearage Management Program, ECIP and CHIP.

MaineHousing's Response: The laws in New Hampshire and Vermont define the term “dwelling unit” differently from Maine law. In setting its definition of dwelling unit for the purposes of the Rule, MaineHousing looked to federal law, Maine law and other program guidance to establish a definition that was consistent with already existing definitions and MaineHousing’s other programs. The definition of dwelling unit has consistently excluded campers, boats, yurts and other structures designed and constructed to provide temporary living quarters for over twenty-four years. Similarly, MaineHousing has operated a number of other programs through the same lens, not allowing campers to be deemed eligible dwelling units. A change to LIHEAP would be inconsistent with other MaineHousing programs. It would also allow campers and other temporary living quarters to qualify for HEAP Weatherization, the Central Heating Improvement Program and the Heat Pump Program. MaineHousing does not believe it is feasible to provide these services to campers and other temporary living quarters based on the nature and construction, which is designed to provide temporary living quarters for recreational, camping, travel or other use.

Additionally, creating regulatory standards to determine some campers eligible as dwelling units, but exclude all other types of campers and temporary living quarters, is not feasible and would be burdensome to verify and enforce to ensure cars, boats, yurts and other temporary living quarters could not meet those standards. The latitude provided to municipalities throughout the State to determine when a certificate of occupancy may be issued, would make it near impossible to create a standard that is fair across the board as some municipalities may refuse to recognize a camper as a dwelling unit.

LIAP is run by the Maine Public Utilities Commission. It is not a MaineHousing program. Eligibility for LIAP is based on eligibility for LIHEAP and/or participation in a DHHS means tested programs with a household income at or less than 150% of the Federal Poverty Guidelines. A camper would not be eligible for LIHEAP, which means eligibility would have to be verified by participation in a DHHS means tested programs, which looks at income versus the status of a dwelling unit. The LIAP application for customers who participate in a DHHS program asks nothing about the type of dwelling unit and instead asks for the address, name of the utility provider and the utility account number. So as long as the household has a utility account and is paying for and receiving electricity, it qualifies. There is no dwelling unit eligibility, which is substantially different from LIHEAP.

FISCAL IMPACT NOTE: The replacement HEAP Rule will not impose any cost on municipalities or counties for implementation or compliance.

EFFECTIVE DATE:

Asset Management Department Memorandum

To: MaineHousing Board of Commissioners
From: Robert Conroy – Director, Asset Management
Date June 11, 2024
Subject: June Board Report – Asset Management

Staff

The Asset Management Department has successfully filled two of our five open positions after the recent department reorganization. Zach Whittemore joined our department on May 6th as an Asset Manager I and Maria Thiboutot joined us on June 3rd as an Asset Financial Specialist. We are currently in the process of interviewing for the remaining positions - an Asset Manager II, an Asset Manager I and a MF Building Analyst.

Department Team Building

On Tuesday, June 4th, the Asset Management department went off site to visit the first bio-based 3D-printed home unveiled by the University of Maine in 2022 in partnership with MaineHousing. Staff began with a tour of the Maine Advanced Structures and Composites Center where they were able to view all of the various initiatives the center has been working on as well as get a preview of the latest 3D printer recently delivered and in the process of assembly at the facility. A tour of the 3D-printed home followed. Everyone was impressed with the quality of the home and excited about the prospect of what this design could mean for the affordable housing industry.



Development Department Memorandum

To: MaineHousing Board of Commissioners
From: Mark C. Wiesendanger, Director of Development
Date: June 18, 2024
Subject: Monthly Report

2023 LIHTC (4%) RFP

We have scored the Applications for the 2023 4% LIHTC Request for Proposals. There were 9 initial Applications, and 8 that were scored. After applicants were notified of their initial scoring and afforded 5 business days to dispute their respective scores, there were 6 projects awarded funding. The winners are as follows.

Project Name	Developer	Location	Tenants	# of Units	Subsidy
3iHome at The Downs	3i HoME w/POAH	Scarborough	Family	51	\$ 5,400,000
Iron Heights	Matt Morrill	Gardiner	Family	32	\$ 4,088,750
King Street Apartments	KVCAP w/LB Dev	Waterville	Family	37	\$ 4,725,000
Malta Street Senior	Augusta Housing w/DC	Augusta	Older Adults	34	\$ 4,828,000
Martel School Apts.	Lewiston Housing	Lewiston	Older Adults	44	\$ 5,400,000
Sunset Avenue	Bangor Housing	Bangor	Older Adults	50	\$ 6,000,000
Totals				248	\$ 30,441,888

2025-2026 Qualified Allocation Plan (QAP)

The version of the QAP that was published for comment on March 27, 2024 was incorrect. Because of this oversight, we were required to publish the corrected version and allow 30 days for written public comment. All comments submitted previously have been addressed along with any additional comments received during this new comment period. We ask the Board to adopt the corrected version of the QAP.

Below is the updated schedule of planned QAP milestones. .

Item	Action/Due Date
External Partner Meetings	November/January
Board Discussion	January
Housing Needs Updates	January/February

Draft for internal circulation	February
Draft to partners – redline	February/March
Draft to Board for Rule-making	March
Public Comment	May/June
Board Adoption	June
Publish	June
Pre-applications Deadline	July
Applications Deadline	September
Scoring	September/October
Conversations	October
Awards/Results	November

Development Pipeline

Below you will find the Development Pipeline updated as of March 5. We expect that a small number of these projects will not see completion, and that predicted construction starts and completions will change as projects move forward.

Project Name	Developer	Program	City	Family/ Senior	Total Units
Completed in 2024					
Village Commons	Avesta	9%	Scarborough	Senior	31
<i>NC/AR Projects</i>	<i>1</i>			<i>New Units</i>	<i>31</i>
The Schoolhouse	CHOM	4%	Bangor	Family	45
<i>Rehab Projects</i>	<i>1</i>			<i>Rehab Units</i>	<i>45</i>
Total Projects	2			Total Units	76

Under Construction - likely completed in 2024					
Brunswick Landing	Developers Collaborative		Brunswick	Family	36
One Edgemont Drive	ACAP	SHP	Presque Isle	Family	13
99 Western Ave	Mastway Dev LLC	4%	Augusta	Family	38
Hartland II	KVCAP	4%	Hartland	Senior	30
Stacy M. Symbol Apts.	Westbrook HA	4%	Westbrook	Senior	60
Stroudwater Apartments	Westbrook HA	4%	Westbrook	Senior	55
Congress Square Commons	Developers Collaborative	9%	Belfast	Family	36
Front Street Re-Devt Phase 2	Portland HA	9%	Portland	Senior	45
The Uptown	Szanton	9%	Bath	Senior	60
Clarks Bridge Crossing	Patco	AHOP	Waterboro	Family	3
Highpines Village Condos	Highpine Properties LLC	AHOP	Wells	Family	16
Stearns Farm	S.E. MacMillan Co, INC	AHOP	Hampden	Family	14
18 Central Ave	Home Start	Islands	Peaks Island	Family	3
CICA 2022 Island Housing	CICA	Islands	Chebeague Island	Family	4
ICDC Town Acquisition	ICDC	Islands	Isle au Haut	Family	4
NHSH Affordable	NH Sustainable Housing	Islands	North Haven	Family	4
Reeby Road	Islesboro Affordable	Islands	Islesboro	Family	2

18 Green Street	Motivational Svcs	HTF	Augusta	Family	8
55 Weston Ave	55 Weston Avenue LLC	Rural	Madison	Family	18
Congress Sq. Commons Bld A	Developers Collaborative	Rural	Belfast	Family	12
Mechanic Street	WLR Properties	Rural	Houlton	Family	18
Tucker's House Harrison	LB Development Partners	Recovery	Harrison	Supp.	10
<i>NC/AR Projects</i>	22			<i>New Units</i>	489
Millbrook Estates	Westbrook HA/EBM	4%	Westbrook	Senior	100
Oak Grove Commons*	Realty Resources	9%	Bath	Family	34
<i>Rehab Projects</i>	2			<i>Rehab Units</i>	134
Total Projects	24			Total Units	623

Under Construction - likely completed in 2025

45 Dougherty	Szanton	4%	Portland	Family	63
Betsy Ross Crossing	SoPo HA	4%	So. Portland	Senior	52
Edgewater Village	Avesta	4%	Farmington	Senior	25
Fairview Commons	Brunswick HA	4%	Topsham	Family	38
Meadowview II	Avesta	4%	Gray	Senior	27
Wedgewood	Lewiston HA/Avesta	4%	Lewiston	Family	82
The Equinox	CHOM	4%+State	Portland	Family	43
Winter Landing	CHOM	4%+State	Portland	Senior	52
Adams Point	Biddeford HA	9%	Biddeford	Family	39
Milford Place	Penquis CAP	9%	Bangor	Senior	40
Peasley Park	Developers Collaborative	9%	Rockland	Senior	49
Picker House Lofts	Szanton	9%	Lewiston	Family	72
Rumford Senior Living	Developers Collaborative	9%	Rumford	Senior	33
Sturgeon Landing	Augusta Housing	9%	Augusta	Family	32
Wildlands	Greater Portland Habitat	AHOP	Standish	Family	12
22 Shapleigh Road	Fairtide	HOME-ARP	Kittery	Family	6
Theresa Bray Knowles Place	Penquis Cap	HOME-ARP	Bangor	Family	36
520 Centre Street	Bath HA	Rural	Bath	Family	18
Berry's Block Apts.	Lake City Investments	Rural	Rockland	Family	9
The Elm Estates	East Town Rentals	Rural	Presque Isle	Family	18
<i>NC/AR Projects</i>	20			<i>New Units</i>	746
Berry Park Apartments*	Northland Enterprises	4%	Biddeford	Family	46
Harbor Terrace*	Portland HA	4%	Portland	Senior	120
North Deering Gardens*	Wingate Dev.	4%	Portland	Family	164
<i>Rehab Projects</i>	3			<i>Rehab Units</i>	330
Total Projects	23			Total Units	1076

Under Construction - likely completed in 2026

Lockwood Mill	North River Co.	4%	Waterville	Family	65
<i>NC/AR Projects</i>	1			<i>New Units</i>	65
<i>Rehab Projects</i>	0			<i>Rehab Units</i>	0
Total Projects	1			Total Units	65

Preliminary Underwriting

Farwell Mill	Realty Resources	4%	Lisbon Falls	Family	96
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Lambert Woods North	Maine Coop. Dev. Partners	4%	Portland	Family	74
Munjoy South	Avesta	4%	Portland	Family	106
Place St. Marie*	Brisa Dev with Andy J	4%	Lewiston	Family	40
Riverton Park*	Portland HA	4%	Portland	Family	182
Summer Block*	Bateman	4%	Saco	Senior	32
89 Elm Apartments	Tom Watson & CO LLC	4% PLA	Portland	Family	201
Avesta Seavey Street	Avesta	9%	Westbrook	Senior	61
Equality Community Housing	Equality Comm. Center	9%	Portland	Senior	54
Landry Woods	South Portland Housing	9%	So. Portland	Senior	43
Oak Ridge Apartments	Realty Resources	9%	Bath	Senior	30
19 Bodwell Street	Androscoggin Homes	AHOP	Sanford	Family	9
Alexander Way	BH Land Trust	AHOP	Boothbay Harbor	Family	7
Beals Ave WF Housing	LB Dev Partners	AHOP	Ellsworth	Family	23
OddFellows Apts.	Archer Properties LLC	Rural	Norway	Family	13
Charles Jordan House	ME Prisoner Adv Coalition	SHP	Auburn	Supp.	11
Lupine Landing 2	Safe Voices	SHP	Farmington	Supp.	6
Seavey House	Biddeford Housing	SHP	Saco	Supp.	8
Total Projects	18			Total Units	996

**Total Projects in
Underwriting &
Construction 68**

Total Units 2836

Energy & Housing Services Department Memorandum
To: MaineHousing Board of Commissioners

From: Jamie Johnson, Senior Director of Operations

Date: June 11, 2024

Subject: Monthly Report – Energy and Housing Services Department

PROGRAM UPDATES
Home Energy Assistance Program (HEAP)

The Home Energy Assistance Program (HEAP) is a component of the LIHEAP grant that provides eligible applicants with a benefit to assist with their heating costs. Applications for the program begin in July and continue through May each year. This program year, with more than 75 percent of available funds committed, we moved to a waitlist process for completed eligible program applications taken after March 1st. The funding provided benefits to approximately 700 applicants on the waitlist.

The HEAP team is currently focused on launching the new software to support the fuel assistance program and the start of the upcoming program year. The team has scheduled training with the Community Action Agencies in June and July with an anticipated program year start of July 22, 2024.

HOME ENERGY ASSISTANCE PROGRAM					
	PY24		PY23		PY24 +/-%
Benefits Issued	\$22,922,803		\$50,361,914		
	Returning	New	Returning	New	
Pending - Waitlist	67	408	-	-	
Pending - Application in Process	220	583	0	0	
Confirmed Eligible - Waitlist	1,404	2,018	-	-	
Confirmed Eligible - Paid	39,426	11,671	36,207	12,349	
Other - Ineligible/Denied/Void	8,434	7,656	3,797	6,826	
Total Applications	49,551	22,336	40,004	19,175	21.5%

Emergency Crisis Intervention Program (ECIP)

The Emergency Crisis Intervention Program (ECIP) is an element of the HEAP grant that provides eligible households with an additional benefit up to \$800 when they are threatened by an energy crisis. The ECIP program starts on November 1 and ends on April 30.

EMERGENCY CRISIS INTERVENTION PROGRAM		
Reporting Period: November 1, 2024 – April 30, 2024		
Benefits Issued	7,656	\$3,007,211

Weatherization Assistance Programs (Wx)

The Weatherization Assistance Program provides grants to eligible homeowners and renters to reduce energy costs by improving energy efficiency. Our Wx team met with representatives from the Department of Energy for an on-site monitoring in May and the final audit report will be provided by the end of June. We have entered into a contract with the International Center for Appropriate and Sustainable Technology (ICAST) and will be contracting with Community Concepts, Inc. (CCI) as we move forward with BIL Multifamily Weatherization initiatives.

WEATHERIZATION							
Reporting Period: January 1, 2024 – May 30, 2024							
	Projects	Readiness Jobs	Total Cost	Program Delivery & Support	DOE Funded	DOE Wx Readiness	HEAP Funded
DOE & HEAP Wx	102	7	\$2,091,199	\$651,288	\$476,754	\$40,864	\$922,293
BIL Wx	63		\$824,221	\$306,813	\$517,408		
2024 Total	165	7	\$2,915,420	\$958,101	\$994,162	\$40,864	\$922,293

Heat Pump Installation Program (HPP)

The Heat Pump Installation Program (HPP) provides eligible households with heat pumps to help reduce their energy burden. Funding for this program is from the Department of Energy Sustainable Energy Resources for Consumers (SERC) grant.

HEAT PUMP				
Reporting Period: January 1, 2024 – May 30, 2024				
	Projects	Total Cost	Program Delivery & Support	Heat Pump Installation Costs
2024 Total	367	\$1,764,294	\$210,352	\$1,553,941

Central Heating Improvement Program (CHIP)

The Central Heating Improvement Program (CHIP) provides grants to households that are HEAP eligible to assist with heating system, chimney, and oil tank repairs or replacements. Funding for this program is from the LIHEAP grant as well as State HOME funds.

CENTRAL HEATING IMPROVEMENT PROGRAM		
Reporting Period: January 1, 2024 – May 30, 2024		
	Projects	Total Costs
Heating System CTE, Repair or Replacement	672	\$1,677,569
Chimney or Oil Tank Repairs or Replacements	102	\$280,665
2024 Total	774	\$1,958,234

Home Accessibility and Repair Program (HARP)

The Home Accessibility and Repair Program (HARP) provides grants to income eligible homeowners for professional home repairs and accessibility modifications. The HARP is delivered statewide through the network of Community Action Agencies (CAAs).

HOME ACCESSIBILITY AND REPAIR PROGRAM		
Reporting Period: January 1, 2024 – May 30, 2024		
Home Repair	15	\$271,688
Emergency	47	\$540,674
2024 Totals	62	\$812,362

Community Aging in Place (CAIP)

The Community Aging in Place Program provides no-cost home safety checks, minor maintenance repairs, and accessibility modifications to eligible low-income older and disabled homeowners.

COMMUNITY AGING IN PLACE	
Reporting Period: January 1, 2024 – May 30, 2024	
Households Served	40
Expenditures	\$143,490
Average Assistance Cost	\$3,587

Low-Income Assistance Plan (LIAP)

The Low-Income Assistance Plan (LIAP) helps eligible homeowners and renters with their electric utility bills. The LIAP program is funded by contributions from electricity providers and governed by the MPUC.

Low Income Assistance Plan (LIAP)	
Reporting Period: October 1, 2023 - September 30, 2024	
Oxygen/Vent Participants	1,610
LIAP Participants	43,795
LIAP Credits Available	\$16,286,298

Lead Abatement Program

The Lead Abatement Program provides funding for single family homes and owners of rental properties in Maine to help make them lead safe. Priority for program funds is granted to abatement projects for housing in which a child resides and it has been determine that they have an elevated blood lead level. MaineHousing works with four Community Action Agencies to deliver the Lead Abatement Program across the state.

LEAD ABATEMENT PROGRAM	
Reporting Period: January 1, 2024 – May 30, 2024	
Unit in Process	26
Units Completed	7

Finance Department Memorandum

To: Board of Commissioners
From: Darren R. Brown
Date: June 11, 2024
Subject: Monthly Activity Report – Finance Department

ACCOUNTING AND FINANCIAL REPORTING:

- The Accounting and Financial Reporting (AFR) staff continued work on the federal compliance audit for the year ended December 31, 2023. This is an annual audit of MaineHousing’s federally funded programs to determine whether the programs have been administered in compliance with federal guidelines. MaineHousing administered and disbursed approximately \$275 million through thirty-two different federal programs in 2023. Major programs are audited on a rotating basis.

There are seven major programs identified for the 2023 audit. Four are COVID relief programs and are as follows: Emergency Rental Assistance Program (ERA 2), Homeowner Assistance Fund, Expand Affordable Housing (State & Local Fiscal Recovery Fund), and FEMA Disaster Grants Public Assistance. In addition, the Section 8 Housing Choice Voucher Program, Weatherization Program, and the HOME Investment Partnership Program are included in the 2023 audit. The compliance 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.

- State agencies are required to prepare and submit annual Work Program Forms (WPFs) to the Bureau of the Budget at the beginning of the State’s fiscal year, which starts on July 1st. The planned distribution of funds across quarters and months need to be provided on the WPFs for the upcoming year. MaineHousing receives program funds from the State and the WPFs were completed and submitted for fiscal year 2025. WPFs are required for each program in the adopted State budget, which includes the following for MaineHousing:
 1. \$24.2 million for Housing Opportunities for Maine (HOME)
 2. \$4.3 million for the Maine Energy, Housing & Economic Recovery Fund (MEHER)
 3. \$2.5 million for Shelter Operating Subsidy (SOS)
 4. \$35 million for Rural Affordable Housing Development and LIHTC programs.
 5. \$0.3 million for Lead Abatement Fund
 6. \$7.5 million for Low-Income Assistance Program (LIAP)
 7. \$0.3 million for Emergency Housing Matching Grant (Homeless program)

These WPF’s do not include funds associated with the LD 2214 budget change package, which provides MaineHousing with approximately \$71 million in additional program funds in fiscal year 2025. WPFs for these funds will be required and completed separately later this year.

LOAN ADMINISTRATION:

- Machias Savings Bank (MSB) has contacted MaineHousing about potentially discontinuing the servicing of first home loans. The MSB portfolio consist of 807 loans and amounts to \$71.3 million. Approximately 85% of the loans are insured under the federal USDA guaranteed program. MSB cites staffing challenges, federal regulatory burdens, and servicing costs as reasons for their consideration to discountinue servicing loans. MSB's portoflio will be transfered to MaineHousing's primiaary servicer, Mortgage Servicing Solutions, if necessary.

Although MSB is considering no longer servicing loans, they have requested that MaineHousing's Loan Administration team provide loan default servicing training to their Special Assets group. This training will be held at MaineHousing on June 26, 2024.

- Recruitment for the Loan Administrative Assistant position was recently completed. The Loan Administrative Assistant position performs a variety of duties associated with loan defaults, which includes maintaining files and financial records and responding to customers and partner inquiries. Paisley Keene has accepted the position and will be joining MaineHousing on June 17, 2024. Paisley most recently worked as a Library Aide Ed Tech III at Robert V. Connors Elementary School in Lewiston. She also worked as a Finance Assistant and Administrative Finance Assistant for Cheverus High School where she performed a range of financial and administrative duties.
- In May, Loan Administration provided training to Mortgage Servicing Solutions' customer service staff on Maine Mortgage Discharge Law, Maine Motor Vehicle Law (mobile home titles), and UCC Lien release requirements. Specific training was provided on how to determine when a mortgage, title or UCC needs to be released/discharged, the validity of the assignments, and the timelines associated with releasing a paid in full instrument.

Finance Department Memorandum

To: Board of Commissioners

From: Darren R. Brown

Date: June 11, 2024

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, 2024.

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 \$2.58 billion and total combined liabilities approximate \$2.1 billion. Total net assets amount to approximately \$453 million. Total combined revenues approximate \$123.2 million and total expenses amount to approximately \$121.6 million, which results in net operating income of \$1.6 million. Total combined net operating income for this period in 2023 was \$10.5 million. Net operating income is \$8.9 million lower in 2024 due primarily to the activities and operating results of the Mortgage Purchase Fund (MPP), MaineHousing's largest fund group.

The MPP has net operating income of approximately \$1.7 million. This is a \$7.5 million decrease compared to net operating income of \$9.2 million in 2023. The decrease is attributed to the recognition of a paper loss associated with adjusting the carrying values of non-mortgage investments. A paper loss of \$5.3 million has been recorded for 2024, which is a \$9.3 million decrease from the paper gain of \$4 million recorded in 2023. 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, the MPP's net operating income is \$7 million at the end of April 2024. This is an increase of \$1.8 million compared to \$5.2 million in 2023. The net operating income improvement is due primarily to the higher interest rate environment and a \$1.3 million increase in net interest income. Although interest expense on bonds increased \$3.4 million, interest income from mortgages and investments are higher in 2024 by a combined amount of \$4.7 million. Additionally, fee income from multifamily loan production is \$0.9 million higher at this point in 2024.

BUDGET RESULTS

Also attached are the budget variance results for the period ended April 30, 2024. 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 2024 are \$117.2 million and total expenses are budgeted at \$101.3 million. Total actual revenues as of April 30, 2024 amount to \$39.6 million, while total expenses amount to \$31.8 million. For the four-month period ended April 30, 2024, revenues exceed expenses by approximately \$7.8 million. Total revenues and expenses are in line with amounts 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 2024 operating expenses are budgeted at approximately \$25.7 million. As of April 30, 2024, approximately \$8.1 million or 32% of the total operating budget has been used. Total other program administrative expenses are budgeted at \$10 million and actual expenses amount to \$3.6 million as of April 30, 2024. Overall, expenditures in these areas are consistent with that anticipated for the period.

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 2024 is \$685,000. Expenditures amounted to approximately \$250,000 as of April 30, 2024 and were primarily for the third installment on the multifamily housing system, ProLink.

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, 2024.

MAINE STATE HOUSING AUTHORITY
BALANCE SHEETS
APRIL 30, 2024
(IN THOUSANDS OF DOLLARS)

	<u>Memorandum Only Combined Totals</u>		<u>Mortgage Purchase Fund Group</u>	<u>Bondholder Reserve Fund</u>	<u>General Fund</u>	<u>HOME Fund</u>	<u>Federal Programs Fund</u>	<u>Other Funds</u>	<u>Maine Energy Housing & Economic Recovery Funds</u>
	<u>2023</u>	<u>2024</u>							
ASSETS:									
Cash, principally time deposits	102,495	81,761	14,097	0	61,041	1	5,734	888	0
Investments	610,955	598,260	502,766	8,508	21,830	34,195	0	8,002	22,959
Accounts receivable - Government	18,153	6,414	0	0	0	1,625	4,524	265	0
Accrued interest and other assets	12,184	12,427	11,715	19	251	106	199	67	70
Mortgage notes receivable, net	1,617,225	1,838,239	1,748,302	0	7,078	44,648	0	0	38,211
Land, equipment and improvements, net	17,857	17,848	22	0	17,826	0	0	0	0
Derivative instrument - interest rate swaps	16,012	20,793	20,793	0	0	0	0	0	0
Deferred pension expense	959	629	346	2	67	0	0	214	0
Deferred amount on debt refundings	2,220	2,002	2,002	0	0	0	0	0	0
Total Assets	2,398,060	2,578,373	2,300,043	8,529	108,093	80,575	10,457	9,436	61,240
LIABILITIES AND NET ASSETS:									
Accrued interest payable	24,917	30,324	29,840	0	0	0	0	0	484
Excess arbitrage to be rebated	0	650	650	0	0	0	0	0	0
Accounts payable - Government	481	463	0	0	0	0	463	0	0
Accounts payable & accrued liabilities	16,541	22,179	219	0	21,633	0	326	1	0
Unearned income	54,993	42,798	0	0	0	434	27,180	15,184	0
Net pension liability	1,780	1,931	1,063	6	205	0	0	657	0
Deferred pension credit	798	451	248	2	48	0	0	153	0
Accumulated increase in fair value of hedging derivatives	16,012	20,793	20,793	0	0	0	0	0	0
Interfund	0	0	1,767	27	30,280	(3,781)	(22,719)	(5,577)	3
Mortgage bonds and notes payable, net	1,857,152	2,005,888	1,941,559	0	13,409	0	0	0	50,920
Deferred grant income	0	103	0	0	0	0	103	0	0
Deferred loan origination points	18	13	13	0	0	0	0	0	0
Total Liabilities	1,972,692	2,125,593	1,996,152	35	65,575	(3,347)	5,353	10,418	51,407
NET ASSETS:									
Restricted Net Assets	385,531	410,262	303,891	8,494	0	83,922	5,104	(982)	9,833
Unrestricted Net Assets	39,837	42,518	0	0	42,518	0	0	0	0
Total Net Assets	425,368	452,780	303,891	8,494	42,518	83,922	5,104	(982)	9,833
Total Liabilities and Net Assets	2,398,060	2,578,373	2,300,043	8,529	108,093	80,575	10,457	9,436	61,240

MAINE STATE HOUSING AUTHORITY
STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE PERIOD ENDED APRIL 30, 2024
(IN THOUSANDS OF DOLLARS)

	Memorandum Only Combined Totals		Mortgage Purchase Fund Group	Bondholder Reserve Fund	General Fund	HOME Fund	Federal Programs Fund	Other Funds	Maine Energy Housing & Economic Recovery Funds
	2023	2024							
REVENUES:									
Interest from mortgages and notes	21,698	24,707	24,472	0	124	97	0	0	14
Income from investments	8,498	10,450	8,749	151	403	522	7	163	455
Net increase (decrease) in the fair value of investments	4,022	(5,278)	(5,278)	0	0	0	0	0	0
Fee income	4,622	5,573	1,362	0	431	0	3,666	114	0
Other revenue	0	21	12	0	3	6	0	0	0
Grant income	113,346	38,849	0	0	0	818	27,942	10,089	0
Income from State	5,862	6,313	0	0	0	6,313	0	0	0
Federal rent subsidy income	37,356	42,552	0	0	0	0	42,552	0	0
Total Revenues	195,404	123,187	29,317	151	961	7,756	74,167	10,366	469
EXPENSES:									
Operating expenses	8,541	8,105	0	0	8,105	0	0	0	0
Other program administrative expenses	2,049	2,877	2,228	0	3	0	574	69	3
Mortgage servicing fees	625	682	678	0	4	0	0	0	0
Interest expense	17,129	20,494	20,159	0	0	0	0	0	335
Grant expense	118,861	47,391	0	0	0	8,161	25,748	10,152	3,330
Federal rent subsidy expense	37,704	42,041	0	0	0	0	42,041	0	0
Allocated operating costs	0	0	4,582	27	(7,233)	0	2,579	45	0
Total Expenses	184,909	121,590	27,647	27	879	8,161	70,942	10,266	3,668
Net Operating Income (Loss)	10,495	1,597	1,670	124	82	(405)	3,225	100	(3,199)
Transfers between funds, net	0	0	0	0	125	0	(2,311)	0	2,186
Change in net assets	10,495	1,597	1,670	124	207	(405)	914	100	(1,013)
Net assets at beginning of year	414,873	451,183	302,221	8,370	42,311	84,327	4,190	(1,082)	10,846
Net assets at end of period	425,368	452,780	303,891	8,494	42,518	83,922	5,104	(982)	9,833

**MAINE STATE HOUSING AUTHORITY
OPERATING REVENUES AND EXPENSES BUDGET VARIANCE REPORT
FOR THE PERIOD ENDED APRIL 30, 2024**

(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	24,596	0	24,596	74,385	49,789	67%
Income from investments	9,303	170	9,473	23,400	13,927	60%
Fee income	1,793	3,780	5,573	19,266	13,693	71%
Other revenue	15	0	15	105	90	86%
Total Revenues	35,707	3,950	39,657	117,156	77,499	66%
EXPENSES:						
Operating expenses	5,481	2,624	8,105	25,670	17,565	68%
Other program administrative expenses	2,913	646	3,559	10,021	6,462	64%
Interest expense	20,159	0	20,159	65,570	45,411	69%
Total Expenses	28,553	3,270	31,823	101,261	69,438	69%
Excess Revenues Over Expenses	7,154	680	7,834	15,895	8,061	51%

**MAINE STATE HOUSING AUTHORITY
OPERATING AND OTHER PROGRAM ADMINISTRATIVE EXPENSES
FOR THE PERIOD ENDED APRIL 30, 2024**

ATTACHMENT B

	Total Annual Budget	Total Year to Date Actual	Budget Available	Percentage of Budget Available
Operating Expenses				
Salaries	13,853,898	4,611,132	9,242,766	67%
Payroll Taxes	1,013,479	344,037	669,442	66%
Retirement	1,386,948	459,361	927,587	67%
Medical and Life Insurance	3,663,963	1,112,065	2,551,898	70%
Other Fringe Benefits	10,000	2,414	7,586	76%
Office Supplies	60,525	14,469	46,056	76%
Printing	85,450	18,903	66,547	78%
Membership and Dues	66,879	16,471	50,408	75%
Subscriptions	20,080	7,511	12,569	63%
Sponsorships	19,600	7,250	12,350	63%
Staff Educ/Train/Conf	213,342	34,224	179,118	84%
Travel/Meals - Staff Educ/Train/Conf	230,594	37,488	193,106	84%
Partner/Client Train/Meetings	87,250	4,343	82,907	95%
Travel/Meals - Partner/Client Training	89,506	7,891	81,615	91%
Staff Events	36,680	8,933	27,747	76%
Meals - Staff Events	33,590	15,317	18,273	54%
Leased Vehicles	198,991	49,223	149,768	75%
Computer Supplies	31,000	9,727	21,273	69%
Computer License SAAS	248,564	123,127	125,437	50%
Rent-Other	44,519	15,687	28,832	65%
Computer Maintenance	986,752	194,345	792,407	80%
Depreciation	1,279,000	355,984	923,016	72%
Telephone	131,750	46,423	85,327	65%
Employment Advertising	18,000	5,048	12,952	72%
Postage and Shipping	152,512	52,395	100,117	66%
Insurance	102,186	13,829	88,357	86%
Recording Fees	1,000	596	404	40%
Payroll Services	51,668	17,659	34,009	66%
Audit Services	175,350	78,000	97,350	56%
Property Expenses	556,950	192,982	363,968	65%
Professional Services	371,538	101,772	269,766	73%
Building Interest Expense	448,452	146,397	302,055	67%
Total Operating Expenses	25,670,016	8,105,003	17,565,013	68%
Other Program Administrative Expenses				
Loan foreclosure expenses	200,000	29,643	170,357	85%
REO expenses	50,000	0	50,000	100%
Provision for losses on loans & REOs	125,000	0	125,000	100%
Mortgage Servicing fees	1,975,000	681,809	1,293,191	65%
Loan Origination expenses	3,230,000	1,231,658	1,998,342	62%
Bond issuance expenses	900,000	176,597	723,403	80%
Trustee/Bank fees	178,000	60,312	117,688	66%
Program advertisements	336,500	66,155	270,345	80%
Bond and mortgagee insurance	24,313	0	24,313	100%
Variable rate bond remarket/SBPAs	645,000	297,353	347,647	54%
Cash flow/arbitrage/swap consultants/legal	738,500	366,618	371,882	50%
Homebuyer education	150,000	18,150	131,850	88%
Program administrator fees	1,469,000	630,275	838,725	57%
Total Other Program Administration Expenses	10,021,313	3,558,570	6,462,743	64%

**MAINE STATE HOUSING AUTHORITY
CAPITAL BUDGET
FOR THE PERIOD ENDED APRIL 30, 2024**

ATTACHMENT C

Description	2024 Budget	2024 Actual	Budget Available	% Expended
Computer Hardware:				
Laptop replacements	57,000	3,725	53,275	
Total computer hardware	<u>57,000</u>	<u>3,725</u>	<u>53,275</u>	<u>7%</u>
Computer Software:				
Enterprise multi-family housing system	176,958	176,958	0	
Amplifund grant management software	45,600	0	45,600	
ITMS & Patching replacement	20,000	0	20,000	
Internal communication enhancements	25,000	0	25,000	
Single Family loan servicing system modifications	10,000	0	10,000	
Single Family lender & loan tracking systems mods	10,000	0	10,000	
Salesforce software upgrades	220,000	0	220,000	
Total computer software	<u>507,558</u>	<u>176,958</u>	<u>330,600</u>	<u>35%</u>
Office Building:				
Additional workstations & furnitures	40,000	0	40,000	
Office building improvements/repairs	50,000	43,595	6,405	
	<u>90,000</u>	<u>43,595</u>	<u>46,405</u>	<u>48%</u>
Director's Vehicle:				
	<u>30,000</u>	<u>25,189</u>	<u>4,811</u>	<u>84%</u>
Total	<u><u>684,558</u></u>	<u><u>249,467</u></u>	<u><u>435,091</u></u>	<u><u>36%</u></u>

**MAINE STATE HOUSING AUTHORITY
MEMBERSHIPS, DUES, AND SPONSORSHIPS
FOR THE PERIOD ENDED APRIL 30, 2024**

Description	Amount
Memberships and Dues	
Maine Bankers Association - annual affiliate membership	995
National Leased Housing Association - annual membership	660
National Energy Assistance Directors' Association - annual membership	7,021
National Association for State Community Services Programs - annual membership	1,129
Maine Real Estate & Development Association - annual membership	1,200
Maine Indoor Air Quality Council - annual membership	650
National Affordable Housing Management Association - affiliate membership	1,350
National Energy & Utility Affordability Coalition - annual membership	600
Maine Department of Environmental Protection - lead inspector license renewal	400
NCHM Accounting Office Employee Certification dues	125
Kennebec Board of Realtors - employee dues	199
Institute of Internal Auditors - employee annual membership	190
Association of Certified Fraud Examiners - (1) employee annual membership	245
Society for Human Resource Management - employee annual membership	264
Project Management Institute/Professional- employee annual membership	338
Association of Government Accountants - (1) employee annual memberships	110
Construction Specifications Institute - employee annual membership	375
Maine Association of Mortgage Professional - employee annual membership	395
American College of Mortgage Attorneys - employee dues	225
Total	<u>\$ 16,471</u>
Sponsorships	
Inclusion Maine - conference sponsorship	1,500
New England Resident Service Coordinator - conference sponsor	3,000
Greater Portland Board of Realtors - conference sponsor	250
Maine Affordable Housing Coalition - housing conference sponsor	2,500
Total	<u>\$ 7,250</u>



Finance Department Memorandum

To: Board of Commissioners
From: Darren Brown
Date: June 5, 2024
Subject: Monthly Delinquencies Report

MULTI-FAMILY DELINQUENCIES

The Multi-Family portfolio totals \$956 million with 1,345 loans as of May 31, 2024. There are four delinquent loans, as shown in *Exhibit 1*. 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 \$1.1 billion with 10,073 loans as of April 30, 2024. The over 60-day delinquencies stayed at 2.16%, and the in-foreclosures increased from 0.64% to 0.66%. The over 60-day delinquencies amount to \$24 million, with approximately \$7 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 2.16%; and the overall delinquency rate by loan count is 2.23%. As reflected in *Exhibit 5*, the overall delinquency rate by loan count is below the delinquency rate of all Maine Loans.

Servicer Delinquencies – As of April 2024, Bank of America (BOA) had the highest overall delinquency rate of 9.65% (10 loans), with an in-foreclosure rate of 4.38% (5 loans). Bank of America no longer originates loans for MaineHousing; and they are servicing an old portfolio of loans. The average age of the loans in their portfolio is 16 years. There have been no new loans added to this portfolio since 2011 and the high delinquency rate is mainly attributed to the decreasing portfolio balance and its small size.

Delinquencies for our largest servicer, Mortgage Servicing Solutions, decreased from 2.60% to 2.44%, while the in-foreclosure rate decreased from 0.74% to 0.73%. Bangor Savings Bank QS had a rate of 0.44%, which was the lowest rate for the month. Delinquency rates for each servicer are shown in *Exhibit 3*.

Delinquencies by Insurance Type – In April 2024, SELF insured loans had the highest delinquency rate by total insurance type of 3.40%, with in-foreclosures at 1.26%. When compared to the total loan portfolio, RD insured loans had the highest delinquency rate of 1.12%, with in-foreclosures at 0.44%. Delinquencies by insurance type and the portfolio as a whole are shown in *Exhibit 6*.

SELF insured loans comprise 4% of the Single-Family portfolio and 7% of delinquencies, while RD insured loans comprise 53% of the portfolio and represent 52% 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 the end of month April 2024, we assisted 418 borrowers with various foreclosure prevention options. As of April 2024, twenty-four HAF reinstatements have occurred.

Multi-Family Delinquent Loans

MAINE STATE HOUSING AUTHORITY
MULTI-FAMILY DELINQUENCIES
5/31/2024

Section 8

BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	ORIGINATION DATE	DELINQUENT		
						1 MONTH	2 MONTHS	3+ MONTHS
AVIGNON APARTMENTS	2,024.97	04/01/24	BIDDEFORD	COMMONS HOUSING CORP	06/07/19	401,647.00	0.00	0.00
						<u>401,647.00</u>	<u>0.00</u>	<u>0.00</u>

Rental Housing

BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	ORIGINATION DATE	DELINQUENT		
						1 MONTH	2 MONTHS	3+ MONTHS
NONE								
						<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Supportive Housing & Other

BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	ORIGINATION DATE	DELINQUENT		
						1 MONTH	2 MONTHS	3+ MONTHS
OHIO ST, 112	820.68	05/01/23	BANGOR	PENOBSCOT AREA HSG DEV CORP	10/01/09	0.00	0.00	18,843.00
DOMINICAN COURT	4,456.08	04/01/24	LEWISTON	BIRCH STREET LLC	11/18/03	607,951.00	0.00	0.00
ELM STREET, 63	436.74	09/01/23	MACHIAS	DOWNEAST COMMUNITY PARTNERS	04/01/99	0.00	0.00	26,866.00
						<u>607,951.00</u>	<u>0.00</u>	<u>45,709.00</u>

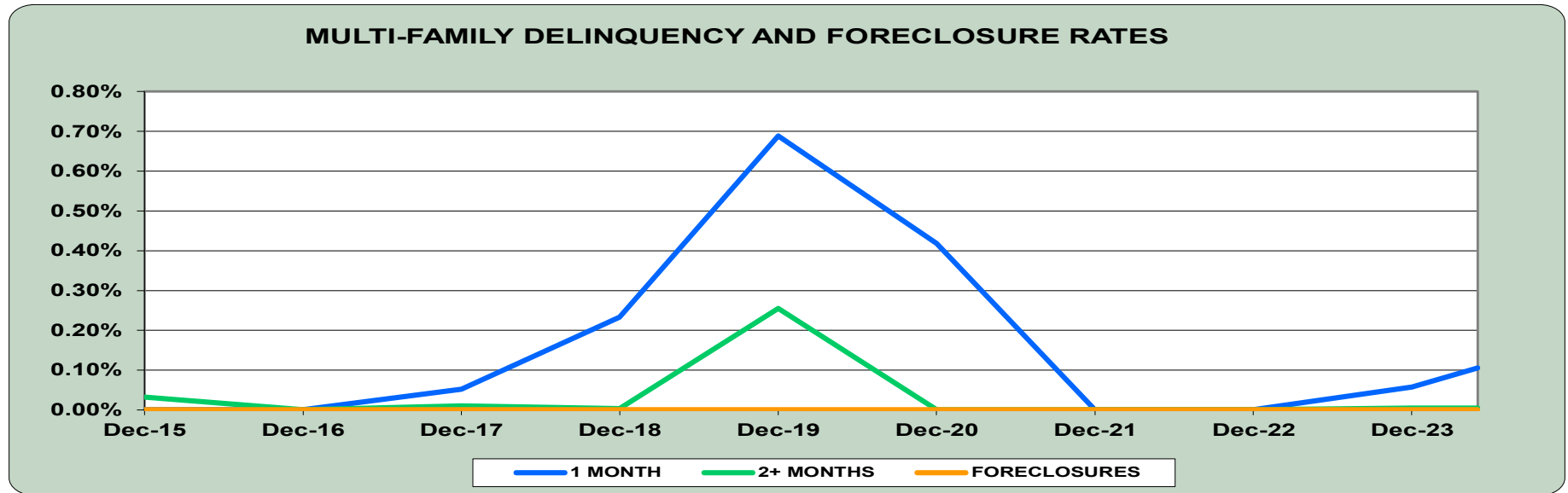
Grand Total

						<u>1,009,598.00</u>	<u>0.00</u>	<u>45,709.00</u>
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% of Portfolio Delq 60+ days 0.00%
Total Number of Loans 1,345



Multi-Family Delinquency & Foreclosure Trends



	OUTSTANDING PRINCIPAL	1 MONTH		2+ MONTHS		FORECLOSURES	
		DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE
May-24	\$ 956,479,407	\$ 1,009,598	0.11%	\$ 45,709	0.00%	\$ -	0.00%
Dec-23	\$ 898,515,001	\$ 518,845	0.06%	\$ 45,709	0.01%	\$ -	0.00%
Dec-22	\$ 796,448,381	\$ -	0.00%	\$ 4,553	0.00%	\$ -	0.00%
Dec-21	\$ 696,004,882	\$ -	0.00%	\$ -	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%



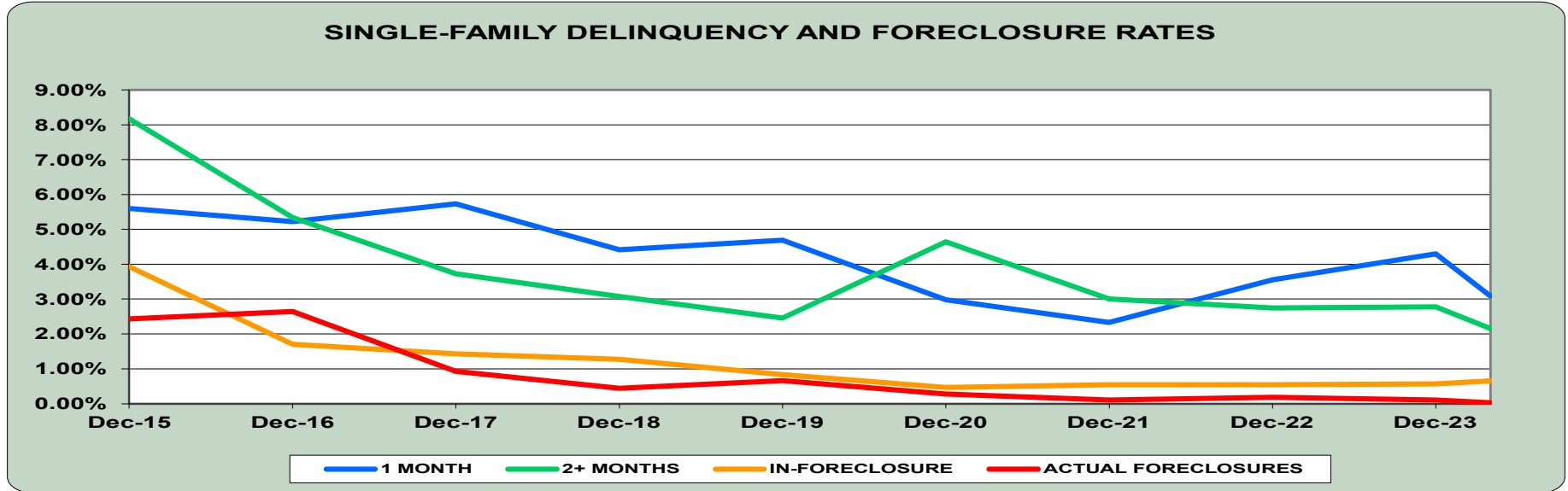
Single-Family Delinquent Loans

**Maine State Housing Authority
Single-Family Delinquencies by Servicer
4/30/2024**

SERVICER	% OF PORTFOLIO	% of Portfolio Delq 60 + days	OUTSTANDING PRINCIPAL	----- 1 MONTH	DELINQUENT 2 MONTHS	----- 3+ MONTHS	IN- FORECLOSURE
MORTGAGE SERVICING SOLUTIONS	68.15%	2.44%	749,152,862.89	26,738,806.57	4,039,614.74	8,776,987.96	5,474,942.04
BANGOR SAVINGS BANK	9.82%	1.14%	107,967,123.02	2,161,728.06	421,377.65	406,742.46	407,220.07
CAMDEN NATIONAL BANK UK	7.61%	1.79%	83,639,938.38	1,516,754.79	864,891.56	549,864.06	84,895.26
BANGOR SAVINGS BANK QS	7.46%	0.44%	82,003,524.63	1,173,809.12	362,988.85	0.00	0.00
MACHIAS SAVINGS BANK	6.49%	2.55%	71,302,117.73	1,733,848.00	594,442.94	210,663.90	1,014,380.87
BANK OF AMERICA NA	0.46%	9.65%	5,013,263.45	633,626.60	128,957.98	135,027.44	219,553.37
SALEM FIVE MORTGAGE CORP	0.02%	3.51%	259,158.70	0.00	9,088.93	0.00	0.00
TOTAL	100.00%	2.16%	1,099,337,988.80	33,958,573.14	6,421,362.65	10,079,285.82	7,200,991.61



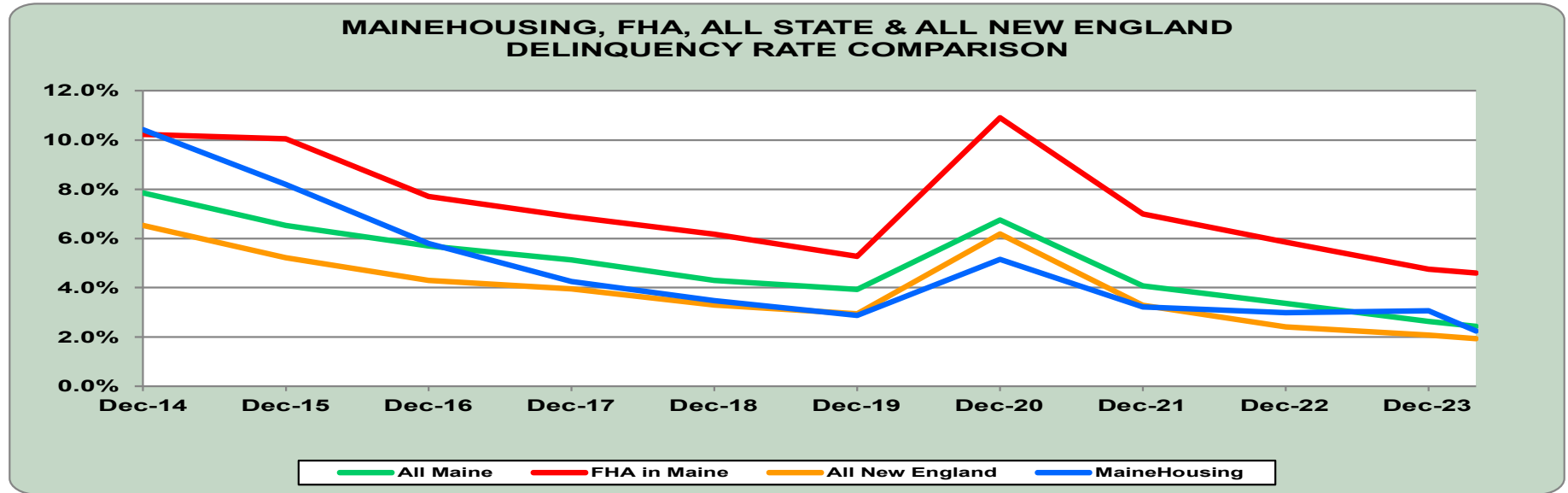
Single-Family Delinquency & Foreclosure Trends



	OUTSTANDING PRINCIPAL	1 MONTH		2+ MONTHS		IN-FORECLOSURE		ACTUAL FORECLOSURES	
		DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE
Apr-24	\$ 1,099,337,989	\$ 33,958,573	3.09%	\$ 23,701,640	2.16%	\$ 7,200,992	0.66%	\$ 223,291	0.02%
Dec-23	\$ 1,053,014,623	\$ 45,215,476	4.29%	\$ 29,205,657	2.77%	\$ 5,986,311	0.57%	\$ 1,043,395	0.10%
Dec-22	\$ 958,984,521	\$ 33,996,366	3.55%	\$ 26,378,301	2.75%	\$ 5,183,906	0.54%	\$ 1,733,447	0.18%
Dec-21	\$ 887,303,920	\$ 20,685,547	2.33%	\$ 26,645,647	3.00%	\$ 4,806,968	0.54%	\$ 941,490	0.11%
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%



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*	123,461	0.52%	1.00%	0.92%	2.44%
FHA for State*	17,158	1.43%	1.95%	1.21%	4.59%
All New England*	1,738,902	0.58%	0.88%	0.47%	1.93%
MaineHousing**	10,073	0.67%	0.78%	0.78%	2.23%

*This information is obtained from MBA's National Delinquency Survey for the first quarter of 2024.

**MaineHousing's overall delinquency rate based on loan dollars is 2.16%, whereas rates in this exhibit are based on loan count.



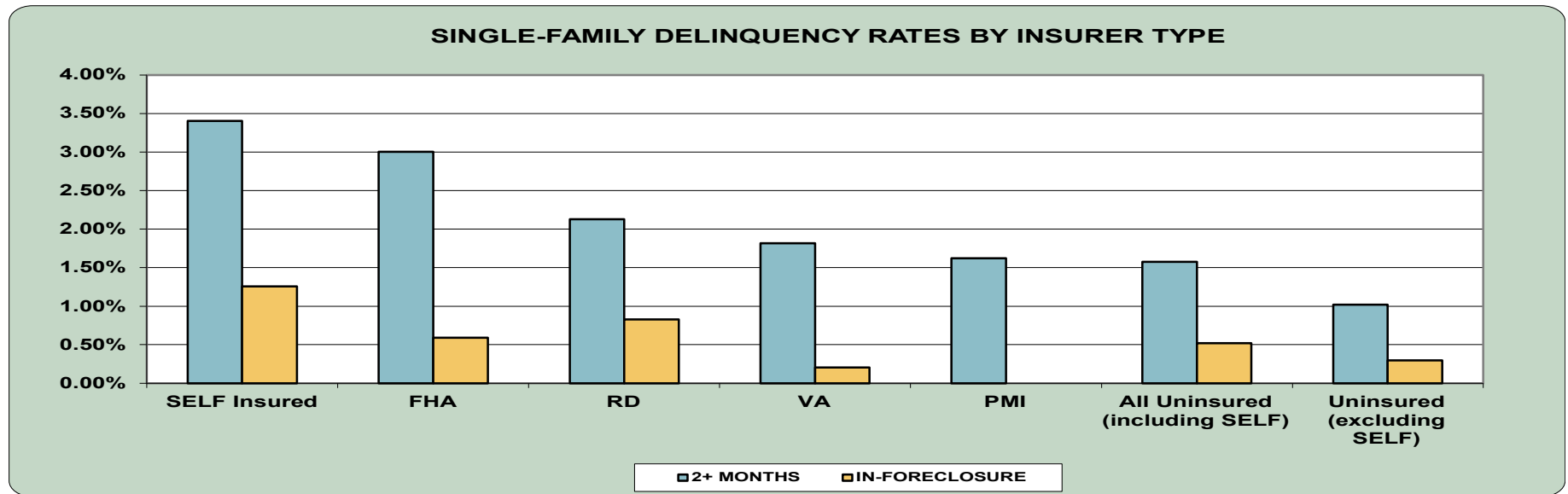
Single-Family Delinquencies by Mortgage Insurer

As A Percent of Total Insurance Type
4/30/2024

TYPE	2+ MONTHS	IN-FORECLOSURE
SELF Insured	3.40%	1.26%
FHA	3.00%	0.59%
RD	2.13%	0.83%
VA	1.82%	0.20%
PMI	1.62%	0.00%
All Uninsured (including SELF)	1.58%	0.52%
Uninsured (excluding SELF)	1.02%	0.30%

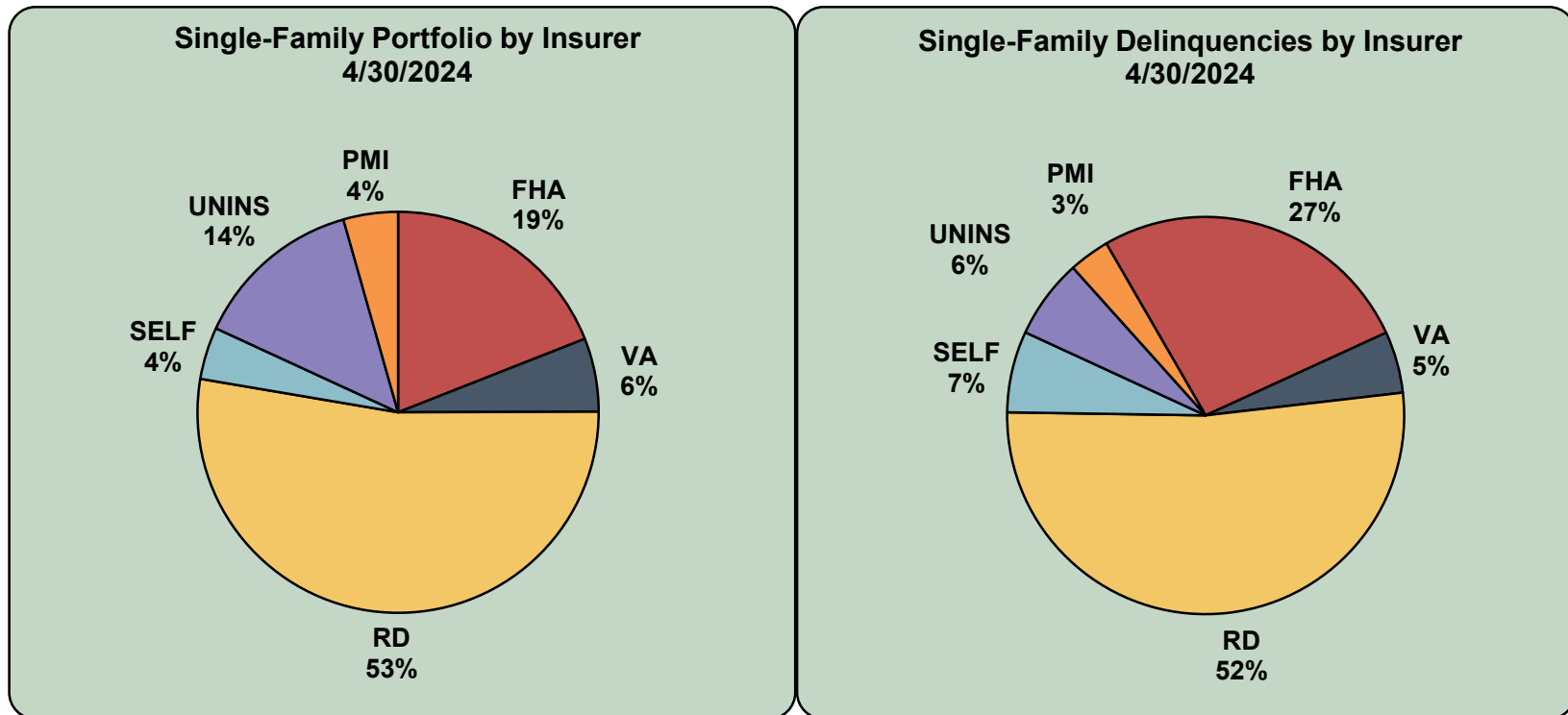
As A Percent of Total Loan Portfolio
4/30/2024

TYPE	2+ MONTHS	IN-FORECLOSURE
RD	1.12%	0.44%
FHA	0.57%	0.11%
All Uninsured (including SELF)	0.28%	0.09%
SELF Insured	0.14%	0.05%
Uninsured (excluding SELF)	0.14%	0.04%
VA	0.11%	0.01%
PMI	0.07%	0.00%

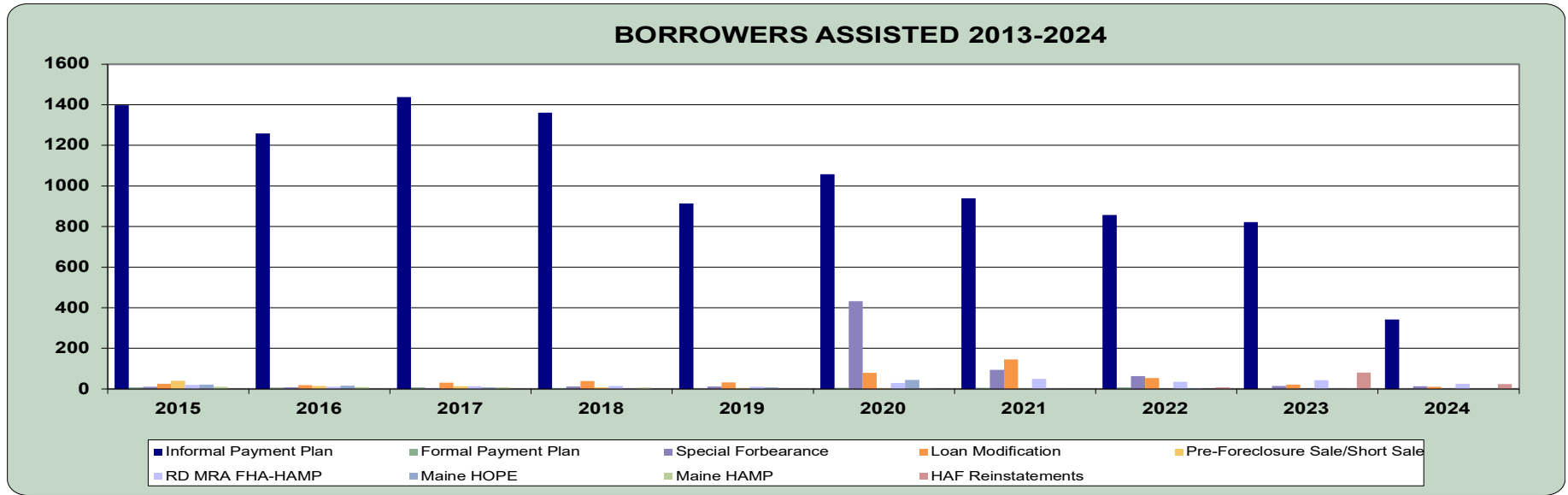


Single-Family Delinquencies by Mortgage Insurer

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	RD MRA FHA-HAMP	Maine HOPE	Maine HAMP	HAF Reinstatements	Total Workouts
Apr-24	342	1	14	11	0	26	0	0	24	418
Dec-23	822	3	15	22	0	43	2	1	81	989
Dec-22	857	8	63	54	0	35	4	0	7	1028
Dec-21	939	5	94	146	2	50	2	0	0	1238
Dec-20	1058	5	432	79	3	29	44	2	0	1652
Dec-19	914	3	12	32	4	10	8	0	0	983
Dec-18	1361	4	12	39	8	15	3	6	0	1448
Dec-17	1437	8	4	31	14	14	8	7	0	1523
Dec-16	1259	6	8	19	15	10	16	9	0	1342
Dec-15	1397	8	11	26	40	21	22	10	0	1535

Actual Foreclosures

	Number of Foreclosures	Number of Loans in Portfolio	Percentage of Portfolio
Apr-24	4	10,073	0.04%
Dec-23	16	9,927	0.16%
Dec-22	21	9,739	0.22%
Dec-21	14	9,750	0.14%
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%



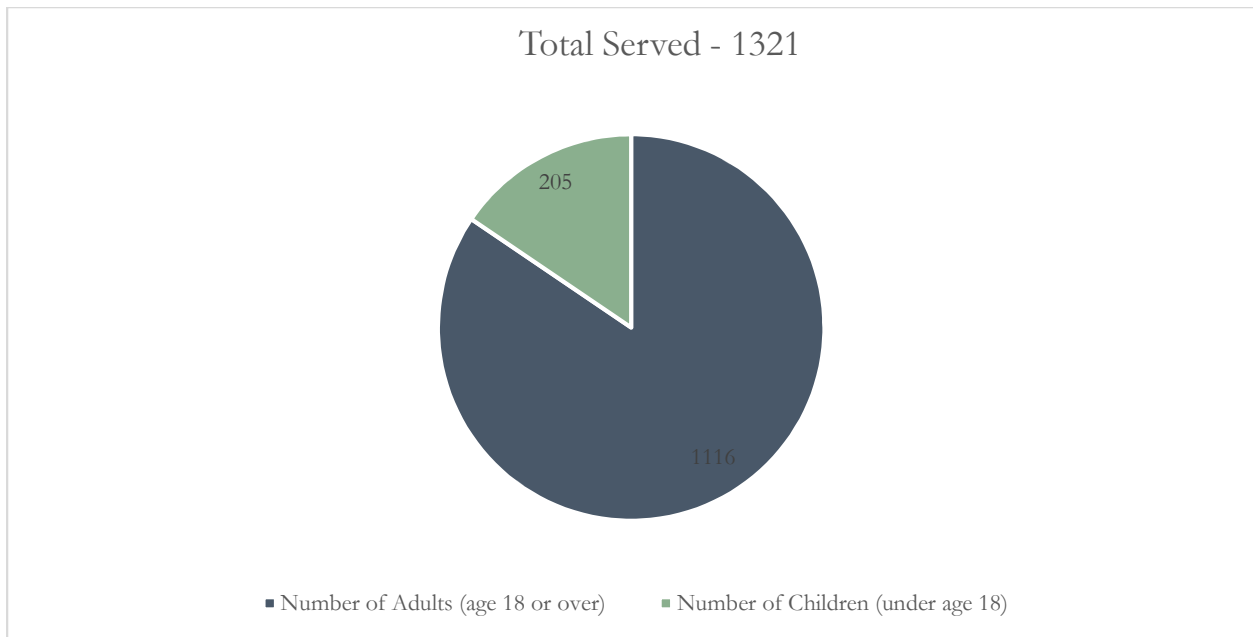
Homeless Initiatives Department Memorandum

To: Board of Commissioners
From: Kelly Watson, Director of Homeless Initiatives
Date: June 11, 2024
Subject: Homeless Initiatives Report

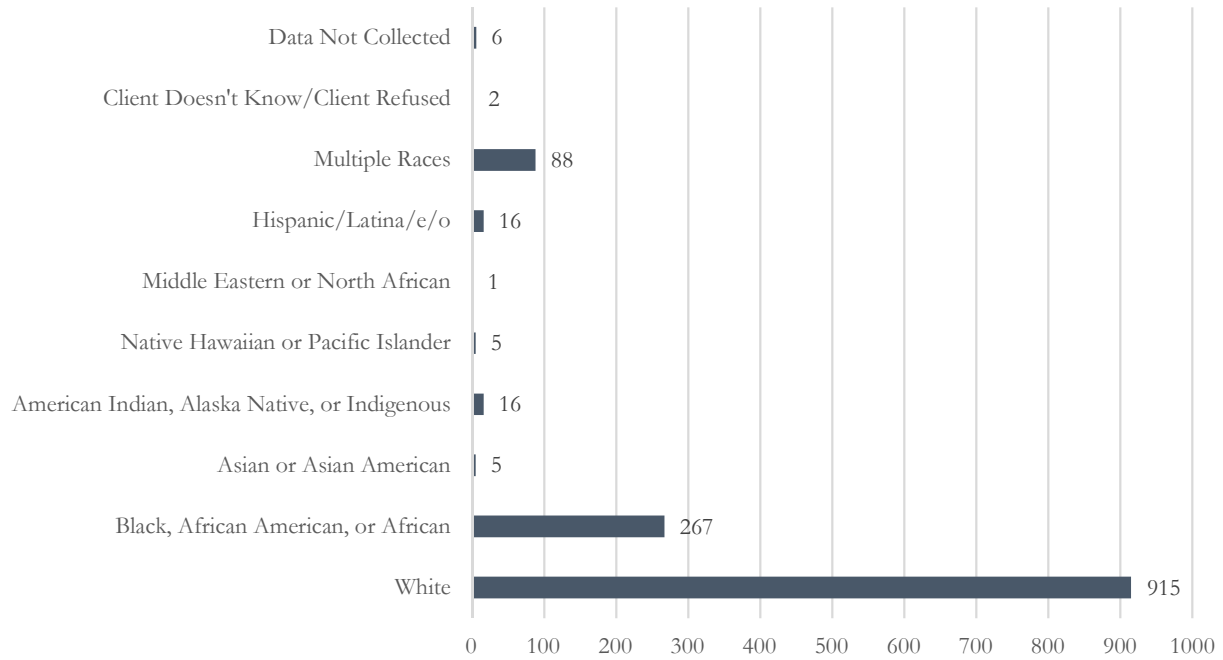
Homeless Data – May 2024

The following are the monthly statistics for May:

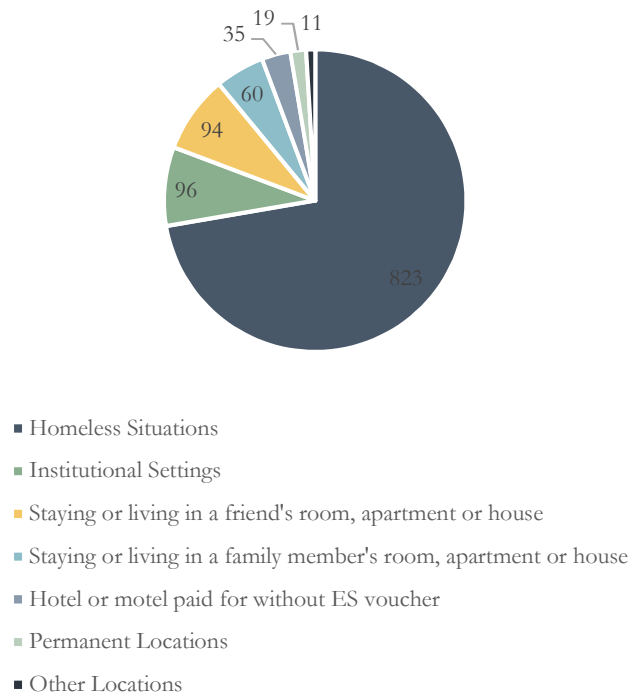
1. Total number of people served in ESHAP funded shelters (1321) increased by 38 individuals. This number does not include many of the Asylum Seekers in Portland as well as those served in hotels through GA, or those seeking emergency shelter with a Victim Service Provider.
2. Racial equity – the percentage of people of color served decreased slightly from 31 in April to 30 in May. The number of those who identify as Hispanic/Latina/e/o stayed consistent at 16.
3. The number of Exits to Permanent Housing last month increased from 61 permanent exits in April to 67 in May. The total exits from shelter to any location was up by 85 from the previous month.

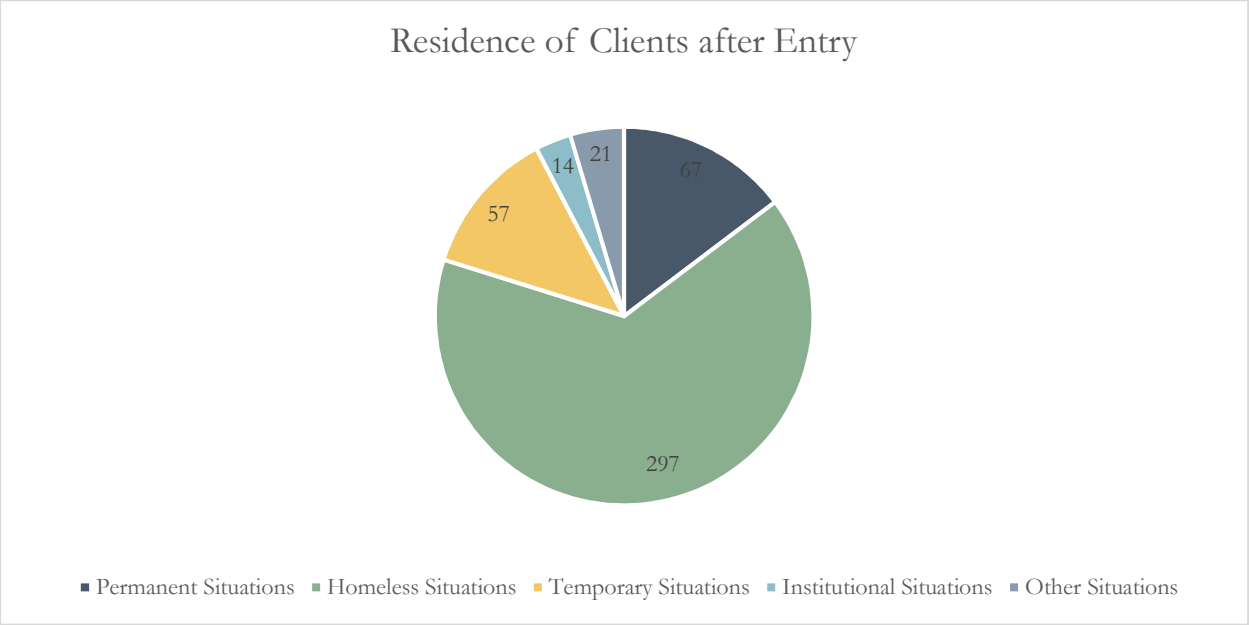


Number of People Served by Race



Residence of Clients Prior to Entry





Winter Warming Shelters 23/24

The Winter Warming Shelter program wrapped up this spring after 10 agencies were awarded funding to make space available for sheltering during the winter months. The shelters covered various areas throughout the state from Aroostook to York counties. The warming shelter grant recipients reported serving over 1700 unique clients during the 23/24 grant term.

Annual Point In Time Count Update

The annual Point In Time Count report to HUD has been submitted and a summary report has been published to inform the public of the themes. The report shows a decrease in the overall count from the previous two years, however, it is unlikely that fewer persons are actually experiencing a housing crisis. The overall reduction is more than accounted for by a decreased count in emergency hotel rooms, for which pandemic related funding is no longer available. These hotel funding streams provided relief to individuals and families who would otherwise have relied on informal solutions to their housing needs, such as doubling up with a friend or couch surfing, which are not considered homeless situations for the purposes of the count. It is likely that many have returned to these informal arrangements which have the potential to be unsafe, are often overcrowded, and still indicate a housing crisis. This year’s report can be found on MaineHousing’s website in the housing reports section and outlines trends over a ten year period as well as demographic breakdowns.

Homeless Solutions Rule

The Homeless Solutions Rule is reviewed each year to determine if Rule changes are necessary. Where there was no revision last year, the process has begun to review and revise the Rule in 2024. The Homeless Initiatives department will be holding meetings with partners to solicit feedback on potential changes. We expect to request approval from the Board to commence rulemaking in the coming months.

Service Hub Implementation – Built for Zero Initiative

Hub Coordinators have strengthened collaboration with the MaineHousing HMIS team as they continue working towards quality data in their hubs. Using the Built for Zero Data Quality

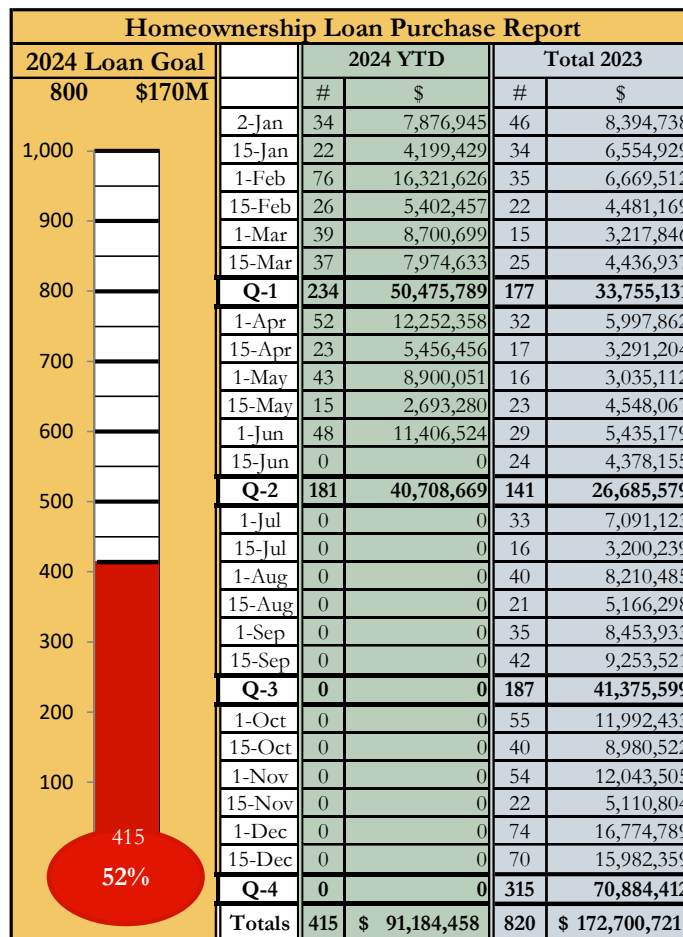
Scorecard as a measure of their progress towards quality data, hub coordinators have flagged small and systematic data errors and are working with the HMIS team to correct them. They are also continuing to work with their core improvement teams to identify areas of improvement and undertake system improvement projects.

The Coordinated Entry System has officially finished its pilot phase and is now fully implemented in all 9 hubs. The hub coordinators have continued to see success in its implementation, even with a current lack of housing resources. Providers have shown support for Coordinated Entry with 55 access points actively administering assessments with people experiencing homelessness, and more access points coming on board each month. Housing providers have also shown support for the Coordinated Entry System, with some non-CoC-funded entities offering up resources to the system. For example, in Hub 2, commonspace and Preble Street are having their Rapid Rehousing resources fully go through Coordinated Entry. In addition to these collaborations, hub coordinators have also seen an increase in referrals to Coordinated Entry by hospitals, law enforcement, and mental health agencies.

Homeownership Department Memorandum

To: MaineHousing Board of Commissioners
From: Patricia Harriman, Director of Homeownership
Date: June 11, 2024
Subject: Monthly Report – Homeownership Department

PRODUCTION UPDATE



Monthly Loan Reservations: 06/03/24	
#	\$ Volume
69	\$ 15,793,844

Loan Pipeline as of: 06/03/24	
#	\$ Volume
220	\$ 48,567,478

Loan Reservation Comparison					
May 2023		May 2024		2023 vs 2024	
#	\$ Volume	#	\$ Volume	#	\$ Volume
213	\$41,530,420	220	\$ 48,567,478	3%	17%

PROGRAM HIGHLIGHTS

National Homeownership Month, celebrated in June, raises awareness about the benefits of owning a home as well as the importance of making homeownership more attainable for Americans. Homeownership not only provides stability and financial security, but it also serves as a way to build generational wealth. It is during this month that organizations like the U.S Department of Housing and Urban Development (HUD) work to expand opportunities for first time homebuyers, address racial homeownership gaps, and promote policies that support affordable housing and housing supply expansion.

National Homeownership week began in 1995, a strategy under the Clinton administration to increase homeownership across America. In 2002, President George W.Bush expanded the period of observation from one week to the full month of June. Historically the concept of homeownership has been in the forefront since as early as 1862 when Abraham Lincoln signed the Homestead Act that allowed the head of each American household the right to claim a 160 acre homestead if they chose and to build a home on the land and farm on it . In 1890, the decennial census introduced the first bill in American homeownership history asking the basic housing question of whether someone owns or rents and by 1950 for the first time in American history, more than half of all Americans owned their own homes.

As we focus on Homeownership and the journey it has taken, it is also interesting to note the journey the rates and average home prices have taken. In 1981 mortgage rates peaked at roughly 16% with an average home price of \$68,500, in 2021 interest rates bottomed out at just under 3% while home prices rose to an average of \$346,900. Today the typical 30 year mortgage is similar to that of the 90's at about 7% with an average home price of about \$395,100.

Interest rates have often been the key factor in determining the trends in the housing market. Between 1978 and 1981 when rates were higher, existing home sales fell by 50%. Lower rates in 2021 saw a rise in home sales, and 2024 is slowly recovering after rising interest rates led to sharp home sale declines in 2023.

As for first time homebuyers, average home prices are rising , the inventory of homes that are affordable to the first time homebuyer still exist. According to realtor.com the increase in sales of homes priced in the \$200,000-\$350,000 range outpaces all other price categories. This again shows that in a rising rate and price environment, the first time home buyer is not being overlooked and they are successful in their search even with lower inventories.

Our program numbers reflect that 415 first time homebuyers completed their journey with our help and new borrowers continue to inquire every day. While the secondary market continues to see volatility in rate, our first time homebuyers can continue their search with peace of mind and stability. The journey looks different for everyone, but MaineHousing is making that journey a little easier for the dream to become reality.

Outreach and Education

For the Homeownership Team, “Outreach” is the best word to describe May. Over the last four weeks, the team taught four CEU Classes to Real Estate Agents across the state. Locations included Freeport, Augusta, Auburn, and Portland. Lisa McKenna, Mortgage Compliance Specialist, led the classes and Jessica Gurney, Outreach and Education Coordinator, assisted. The outcome of these classes resulted in Real Estate Agents becoming familiar with MaineHousing Program Options and the benefits these programs have for their buyers.



Lisa McKenna is featured teaching a 3 hour CEU class hosted by Bangor Savings. This event was held at Bruno’s Restaurant and Tavern in Portland.



Jessica Gurney is featured with Bangor Savings. Bangor Savings was honored for their Gold Sponsorship of hoMEworks during a CEU Class held in Augusta.

Jessica Gurney, Outreach and Education Coordinator, attended Elevate 24, hosted by the Maine Credit Union League. This event took place at the Holiday Inn By The Bay on Friday, May 17th. Jessica spoke with many participants and Credit Union Leaders from across the State. Many were interested in using MaineHousing’s programs either under CUSO or become a lender themselves. They were very pleased with the current rates and happy to hear about the creation of the First Generation Program.

Tabbitha Carlson, Mortgage Compliance Officer, and Jessica Gurney, Outreach and Education Coordinator, hosted a virtual training on MaineHousing's Program for CUSO on May 30th. CUSO requested this training for their partners after viewing another training done by the Homeownership Team. They were impressed with the knowledge shared and wanted to share that with their teams as well.

First Generation Homebuyer feedback is essential in helping the Homeownership Team refine and examine the First Generation Pilot Program. Hearing the stories firsthand is a very rewarding experience. To capture this, the Homeownership Team selected Liam Hunter to share his story and how MaineHousing played a role in his journey. Working with Rink Advertising, a video crew traveled to Liam's home on May 3rd and met with Liam and his Realtor Becky to hear his story. The video will be released in June for Homeownership month and will be shared as part of our First Generation marketing campaigns. Liam's story wouldn't be possible without his Realtor, Lender, and the Homeownership Team. The goal of the video is to inspire other future First Time Homebuyer to start their journey to homeownership and to see that they can make their dream of owning a home a reality.

Housing Choice Vouchers Department Memorandum

To: MaineHousing Board of Commissioners

From: Allison Gallagher - Director of HCV Programs

Date: June 18, 2024

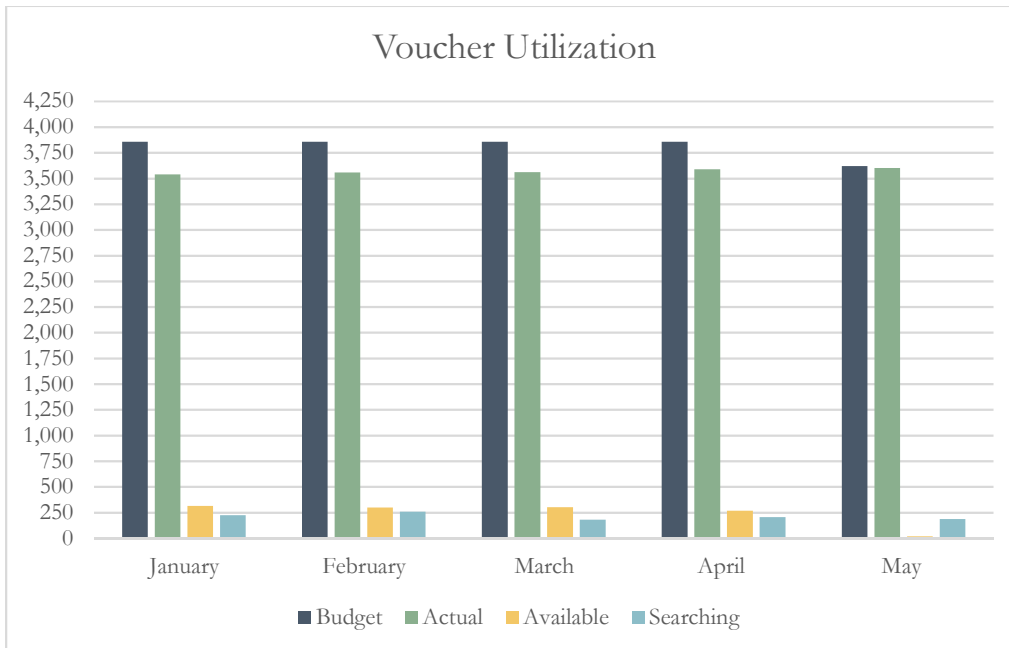
Subject: Monthly Report – Housing Choice Voucher Program

Program Updates:

Voucher utilization is measured by HUD using the number of unit months leased compared to your contract units with HUD or Housing Assistance paid compared to the total funds available including any reserved funds from previous years. To be considered a higher performing program, HUD requires a program to maintain a 98% utilization rate and MaineHousing has achieved that rate and is considered a Higher Performing agency by HUD.

It is our goal to assist as many households as possible and provide a level of assistance to help them remain stably housed. Over the past 3 years, we have adjusted payment standards, increased voucher terms and increased referrals to the Homeless Priority set aside, to meet these goals. These efforts have increased utilization over 100% and, as a natural progression of the HCV program, now requires us to slow spending by balancing the number of vouchers issued with the rate of attrition. This will mean fewer applicants will be pulled from the Centralized waitlist and fewer referrals will be accepted for the Homeless Priority set aside.

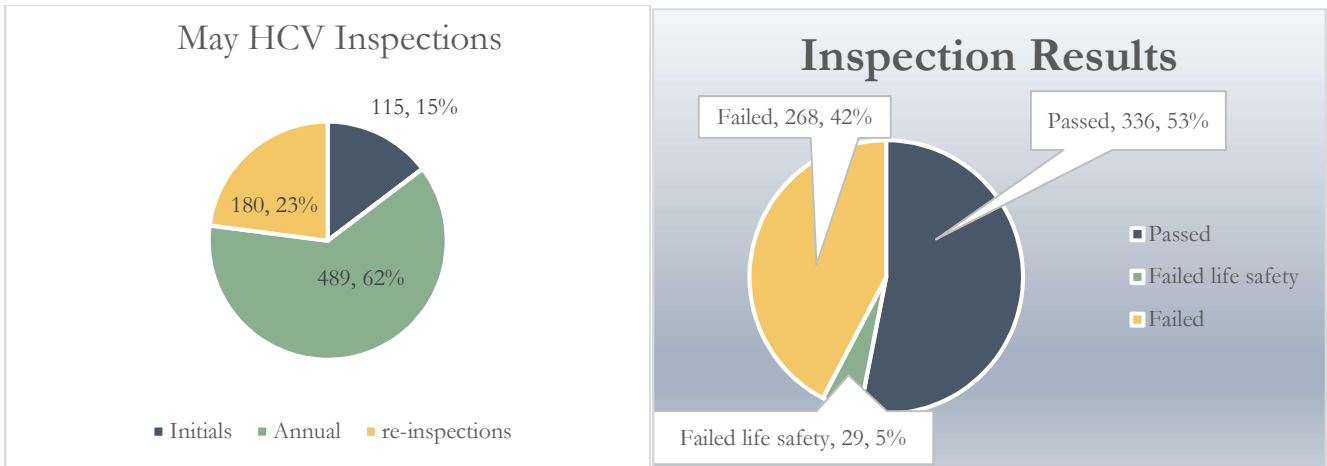
Voucher utilization and spending are monitored monthly and we are in constant contact with HUD to ensure that we can continue to our maximize funding and look for opportunities to bring more funding to the HCV program.



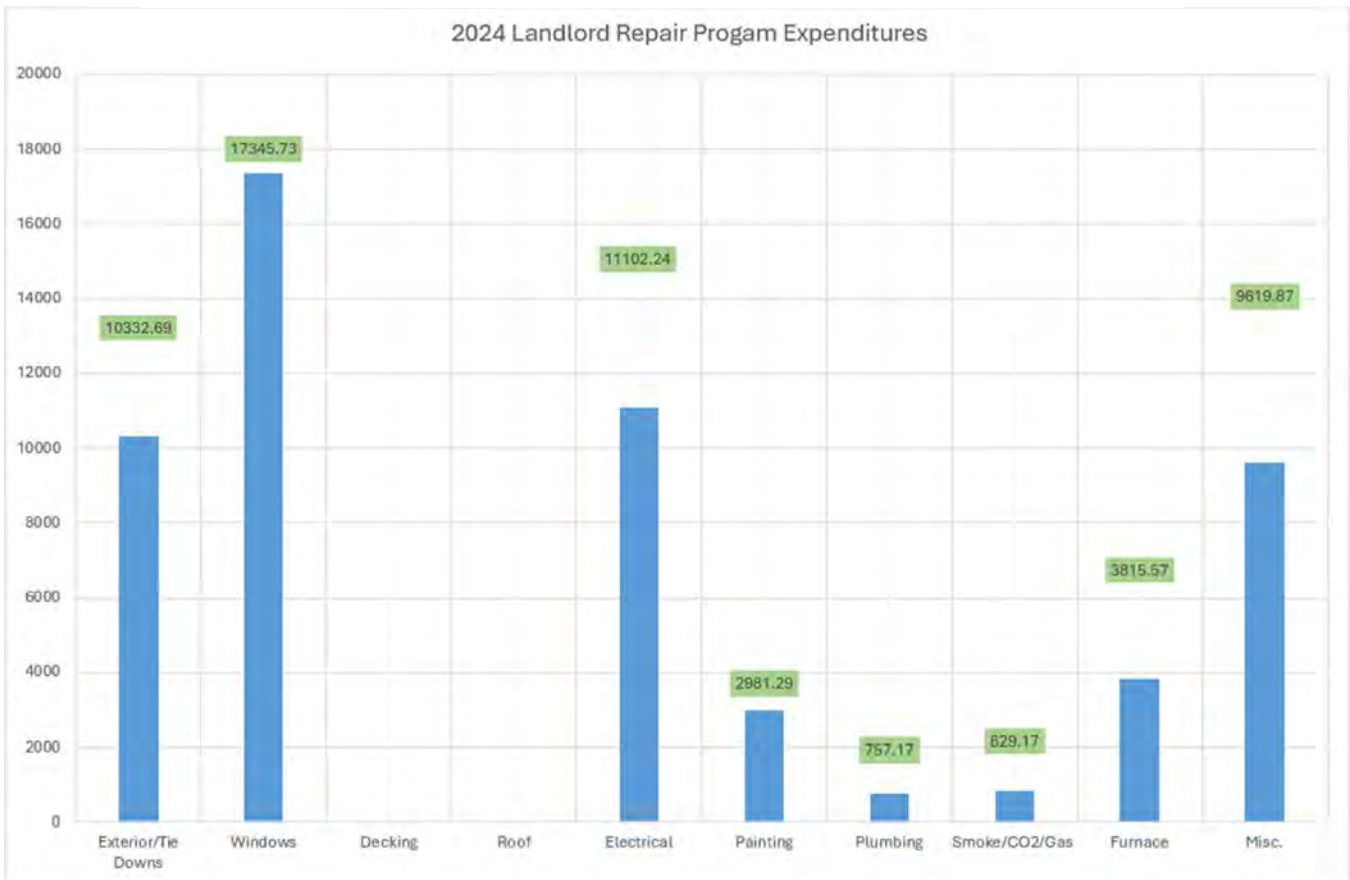
Homeless Priority

	Leased
Home to Stay	264
EHV	71
Homeless (non HTS)	293
STEP	134

Inspection Updates:



LL Repair Program – \$56,783 Damage Reimbursement Program – \$21,000



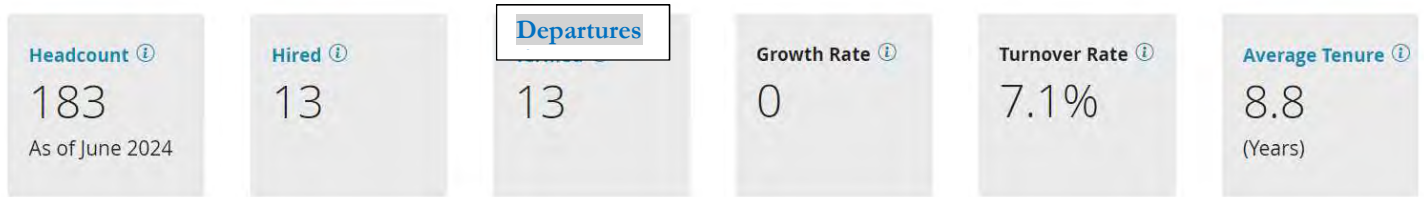
HCV Open Positions

- Occupancy Specialist

Human Resources and Facilities Department Memorandum

To: Board of Commissioners
From: Jane Whitley, Director of Human Resources & Facilities
Date: May 2024
Subject: Board Report

Human Resources – as of June 10



Fair Housing Training for Partners

MaineHousing is offering a free Understanding of Fair Housing training program. This program is on demand and self-paced. It is available through our online learning portal. To register for the training, please visit our website: <https://www.mainehousing.org/education/fair-housing-education>

Facilities Updates

- No new news.

Information Technology Department Memorandum

To: Board of Commissioners

From: Craig Given, Director of IT

Date: June 10, 2024

Subject: Monthly Report

Information Technology Updates:

- Selected new ITSM (Information Technology Service Management) solution and began implementation.
- Continued installation of Microsoft 365 applications on user desktops, replacing no longer supported versions of the software.
- Director of IT attended the Maine Digital Equity Workshop along with agencies throughout the state.
- Edit final draft of Business Impact Analysis (BIA) and began drafting updated Business Continuity and Disaster Recovery plans.
- Continued Microsoft Fast Track implementation of Microsoft Intune for comprehensive application and patch management.
- Continued data migration process for software to support Heating Assistance and Weatherization programs with vendor and internal team.
- Quarterly Security Training sent to all staff. Staff who responded to the external security vendor's social engineering test were also required to take additional training.
- Applied security patches to critical systems to address identified vulnerabilities.
- Application Specialist attended training for HMIS systems.
- External audit of security systems and penetration testing underway.

Planning and Research Department Memorandum

To: Board of Commissioners

From: Jonathan Kurzfeld, Director of Planning & Research

Date: June 11, 2024

Subject: June 2024 Board Report

Planning and Research Department (PnR)

Although the season of annual reporting products came to an end with the month of April, PnR has remained unusually busy throughout May and into June. Aside from the usual workload of internal/external communications, website maintenance, and interdepartmental support, we devoted a lot of staff hours to collaborating with Homeless Initiatives in producing the Point In Time Count report for the CoC and managing its release to the press. More on that successful effort in next section. The other major project we've been working on, which is ongoing with an agenda extending through into November, is the interdepartmental and interagency effort to redevelop a pair of important 5-year reports to HUD. The first is the Community Development and Housing Consolidated Plan, or just Consolidated Plan, which outlines Maine's plans for the use and prioritization of the four federal funds administered in the state. Those funds are the Community Development Block Grant (CDBG), administered by the Department of Economic and Community Development (DECD) and used for housing, infrastructure, and other community development projects; the HOME Investment Partnerships Program, which we refer to as FedHOME and is used for both affordable housing development and emergency housing; the Housing Trust Fund (HTF), used exclusively for the development of housing affordable for extremely low income households; and the Emergency Solutions Grant (ESG), which is devoted to housing solutions for those experiencing homelessness. In conjunction with that report, we must also develop our statewide Fair Housing Plan. For that we are developing a new Analysis of Impediments (AI) identifying the primary impediments to fair housing access in Maine and outlining measures we will take over the next five years to address those issues. Both plans require public input, so PnR has been partnering with Legal and Compliance to coordinate the interdepartmental effort to arrange a series of listening sessions with presentation content, as well as taking lead on gathering the pertinent data, conducting analysis of the data, and designing online surveys for additional input on each plan.

May also held one exciting event for PnR. On May 15th we held a team retreat, celebrating our accomplishments of the past year, welcoming our newest team members, and planning for the year to come. We started the day with just the team having a lovely, extended breakfast at Nezinscot Farms. We were then joined by a few of our marketing partners from Rinck us as we first toured the Lewiston Tree Streets neighborhood with Amy Smith and learned about Healthy HomeWorks

and her model of growing homeownership in a neighborhood that has one of the lowest rates of homeownership in the state, followed by a truly fascinating tour of the Wedgewood development that MaineHousing is funding just down the street. Everyone really enjoyed seeing some of the on-the-ground impacts of the work we do at MaineHousing. We had lunch with more of the Rinck team and were treated to a review of the full history of our marketing partnership, which only UI/UX Designer Ouellette has been on the team long enough to independently recall. Finally, we wrapped up the day with a very productive visioning and team goalsetting session, identifying goals and deliverables in each of the many dimensions of PnR work for the agency. Overall, the day was a great success in terms of well-deserved staff appreciation, team bonding, and strategic planning for the coming year.

External Communications

Press Interaction	ME-based outlets Press contacts*	Out-of-state outlets Press contacts*	Director-level Press interviews
May 2024	25	1	14
Previous 3mo Average	19.7	1.3	11.7
Previous 12mo Average	-	-	-
May 2023	-	-	-

**Repeated outreach from the same outlet regarding a single topic are considered a single press contact.*

It was another busy month for external communications at MaineHousing. PnR fielded 24 different media requests over the 30-day period. Requests this period came largely from Maine-based outlets but included all mediums and MaineHousing staff appeared in more than 15 separate reports that were aired in Maine’s largest television markets and/or printed in the state’s largest newspapers including the Bangor Daily News and the Portland Press Herald.

High-interest topics this period included the most recent round of state subsidy, which awarded \$30 million for new housing developments on May 22; MaineHousing’s First Generation homebuyer program; a ribbon-cutting ceremony in Madison for the unique new development there; and features on several MaineHousing partners.

The release of the Point In Time count report, produced by MaineHousing on behalf of the Maine Continuum of Care (CoC), also garnered a lot of attention. PnR and the Department of Homeless Initiatives worked in extensively on the format of this report and its release to ensure that the CoC and the press properly understood the data in the report. This was important because the report shows an overall reduction in the homeless count, which was actually a result of changes in program availability and not reflective of a reduction in the intensity of the homelessness challenges that Maine is facing.

External communications during this period also included MaineHousing’s Spring/Summer 2024 newsletter, which highlighted several recent activities and successes for the agency and our state.

Finally, you may have seen a [guest opinion column](#) written by our very own MaineHousing Director Daniel Brennan urging the support of affordable housing development in local communities. The column appeared online and in print editions of the Portland Press Herald, the Lewiston Sun Journal, the Waterville Sentinel, the Kennebec Journal on May 23.

Below are links to a few of the stories featuring MaineHousing staff and/or programs:

- [Ceremony held for new Madison affordable housing development | newscentermaine.com](#)
- [Durham man on a mission to build affordable housing for people with physical disabilities \(pressherald.com\)](#)
- [MaineHousing program helps first-gen homebuyers purchase home | newscentermaine.com](#)
- [Decrease in homeless count not indicative of fewer people facing housing crises. MaineHousing says • Maine Morning Star](#)
- [An ambitious plan to boost homeownership in Maine's poorest neighborhood \(bangordailynews.com\)](#)

Internal Communications

Intranet Activity	Content Created (Articles, blogs, polls, etc)	Total Content Interactions	Total Page Views
May 2024	51	230	1,574
Previous 3mo Average	28.3	170	2,278
Previous 12mo Average	21.8	120	1,634
May 2023	14	13	705

Intranet activity in terms of content creation was inflated in May because, in honor of the fact that it was Mental Health Awareness Month, UI/UX Designer Ouellette produced daily posts that shared resources, reminders, and general positivity about caring for one’s mental health. This appears to have driven an odd contrast in staff interactions on the platform; even as total page views dipped for the month of May, content interactions such as comments and likes were more than 30% higher than the previous three months.

By posting consistently each morning, Ouellette was able to make an interesting new observation. Most interaction with her posts happened in the early hours of the day, i.e. staff jumping on at the start of their shift, with the remainder occurring around noon, i.e. staff checking it out during their lunch break. This could be helpful insight in planning the timing of important posts on the site.

There was another Snacks and Facts in May, which was a home gardening session hosted by UI/UX Designer Ouellette. This was coordinated with the Seed Swap held by the ActWell group, so tips and tricks for home gardening were shared in the morning and then staff had an opportunity to buy, gift, and swap new seed starts for their gardens that same afternoon.

Interdepartmental Support

Lytho Activity	New Requests	Requests Completed	Median hours to completion	Top 2 Departments
May 2024	26	31	3.24	EHS, Legal, Asset Management
Previous 3mo Average	25	24	2.40	Energy & Housing Housing Choice Vouchers
Previous 12mo Average	28	29	< 1 hour	Energy & Housing Homeownership
May 2023	32	31	4.33	Homeownership Energy & Housing

Task flow this month saw a steady flow of new requests paired with a relatively high rate of jobs completed. You can see that this was the result of clearing some tasks that had been in queue for a while, as the median hours to completion is a bit higher than usual. The most notable change is that the Asset Management and Legal & Compliance both cracked into our top three, which is unusual so we noted both.

Website

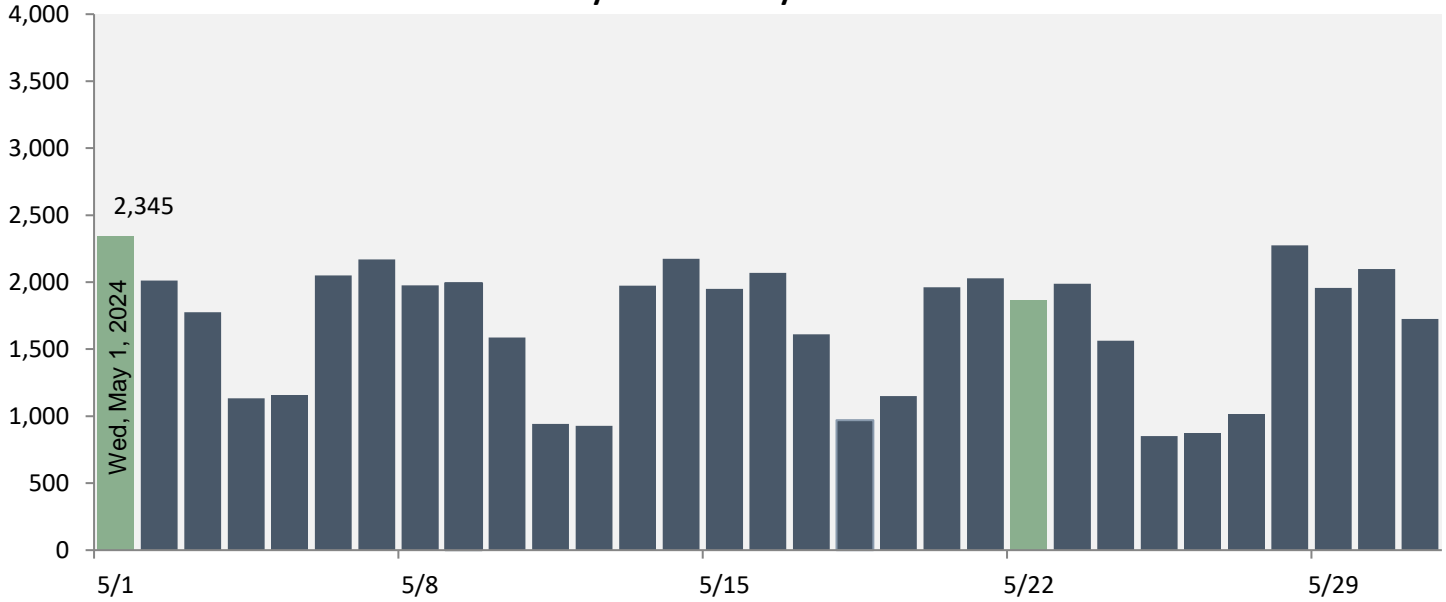
Web Traffic	Visitors	Total Hits	Engagement	Top 2 Program Areas
May 2024	52,157	190,956	88.40%	Homebuyer Programs Rental Programs
Previous 3mo Average	53,336	198,418	88.43	Homebuyer Programs Rental Programs
Previous 12mo Average	68,336	256,217	84.36%	Homebuyer Programs Rental Programs
May 2023	68,514	265,051	79.10%	Homebuyer Programs Rental Programs

The news on web traffic has not changed at all since April. We continue to see a moderate reduction in visits relative to last year, likely due to the absence of COVIC era programs, but have stabilized at a much higher rate of visits and engagement than pre-pandemic rates. The full web report is included below.

May 2024 - MaineHousing Website Statistics

Hit Summary

Daily Hit Analysis

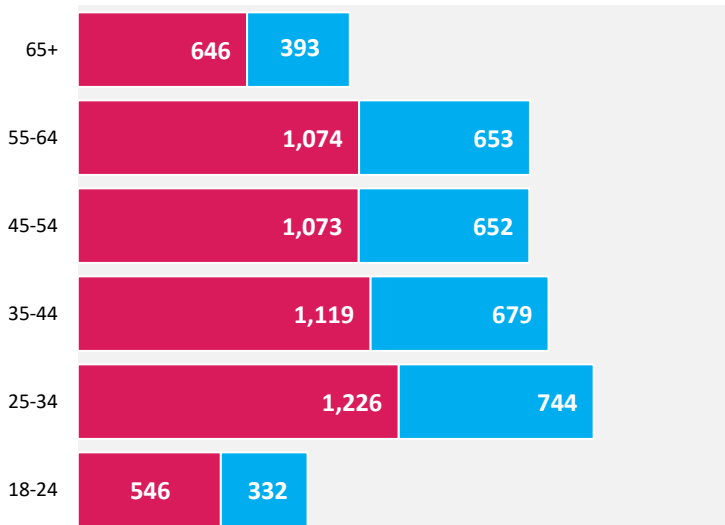


Visitors	Unique Visitors	Page Loads (Hits)	Avg Page Views	Avg Duration	Avg Engagement Rate
52,157	30,289	190,956	3.63	0:03:07	88.4%

Demographics Summary

Demographic information collected by Google Analytics via a 3rd party collection tool. Age and gender are estimated numbers based upon several features present on a users mobile device, browser history, and other factors. Users must have previously allow this information to be collected through browser or app settings.

AGE & GENDER



62%



38%

TOP CITIES

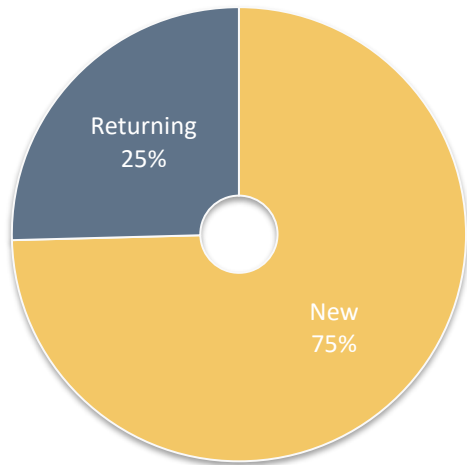
Boston, Massachusetts	5,145
New York, New York	3,883
Portland, Maine	3,388
Bangor, Maine	1,666
Augusta, Maine	1,607
Greenville, North Carolin	1,210
Ashburn, Virginia	1,188
Lewiston, Maine	1,068
Hallowell, Maine	758
Auburn, Maine	636

Top Cities account for 39.40% of all website traffic

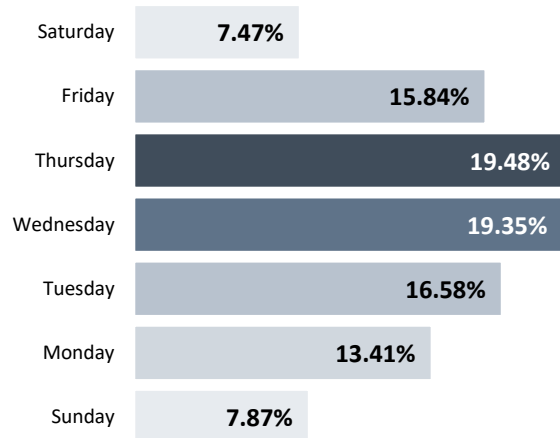
Visitor Engagement

Demographic information collected by Google Analytics via a 3rd party collection tool. Age and gender are estimated numbers based upon several features present on a users mobile device, browser history, and other factors.

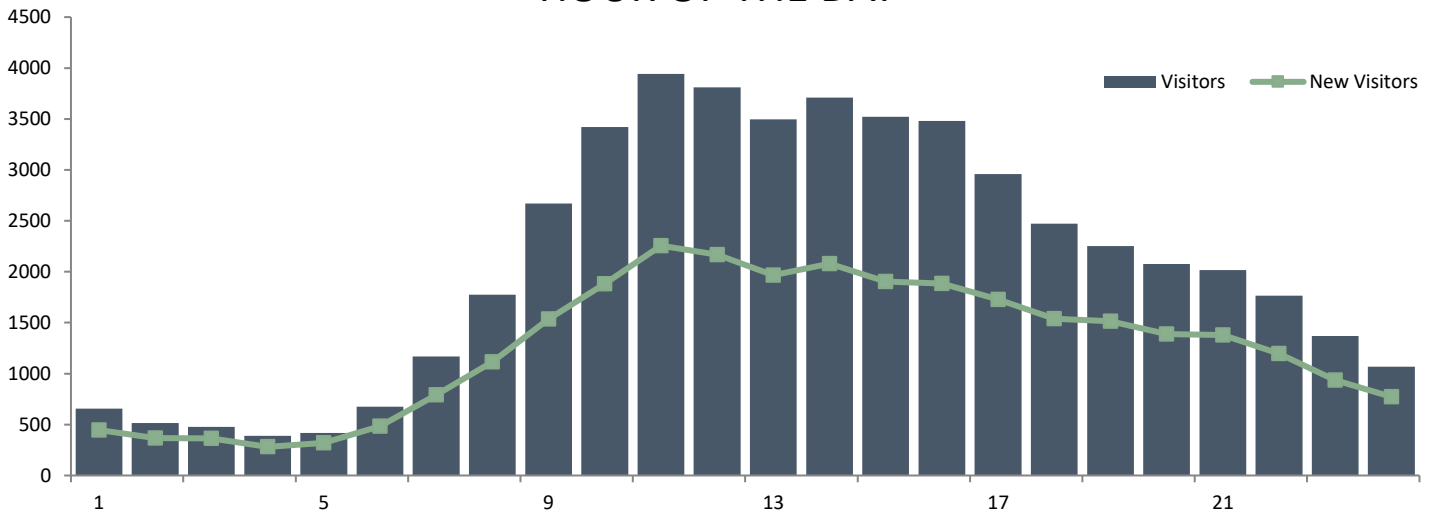
NEW & RETURNING VISITORS



DAYS OF THE WEEK

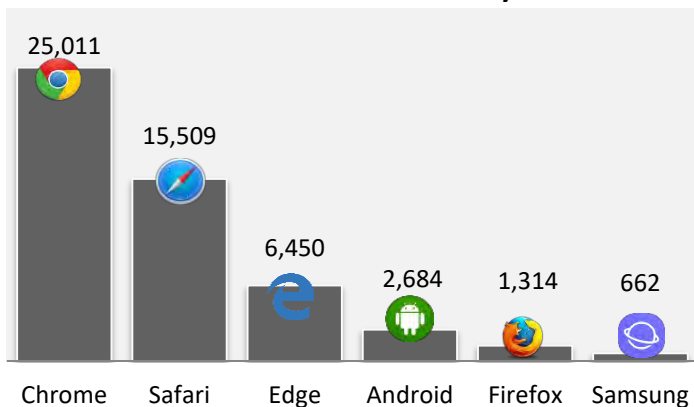


HOUR OF THE DAY

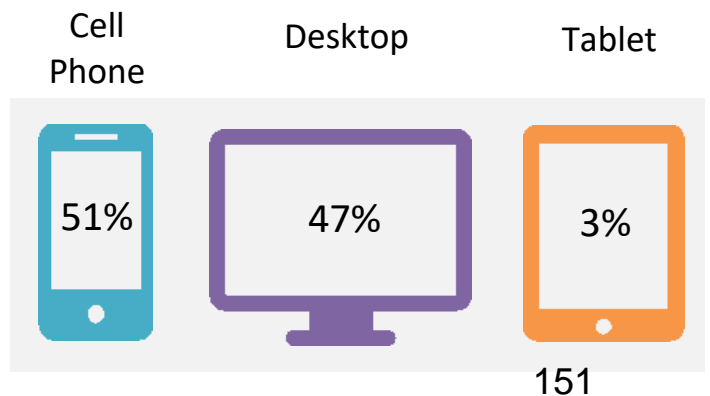


Visitor Technology Summary

Web Browser Analysis



DEVICE ANALYSIS

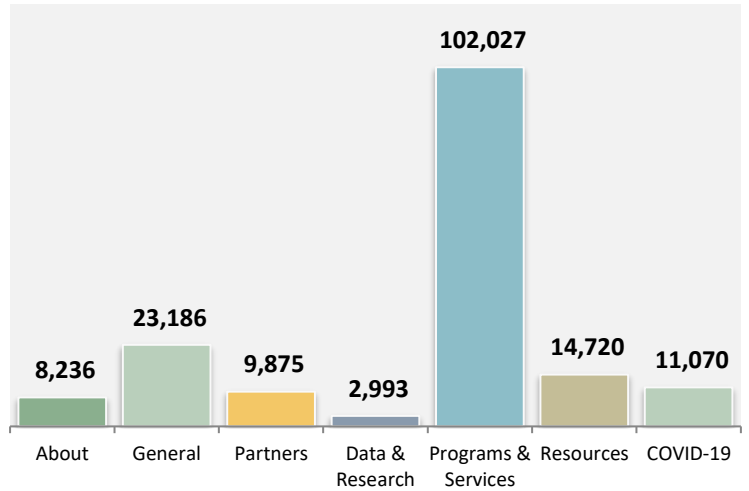


Popular Content

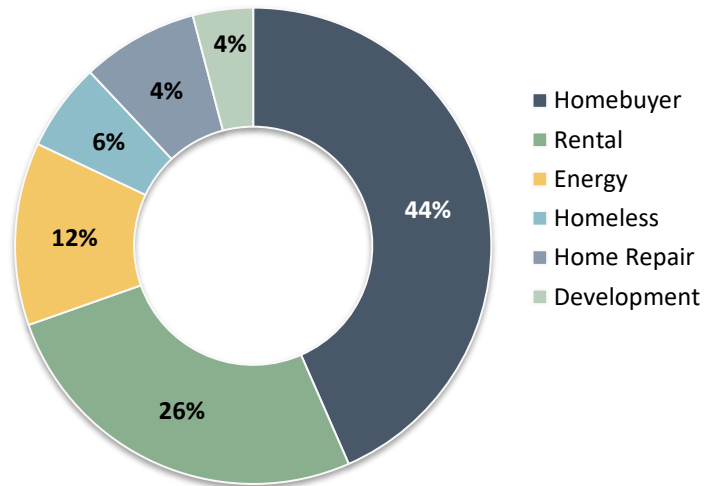
Popular content on our site is defined by pages and or sections of our site that have the highest visits. Below content has been categorized by page, program area and content sections. COVID-19 was added in March of 2020.

Page Title	Hits
Home	19,828
First Home Loan Program	16,988
Rental Assistance	8,217
Housing Choice Vouchers	7,289
Home Energy Assistance Program	7,096
Subsidized Housing	6,007
Home Repair	4,879
MaineHousing Lenders	4,874
Programs - Services	4,690
Homebuyer Income & Purchase Limits	3,910
Steps to Homeownership	3,752
First Generation Program	3,475
HEAP Income Eligibility	3,341
Current Interest Rates	3,238
Emergency Shelters	2,914
Mortgage Calculator	2,825
Homebuyer Programs	2,823
Contact MaineHousing	2,686
Maine HAF	2,665
Rent - Income Charts	2,549
Homeless Initiatives	2,466
(not set)	2,400
Maine HAF	2,170
Emergency Rental Assistance Program	2,055
Multifamily Developers Programs	1,897

Popular Content By Program

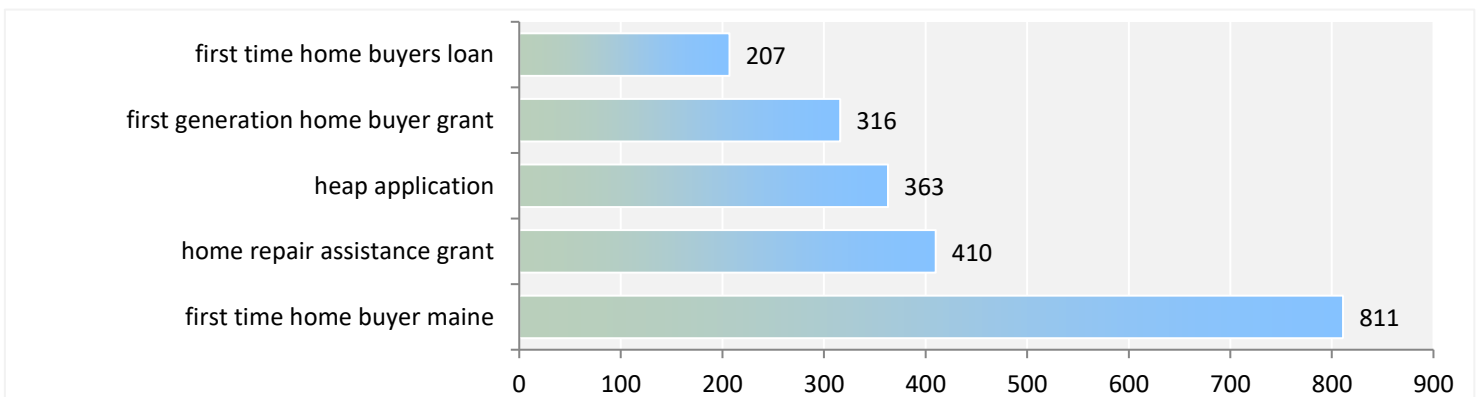


Popular Content By Section



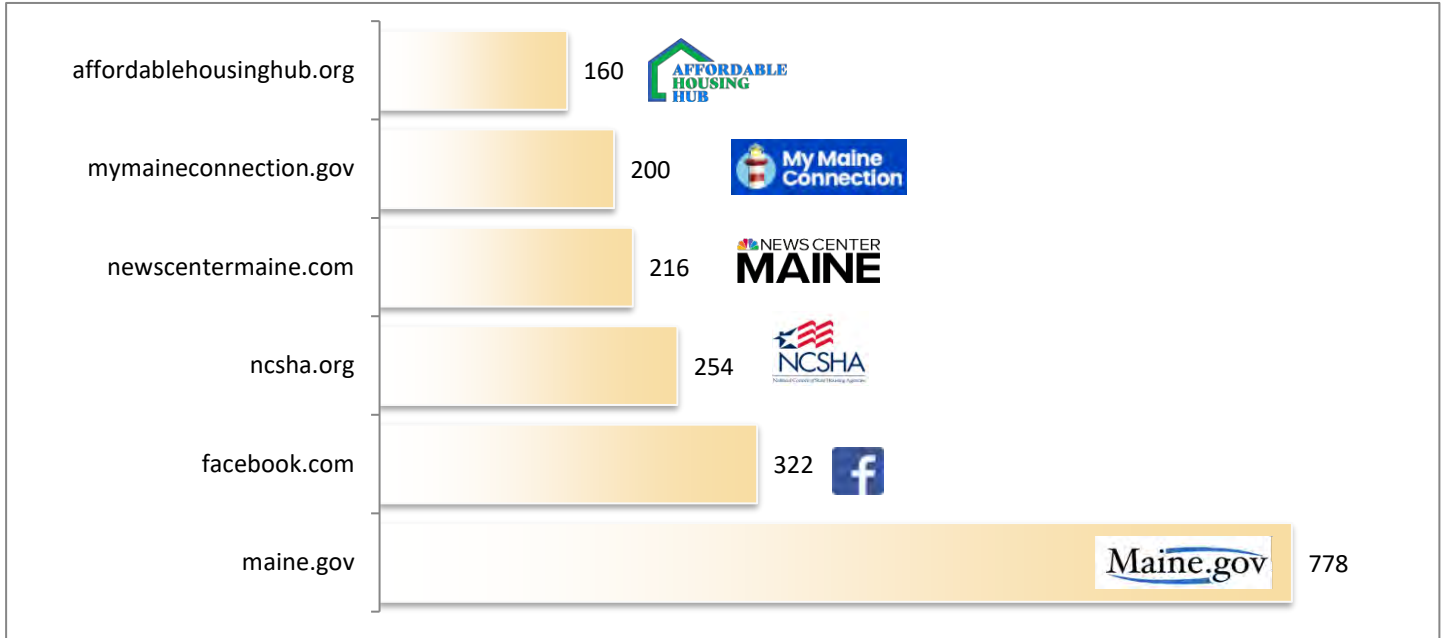
Search Keywords

Below are some of the most popular phrases that people are typing into a search engine (such as google or bing) that then provide a search result for our site.



Referring Websites

Referring websites are sites that link to our own website. When a visitor clicks on that link and visits our website, the site they came from becomes a referring site. Below are highlighted a few of the top referring sites.



Board Calendar 2024

<p>JANUARY 16 <u>Board Business:</u></p> <ul style="list-style-type: none"> • QAP discussion (30 minutes) • Legislature Preview <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • HAF <p>NCSHA HFA Institute Washington, DC (Jan 7 – Jan 12)</p>	<p>FEBRUARY 20 <u>Board Business:</u></p> <ul style="list-style-type: none"> • Draft QAP Discussion • Legislative Update • Governor’s Office Update • Introduce HEAP Rule <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • Homeownership – 2023 Review, 2024 Preview
<p>MARCH 19 <u>Board Business:</u></p> <ul style="list-style-type: none"> • Legislative update • Goals Progress Report • QAP Draft / Commence Rulemaking (VOTE) • Executive Session – Personnel matter <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • Asset Management Update <p>NCSHA Legislative Conf. Washington, DC (March 4- March 6)</p>	<p>APRIL 16 <u>Board Business:</u></p> <ul style="list-style-type: none"> • Commence Rulemaking HEAP Rule (VOTE) • Legislative Update • QAP Public Hearing • Executive Session – Personnel matter followed by a (VOTE) <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • 2023 Budget and Audit results
<p>MAY 21 <u>Board Business:</u></p> <ul style="list-style-type: none"> • HEAP Rule Public Hearing • HEAP State Plan Introduction <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • 2023 Mortgage Purchase Program (MPP) Overview 	<p>JUNE 18 <u>Board Business:</u></p> <ul style="list-style-type: none"> • Adopt HEAP Rule (VOTE) • Adopt QAP (VOTE) • HEAP State Plan Public Hearing • Legislative Update (final) • Update from the Governor’s Office (Greg Payne) <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • Housing Choice Voucher Dept. presentation <p>NCSHA Housing Credit Connect Atlanta, GA (June 10 – June 13)</p>
<p>JULY 16</p> <p style="text-align: center;">If necessary</p> <p>NCSHA Exe Directors Workshop Kansas City, MO (July 13-July 16)</p>	<p>AUGUST 20 <u>Board Business:</u></p> <ul style="list-style-type: none"> • 2025 Goal Setting • Adopt HEAP State Plan • Commence Rulemaking Homeless Rule (VOTE)
<p>SEPTEMBER 17 <u>Board Business:</u></p> <ul style="list-style-type: none"> • PHA Plan Public Hearing • 2025 Goal Setting • Homeless Rule Public Hearing <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • Information Technology presentation <p>NCSHA Annual Conference & Showplace Phoenix, AZ (Sept. 28 – Oct 1)</p>	<p>OCTOBER 15 <u>Board Business:</u></p> <ul style="list-style-type: none"> • Adopt PHA Plan (VOTE) • Introduce DOE Weatherization State Plan • 2025 Goal Setting – final • Adopt Homeless Rule (VOTE) <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • Loan Servicing Presentation
<p>NOVEMBER 19 <u>Board Business:</u></p> <ul style="list-style-type: none"> • DOE Weatherization State Plan Public Hearing • Review Preliminary 2025 Budget • Resource Allocation • Updates from the Governor’s office (Greg Payne) <p><u>Program Presentations:</u></p> <ul style="list-style-type: none"> • 	<p>DECEMBER 17 <u>Board Business:</u></p> <ul style="list-style-type: none"> • Adopt DOE Weatherization State Plan (VOTE) • Approve 2025 Budget (VOTE) • Elect Officers (VOTE) • MPP Series Resolution (VOTE) <p><u>Program Presentations:</u></p> <p>NCSHA Special Board of Directors Meeting and Executive Directors Forum Washington, D.C. (Dec. 8 – Dec. 10)</p>