

May 21, 2024 Board Packet

Agenda May 21, 2024 Meeting	1
Minutes April 16, 2024 Meeting	2
Sole Source Justification for empowOR	6
Sole Source Justification for Housing Navigation Program Subgrant Agreements	7
Supplemental Budget Funding Summary	9
HEAP Rule - Clean version	11
Board Memo HEAP State Model Plan	41
State Plan FY25 - Redline version	43
Mortgage Purchase Program (MPP) Results and Trends	97
Asset Management	115
Development	116
Chapter 16, Low-Income Housing Tax Credit-2025-2026 QAP	120
Energy and Housing Services	171
Finance Monthly Report	175
Financial & Budget Report	177
Finance Delinquency Report & Charts	185
Homeless Initiatives	195
Homeownership	199
Housing Choice Voucher	205
Human Resources and Facilities	207
Information Technology	208
Planning and Research Department	209
2024 Board Calendar	217



Board of Commissioners Meeting – May 21, 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 April 16, 2024 meeting (VOTE)	All
	Communications and Conflicts	All
	Chair of the Board Updates	Frank O’Hara
9:15	Director Updates	Dan Brennan
9:30	HEAP Public Hearing	Genevieve Soucy/Ashley Carson/Jodie Stevens
10:00	HEAP State Plan Introduction	Genevieve Soucy
10:30	Homeless Update	Lauren Bustard
11:00	2023 Mortgage Purchase Program (MPP) Review	Tom Cary
	<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	
Adjourn (VOTE)		All

The next meeting of the Board is scheduled for June 18, 2024
virtually and in person at 26 Edison Drive, Augusta, Maine



Minutes of the Board of Commissioners Meeting April 16, 2024

MEETING CONVENED

A meeting of the Board of Commissioners for MaineHousing convened on April 16, 2024 at the offices of MaineHousing, 26 Edison Drive, Augusta, Maine and virtually. Notice of the meeting was published on April 5, 2024 and April 9, 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, Laura Buxbaum, and Noël Bonam attended in person. State Deputy Treasurer Gregory Olson attended remotely due to a scheduling conflict, he was alone at his location. Commissioner Renee Lewis attended remotely due to travelling for business, she was alone at her location. Commissioner Nancy Harrison attended remotely as she was leaving for vacation as soon as the meeting was over. She was alone at her location. Commissioner Melissa Hue 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; Jane Whitley, Director of Human Resources and Facilities; Sarah Johnson, Manager of Home Energy Assistance Programs; Linda Grotton, Director of Audit; Mark Wiesendanger, Director of Development; Darren Brown, Director of Finance; Jason Emery, Managing Director Baker Newman Noyes; Bill Pearse, Jr., Chief Financial Officer Realty Resources; Nicole Lorentzen, Development Officer, Realty Resources; Tyler Norod, Development Director Westbrook Development Corporation; Nicole McKeith, Director of Housing Initiatives ProsperityME; Cory Fellows, Preservation of Affordable Housing; Lynn Lugdon, Penquis CAP; Christina Link, The Opportunity Alliance; Beth Boutin, Evernorth; Virginia White; Jamie Carroll; Claude Rwaganje; and Gerrylynn Ricker, Legal Compliance Officer and Note taker.

ADOPT AGENDA

Commissioner Dietz made a motion seconded by Commissioner Buxbaum to adopt the April 16, 2024 agenda. The vote carried unanimously.

APPROVE MINUTES OF MARCH 19, 2024 MEETING

Commissioner Buxbaum made a motion seconded by Commissioner Dietz to accept the March 19, 2024 minutes as written.

COMMUNICATIONS AND CONFLICTS

None

Page 1 of 4

CHAIR OF THE BOARD UPDATES

Chair O'Hara recognized former Governor Joseph Brennan who passed April 6, 2024. Governor Brennan started the HOME fund.

DIRECTOR UPDATES

Director Brennan summarized recent issues and his activities as follows:

- Legislation – the appropriations committee is giving MaineHousing \$76 million broken down as follows: \$10 million for the 4% program; \$10 million for the rural program; \$18 million for a rental assistance program; \$5 million for low barrier shelters; and \$2 million for student homelessness. Erik will give more details in his report later in the meeting.
- Energy Initiatives and funding, Climate United received \$7 billion from the EPA. We will begin to work with Climate United to figure out how Maine can utilize that money for weatherization. We will also work with the Governor's Energy Office.
- DOE rebate money in the amount of \$72 million coming to the State of Maine. The final application through the Governor's Energy Office will be filed soon.
- Met with the head of ICAST which is a national firm that specializes in weatherization.
- Maine Redevelopment Land Bank has hired an executive director under a six month contract. His name is Stuart O'Brien.
- There will be a meeting of the full body of the COC and HUD officials this week. MaineHousing will be in that meeting as well.
- Some staff from the Energy and Housing Services department went up to the University of Maine at the invitation of the building infrastructure subgroup of the Climate Council.
- The Governor signed the moral obligation bill increasing our authority to issue bonds to \$3 billion.
- Met with Nichele Carver who is the Senior Regional Advisor for the U.S. Interagency Council on Homelessness. She is very interested in what we are doing in Maine.
- Met with Victoria Morales, executive director of the Quality Housing Coalition.
- Met with Michael LaBua, the DHHS Housing First coordinator. He will be the contact person when we get the Housing First initiative effort going.
- Met with Don Carrigan of Maine 207 show on WCSH. The episode aired last week.
- Director of Development Mark Wiesendanger and Director Brennan went up to the Aroostook County Housing Development Conference in Presque Isle.
- Attended the quarterly meeting with the Maine CAP agency directors.
- Commissioner Bonam asked to have a meeting with the new Housing First coordinator and perhaps the COC. Director Brennan will work with Lauren when she returns to arrange and will report back next meeting.

CHAPTER 16 – LOW INCOME HOUSING TAX CREDIT PROGRAM PUBLIC HEARING

Chief Counsel Ashley Carson introduced the Commissioners and staff representing MaineHousing. She opened the public hearing on the Low Income Housing Tax Credit Rule at 9:30 a.m. Notice of the hearing was sent to interested parties on March 27, 2024. It was also published in newspapers statewide and on our website on March 27, 2024. The comment period ends on Friday, April 26, 2024 at 5:00 p.m. Director of Development Mark Wiesendanger went over the stakeholder process. Tyler Norod, Nicole McKeigh, Bill Pearse and Claude Rwaganje testified. The hearing adjourned at 9:54 a.m.

COMMENCE RULEMAKING – CHAPTER 24, HOME ENERGY ASSISTANCE PROGRAM (HEAP)

Director of Energy and Housing, Genevieve Soucy told the Commissioners that no major changes had been made since the draft rule that was presented at the March meeting. She recapped the changes that were discussed at the March meeting. She asked the Commissioners to allow MaineHousing to commence rulemaking. MaineHousing will hold the public hearing at the May meeting and ask that the rule be adopted at the June meeting.

Chief Counsel Ashley Carson read the proposed motion, to authorize MaineHousing to commence the rulemaking process to repeal Chapter 24 of MaineHousing's rules and replace it with the proposed Chapter 24 provided to the Commissioners in the Board packet and described in the memorandum from Director of EHS, Genevieve Soucy to the Commissioners dated April 9, 2024. Commissioner Bonam said "so moved" and it was seconded by Commissioner Buxbaum. The vote carried unanimously.

LEGISLATIVE UPDATE

Senior Director of Government Relations & Communications, Erik Jorgensen commented about the Moral Obligation bill being passed and how amazing it was that it left the table at about 10:00 a.m. and the Governor signed it at 2:00 p.m. He discussed the appropriations committee and how they will need to vote on the supplemental budget that was released in February and also the change package Governor Mills put in the supplemental budget. Together those are the key spending proposals of the whole session. The change package was extraordinarily generous in what it proposed for us. It provided \$10 million for the rural rental program; \$10 million for the 4% LIHTC program; there was a provision for adding \$5 million more for the mobile home park preservation program; the low barrier shelter money will come partly out of the emergency housing relief fund that has been expanded, they've added \$5 million extra to try and keep a certain amount of money going to the low barrier shelters over the next three years. \$18 million has been added in the change package for rental relief. Erik touched base on the Vested Rights bill which states the rules can't change midstream of a development; and the Racketeering bill is dead. LD 2169 was looking at workforce housing or they call it "attainable housing." That bill got turned into a study.

2023 YEAR-END BUDGET AND AUDIT REPORT

Darren Brown, Director of the Finance Department, welcomed and introduced Jason Emery, Managing Director, with the public accounting firm Baker Newman & Noyes and began the annual year-end financial report. Darren explained that the year-end report covers specifically three different areas that includes the financial results, the budget results and the audit results. The budget and audit were presented at the meeting. The financial results and specific information from the 2023 audited financial statements will be reviewed at the May meeting.

MaineHousing has two primary business segments, which consist of mortgage lending activities and the administration of federal and state funded programs. All operating and program administrative costs are paid by either the net interest income from mortgage lending activities or the fee income received for the administration of programs. Each budget schedule was reviewed and explanations were provided for the larger variances. Revenues exceeded the budget by 21% due to the higher interest rate environment. The rate environment provided for much higher interest income from non-mortgage investments, which was \$16.3 million above the budget amount. Expenses were over budget by \$5.1 million due primarily to higher interest expense. Higher interest rates caused interest expense to exceed the budget by \$4.5 million. Revenues exceeded expenses for the year by approximately \$23.2 million, which was \$14.6 million higher than budgeted.

Mr. Emery reviewed the work performed and the results of the audits. Mr. Emery reported that two audits are performed each year – an audit of the financial statements that are prepared by MaineHousing staff and a federal compliance audit. Mr. Emery reported that the financial statements were presented fairly in all material respects and MaineHousing was given a “clean opinion” consistent with last year. Mr. Emery noted that two internal control recommendations were reported in a separate management letter and that they found no matters of noncompliance that would have a direct and material effect on the financial statements.

Mr. Emery next reviewed the results for the 2022 federal compliance audit and noted there with no findings. Mr. Emery stated that the 2023 federal compliance audit is currently in process. Mr. Emery said that the audits went smoothly and thanked all of the MaineHousing staff.

EXECUTIVE SESSION

Chief Counsel Ashley Carson read the proposed motion, to enter into an Executive Session to discuss the Director’s annual review pursuant to Title 1 Maine Revised Statutes Section 405(6)(E). She called on each Commissioner to vote to enter into Executive Session: Commissioners Laura Buxbaum, yes; Nancy Harrison, yes; Renee Lewis, yes; Betty Dietz, yes; Noël Bonam, yes; and Paul Shepherd, yes; and Deputy State Treasurer Gregory Olson, yes.

The Board of Commissioners came out of Executive Session at 11:58 a.m. by unanimous vote as follows: *Commissioners Laura Buxbaum, yes; Nancy Harrison, yes; Renee Lewis, yes; Betty Dietz, yes; Noël Bonam, yes; and Paul Shepherd, yes; and Deputy State Treasurer Gregory Olson, yes* and resumed the meeting.

Commissioner Buxbaum made a motion seconded by Commissioner Dietz to vote for a 4% merit increase to apply to Director Brennan’s baseline retroactively. The vote carried unanimously.

ADJOURN

Commissioner Buxbaum made a motion seconded by Commissioner Shepherd to adjourn the meeting. The meeting was adjourned at 11:59 a.m. by unanimous vote of the Board.

Respectfully submitted,

Elizabeth Dietz

Memorandum

To: Daniel E. Brennan, Director

From: Allison Gallagher, Director of Housing Choice Vouchers

Date: April 18, 2024

RE: Sole Source Procurement for Technical Assistance for the Emergency Rental Assistance Program Treasury Reporting

Overview

MaineHousing subcontracted with 12 agencies to administer the ERA program and from the start of the ERA program, those agencies have contracted with CSST Software, LLC (EmpowOR) to receive applications, verify applicant information, track notes and process expenditures. CSST Software, LLC (“CSST”) has access to all of the expenditure records and demographics needed to report the necessary information to Treasury. They assisted MaineHousing with the initial set up of data imports, enabling us to process monthly and quarterly reports. They have also assisted MaineHousing and the administering agencies with re-characterizing expenditures and data cleanup.

There continues to be a need for support from CSST as reporting to Treasury still continues. The remaining ERA 2 money that is being expended for “affordable rental housing and eviction prevention purposes” will require additional reporting to Treasury on a quarterly basis.

Justification

CSST has direct access to all the data that is needed for Treasury reporting as it provided the services during the term of the ERA Program. MaineHousing’s Procurement Policy, Section IV, allows for Sole Source Procurement, if the item is unique to a specific vendor and the vendor has unique expertise in providing a service. No other vendor would have access to this data and it would be costly and burdensome to transfer data to another vendor to continue the quarterly reporting that is required over the next year. CSST does offer a unique item and expertise in providing technical assistance and therefore sole source is justified.

Request

To allow MaineHousing to enter into a new contract with CSST Software, LLC to provide ERA reporting templates and support from February 1, 2024 to January 30, 2025 with the option to extend for an additional year if necessary. The cost will be \$200/hour at an estimated cost of \$3,200 for four quarters (4 hours per quarter).

ACKNOWLEDGED & APPROVED

4/18/2024

Date



Daniel Brennan

Director, Maine State Housing Authority

Memorandum

To: Daniel E. Brennan, Director

From: Allison Gallagher, Director of Housing Choice Vouchers

Date: April 18, 2024

RE: Sole Sourcing for Expansion of the Housing Navigation Program with ERA 2 Funds

Overview

LD 1733, allocated \$1.5 million dollars of American Rescue Plan Act (“ARPA”) funds, to establish a two-year Housing Navigation Pilot Program to hire housing navigators to work with local housing authorities, general assistance programs or nonprofit organizations to assist families experiencing or at significant risk of homelessness with locating housing and completing the rental process and to provide supportive services to promote successful landlord-tenant relationships (the “Services”).

MaineHousing published a Request for Proposals (“RFP”) for Maine Housing Navigation Pilot: Housing Navigator Contracts seeking qualified nonprofit organizations with a track record of successful landlord partnerships and client housing services and/or experience and expertise in working with a specific underserved population or community to employ a Housing Navigator that will participate in the two-year Housing Navigation pilot established by the legislature through LD 1733.

MaineHousing entered into fifteen (15) Subgrant Agreements with qualified nonprofit organizations to hire Housing Navigators to perform the Services. The qualified nonprofit organizations included: ACAP, GPF, IRCM, LHA, NEAAO, Penquis, PIHA, Preble Street, ProsperityME, QHC, SHA, SPHA, WMCA, WPHW and YCSA. The Housing Navigation Pilot Program has concluded and MaineHousing wishes to extend the pilot program and administer the Housing Navigation Program (the “Program”), which will provide the same Services as the pilot program. ACAP, Fairtide-YCSA, IRCM, LHA, Penquis, PIHA, ProsperityME, QHC, SPHA and WPHW have agreed to continue employing Housing Navigators under the Program and have provided budgets to support the costs of continuing the Program.

MaineHousing intends to support the Program for an additional year using Emergency Rental Assistance funds (the “Funds”) provided by the U.S. Department of the Treasury, which can now be used for “affordable rental housing and eviction prevention purposes.” The Services to be provided under the Program qualify as “eviction prevention purposes.”

Justification

As ACAP, Fairtide-YCSA, IRCM, LHA, Penquis, PIHA, ProsperityME, QHC, SPHA and WPHW have already hired Housing Navigators and have been providing the Services over the last two years under the pilot program, the Services will be provided in a shorter time frame, at a fair cost and more

efficiently, which is in the best interest of MaineHousing and the participants of the Program. The current Housing Navigators have already established connections with landlords, community agencies, tenants and families and a new Housing Navigator would have to start from the beginning without all of those connections, which would be detrimental.

MaineHousing's Procurement Policy, Section IV, allows for Sole Source Procurement, if the item is unique to a specific vendor and the vendor has unique expertise in providing a service. Given the time and involvement of the Housing Navigators over the last two years with the pilot program, and the already existing connections, ACAP, Fairtide-YCSA, IRCM, LHA, Penquis, PIHA, ProsperityME, QHC, SPHA and WPHW do offer a unique item and expertise in providing Housing Navigation Services.

Request

To allow MaineHousing to enter into a new contract with ACAP, Fairtide-YCSA, IRCM, LHA, Penquis, PIHA, ProsperityME, QHC, SPHA and WPHW for Housing Navigation Services over the next year for a total cost of \$2,150,000 to be paid with Emergency Rental Assistance Funds.

ACKNOWLEDGED & APPROVED

4/18/2024

Date



Daniel Brennan

Director, Maine State Housing Authority

May 14, 2024

TO: Board of Commissioners
 FROM: Erik Jorgensen
 RE: Housing Funding Items in LD 2214 – Supplemental Budget & CP Amendment A

At the next board meeting, I will provide a more comprehensive wrap-up of *all* the housing work undertaken by the 131st Legislature. In the meantime, there were several items in the year-end supplemental budget and change package that were finalized at the last minute. While most of those have been discussed at board meetings in the past, I wanted to provide this accounting to show how everything finally landed.

Funding for these initiatives will become available after August 9.

PAGE	PART A ITEM	SOURCE	BUDGET AMOUNT	LANGUAGE SECTION	LANGUAGE PAGE	ALLOCATION
------	-------------	--------	---------------	------------------	---------------	------------

96	Emergency Housing Relief Fund	OSR	\$ 13,500,000	HH1	189	\$ 13,500,000
	Low Barrier Shelter Funding SFY 26, 27	OSR	(FO NEEDED)	HH2	189	\$ 5,000,000

The Emergency Housing Relief Fund will be applied to emergency and transitional housing needs. It will support continued services at the Saco Hotel and winter warming shelters statewide for winter 2024/25, as well as continued temporary and permanent shelter initiatives to be funded through one or more RFPs. \$5 million of this funding has been allocated to assist the low-barrier homeless shelters in SFY 26 and SFY 27 as an extension for the SFY 25 funding shown in the separate item, below. Low barrier shelters are more expensive to operate than traditional homeless shelters because they have clients with special needs that require additional staffing.

96	Low-Barrier Shelter Funds, SFY 25	OSR	\$ 2,500,000			\$ 2,500,000
----	-----------------------------------	-----	--------------	--	--	--------------

This allocation will provide support for the low-barrier homeless shelters in SFY 25, as noted above.

96	Affordable Homeownership	OSR	\$ 10,000,000	AAAA-2	211	\$ 10,000,000
----	--------------------------	-----	---------------	--------	-----	---------------

This allocation adds new capital to the Affordable Homeownership Program, which provides funding to developers who are building affordable single family homes in subdivisions or in condominiums of 5 or

more units. These homes must be priced at or below a set amount (to be determined for the new program) depending on where in the State they are constructed, and be available for sale to purchasers at or below 120% area median income. The program does not include tax credits and works by funding a portion of the cost of developing these homes. We anticipate using these funds in essentially the same way as in the last version of the program, but some specifics may be modified based on developer and public input to be more effective.

96	Rural Rental & LIHTC	OSR	\$ 20,000,000	AAAA-1	211	\$ 20,000,000
----	----------------------	-----	---------------	--------	-----	---------------

This funding will be split between two of MaineHousing’s largest existing multifamily development programs that finance the creation of affordable rental units. Both the Rural Rental and LIHTC (federal 4% low income housing tax credit) programs are heavily over-subscribed, so we know that there is considerable unmet need. LIHTC projects can serve mixed income households, but have a federally prescribed minimum number of affordable units, which must be affordable to households earning no more than 60% area median income; the rural rental program supports development of housing affordable to households up to 80% of area median income.

97	Housing Subsidy for Homeless Students	OSR	\$ 2,000,000	KKKK 2	223	\$ 2,000,000
----	---------------------------------------	-----	--------------	--------	-----	--------------

This is a new initiative that has yet to be developed. We will work with the Department of Education to determine how to most efficiently direct this one-time funding to support the families of students experiencing homelessness.

97	Stable Home Fund (Rental Assistance)	OSR	\$ 18,000,000	KKKK 3-7	224	\$ 18,000,000
----	--------------------------------------	-----	---------------	----------	-----	---------------

This is a new initiative that has yet to be developed. The budget description calls for a program that prevents evictions and allows qualified households to receive a benefit up to \$800/month for up to 24 months. The program will provide funding directly to landlords on behalf of tenants who are struggling in order to keep the tenants housed. We anticipate allocating this one-time funding so as to prioritize people facing imminent eviction, and hope to have the program operating as soon as possible.

96	Mobile Home Park Preservation	OSR	\$ 5,000,000	BBBB-1	211	\$ 5,000,000
----	-------------------------------	-----	--------------	--------	-----	--------------

This is a new initiative that has yet to be developed. The intent is for this funding to be used only if it can help to preserve the affordability of existing housing units in a manufactured home community. Although it is only broadly described in statute, it would be used as part of the financing structure in cases where mobile home communities are purchased by residents. Any unused funds in this program would lapse back to the state.

TOTAL FUNDING

\$76,000,000

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.
- 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. 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.
6. 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.
7. 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.
8. 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 consider 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 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. 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; 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 (ii) 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; 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.
- 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 Cloud if the signed application is not received within twenty (20) business days of the date of the telephone interview.
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:

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

EFFECTIVE DATE:

Energy & Housing Services Department

To: MaineHousing Board of Commissioners
From: Genevieve Soucy, Director of Energy and Housing
Date: May 13, 2024
Re: 2025 LIHEAP State Model Plan

The following highlights the major changes proposed for the PY2025 LIHEAP State Model Plan. Additional, non-substantive changes are being proposed to provide clarification or remove unnecessary responses. A notice to interested parties will be sent after the May Board meeting and a copy of the Model Plan will be available for viewing. A Public Hearing will be held during the June Board meeting and comments will be solicited for 10 days following. At the September Board meeting we will be seeking the Boards permission to submit the State 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 17.5 – Income Verification

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

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:	
		4a. Unique Entity Identifier (UEI): NJEKQK2U8ZJ5	5. Date Received By State:
		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:	
-------------------	-----------------------------	-----------------	--

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:
9. CFDA NUMBERS AND TITLES	93.568	Low-Income Home Energy Assistance Program

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	10/1/202 4 ³	09/30/202 5 ⁴
<input type="checkbox"/>	Cooling assistance		
<input checked="" type="checkbox"/>	Weatherization assistance	10/1/202 4 ³	009/30/2023/31/2026 ⁴
<input type="checkbox"/>	Summer Crisis assistance		
<input checked="" type="checkbox"/>	Winter Crisis assistance	11/1/202 4 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 FFY202~~4~~⁵, Subgrantees will begin taking applications on July ~~1722~~²², 202~~34~~³⁴ and will continue taking applications through May 31, 202~~4~~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	<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	<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	<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	<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.										
<p><u>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.</u></p>										
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?										
<p>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 dont 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.</p> <p><u>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 Categorically Income Eligible Household may still choose to provide actual income documentation for benefit determination.</u></p>										
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?										

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) Mainehousing 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"/> 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

<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 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: <u>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.</u>		
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:			
<u>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.</u>			
1.11 Do you have a process for conducting and completing applications by phone:			
<u>Yes, Subgrantees have the capacity to conduct intake appointment over the phone, or in person.</u>			
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
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 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%

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~~

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"/> <input checked="" type="checkbox"/>	Individual bill		
<input checked="" type="checkbox"/>	Dwelling type		
<input type="checkbox"/>	Energy burden (% of income spent on home energy)		
<input type="checkbox"/>	Energy need		
<input type="checkbox"/> <input checked="" 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	\$2,530.00 1,012.00
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:			

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

**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
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 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.

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; 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.

~~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).~~

Section 7.B. An Energy Crisis includes:

- 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.~~

4.3 What constitutes a life-threatening crisis?

From Chapter 24 Home Energy Assistance Program Rule:

“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.~~

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" 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"/>
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 style="text-align: center;">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.</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: 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. <u>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
Explain.			
<p>Crisis applications are given priority at all intake and processing steps. Crisis procedures include home visits if necessary, referrals, or communication with vendors.</p> <p>Subgrantees take crisis applications by one of the following methods:</p>			

~~*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.~~

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
-------------------------------------	-----	--------------------------	----

If no, explain.

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

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
--------------------------	-----	-------------------------------------	----

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
-------------------------------------	-----	--------------------------	----

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
-------------------------------------	-----	--------------------------	----

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):	<input 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></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></p> <p><u>[PL 2021, c. 347, §1 (NEW); RR 2021, c. 1, Pt. A, §36 (RAL).]</u></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.			

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

**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
--------------------------	-----	-------------------------------------	----

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
-------------------------------------	-----	--------------------------	----

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). <u>Health & Safety and Incidental costs are not subject to DOE rules.</u>

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

5.6 Do you require an assets test?

<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
-------------------------------------	-----	--------------------------	----

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
---------------------------------------	-------------------------------------	-----	--------------------------	----

Do you have additional or differing eligibility policies for:

Renters?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Renters living in subsidized housing?	<input type="checkbox"/> <input checked="" type="checkbox"/>	Yes	<input checked="" type="checkbox"/> <input type="checkbox"/>	No
Renters with utilities included in the rent?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

Do you give priority in eligibility to:

Older adults?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Individuals with a disability?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Young children?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Households with high energy burdens?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Other?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

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

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

(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,¹ 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.

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

U.S. Department of Health and Human Services
Administration for Children and Families

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 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

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 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"/> <input 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"/> <input type="checkbox"/>	One-stop intake centers	
<input type="checkbox"/>	Other - Describe:	
If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.		

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

U.S. Department of Health and Human Services
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 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?

<input type="checkbox"/>	Administration Agency
<input type="checkbox"/>	Commerce Agency
<input type="checkbox"/>	Community Services Agency
<input type="checkbox"/>	Energy/Environment Agency
<input checked="" type="checkbox"/>	Housing Agency
<input type="checkbox"/>	State Department of Welfare Agency (administers TANF, SNAP, and/or Medicaid)
<input type="checkbox"/>	Economic Development Agency
<input type="checkbox"/>	Other - Describe:

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

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

8.2 How do you provide alternate outreach and intake for heating assistance?

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

8.3 How do you provide alternate outreach and intake for cooling assistance?

Not applicable. ~~Maine does not offer cooling assistance.~~

8.4 How do you provide alternate outreach and intake for crisis assistance?

Subgrantees have other funds (non-LIHEAP) funds available to provide crisis assistance. Additionally, 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

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

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 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
--------------------------	-----	-------------------------------------	----

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

**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.

MaineHousing's ~~Program Compliance Officer~~ staff performs onsite and desk review audits of the subgrantees. These field onsite audits allow for first-hand observation of program activity. Monitoring tasks include:
 Reviewing procedures and client file documentation
 Confirming and evaluating use of LIHEAP statewide database
 Verifying subgrantees are knowledgeable of regulations
 Confirming that quality of work meets minimum program standards

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

10.7. Describe how you select local agencies for monitoring reviews. 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"> • <u>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.</u> • 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
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 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.

<input type="checkbox"/>	Tribal Council meeting(s)
<input checked="" type="checkbox"/>	Public Hearing(s)
<input checked="" type="checkbox"/>	Draft Plan posted to website and available for comment.
<input checked="" type="checkbox"/>	Hard copy of plan is available for public view and comment.
<input type="checkbox"/>	Comments from applicants are recorded.
<input checked="" type="checkbox"/>	Request for comments on draft Plan is advertised.
<input checked="" type="checkbox"/>	Stakeholder consultation meeting(s)
<input type="checkbox"/>	Comments are solicited during outreach activities.
<input type="checkbox"/>	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 <u>tbd</u> 05/21/2024	Public Hearing held at MaineHousing 26 Edison Dr., Augusta, ME and via web meeting <u>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.</u>
2	<u>06/18/2024</u>	<u>Public Hearing for State Model plan held during the MaineHousing monthly Board meeting both virtually and in person at 26 Edison Dr., Augusta, ME.</u>

11.4. How many parties commented on your plan at the hearing(s)? ~~tbd~~3

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.

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

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 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.

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

**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
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 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:

Formal training provided virtually, on-site, and/or formal training conference

How often?

Annually

Biannually

As needed

Other - Describe:

Employees are provided with policy manual

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:

Formal training provided virtually, on-site, and/or formal training conference

How often?

Annually

Biannually

As needed

Other - Describe:

Employees are provided with policy manual

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

c. Vendors

Formal training provided virtually, on-site, and/or formal training conference

How often?

Annually

Biannually

As needed

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.

Policies communicated through vendor agreements

Policies are outlined in a vendor manual

15.2 Does your training program address fraud reporting and prevention?

Yes 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

**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)

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 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"/>

b. Describe any exceptions to the above policies.

~~See attachment – Section 17 Program Integrity~~

1. 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

	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

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

<input type="checkbox"/>	Describe what methods are used to verify the authenticity of identification documents provided by clients or household members. Select all that apply
<input type="checkbox"/>	Verify SSNs with Social Security Administration
<input type="checkbox"/>	Match SSNs with death records from Social Security Administration or state agency
<input type="checkbox"/>	Match SSNs with state eligibility/case management system (e.g., SNAP, TANF)
<input type="checkbox"/>	Match with state Department of Labor system
<input type="checkbox"/>	Match with state and/or federal corrections system
<input type="checkbox"/>	Match with state child support system
<input type="checkbox"/>	Verification using private software (e.g., The Work Number)
<input type="checkbox"/>	In-person certification by staff (for tribal grant recipients only)
<input type="checkbox"/>	Match SSN/Tribal ID number with tribal database or enrollment records (for tribal grant recipients only)
<input checked="" type="checkbox"/>	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.

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

17.5. Income Verification

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

<input checked="" type="checkbox"/>	Require documentation of income for all adult household members
<input checked="" type="checkbox"/>	Pay stubs
<input checked="" type="checkbox"/>	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 Benefits<u>Benefits</u> 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"/>	<p>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></p>
<input type="checkbox"/>	<p>Contracts with local agencies require that employees found to have committed fraud are reprimanded and/or terminated.</p>
<input checked="" type="checkbox"/>	<p>Vendors found to have committed fraud may no longer participate in LIHEAP.</p>
<input type="checkbox"/>	<p>Other - Describe:</p>
<p>If any of the above questions require further explanation or clarification that could not be made in the fields provided, attach a document with said explanation here.</p>	

Section 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

**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
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 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"/>	<p>By checking this box, the prospective primary participant is providing the certification set out above.</p>	

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

**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.

<input type="checkbox"/>	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

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.

<input type="checkbox"/>	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

- 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

Maine State Housing Authority

Mortgage Purchase Program (MPP) Results & Trends For The Year 2023



MaineHousing
MAINE STATE HOUSING AUTHORITY

Maine State Housing Authority Balance Sheets

(IN THOUSANDS OF DOLLARS)

DECEMBER 31, 2023

	Moody's S&P		Aa1 AA+	Bondholder Reserve Fund	General Fund	HOME Fund	Federal Programs Fund	Other Funds	Maine Energy Housing & Economic Recovery Funds
	Memorandum Only Combined Totals		Mortgage Purchase Fund Group						
	2022	2023							
ASSETS:									
Cash, principally time deposits	89,148	101,318	35,153	3	59,906	0	5,581	675	0
Investments	516,011	606,488	507,899	8,372	21,511	29,232	0	12,277	27,197
Accounts receivable - Government	28,032	10,173	0	0	0	1,877	8,296	0	0
Accrued interest and other assets	10,440	11,040	10,136	22	236	125	188	228	105
Mortgage notes receivable, net	1,571,052	1,743,420	1,662,207	0	7,024	39,576	0	0	34,613
Other notes receivable, net	37	0	0	0	0	0	0	0	0
Land, equipment and improvements, n	17,176	18,127	22	0	18,105	0	0	0	0
Other real estate owned	145	0	0	0	0	0	0	0	0
Derivative instrument - interest rate sw	18,560	16,385	16,385	0	0	0	0	0	0
Deferred pension expense	959	629	346	2	67	0	0	214	0
Deferred amount on debt refundings	2,324	2,009	2,009	0	0	0	0	0	0
Total Assets	2,253,884	2,509,589	2,234,157	8,399	106,849	70,810	14,065	13,394	61,915
LIABILITIES AND NET ASSETS:									
Accrued interest payable	6,191	8,566	8,509	0	0	0	0	0	57
Excess arbitrage to be rebated	0	650	650	0	0	0	0	0	0
Accounts payable - Government	329	1,605	0	0	0	0	478	1,127	0
Accounts payable & accrued liabilities	24,605	31,355	250	4	17,980	3,414	3,316	6,391	0
Unearned income	43,812	30,800	0	0	0	0	11,635	19,165	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	18,560	16,385	16,385	0	0	0	0	0	0
Interfund	0	0	2,805	17	32,680	(16,931)	(5,554)	(13,017)	0
Mortgage bonds and notes payable, n	1,742,917	1,966,650	1,902,013	0	13,625	0	0	0	51,012
Deferred grant income	0	0	0	0	0	0	0	0	0
Deferred loan origination points	19	13	13	0	0	0	0	0	0
Total Liabilities	1,839,011	2,058,406	1,931,936	29	64,538	(13,517)	9,875	14,476	51,069
NET ASSETS:									
Restricted Net Assets	374,993	408,872	302,221	8,370	0	84,327	4,190	(1,082)	10,846
Unrestricted Net Assets	39,880	42,311	0	0	42,311	0	0	0	0
Total Net Assets	414,873	451,183	302,221	8,370	42,311	84,327	4,190	(1,082)	10,846
Total Liabilities and Net Assets	2,253,884	2,509,589	2,234,157	8,399	106,849	70,810	14,065	13,394	61,915

Mortgage Purchase Fund Group

Statement of Revenues, Expenses & Changes In Net Assets

(IN THOUSANDS OF DOLLARS)

FOR THE YEAR ENDED DECEMBER 31, 2023

	Moody's S&P		Mortgage Purchase Fund Group	Bondholder Reserve Fund	General Fund	HOME Fund	Federal Programs Fund	Other Funds	Maine Energy Housing & Economic Recovery Funds
	Memorandum Only Combined Totals								
	2022	2023							
REVENUES:									
Interest from mortgages and notes	60,191	67,263	66,832	0	293	96	0	0	42
Income from investments	9,242	30,688	25,710	413	1,238	1,412	23	275	1,617
Net increase (decrease) in the fair value of investments	(15,160)	3,550	3,550	0	0	0	0	0	0
Fee income	13,753	16,759	2,530	0	1,347	0	12,445	437	0
Other revenue	144	377	132	0	90	69	0	0	86
Grant income	339,940	228,107	0	0	0	7,511	129,237	91,359	0
Income from State	33,215	27,542	0	0	0	23,224	0	0	4,318
Federal rent subsidy income	110,586	116,271	0	0	0	0	116,271	0	0
Gain on bond redemption	557	187	187	0	0	0	0	0	0
Total Revenues	552,468	490,744	98,941	413	2,968	32,312	257,976	92,071	6,063
EXPENSES:									
Operating expenses	21,861	23,724	0	0	23,724	0	0	0	0
Other program administrative expen	6,994	8,301	5,854	0	(3)	0	2,164	286	0
Mortgage servicing fees	1,784	1,890	1,880	0	10	0	0	0	0
Provision for losses on loans	(500)	9	0	0	0	9	0	0	0
Losses on foreclosed real estate	40	0	0	0	0	0	0	0	0
Interest expense	41,802	56,004	54,990	0	0	0	0	0	1,014
Grant expense	360,565	246,634	0	0	0	32,037	121,954	92,223	420
Federal rent subsidy expense	111,408	117,038	0	0	0	0	117,038	0	0
Excess arbitrage	0	834	834	0	0	0	0	0	0
Allocated operating costs	0	0	12,925	76	(21,331)	0	7,973	357	0
Total Expenses	543,954	454,434	76,483	76	2,400	32,046	249,129	92,866	1,434
Net Operating Income (Loss)	8,514	36,310	22,458	337	568	266	8,847	(795)	4,629
Transfers between funds, net	0	0	0	0	1,863	(416)	(9,231)	(30)	7,814
Change in net assets	8,514	36,310	22,458	337	2,431	(150)	(384)	(825)	12,443
Net assets at beginning of year	406,359	414,873	279,763	8,033	39,880	84,477	4,574	(257)	(1,597)
Net assets at end of year	414,873	451,183	302,221	8,370	42,311	84,327	4,190	(1,082)	10,846

Mortgage Purchase Program Bond Resolution (MPP)

AS OF DECEMBER 31, 2023

I. OVERVIEW OF MPP

- Adopted by Commissioners in September 1972.
- Backed by moral obligation of State of Maine.
- Closed indentures. All assets pledged until all bonds are retired.
- Parity resolution. New bonds are equally secured with prior bonds and future bonds.

II. MORTGAGE AND NON-MORTGAGE INVESTMENT REQUIREMENTS

- All mortgages are required to be first liens.
- Permitted investments are direct obligations of or obligations guaranteed by the United States of America, certain Federal agencies, and the State of Maine. Repurchase agreements and investment agreements are allowed if permitted investments are delivered to MaineHousing's trustee and held in MaineHousing's name as security.

III. FINANCIAL OVERVIEW OF MPP

- Bonds issued 1972 – 2023: \$9.21 billion.
- Bonds outstanding @ 12/31/23: \$1,904,225,000.
- Over 67% of mortgage principal is either backed by insurance or assisted by Section 8 rent contracts.

Mortgage Purchase Fund Group

Statement of Revenues, Expenses & Changes In Net Assets

(IN THOUSANDS OF DOLLARS)

FOR THE YEARS ENDED DECEMBER 31											
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
OPERATING REVENUES:											
Interest from mortgages and notes	\$ 66,832	\$ 59,798	\$ 59,672	\$ 62,092	\$ 61,366	\$ 59,174	\$ 57,119	\$ 57,692	\$ 58,506	\$ 59,562	\$ 62,848
Interest from investments	25,710	7,691	1,174	2,010	7,929	6,964	4,627	2,957	3,513	3,733	3,689
Total Interest	92,542	67,489	60,846	64,102	69,295	66,138	61,746	60,649	62,019	63,295	66,537
Net increase (decrease) in the fair value of investments	3,550	(15,160)	(1,029)	(217)	4,490	(2,658)	341	(1,124)	395	12,341	(14,716)
Fee income	2,530	1,875	1,507	572	774	490	1,250	903	1,077	723	380
Other revenues	319	557	933	668	421	302	75	112	230	3	78
Total Revenues	98,941	54,761	62,257	65,125	74,980	64,272	63,412	60,540	63,721	76,362	52,279
OPERATING EXPENSES:											
Other program administration expenses	5,854	6,437	4,825	5,581	6,089	6,147	6,610	8,098	7,621	6,840	6,179
Mortgage servicing fees	1,880	1,771	1,713	1,686	1,649	1,575	1,535	2,234	1,758	1,821	1,728
Provision for losses on loans	0	0	0	0	50	0	(1,022)	200	(500)	1,000	1,075
Losses on foreclosed real estate	0	40	0	0	0	200	0	350	400	312	480
Interest expense	54,990	40,774	41,274	44,844	45,016	41,621	38,895	38,735	40,837	42,249	47,968
Loss on bond redemption	0	0	0	0	0	0	54	254	377	320	720
Excess arbitrage to be rebated	834	0	0	0	0	0	862	(82)	(455)	(410)	(435)
Allocated operating costs	12,925	11,654	9,858	10,212	9,452	8,255	8,526	8,079	8,177	7,674	7,617
Total Expenses	76,483	60,676	57,670	62,323	62,256	57,798	55,460	57,868	58,215	59,806	65,332
Operating income (loss)	22,458	(5,915)	4,587	2,802	12,724	6,474	7,952	2,672	5,506	16,556	(13,053)
Minus net increase (decrease) in the fair value of investments	(3,550)	15,160	1,029	217	(4,490)	2,658	(341)	1,124	(395)	(12,341)	14,716
Adjusted operating income	\$ 18,908	\$ 9,245	\$ 5,616	\$ 3,019	\$ 8,234	\$ 9,132	\$ 7,611	\$ 3,796	\$ 5,111	\$ 4,215	\$ 1,663

Mortgage Purchase Fund Group

Net Profitability Percentage

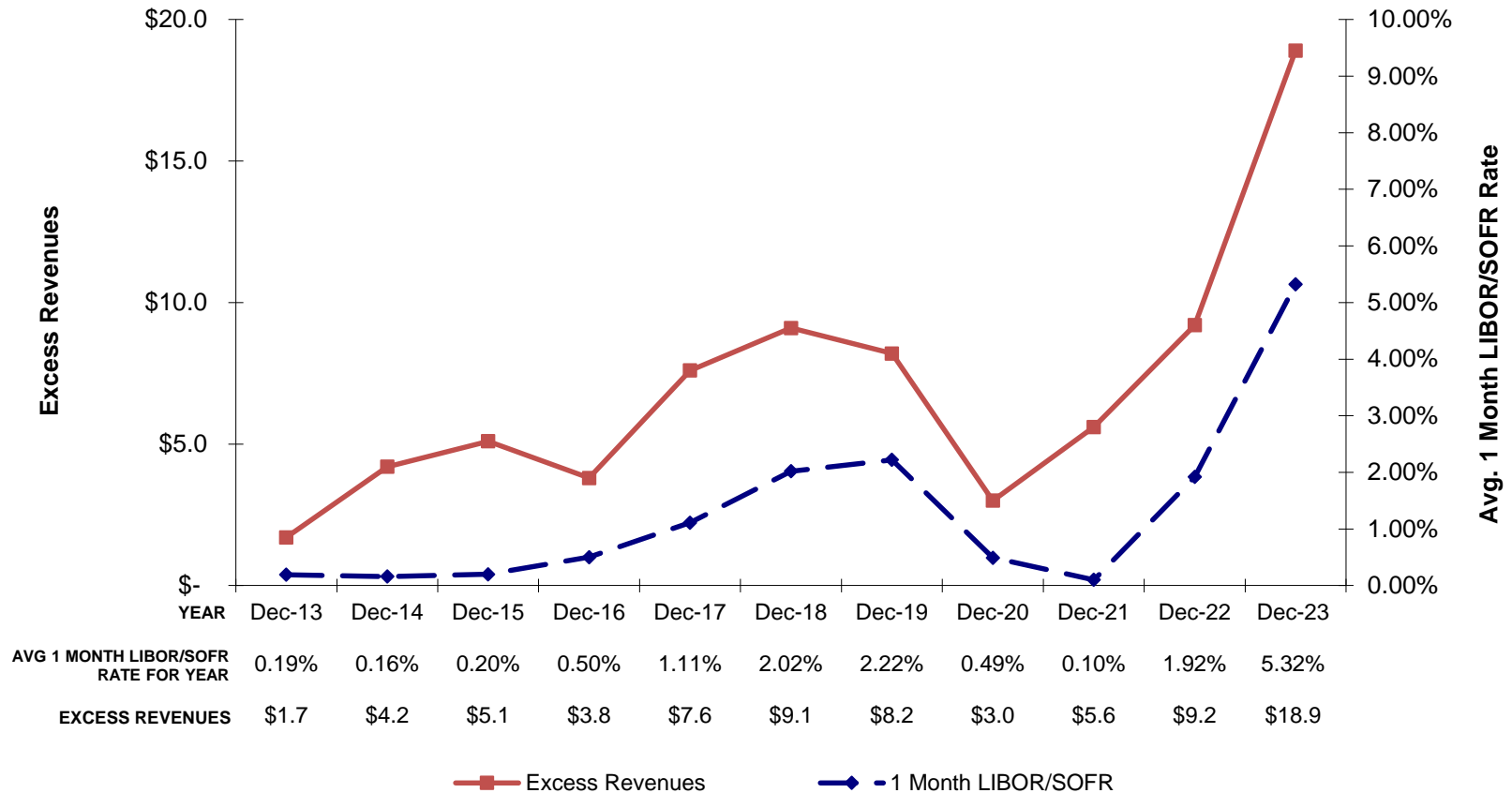
(IN THOUSANDS OF DOLLARS)

	FOR THE YEARS ENDED DECEMBER 31										
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
ADJUSTED OPERATING INCOME	\$ 18,908	\$ 9,245	\$ 5,616	\$ 3,019	\$ 8,234	\$ 9,132	\$ 7,611	\$ 3,796	\$ 5,111	\$ 4,215	\$ 1,663
TOTAL REVENUES	\$ 95,391	\$ 69,921	\$ 63,286	\$ 65,342	\$ 70,490	\$ 66,930	\$ 63,071	\$ 61,664	\$ 63,326	\$ 64,021	\$ 66,995
% PROFITABILITY	19.8%	13.2%	8.9%	4.6%	11.7%	13.6%	12.1%	6.2%	8.1%	6.6%	2.5%

Note: Net increases and decreases in the fair value of investments are excluded from these numbers.

MPP-Excess Revenues/Short-Term Investment Rate Trend

(IN MILLIONS OF DOLLARS)



Note: Net increases and decreases in the fair value of investments are excluded from excess revenues.

Mortgage Purchase Program

Mortgage Rates vs. Bond Rates

(IN THOUSANDS OF DOLLARS)

	FOR THE YEARS ENDED DECEMBER 31										
	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Average Outstanding Mortgage Rate	4.2%	4.1%	4.3%	4.4%	4.5%	4.5%	4.7%	4.8%	5.0%	5.1%	5.1%
Average Outstanding Bond Rate	3.1%	2.6%	2.7%	3.0%	3.2%	3.0%	3.0%	3.1%	3.4%	3.5%	3.8%
Bonds Issued	\$ 347,360	\$ 393,290	\$ 169,330	\$ 313,950	\$ 157,240	\$ 227,080	\$ 392,780	\$ 243,000	\$ 363,170	\$ 228,495	\$ 379,955
Bonds Redeemed	\$ 117,460	\$ 216,555	\$ 227,440	\$ 177,895	\$ 139,310	\$ 188,830	\$ 295,870	\$ 211,695	\$ 308,265	\$ 279,605	\$ 445,380
Bonds Outstanding	\$ 1,904,225	\$ 1,674,325	\$ 1,497,590	\$ 1,555,700	\$ 1,419,645	\$ 1,401,715	\$ 1,363,465	\$ 1,266,555	\$ 1,235,250	\$ 1,180,345	\$ 1,229,060

Mortgage Purchase Fund Group Loan Portfolio Change

(IN THOUSANDS OF DOLLARS)

	FOR THE YEARS ENDED DECEMBER 31										
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
MORTGAGE ACTIVITY:											
ADDITIONS:											
Purchases/Originations	\$279,343	\$278,036	\$167,160	\$177,568	\$193,092	\$189,451	\$210,466	\$168,715	\$159,538	\$64,274	\$111,429
REDUCTIONS:											
Scheduled Repayments	\$81,032	\$40,573	\$56,444	\$47,982	\$42,132	\$33,774	\$41,364	\$61,748	\$29,290	\$29,792	\$30,293
Prepayments	50,648	87,491	160,172	111,579	82,619	65,665	93,262	82,678	70,180	54,274	97,543
	<u>\$131,680</u>	<u>\$128,064</u>	<u>\$216,616</u>	<u>\$159,561</u>	<u>\$124,751</u>	<u>\$99,439</u>	<u>\$134,626</u>	<u>\$144,426</u>	<u>\$99,470</u>	<u>\$84,066</u>	<u>\$127,836</u>
Defaulted Loans	\$1,035	\$1,607	\$1,031	\$2,826	\$6,125	\$4,746	\$8,400	\$20,883	\$22,461	\$17,162	\$20,850
NET INCREASE (DECREASE)	<u>\$ 146,628</u>	<u>\$ 148,365</u>	<u>\$ (50,487)</u>	<u>\$ 15,181</u>	<u>\$ 62,216</u>	<u>\$ 85,266</u>	<u>\$ 67,440</u>	<u>\$ 3,406</u>	<u>\$ 37,607</u>	<u>\$ (36,954)</u>	<u>\$ (37,257)</u>

Mortgage Purchase Fund Group Asset Coverage

(IN THOUSANDS OF DOLLARS)

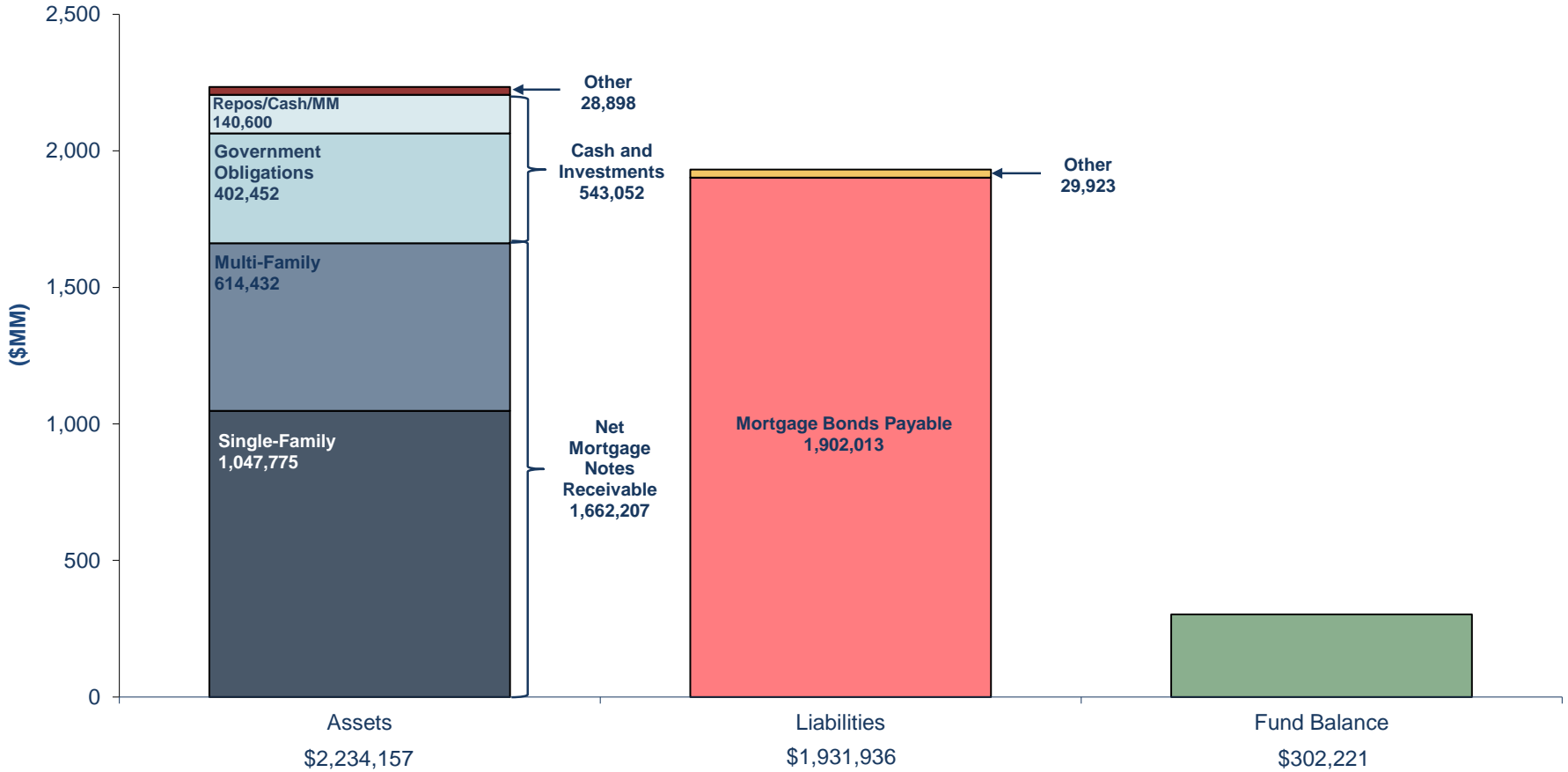
	FOR THE YEARS ENDED DECEMBER 31										
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013
Total Assets	\$ 2,234,157	\$ 1,983,362	\$ 1,804,783	\$ 1,868,707	\$ 1,723,153	\$ 1,685,432	\$ 1,644,156	\$ 1,544,010	\$ 1,509,801	\$ 1,444,856	\$ 1,478,036
Total Liabilities	\$ 1,931,936	\$ 1,703,599	\$ 1,519,105	\$ 1,587,616	\$ 1,444,864	\$ 1,420,867	\$ 1,386,065	\$ 1,294,671	\$ 1,263,134	\$ 1,201,304	\$ 1,251,030
Fund Balance	\$ 302,221	\$ 279,763	\$ 285,678	\$ 281,091	\$ 278,289	\$ 264,565	\$ 258,091	\$ 249,339	\$ 246,667	\$ 243,552	\$ 227,006
Ratio of Assets to Liabilities	116%	116%	119%	118%	119%	119%	119%	119%	120%	120%	118%

Note: Total Assets and Total Liabilities include deferred outflows and inflows of resources.

Mortgage Purchase Fund Assets, Liabilities and Fund Balances

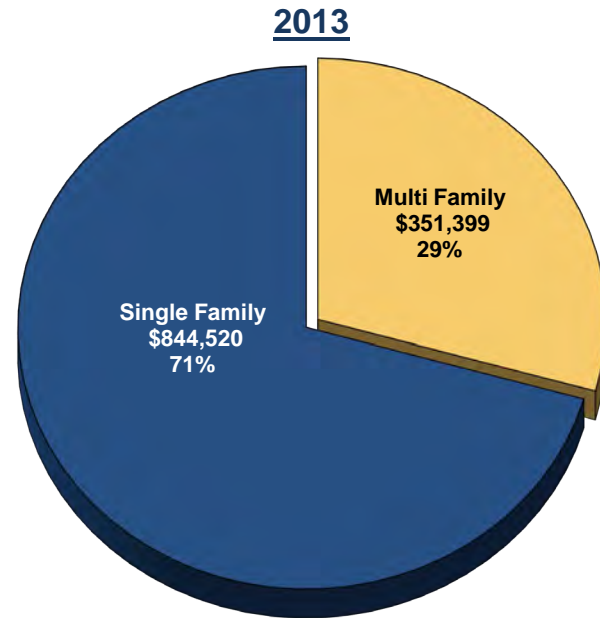
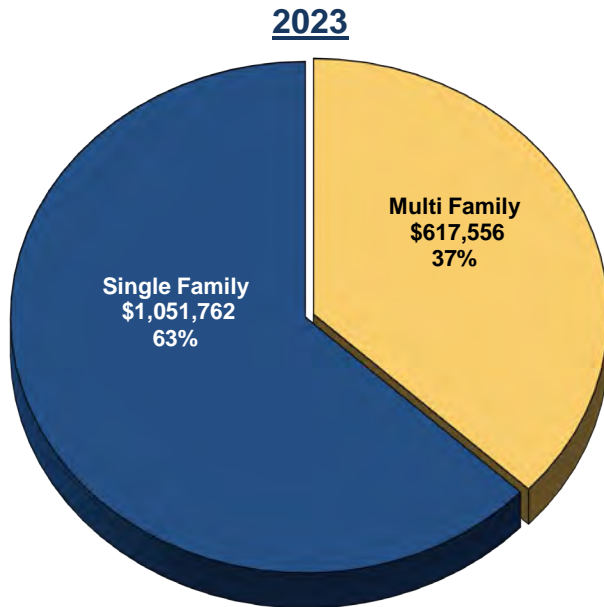
(IN THOUSANDS OF DOLLARS)

December 31, 2023



Mortgage Purchase Fund Mortgage Portfolio

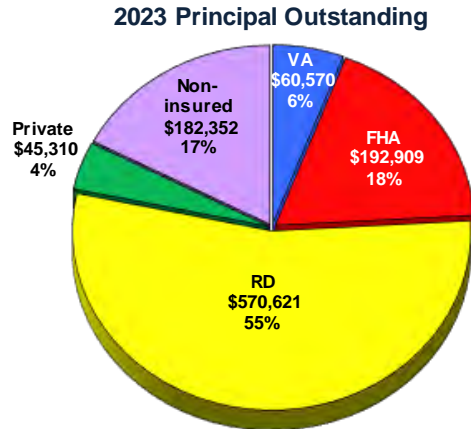
(IN THOUSANDS OF DOLLARS)



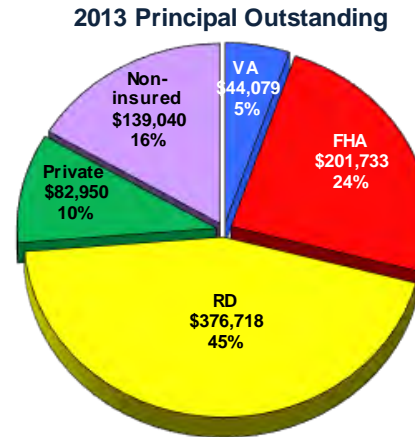
Mortgage Purchase Program Portfolio of Mortgage Loans

(IN THOUSANDS OF DOLLARS)

Single-Family Loans:

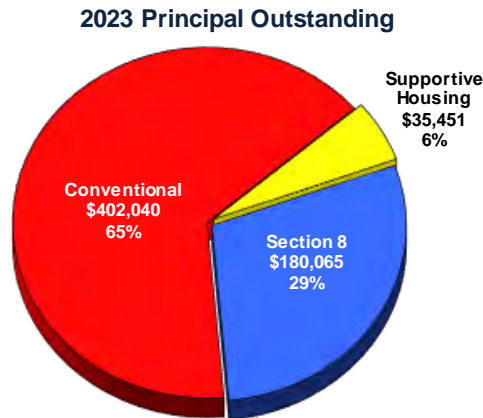


Total Single Family = \$1,051,762



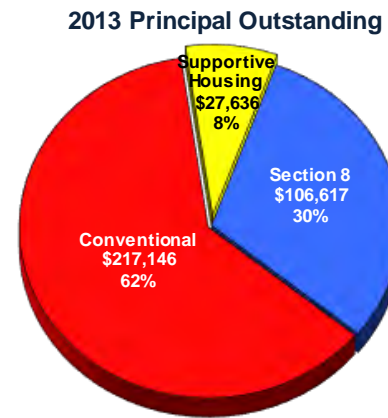
\$ 844,520

Multi-Family Loans:



Total Multi Family = \$ 617,556

Total Mortgage Loans = \$1,669,318



\$ 351,399

\$1,195,919

Mortgage Purchase Program Bonds Outstanding

(IN THOUSANDS OF DOLLARS)

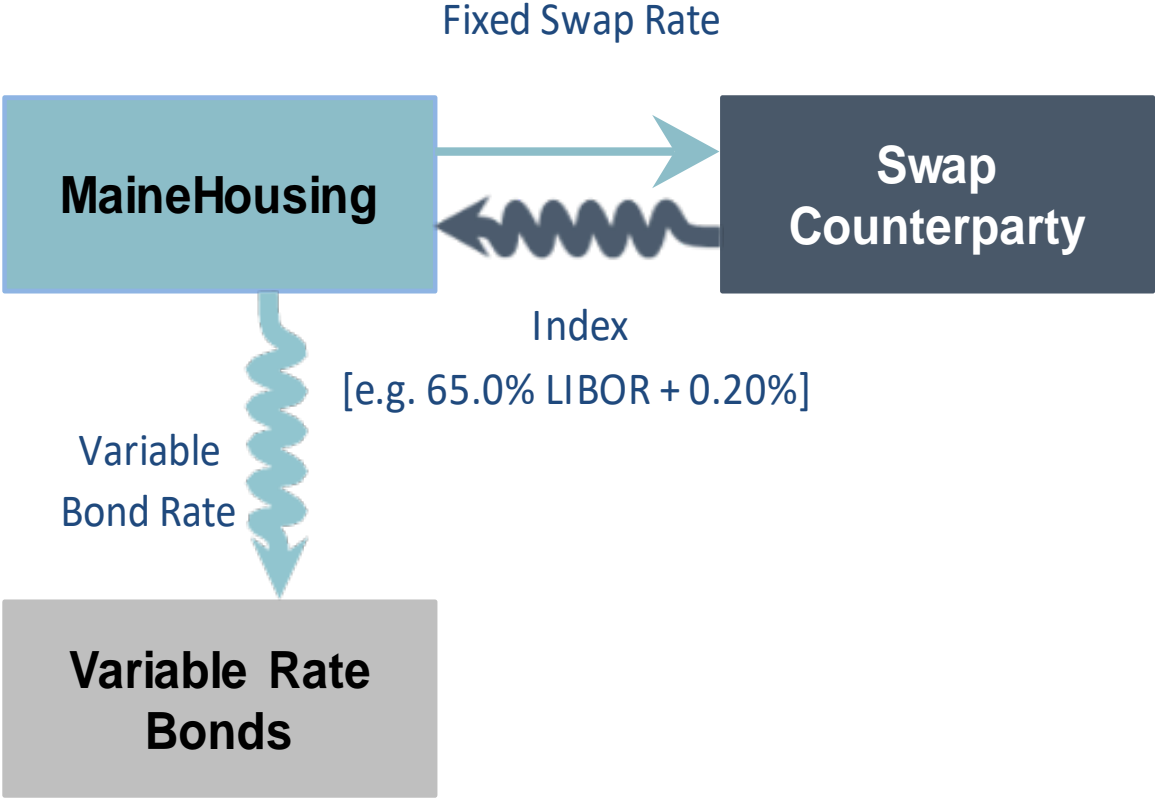
DECEMBER 31, 2023

		<u>% of Bonds Outstanding</u>
Fixed Rate Bonds	\$1,621,360	85%
Variable Rate Bonds	<u>282,865</u>	15%
Total Bonds Outstanding	<u><u>\$1,904,225</u></u>	

Breakdown of Variable Bonds:

		<u>% of Variable Rate Bonds Outstanding</u>
Swapped Variable Rate Bonds	\$207,325	73%
Unswapped Variable Rate Bonds	<u>75,540</u>	27%
	<u><u>\$282,865</u></u>	

Fixed Payor Swap Mechanics



Mortgage Purchase Program Summary of Swaps

(IN THOUSANDS OF DOLLARS)

Related Debt Issuance	Current Notional Amount	Fixed Rate Paid	Variable Rate Received	Fair Value	Maturity Date
2015 Series E-3	\$5,000	1.15%	70% of 30 day SOFR plus .08014%	\$179	11/15/2025
2015 Series E-3	5,000	1.40%	70% of 30 day SOFR plus .08014%	311	11/15/2029
2015 Series E-3	20,000	1.46%	67% of 30 day SOFR plus .0767%	1,390	11/15/2032
2016 Series B-2	8,000	1.61%	70% of 30 day SOFR plus .08014%	594	11/15/2031
2016 Series B-2	20,000	1.66%	70% of 30 day SOFR plus .08014%	1,438	11/15/2031
2017 Series E	25,000	1.69%	100% of 30 day SOFR plus .11448%	3,709	11/15/2032
2017 Series G-1	25,000	1.90%	100% of 30 day SOFR plus .11448%	1,412	11/15/2026
2017 Series G-1	30,000	0.88%	100% of 90 day SOFR plus .26161%	8,302	11/15/2035
2022 Series C	19,325	3.59%	65% of 30 day SOFR plus .27441%	(1,878)	11/15/2037
2022 Series C	10,000	1.87%	75% of 30 day SOFR plus 0.54086%	440	11/15/2026
2022 Series C	12,500	2.57%	70% of 30 day SOFR plus 0.53014%	276	11/15/2028
2022 Series C	12,500	2.59%	70% of 30 day SOFR plus 0.53014%	422	11/15/2033
2022 Series C	15,000	2.70%	72% of 180 day SOFR	(210)	11/15/2033
Totals	\$207,325			\$16,385	

Mortgage Purchase Program Variable Rate Bond & Interest Rate Swap Risk Report

DECEMBER 31, 2023

Bond Issue	SWAP Variable Rate	GAIN (LOSS) ON BONDS				EFFECTIVE SYNTHETIC BOND RATE		
		Variable Rate Swapped Bonds Outstanding	Variable Interest Paid on Bonds	Variable Interest Received from Swap	Gain (Loss) on Variable Component	Gain (Loss) as %	Contractual Fixed Swap Rate	Effective Synthetic Bond Rate
2015 Series E-3	67% of SOFR + .08%	\$ 20,000,000	649,052	673,656	24,604	0.12%	1.60%	1.48%
2015 Series E-3	70% of SOFR + .08%	\$ 5,000,000	162,263	173,970	11,707	0.23%	1.15%	0.92%
2015 Series E-3	70% of SOFR + .08%	\$ 5,000,000	162,263	173,945	11,682	0.23%	1.40%	1.17%
2016 Series B-2	70% of SOFR + .08%	\$ 8,000,000	259,621	278,352	18,731	0.23%	1.61%	1.38%
2016 Series B-2	70% of SOFR + .08%	\$ 20,000,000	649,052	695,881	46,829	0.23%	1.66%	1.43%
2017 Series E	100% of SOFR + .11%	\$ 25,000,000	1,221,048	1,242,466	21,418	0.09%	1.69%	1.60%
2017 Series G-1	100% of SOFR + .11%	\$ 25,000,000	1,216,308	1,224,990	8,681	0.03%	1.90%	1.87%
2017 Series G-1	100% of SOFR + .26%	\$ 30,000,000	1,459,570	1,561,167	101,597	0.34%	0.88%	0.55%
2022 Series C	65% of SOFR + .27%	\$ 19,325,000	651,074	664,000	12,927	0.07%	3.59%	3.52%
2022 Series C	70% of SOFR + .53%	\$ 12,500,000	415,014	491,895	76,881	0.62%	2.57%	1.95%
2022 Series C	70% of SOFR + .53%	\$ 12,500,000	415,014	491,895	76,881	0.62%	2.59%	1.97%
2022 Series C	75% of SOFR + .54%	\$ 10,000,000	332,011	418,872	86,861	0.87%	1.87%	1.00%
2022 Series C	72% of SOFR	\$ 15,000,000	387,986	390,004	2,018	0.01%	3.71%	3.70%
Total		\$ 207,325,000	7,980,275	8,481,093	500,818			
Weighted Average Percent			3.85%	4.09%	0.24%		2.00%	1.76%

Mortgage Purchase Program Summary of Delinquencies

	60 Days (Two Payments) Delinquent	90 Days or More Delinquent	In Foreclosure	Total
December 31, 2023				
MaineHousing	1.17 %	1.20 %	0.70 %	3.06 %
Maine – State*	0.68 %	1.05 %	0.99 %	2.72 %
December 31, 2022				
MaineHousing	1.07 %	1.27 %	0.64 %	2.98 %
Maine – State*	0.57 %	1.54 %	1.22 %	3.33 %
December 31, 2021				
MaineHousing	0.83 %	1.84 %	0.55 %	3.22 %
Maine – State*	0.56 %	2.35 %	1.16 %	4.07 %
December 31, 2020				
MaineHousing	1.06 %	3.59 %	0.50 %	5.15 %
Maine – State*	0.81 %	4.18 %	1.43 %	6.42 %
December 31, 2019				
MaineHousing	1.09 %	0.69 %	0.92 %	2.70 %
Maine – State*	0.79 %	1.13 %	1.77 %	3.69 %
December 31, 2018				
MaineHousing	1.17 %	0.82 %	1.41 %	3.40 %
Maine – State*	0.81 %	1.29 %	2.15 %	4.25 %
December 31, 2017				
MaineHousing	1.45 %	1.25 %	1.54 %	4.24 %
Maine – State*	0.90 %	1.64 %	2.54 %	5.13 %
December 31, 2016				
MaineHousing	2.61 %	1.43 %	1.74 %	5.78 %
Maine – State*	0.91 %	2.21 %	3.02 %	6.14 %
December 31, 2015				
MaineHousing	2.44 %	1.81 %	3.93 %	8.18 %
Maine – State*	0.92 %	2.47 %	2.93 %	6.32 %
December 31, 2014				
MaineHousing	2.44 %	2.59 %	5.80 %	10.83 %
Maine – State*	1.12 %	3.16 %	3.40 %	7.68 %
December 31, 2013				
MaineHousing	2.38 %	2.53 %	5.86 %	10.77 %
Maine – State*	1.29 %	2.47 %	5.00 %	8.76 %

Asset Management Department Memorandum

To: MaineHousing Board of Commissioners
From: Robert Conroy – Director, Asset Management
Date: May 15, 2024
Subject: May Board Report - Asset Management

Asset Management Reorganization Update

Over the last several months the Department has undertaken a series of modifications to its existing staffing structure to better assist staff in managing the multiple challenges dictated by the HUD-mandated ‘Housing Opportunity Through Modernization Act of 2016 (HOTMA)’ Federal program changes, increased production of housing development, new programs and funding sources as well as the significant shifts in the property insurance marketplace that have imposed financial challenges for many properties in the multifamily portfolio.

The most notable change involved the establishment of three Asset Manager Levels.

The first level is designed as an entry level position that will provide an opportunity for staff new to the Asset Manager position to learn the basics.

The second level is intended for the more experienced Asset Manager who is expected to understand the full scope of Programs and can comfortably manage a diverse multifamily portfolio.

The third level is for those Asset Managers that can apply competencies beyond the standard portfolio management duties. These duties may include special projects, workouts of troubled assets, onboarding new projects and technical program training assignments. In addition, these positions will assist the Portfolio Managers when needed.

We also eliminated the 4 Team structure to better improve communication and capacity-building throughout the Department.

Although just recently implemented, we are already seeing the positive impact of staff engagement with this new structure. And we are confident that we are now even better positioned for the work ahead.



Development Department Memorandum

To: MaineHousing Board of Commissioners
From: Mark C. Wiesendanger, Director of Development
Date: May 21, 2024
Subject: Monthly Report

2025-2026 Qualified Allocation Plan (QAP)

We will not ask the Board to adopt the QAP at this month’s Board meeting. The version of the QAP that was published for comment on March 27, 2024 included an incorrect, older version of Appendix E and related language in Sections 5A3 and 5A4. We are not making changes to Appendix E; the language will remain the same as what was included in the 2023-2024 QAP. Additionally, Section 5I3 referenced an older version of the QAP, which has been corrected to show only changes to the currently adopted language. Because of this oversight, we must publish the corrected version and allow 30 days for written public comment. The comments submitted previously will be addressed along with any additional comments received during this new comment period. We will ask the Board to adopt the corrected version of the QAP in June.

Below is the updated schedule of planned QAP milestones. Changes are highlighted.

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

2023 LIHTC (4%) RFP

We have scored the Applications for the 2023 4% LIHTC Request for Proposals. Applicants have been notified of their initial scoring and afforded 5 business days to dispute their respective scores. There were 9 initial Applications, and 8 that were scored. The Lofts on Cumberland was withdrawn. The winners will be announced shortly.

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.	L/A Area Housing Dev Corp	Lewiston	Older Adults	44	\$ 5,400,000
Oxford King Street	Caleb Foundation w/Andy J	Oxford	Open	30	\$ 4,762,609
Sunset Avenue	Bangor Housing	Bangor	Older Adults	50	\$ 6,000,000
The Lofts on Cumberland	Lincoln Avenue Capital	Portland	Older Adults	44	\$ 4,668,529
Waldoboro-VOANNE	VOANNE	Waldoboro	Older Adults	36	\$ 4,599,000
<i>Total Request</i>				<i>358</i>	<i>\$ 44,471,888</i>

Staff

The Development Team is expanding! After long searches for our various positions, we have found several talented individuals to round out our team.

Amy McCann joins us after proving her skills in HCV as our new Development Coordinator.
 Eric Poirier is stepping away from his family weatherization business to join us as a Loan Officer.
 Joshua Ward brings many years' experience in banking and mortgage lending as a Loan Officer.
 Basil DiBenedetto will be working as our summer intern as a member of Waynflete's Class of 24!

Please join us in welcoming our new staff!

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
Theresa Bray Knowles Place	Penquis Cap	HOME-ARP	Bangor	Family	36
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 Svs	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>	<i>23</i>			<i>New Units</i>	<i>525</i>
Millbrook Estates	Westbrook HA/EBM	4%	Westbrook	Senior	100
Oak Grove Commons*	Realty Resources	9%	Bath	Family	34
<i>Rehab Projects</i>	<i>2</i>			<i>Rehab Units</i>	<i>134</i>
Total Projects	25			Total Units	659

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

Colonial Valley & Mt Blue	WMCA	HOME-ARP	Farmington	Family	33
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>	743
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	1073

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
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 69**

Total Units 2869



2025-2026
Low Income Housing Tax Credit
Qualified Allocation Plan



CHAPTER 16 LOW-INCOME HOUSING TAX CREDIT RULE

Table of Contents

SECTION 1: INTRODUCTION.....1

SECTION 2: HOUSING NEEDS AND PRIORITIES.....1

SECTION 3: SET-ASIDES AND MAXIMUM CREDIT AMOUNT1

SECTION 4: ALLOCATION PROCESS2

SECTION 5: THRESHOLD REQUIREMENTS6

SECTION 6: SCORING CRITERIA11

SECTION 7: PROJECT EVALUATION19

SECTION 8: ALLOCATION OF CREDIT.....21

SECTION 9: TAX-EXEMPT BOND FINANCED PROJECTS.....23

SECTION 10: MONITORING.....23

SECTION 11: GENERAL26

STATUTORY AUTHORITY27

BASIS STATEMENT26

FISCAL IMPACT OF THE RULE.....30

APPENDICES:

- APPENDIX A: Definitions
- APPENDIX B: Pre-Application Submission Requirements
- APPENDIX C: Capital Needs Assessment Requirements
- APPENDIX D: Owner’s Certificate of Continuing Program Compliance
- APPENDIX E: Requirements for Purchase Options and Rights of First Refusal

SECTION 1: INTRODUCTION

The federal Low-Income Housing Tax Credit (LIHTC) was created by the Tax Reform Act of 1986 to encourage private capital investment in the development of affordable rental housing. It is governed by [Section 42](#) of the Internal Revenue Code of 1986, as amended, and associated regulations. As the designated housing credit agency for the State of Maine, MaineHousing is required by [Section 42](#) of the Code and [30-A MRS §§4741\(1\) and \(14\)](#) to adopt a Qualified Allocation Plan (QAP) for allocating and administering LIHTC; this rule is the State's QAP.

This rule repeals and replaces in its entirety the prior Chapter 16, *Low Income Housing Tax Credit Rule*, except that the allocation provisions continue to apply to projects that were awarded LIHTC under a prior rule, or a program subject to a prior rule.

Capitalized terms used in this rule are defined in **Appendix A**, unless the context otherwise indicates, or if not defined therein, have the same meaning as set forth in [Section 42](#) of the Code.

SECTION 2: HOUSING NEEDS AND PRIORITIES

MaineHousing and the Department of Economic and Community Development annually complete a statewide needs assessment as part of the Consolidated Housing and Community Development Plan. *Maine Consolidated Plan (2020-2024)* establishes the following housing priorities:

- A. expand affordable housing opportunities;
- B. improve and preserve the quality of housing; and
- C. help Maine people attain housing stability.

SECTION 3: SET-ASIDES AND MAXIMUM CREDIT AMOUNT

- A. Nonprofit Set-Aside. MaineHousing will set aside ten percent (10%) of the annual State Ceiling for Projects in which a Qualified Nonprofit Organization owns an interest and materially participates in the development and operation throughout the Compliance Period in accordance with [Section 42\(h\)\(5\)\(B\)](#) of the Code. An Applicant will qualify if it is owned by either a Qualified Nonprofit Organization, or a business corporation which is 100% owned by one or more Qualified Nonprofit Organization(s), and (in accordance with [Section 42\(h\)\(5\)\(C\)](#) of the Code) it is the general partner or manager/managing member and controls the Project's development and day-to-day operation.

- B. Preservation Set-Aside. MaineHousing will set aside up to \$750,000 of the annual State Ceiling for the preservation and rehabilitation of one existing multifamily rental housing project if the scope of rehabilitation meets the minimum requirements set forth in Section 5.C.2. and one of the following:
1. at least 25% of its units, or those in a Related Development, are assisted under a Rural Development program; or
 2. at least 25% of its units will be converted to Section 8 under HUD's Rental Assistance Demonstration (RAD) Program, Section 18 Demolition/Disposition Program or other HUD conversion programs.
- Demolition and reconstruction on an existing housing site will be treated as new construction and is not eligible for this set-aside.
- C. Maximum Credit Amount. The maximum amount of Credit that will be allocated for each Project is the least of (i) \$30,000 per Credit Unit, (ii) \$1,200,000, and (iii) the amount MaineHousing determines is necessary to ensure the Project's financial feasibility and long-term viability.

SECTION 4: ALLOCATION PROCESS

- A. Pre-Application Submission. Each Project must undergo a mandatory Pre-Application review by MaineHousing to assess its feasibility, suitability for housing, and eligibility for Credit. Applicants must submit the information and documents set forth in **Appendix B** with the pre-application fee specified in Section 4.C. to MaineHousing by Wednesday, July 3, 2024 for the 2025 round and by Thursday, July 3, 2025 for the 2026 round. An Applicant will not be eligible for Credit if
1. it fails to provide a complete Pre-Application submission in accordance with this subsection, or
 2. there is any material change in the Project between the Pre-Application submission and the Application unless required by MaineHousing.
- B. Application. Applications are subject to the following limitations, conditions and requirements:
1. Existing Housing.
 - a) Acquisition and Rehabilitation Projects. Projects that involve the acquisition and rehabilitation of Affordable Housing must include the addition of at least 20 new units, or meet the requirements of the Preservation Set-Aside in Section 3.B.

- b) Demolition of Existing Housing. Demolition of existing housing that has not been condemned or declared blight by a municipality is not eligible unless approved by MaineHousing.
 - 2. Deadline. The deadlines for submitting Applications are Thursday, September 19, 2024 for the 2025 State Ceiling and Thursday, September 18, 2025 for the 2026 State Ceiling.
 - 3. Format. The Application must be completed and submitted electronically in the form and manner prescribed by MaineHousing. Submitted exhibits must include proper documentation to provide evidence of all funding sources and official approvals. MaineHousing may require the Applicant to submit additional information.
- C. Fees. Applicants must pay the following fees when due. All fees are non-refundable.

Type of Fee	Amount	Due Date
Pre-application Fee	\$2,000	By Pre-application deadline in Section 4.A.
Application Fee	\$2,500	Postmarked for delivery by Application deadline in Section 4.B.2
Allocation Fee	7.5% of Credit	Earlier of Carryover Allocation (Section 8.B.) or Final Allocation (Section 8.A.)
Monitoring Fee*	\$1,000 per Credit Unit	Final Allocation (Section 8.A.)

*MaineHousing may charge an additional monitoring fee to cover any increased costs due to income averaging or other extraordinary monitoring requirements during the Compliance Period.

- D. Ineligible Applicants. An Application will be deemed ineligible if one or more of the following has occurred:
- 1. The Applicant, any Principal thereof, or Affiliates of either
 - a) has an uncorrected IRS Form 8823 in connection with any LIHTC Project to the extent it is correctable unless previously waived by MaineHousing;
 - b) has been declared in default or has been 60 calendar days or more delinquent on any loan with MaineHousing, unless the default or delinquency has been cured or there is an approved payment or workout plan in good standing prior to the Application deadline;
 - c) has ever been the owner of any project in which MaineHousing has foreclosed a mortgage interest or received a deed-in-lieu of foreclosure of a mortgage interest unless previously waived by MaineHousing;

- d) is presently debarred, suspended, proposed for debarment, or excluded from participation in any federal or state programs;
 - e) has sought to achieve early termination of an Extended Use Agreement through the written request to a housing credit agency to present a Qualified Contract;
 - f) has in the last 10 years either commenced or had commenced against it any proceeding in or for bankruptcy, receivership, reorganization or any other arrangement for relief from creditors commenced against it that affected a MaineHousing-funded project that was not dismissed within 90 calendar days; or
2. The tax credit syndicator, investor, or Affiliates of either
- a) transferred its interest in any LIHTC Project after March 25, 2014 in violation of the Ownership Transfer Rule;
 - b) failed to make any required capital contributions with respect to any LIHTC Project, and has not corrected such actions prior to the Application deadline;
 - c) has sought to achieve early termination of an Extended Use Agreement through the written request to a housing credit agency to present a Qualified Contract; or
 - d) has sought to undermine the exercise of a right of first refusal or purchase option with respect to any LIHTC Project by: (i) refusing to honor a right of first refusal or purchase option; or (ii) involvement in a lawsuit challenging the exercise of a right of first refusal or purchase option.

MaineHousing may reject the Application if it determines the deficiencies are not addressed. MaineHousing may also require financial statements from the Applicant, Principal thereof, or Affiliates of either.

- E. Notice to Local Jurisdiction. Upon receipt of an Application, MaineHousing will notify the Chief Executive Officer of the municipality with jurisdiction over the location of the proposed Project. The notice will provide for a 15-day comment period. MaineHousing will consider any comments received.
- F. Selection Process. Applications for the State Ceiling with the highest scores will be awarded Credit until the applicable State Ceiling is fully awarded.
 - 1. The preservation set-aside is limited to one Project. If the set-aside is not sufficient to complete the Project proposed in the highest scoring eligible Application, MaineHousing may allocate additional Credit, allocate the Credit under the set-aside to the next highest-scoring eligible Application that does not need more than the set aside, or not allocate any Credit under the preservation set-aside. All Applications that participate in the preservation set-aside and do not win will be placed on a waiting list.

2. The highest scoring Qualified Nonprofit Organization will be the winner of the nonprofit set-aside regardless of its ranking among other Applicants. If the set-aside is not fully awarded to the highest scoring eligible Applicant, MaineHousing may allocate additional Credit to the next highest scoring eligible Applicant for the set-aside, not fully allocate Credit under the set-aside, or require an Applicant that has not indicated that it is participating in the set-aside to participate in the set-aside. MaineHousing may, if necessary, require the Applicant to change its ownership structure. All Applications that participate in the nonprofit set-aside and do not win will be scored with the other Applications.
 3. Except as set forth above, MaineHousing will make awards in score order to select threshold-eligible Applications. If the last Application selected for an award of Credit needs more Credit than remains under the applicable State Ceiling, MaineHousing may elect to either (a) not award the remaining Credit to any Application, or (b) award additional Credit under the next annual State Ceiling to the Application. All threshold-eligible Applications that are not selected will be placed on a waiting list. Any Credit that is returned or is otherwise unused will be made available to waiting list Applications using this process.
- G. Notice to Proceed. MaineHousing will meet with each Applicant selected for a Credit award. If the Applicant accepts the Credit award conditions, MaineHousing will issue a Notice to Proceed. Applicants must execute and return the Notice within the time period specified.
- H. Credit Allocation. Upon receipt of the fully executed Notice to Proceed, MaineHousing will evaluate the Application pursuant to Section 7 to determine the amount of Credit, if any, to be allocated.
- I. Termination of Application or Notice to Proceed. MaineHousing will deem an Application withdrawn and any Notice to Proceed cancelled if one or more of the following occur without MaineHousing's written approval after the Application is submitted:
1. The Application or the Notice to Proceed is assigned or the Applicant or any Principal thereof changes;
 2. The location of the Project changes from the location identified in the Application;
 3. There is any change which would result in a net reduction in the Application's score;
 4. There is a change in the Project's design or financing from what was in the Application which results in a substantial increase in the amount of Credit or other MaineHousing funding required;
 5. The Project's TDC Index exceeds the TDC Index Cap;
 6. Failure to meet the threshold requirements in Section 5;

7. Any event in Section 4.D. occurs and is not cured within any applicable cure period; or
8. There is any other material or substantive amendment or change to the Application.

SECTION 5: THRESHOLD REQUIREMENTS

Applications must meet the following threshold requirements to be eligible for Credit:

- A. Affordability.
 1. The Project will comply with [Section 42](#) of the Code and this QAP for a minimum period of 45 years to maintain the Project as residential rental housing, keep at least 60% of the total Credit Units in a Project occupied by persons with 50% area median income and keep the Credit Units in the Project rent-restricted in accordance with [Section 42](#) of the Code.
 2. The Applicant waives the right to request MaineHousing to present a Qualified Contract under [Section 42\(h\)\(6\)](#) of the Code.
 3. The Applicant must submit a letter of intent from an investor (and, in the event of any change in investor, the replacement investor) in which the investor agrees to the granting of an option to purchase: (i) the Project; and (ii) the partnership interest of the limited partner(s) or membership interest of the non-managing member(s) of the Project owner (“Purchase Options”), to one or more of the general partner, managing member, developer or sponsor on terms that at a minimum satisfy the threshold requirements set forth in **Appendix E**. The investor must also agree in the letter of intent that the Purchase Options complying at a minimum with the threshold requirements in **Appendix E** will be included in the Project owner’s limited partnership agreement or limited liability company operating agreement.
 4. If the Applicant, general partner, managing member, developer, or sponsor of the Project is a Qualified Nonprofit Organization, the Applicant must submit a letter of intent from an investor (and, in the event of any change in investor, the replacement investor) in which the investor agrees to the granting of a right of first refusal (“ROFR”) to the Qualified Nonprofit Organization on terms that at a minimum satisfy the threshold requirements set forth in **Appendix E**. The investor must also agree in the letter of intent that the ROFR complying at a minimum with the threshold requirements in **Appendix E** will be included in the Project owner’s limited partnership agreement or limited liability company operating agreement.
- B. Total Development Cost (TDC). Cost reasonableness will be evaluated using an index, which is the weighted average of the TDC per unit and the TDC per bedroom. For mixed-use projects, the TDC for only the residential portion of the project, including common areas, will be used for this calculation. The weighted average will be calculated as follows:

$([2 \times \text{TDC}/\text{unit}] + [\text{TDC}/\text{bedroom}])$ divided by 3.

The product of this calculation will be referred to throughout this document as the “TDC Index”. An Application will be rejected if the TDC Index exceeds the TDC Index Cap below for a project of its type at any time prior to the later of the construction loan closing or carryover allocation.

Type of Project	TDC Index Cap
Adaptive Reuse	\$395,000per unit
New construction	\$370,000per unit
Acquisition and rehabilitation of existing housing	\$340,000 per unit

Demolition and reconstruction of all housing on the same site or another site will be treated as new construction. If a Project involves more than one project type, the TDC Index Cap for the Project is the average of the TDC Index Caps allocable to each type, weighted by the number of units of each type.

- C. Acquisition and Rehabilitation of Existing Housing. Projects that involve the acquisition and rehabilitation of existing multifamily housing are subject to the following:
1. Capital Needs Assessment. The Application must include a capital needs assessment satisfying the requirements set forth in **Appendix C**.
 2. Minimum Rehabilitation Requirements. The Rehabilitation Costs per unit of existing housing must be at least \$75,000.
 3. Relocation/Displacement. The Project must comply with MaineHousing’s *Temporary Relocation and Permanent Displacement Policies* and, if the Project is federally-assisted, all applicable federal requirements, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The Applicant must take reasonable steps to minimize the displacement of existing tenants of the Project. The Application must identify any tenants who will be permanently displaced and the reason for the displacement. The Project’s TDC must include all costs associated with permanent and temporary displacement or relocation. MaineHousing will not allocate Credit until it has approved a project’s relocation plan.
- D. Development and Management Experience and Capacity. Applicant teams must have sufficient knowledge, experience and capacity to adequately design, develop, complete, maintain, manage, and operate LIHTC Projects and to provide related services, such as accounting, tax and legal advice, and resident service coordination. If the Project will involve multiple subsidy sources in addition to LIHTC which results in overlapping targeting and rental restrictions, the Applicant team must have sufficient knowledge, experience and capacity to handle the increased complexity. If MaineHousing determines the Applicant’s team lacks sufficient qualifications, the team may be required to

1. hire a qualified consultant,
2. hire additional qualified staff, or
3. replace a team member.

E. **Site Control.** The Applicant must have site control of the Project throughout the Application process in the form of an option, a purchase and sale contract, ownership, or long-term lease. The Applicant, its agents, and MaineHousing must have access to the Project site, and if the Project is an existing occupied property, access to records and other information about the existing tenants, including current rent and income information.

F. **Growth Management Limitations.** A Project that involves the new construction or acquisition of newly-constructed residential rental property or the conversion of existing buildings to residential rental property must comply with the State’s Growth Management Law, [30-A M.R.S. §4349-A](#), as amended. Projects must meet one of the following two sets of criteria to be eligible for a Credit allocation:

1. If the municipality in which the Project is located has adopted a comprehensive plan or growth management plan that is consistent with applicable State law, then the Project must be in a designated growth area as identified in such plan; or
2. Otherwise the Project must be located in an area
 - a) served by a public sewer system with existing capacity for the Project,
 - b) identified as a census-designated place in the latest Federal Decennial Census, or
 - c) in an urban municipality and defined under [23 M.R.S. §754](#) as compact.

The law exempts projects that exclusively serve certain populations, such as persons with disabilities, who are homeless, or are wards of the State.

G. **Project Feasibility.** The Applicant must have the financial ability to develop and complete the Project and to operate it throughout the Compliance Period.

1. **Development Budget.** The Applicant must identify
 - a) all sources of funding for development and completion, whether direct or indirect, including the amount, timing, terms, conditions, and status (e.g. “applied for” or “committed”) as of the date of the Application and uses of the funding based on the projected costs of and schedule for developing and completing the Project; and
 - b) all sources and uses of funding for the Project, whether direct or indirect and whether they are included in the development budget for the Project.

2. Operating Budget. The Applicant must identify all
 - a) sources of income, including rent from the residential units, any income from commercial or non-residential space, and the amount, terms and conditions of rental or operating assistance; and
 - b) costs of operating the Project as projected over the Compliance Period. The Applicant also must identify all forms of property tax relief (such as a PILOT, tax abatement or exemption, or Tax Increment Financing) and other assistance that reduces operating costs.
3. Related Development. Any Related Development must be completed prior to or concurrently with the completion of the Project, and there must be sufficient funding to operate the Related Development.

If MaineHousing determines that the Application includes information that is inconsistent with applicable requirements or is unreasonable based on comparable LIHTC projects, industry standards, or market conditions, MaineHousing may where it deems appropriate re-characterize such information to assess Project Feasibility notwithstanding the identified issue with the information provided.

- H. Project Design and Construction Requirements. The design and construction or rehabilitation of the Project must comply with MaineHousing's Construction Standards and all applicable local, state and federal codes, regulations, statutes and ordinances. The latest version of Construction Services' *Quality Standards and Procedures Manual* can be found here: <https://www.mainehousing.org/programs-services/housing-development/construction-services>

Of particular note are updates to MaineHousing's energy efficiency standards.

When applicable, Projects must also comply with:

1. The Build America, Buy America Act (BABA), enacted as part of the Infrastructure Investment and Jobs Act, [Infrastructure Investment and Jobs Act, Pub. L. 117-58](#) and [2 CFR 184](#). BABA established a domestic content procurement preference for all Federal financial assistance obligated for infrastructure projects after May 14, 2022. The domestic content procurement preference requires that all iron, steel, manufactured products, and construction materials used in covered infrastructure projects are produced in the United States. This requirement is known as the "Buy America Preference" (BAP).

BABA FAQs

https://www.hudexchange.info/baba/faqs/?utm_source=HUD+Exchange+Mailing+List&utm_campaign=87c88d5f1e-BABA-FAQs-Now-Available-3.4.24&utm_medium=email&utm_term=0_-87c88d5f1e-%5BLIST_EMAIL_ID%5D

2. Section 3 of the Housing and Development Act of 1968 (12 U.S.C § 1701u) and its associated regulations (24 C.F.R. Part 75). The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent possible, provide training, employment, contracting and other economic opportunities to low- and very low-income persons, especially recipients of government assistance for housing, and to businesses that provide economic opportunities to low- and very low-income persons.

Please refer to the *Section 3 Contractor, Subcontractor and Subrecipient Package* on our website: https://mainehousing.org/docs/default-source/development/construction-services/other-documents/section-3-contractor-subcontractor-subrecipient-package.pdf?sfvrsn=26f28615_5

I. Project Amenities. The Project must have the following amenities and services:

1. Community Room. The Project must include an on-site community room with sufficient capacity to serve tenants' needs. For a scattered-site Project, only one community room is required and should be centrally located to the greatest extent possible to best serve all tenants.
2. Laundry Facilities. The Project must include either a washer/dryer hook-up in each unit or a fully accessible, centrally located laundry facility with sufficient capacity to serve all tenants.
3. Broadband Access. The Project must include broadband infrastructure with capacity sufficient to support the provision of Telehealth services.

Broadband infrastructure includes cables, fiber optics, CAT5e (or greater) interior wiring, or other permanent (integral to the structure) infrastructure, including wireless infrastructure, as long as the installation results in broadband infrastructure in each dwelling unit sufficient for the build-to standard of The Maine Connectivity Authority.

Healthcare service providers and the tenants receiving care may not be charged for the use of the internet or wireless and telephone services provided for telemedicine services.

4. Shared Facilities. An amenity will meet the requirements if the amenity:
 - a) is fully accessible and located on an accessible path to the Project,
 - b) is within an existing multifamily housing project adjacent to the subject site,
 - c) has sufficient capacity to serve both the Project's tenants and the existing project,
 - d) will be available to the Project's tenants during the Compliance Period on the same terms as the residents of the existing multifamily project, and

- e) will not charge the tenants to use the shared amenity other than a reasonable fee that does not exceed the amount charged to any others for the same use.
- 5. Recreational Activities. An area(s) of recreational activity must be located on the Project site or within a ½ mile. The area(s) and activities must be free of charge to the tenants and not require membership. Projects with single-family detached style units satisfy this requirement if each unit has a private lawn with sufficient room for playground equipment, gardening or other activities acceptable to MaineHousing.
- 6. Exceptions. The requirements of this subsection do not apply to existing multifamily housing projects if the Applicant cannot comply with the requirements because of the nature of the site, structural limitations, zoning restrictions or other land use limitations.
- J. Resident Service Coordination. The Applicant must make a resident service coordinator available twice weekly to the tenants on-site a minimum of one (1) hour per week for every five (5) Credit Units. The coordinator shall meet with tenants in a private and confidential manner to evaluate individual needs and make appropriate referrals. The services provided must be free of charge to the tenants. The Applicant must maintain adequate funding throughout the Compliance Period.
- K. Smoke-free Housing. The Applicant must
 - 1. implement a written occupancy policy prohibiting smoking in the units and common areas,
 - 2. include a non-smoking clause in the lease for every household, and
 - 3. make educational materials on tobacco treatment programs (including the phone number for the statewide Maine Tobacco HelpLine) available to all tenants through the resident service coordinator.
- L. Waiting List Preference. The Applicant must give an occupancy preference to eligible persons whose names are on a public housing or Section 8 waiting list, except for Projects: (i) financed by Rural Development, or (ii) with Section 8 Project-Based Rental Assistance (preference will apply to any Credit Unit without project-based rental assistance).

SECTION 6: SCORING CRITERIA

The Applicant must complete all information and submit all documentation required to be eligible for points.

Project Characteristics

A. Rehabilitation or Reuse of Existing Housing, Structure or Site.

5 Points

The Project site exhibits one or more of the following characteristics (1 point for each that applies):

1. Replacement or rehabilitation of existing rental housing containing 5 or more units without permanently displacing any existing tenants or increasing their housing costs (including rent and all other charges paid by the tenant) by more than 10%;
2. Rehabilitation, remediation, or reuse of an existing building or structure that has a current use other than multifamily rental housing;
3. One or more buildings or structures used for purposes other than single family residential housing or agriculture purposes, have been or will be demolished or removed for purposes of redeveloping the site;
4. Lots left vacant or nearly vacant in the development of a downtown or other city or town center, such as vacant lots or parking lots abutting commercial buildings and/or multifamily rental housing. Vacant lots in single-family residential areas are not eligible for points under this subsection. Undeveloped portions of existing sites are not eligible for points unless the existing project on the site previously satisfied one of the above criteria.

or

5. Specifically designated by a municipality for redevelopment to renew a blighted area or remediate environmental risks to the occupants.

B. Historic Rehabilitation. 5 points

The Project includes the rehabilitation of a certified historic structure using capital contributions generated from federal and state historic rehabilitation tax credits.

C. Populations with Special Needs. 6 points

The Project provides a set-aside for at least 20%, but not less than 4 of the units, for Persons Experiencing Homelessness or persons who have disabilities, are victims of domestic violence, or have other special housing needs, to create permanent supportive housing for persons who require that level of intervention within the special needs populations.

The Applicant must set aside units for the specific population(s) that qualify for the set-aside, maintain a separate waiting list for these units and make appropriate, voluntary services available through a qualified third-party provider other than the resident service coordinator required under Section 5.J. Additional funding from the Housing Trust Fund and/or Project-based Vouchers will be made available as necessary.

D. Family Housing. **Up to 6 points**

The Project is for families and a minimum percentage of the Credit Units are two and/or three or more bedroom units as follows:

Project for Families with Minimum Percentage of Credit Units by Bedroom Size	Points
At least 50% of the Credit Units are two or more bedroom units and at least 20% of the Credit Units are three or more bedroom units	6 points
At least 70% of the Credit Units are two or more bedroom units	3 points

E. Accessibility. **Up to 12 points**

One (1) point for each unit that

1. exceeds the minimum number of such units required by applicable federal and state accessibility laws, and
2. meets the requirements for a Type A unit under ANSI Standard A117.1-2009, up to the maximum points by project type below.

Type of Project	Maximum Points
Projects providing Housing for Older Adults	12 points
Projects that are not specifically for Older Adults or Families, having only 1 BR and/or efficiency units	9 points
Family Projects	6 points

Financial Characteristics

F. National Housing Trust Fund. **2 points**

The Applicant agrees to accept and use any funding from MaineHousing’s National Housing Trust Fund program for the Project. Any funding award will require a certain number of units in the Project to be affordable to and occupied by Extremely Low Income households. Awarding points is not a commitment of funding from the National Housing Trust Fund.

G. Acquisition Cost. **Up to 5 points**

Points are based on the percentage by which the acquisition costs are less than the average acquisition costs for a project of its type as follows:

Type of Project	Average Acquisition Cost
Acquisition and rehabilitation of existing housing	\$60,500 per unit
New construction	\$7,500 per unit

Adaptive Reuse	\$10,500 per unit
----------------	-------------------

For purposes of this subsection, acquisition costs include

1. the purchase price for all of the land and any existing building(s) even if donated or leased to the Applicant at below market value,
2. the cost of razing or demolishing any building(s) and structure(s), or any part thereof, on the Project site, and
3. the Capitalized Lease Value of all leases of land or land and building(s) that are part of the Project, with the exception of parking spaces.

The value of any project reserves transferred to the Project as part of the acquisition and included in the purchase price will not be included for purposes of this subsection.

Percentage of Project's Acquisition Cost as compared to Average Acquisition Cost	Points
0% to 1% (nominal)	5 points
>1% to 20%	4 points
>20% to 40%	3 points
>40% to 60%	2 point
>60% to 80%	1 point

H. Property Tax Relief. Up to 3 points

Points are based on the percentage of the Project's annual incremental property tax revenue returned to the Applicant or foregone by the taxing authority as follows:

Percentage and Duration of Tax Benefit or Relief	Points
50% to <75% for at least 15 years	1 point
50% to <75% for at least 30 years	2 points
≥ 75% for at least 15 years	2 points
≥ 75% for at least 30 years	3 points

Only Tax Increment Financing, payment in lieu of taxes, abatement, or other property tax relief arrangement approved by the taxing authority and all other applicable governing entities is eligible. A Project that is either a) located in a jurisdiction that does not assess property taxes or b) exempt from property taxes will be awarded one (1) point.

Funding made possible by an Affordable Housing TIF will not be eligible unless the Applicant submits a complete application for the TIF at least 30 calendar days before the applicable Application deadline (Tuesday, August 20, 2024 for the 2025 State Ceiling and Tuesday, August 19, 2025 for the 2026 State Ceiling.

Project Location

I. Housing Need.

Up to 10 points

Points are based on the need for the type of housing in an area as follows:

1. Projects providing Housing for Older Adults located in the following Service Center Communities:

Projects providing Housing for Older Adults			
Service Center Community			Points
Auburn Augusta Bangor Bath Biddeford Brunswick Falmouth Freeport	Kennebunk Kittery Lewiston Old Orchard Beach Portland Presque Isle Saco	Sanford Scarborough Skowhegan South Portland Topsham Waterville Westbrook Windham Yarmouth	10 points
Bar Harbor Belfast Blue Hill Brewer Bridgton Camden Caribou Damariscotta Dexter Dover-Foxcroft Ellsworth Fort Kent	Gardiner Hallowell Madawaska Mexico Norway Oxford	Rockland Rockport Rumford Southwest Harbor Van Buren Wiscasset	8 points
Bethel Bingham Guilford Boothbay Harbor Calais	Eastport Farmington Greenville Houlton Jackman	Newport	6 points

Cornish Danforth	Limestone Lincoln Mars Hill	Paris Pittsfield Rangeley Stonington	
	Millbridge Millinocket	Thomaston Winter Harbor	

2. Other Housing Projects in the following Service Center Communities:

Other Housing Projects (not specifically for Older Adults)			
Service Center Community			Points
Auburn Augusta Bangor Bath Biddeford Brewer Brunswick	Caribou Farmington Lewiston Old Orchard Beach Orono Portland Rumford	Saco Sanford Scarborough Skowhegan South Portland Waterville Westbrook Windham	10 points
Bar Harbor Blue Hill Dexter Ellsworth Falmouth Fort Kent Millinocket Gardiner	Hallowell Houlton Kittery Limestone Madawaska Mexico Yarmouth Newport Norway Paris	Presque Isle Rockland Rockport Topsham	8 points
Ashland Bethel Lincoln Bridgton Calais Columbia Falls Cornish Damariscotta Danforth	Dover-Foxcroft Greenville Machias Oxford Patten	Rangeley Southwest Harbor Stonington Thomaston Van Buren Winter Harbor Wiscasset	4 points

3. Projects located on Native American tribal lands will be awarded **8 points**.

For each QAP round, municipalities receive their Housing Need score from the immediately preceding QAP if that score was higher.

J. Community Revitalization. **Up to 5 points**

Two (2) points if the Project is located within the boundaries of and contributes to the revitalization goals and efforts identified in a Community Revitalization Plan.

Two (2) points if the Project is located in a QCT and at least 20% of the units are market rate.

One (1) extra point if the Project also involves the preservation of existing Affordable Housing.

K. Smart Growth. **Up to 15 points**

Smart Growth Feature	Points
Access to Public Transportation. The Project is located within a Safe Walking Distance (½ mile or less) of a designated pick-up location for existing Fixed-route Public Transportation.	5 points
Demand Response Transportation. Demand Response Transportation is available to all tenants with no eligibility criteria that would limit or deny service.	5 points
Proximity to Activities Important to Daily Living. Activities Important to Daily Living are located within not more than a ½ mile of the Project. (1 point per Activity)	Up to 5 points

Sponsor Characteristics

L. Readiness. **Up to 10 points**

MaineHousing must approve both the design to be submitted to the municipality and the State and the final design, including all plans, details and specifications. The Project and any Related Developments must have all

1. municipal land use approvals (except building and other permits customarily issued during construction), and **5 points**

2. State land use approvals (such as site plan, subdivision, storm water, or wetlands approvals) required to proceed with and complete construction. **5 points**

As of the Application date, the timeframe to appeal all such approvals must have expired with no appellate action being taken, or all appeals have been resolved.

M. Developer Capacity. **Up to 5 points**

Points are based on the development experience of the Applicant, any Principal thereof, or Affiliates of either as follows:

Successfully completed at least one multifamily rental housing project with MaineHousing funding or completed at least one LIHTC Project in another state(s).	5 points
Experience successfully developing and operating multifamily rental housing or experience managing Affordable Housing, <i>and</i> the Applicant has a contract with a qualified LIHTC consultant to develop the Project.	4 points
Experience successfully developing and operating multifamily rental housing.	3 points

N. Owner Performance. **Up to a 5 Point loss**

Points reductions are based on the recent performance of the Applicant. MaineHousing may reject the Application if it determines outstanding deficiencies are not addressed, or require financial statements from the Applicant, Principals thereof, or Affiliates.

Has been 60 calendar days or more delinquent in the payment of any MaineHousing loan since September 22, 2014 (except delinquencies resulting from the delay or loss of Section 8 housing assistance payments), was declared in default by MaineHousing, or needed a financial workout for any project within the last 5 years.	-2 points
Had LIHTC Projects still in their Compliance Period had a year-end operating deficit, in the last full Fiscal Year, unless the operating deficit was fully funded by the Application deadline.	-2 point
Was (a) issued an IRS Form 8823 from owner non-performance; or (b) had an IRS audit finding resulting in a recapture event, since September 22, 2016.	-1 point

O. Management Experience. **Up to 2 points**

The company that will manage the Project has at least

one (1) staff person with a minimum of three (3) years of experience successfully managing at least one (1) LIHTC Project.	1 point
one (1) staff person with LIHTC training for every 150 units in LIHTC Project(s) the company plans to manage.	1 point

P. Management Performance. **Up to a 3 point loss**

Management Companies which have shown instances of poor performance in their management of LIHTC Projects still in their Compliance Period may lose points as follows.

The average of the most recent physical plant inspection scores as of June 30 before the Application deadline is below Above Average.	-1 point
The average of Project Reports submission scores for the last reporting period as of June 30 before the Application deadline is below Above Average.	-1 point
The average of the most recent Management and Occupancy Review scores as of June 30 before the Application deadline is below Above Average.	-1 point

Q. Tie Breaker.

If more than one Application has the same score, the Application for the least amount of Credit and 0% deferred debt from MaineHousing per unit will have priority. If the Applications request the same amount of these resources, the Application with the most acceptable plan to convert the Project to affordable homeownership for the residents after the Extended Use Period will have priority. The plan must describe the process for transferring ownership to the residents, the purchase price or process for determining it, any financial assistance available for residents (including any reserves), how the affordability will be maintained, and must provide for homebuyer counseling and professional representation of the residents at the time of the conversion.

R. Review Process.

MaineHousing will notify each Applicant of its initial score in writing. If MaineHousing assigns a score in a scoring category which is lower than the score the Applicant assigned itself in the scoring category, the Applicant will have five business days from such written notice to demonstrate to MaineHousing that the Application as submitted should receive the higher score. MaineHousing will then make a final determination of scores and the ranking of Applications.

SECTION 7: PROJECT EVALUATION

A. Amount of Credit. The amount of Credit allocated will be determined as follows:

1. The calculation of the amount of Credit will be based on 130% of Eligible Basis. MaineHousing has designated the entire State as a DDA under [Section 42\(d\)\(5\)\(B\)\(v\)](#) of the Code because of the high cost of developing housing, the low median income, and the high annual operating costs for housing relative to other states;

2. To determine the amount of Credit, MaineHousing will use the lesser of (a) the market rent, based on the Application market study as approved by MaineHousing, and (b) the maximum Credit rent. For three or more bedroom units MaineHousing will use the maximum Credit rent for two-bedroom units plus \$50.00;
 3. The amount of Credit allocated for a Project will not exceed the least of
 - a) the amount the Project is eligible to receive under [Section 42](#) of the Code,
 - b) the amount MaineHousing determines is necessary for financial feasibility and viability throughout the Credit Period, and
 - c) the Maximum Credit Amount;
 4. The Applicant must submit financial and all other required information. MaineHousing will evaluate the need for Credit based on
 - a) all sources of financing, including the terms and conditions,
 - b) equity expected to be generated by reason of tax benefits, and
 - c) the uses of funds, including the reasonableness of development costs and operating expenditures; and
 5. In order to determine the amount of Credit, MaineHousing must identify a gap between development sources and uses absent a Credit allocation. MaineHousing may limit recognition of Intermediary Costs, re-characterize Project sources and uses and make reasonable assumptions with respect to projected revenues and expenses. MaineHousing will also take into consideration any federal limitations when combining the Credit with other federal assistance (i.e. “subsidy layering” guidelines).
- B. Developer Fee. Developer Fee will be determined as follows:
1. Maximum Developer Fee. The total Developer Fee may not exceed the sum of 15% of the Housing Development Costs, plus 10% of the costs of acquisition of land, existing buildings and equipment, determined without regard to the Developer Fee.
 2. Net Developer Fee. The amount of Developer Fee not deferred may not exceed \$750,000 plus any unused construction contingency returned to the Applicant after completion.
 3. Additional Developer Fee. An Applicant is eligible for Developer Fee in excess of the Net Developer Fee calculated above only if it is deferred and used to increase the tax credit basis.
- C. General Contractor Intermediary Costs. The general contractor’s Intermediary Costs must be:
1. separated from other construction and rehabilitation costs,

2. with general conditions and overhead and profit parsed out, and
3. no more than 14% of the Total Construction Cost, within the following ranges:
 - a) General conditions up to 6% of Total Construction Cost, and
 - b) Overhead and profit up to 8% of Total Construction Cost

D. Time of Credit Determination. MaineHousing will determine the amount of Credit at the time of

1. Application, which will be evidenced by the Notice to Proceed;
2. the allocation of Credit, including any carryover allocation;
3. the date each Qualified Building is Placed in Service; and
4. if a Qualified Building is allocated Credit pursuant to Section 9, the date of issuance of the tax-exempt bonds.

Prior to each determination, the Applicant must certify the full amounts of all funding sources and provide any other information required by MaineHousing.

E. Market Study. The applicant must submit a comprehensive market study prepared by a qualified professional in accordance with the *National Council of Housing Market Analysis Model Standards for Market Studies for Rental Housing*. MaineHousing may require the Applicant to either correct any inadequacies it identifies or submit a new market study. MaineHousing also may elect to commission its own market study.

F. Construction Cost Increases. MaineHousing may allocate additional Credit to a Project if its construction costs increase after the Application date and the increase is the result of market conditions or other circumstances beyond the Applicant's control. Any additional Credit will not exceed an amount necessary to generate equity equal to 5% of the Total Construction Cost based on construction bids.

SECTION 8: ALLOCATION OF CREDIT

A. Allocation. MaineHousing will issue one or more IRS Form(s) 8609 after receipt of the following:

1. A complete request for allocation of Credit in a form prescribed by MaineHousing.
2. An audit report on the schedule of project costs prepared by an independent, third party certified public accountant including all associated costs (such as commissions, due diligence, legal, accounting, reserves, and other similar items).

3. Certification of the Project's sources, including all federal, state and local subsidies in any stage of commitment. This certification must include income, operating and development cost projections and methods for satisfying any deficits.
4. The allocation fee and monitoring fee less the amount of any allocation fee paid in connection with the issuance of a carryover allocation.

B. Carryover Allocation.

1. The Applicant must submit the following to receive a carryover allocation:
 - a) A complete request for carryover allocation in the form prescribed by MaineHousing no later than the first day of December of the year in which the carryover allocation is made.
 - b) Certification of the Project's sources, including all federal, state and local funding. This certification must include income, operating and development cost projections and methods for satisfying any deficits.
 - c) Development progress report, including completion likelihood.
2. The applicant must execute a carryover allocation and return it to MaineHousing, together with the allocation fee, no later than December 31 of the year in which the carryover allocation is made.
3. A carryover allocation will be subject to the following conditions:
 - a) satisfactory evidence that more than 10% of the Project's reasonably expected basis is incurred within 12 months of the carryover allocation, including an audit report prepared by an independent, certified public accountant; and
 - b) any performance conditions MaineHousing may require.

Failure to comply with these conditions may result in termination of the carryover allocation.

C. Tax Credit Compliance Experience. Prior to an allocation the Applicant must demonstrate that the entity managing the Project has sufficient Credit compliance experience and training. The entity must complete a Credit compliance training or receive a certification from a MaineHousing-approved trainer.

D. Extended Use Agreement. Prior to an allocation of Credit, the Owner must enter into an Extended Use Agreement with MaineHousing obligating the Owner to comply with [Section 42](#) of the Code, the threshold requirements in Section 5, and commitments for which the Application was awarded points. The Extended Use Agreement must be recorded in the

appropriate registry of deeds prior to all mortgage liens and encumbrances on the Project and before MaineHousing issues any IRS Form 8609 for the Project.

- E. Converting a Carryover Allocation. MaineHousing may convert a carryover allocation to the year in which it is terminated or the following year if there are extenuating circumstances beyond the Applicant's control. The carryover allocation must be rescinded by the mutual consent of MaineHousing and the Applicant. There can be no change in the design or financing that would render the Application withdrawn under Section 4.I. The Project will be subject to the QAP in effect at the time of the original allocation.
- F. Forward Allocation of Credit. MaineHousing may issue a binding commitment to allocate State Ceiling available in the subsequent year upon determining that the amount of Credit in the current year's State Ceiling is insufficient.

SECTION 9: TAX-EXEMPT BOND FINANCED PROJECTS

Projects financed with tax-exempt bond proceeds must satisfy all QAP requirements except

- A. the Maximum Credit Amount limitation in Section 3.C.,
- B. the application limits in Section 4.B.1.,
- C. the application deadlines in Section 4.B.2.,
- D. the selection process described in Sections 4.F.,
- E. the affordability threshold requirement set forth in Section 5.A.,
- F. the requirement of a minimum \$75,000 per unit of Rehabilitation Costs for Projects involving the acquisition and rehabilitation of existing housing in Section 5.C.2.,
- G. the scoring criteria in Section 6, and
- H. the Developer Fee limits in Section 7.B.

SECTION 10: MONITORING

- A. Compliance with Applicable Laws. Owners must comply with all local, state and federal laws and regulations, including without limitation:
 - 1. [Section 42](#) of the Code and associated regulations and guidance;
 - 2. UPCS and all other local, state and federal health, safety and building codes applicable to the Project;

3. the [Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968](#), as amended by the Fair Housing Amendments Act of 1988 ([42 U.S.C. §3601 et seq.](#)), Title II of the Americans with Disabilities Act of 1990 ([42 U.S.C. §12101 et seq.](#)), and the Maine Human Rights Act ([5 M.R.S., Chapter 337, Subchapter IV](#)) and all other applicable federal, state and local fair housing and accessibility requirements, and the regulations, guidance and standards associated with all of the foregoing; and
 4. Title VI of the Violence Against Women Reauthorization Act of 2013, [42 USC Chapter 136, Subchapter III, Part M](#), and all associated regulations and guidance, as may be amended (VAWA).
- B. Recordkeeping and Record Retention. Each Owner must keep on file and available to MaineHousing upon request the following records for each Qualified Building in its LIHTC Project(s) for each year in the Extended Use Period:
1. The total number of residential rental units including the number of bedrooms and the square footage of each unit;
 2. The number of low-income units;
 3. The rent charged for each unit including any utility allowances;
 4. The number of occupants in each low-income unit;
 5. The number of low-income unit vacancies and information showing when, and to whom, the next available units were rented;
 6. Income certification and third-party documentation verifying the income of each household occupying a Credit Unit at the time of initial occupancy and for each new person added to the household after initial occupancy;
 7. Annual income certifications and third-party documentation verifying the income of each household occupying a Credit Unit in a LIHTC Project are required if not all of the units in the LIHTC Project are Credit Units, or the LIHTC Project is financed or assisted under a state or federal program that requires annual certifications.

For a LIHTC Project with 100% Credit Units that are subject to more than one income limit, annual income certifications are only required for the households occupying the Credit Units subject to the lower income limits. The annual certification may be a self-certification, except that third-party documentation verifying the income of the household is required every 6 years from the date the LIHTC Project is Placed in Service and otherwise upon request by MaineHousing. The self-certification must be

- a) in writing,

- b) include the size of the household and annual household income,
- c) state that the information is complete and accurate,
- d) indicate that third-party source documentation will be provided if requested by the Owner or MaineHousing, and
- e) witnessed.

Annual income certifications are not required for a LIHTC Project with 100% Credit Units subject to the same income limit.

- 8. The Eligible Basis and Qualified Basis of each Qualified Building at the end of the first year of the Credit Period;
- 9. The character and use of the nonresidential portion of a Qualified Building included in its Eligible Basis;
- 10. A determination of the student status of the resident household;
- 11. The tenant occupancy policies and procedures and lease. The lease form and content must be acceptable to MaineHousing and comply with all applicable federal, state and local laws (including VAWA); and
- 12. All other disclosures to tenants, certifications and other records required by applicable local, state and federal laws.

Owners must maintain these records throughout the Extended Use Period for at least 6 years after the due date (with extensions) for filing the federal income tax return for that year, except that the records for the Credit Period's first year must be retained at least 6 years beyond the due date (with extensions) for filing the federal income tax return for the last year of the Compliance Period.

C. Annual Reports. Each Owner must submit the following to MaineHousing by March 1st of each year throughout the Extended Use Period:

- 1. Certification for the prior calendar year that the Owner's LIHTC Project(s) comply with IRS Treasury Regulation §1.42-5(c)(1) and *MaineHousing's Low Income Housing Tax Credit Program Owner's Certificate of Continuing Program Compliance* attached hereto as **Appendix D**. A completed and executed IRS Form 8609 for each Qualified Building must be submitted with the first certification; and
- 2. Certain information and data about the tenants in Credit Units for the prior calendar year, including household income; monthly rental payments; family composition; use of Section 8 rental assistance and other similar assistance; the race, ethnicity, age and

disability status of the members of the households; and all other occupancy information required by MaineHousing.

- D. Review. For new LIHTC Projects, MaineHousing will complete a review of tenant records within two (2) years following the year the last Qualified Building is Placed in Service. MaineHousing will give owners reasonable prior written notice of a review. To the extent required by the Internal Revenue Service (IRS), MaineHousing will inspect low income certifications and tenant records in accordance with IRS Treasury Regulation §1.42 5(c)(2)(iii)(A) through (D) and §1.42 5(d) and will give no more than 15 calendar days prior notice.
- E. Inspections. Every one to three years after a Project is Placed in Service, MaineHousing will inspect LIHTC Projects. For new LIHTC Projects, MaineHousing will inspect Credit Units by the end of the second calendar year following the year the last Qualified Building is Placed in Service. MaineHousing will give reasonable prior written notice. To the extent required by the Internal Revenue Service, MaineHousing will inspect the LIHTC Projects in accordance with IRS Treasury Regulation §1.42 5(c)(2)(iii)(A) through (D) and §1.42 5(d) and will give no more than 15 calendar days prior notice.
- F. Utility Monitoring. For all projects funded in Year 2 of this QAP, monitoring of all utilities for all units will be required based on the HUD submission model for PHAs.
- G. Notification of Noncompliance. MaineHousing will notify an Owner in writing of any failure to
 1. submit any complete certifications or information required by MaineHousing when due,
 2. allow MaineHousing to perform any review or inspection required under this Section, or
 3. comply with [Section 42](#) of the Code or any others requirements under this QAP.

The Owner will have a reasonable period of time to correct the noncompliance identified in the notice. MaineHousing will file a Form 8823, “Low-Income Housing Credit Agencies Report of Noncompliance” with the Internal Revenue Service within 45 calendar days of the end of the correction period.

SECTION 11: GENERAL

- A. Conflicts. If this rule conflicts with [Section 42](#) of the Code or any other provision of federal or State law, the federal or State law shall control.
- B. Full Discretion. MaineHousing is entitled to the full discretion allowed by law in making all decisions and interpretations under this rule.

- C. Not an Entitlement. This rule establishes a pool of eligible Applicants but does not preclude additional reasonable criteria and does not confer any automatic right or entitlement to Credit on any person or entity eligible hereunder. MaineHousing may reject any and all Applications and may refuse to award any or all of the Credit.
- D. Final Agency Action. The director of MaineHousing, individually or by exercise of the delegation of powers contained in the Act, shall make all decisions and take all action necessary to implement this rule. Such action of the director shall constitute final agency action.
- E. Waiver. Upon a determination of good cause, the director of MaineHousing or the director's designee may, subject to statutory limitations, waive any provision of this rule. The waiver must be in writing and must be supported by documentation of the pertinent facts and grounds.
- F. Freedom of Access Act. MaineHousing is subject to the Freedom of Access Act, [1 M.R.S. §401 et seq.](#), which requires the disclosure of all information provided to MaineHousing that is not specifically excluded, such as confidential information under the Act. MaineHousing shall not be liable for the disclosure of any information that it determines must be disclosed under the Freedom of Access Act.
- G. Liability. Compliance with [Section 42](#) of the Code is the responsibility of the Owner. MaineHousing is in no way responsible for an Owner's compliance or liable for an Owner's noncompliance. Any allocation, review or inspection by MaineHousing and any determination made by MaineHousing pursuant to this QAP is for the sole benefit of MaineHousing. No liability or responsibility for Owner compliance with [Section 42](#) of the Code or other applicable requirements and no representation or warranty of a Project's feasibility or viability, eligibility for Credit, or compliance shall be implied or construed from any such actions and determinations by MaineHousing.
- H. Headings/Context. The headings in this rule are for convenience only and do not define or limit the scope of the provisions of this rule. The use of Section, Subsection or Appendix without a reference to another document or source refers to a section, subsection and Appendix of this rule. All Appendices attached to this Rule are incorporated herein and made a part of this Rule.

STATUTORY AUTHORITY: [30-A MRS §§4741\(1\) and 4741\(14\)](#), [Section 42](#) of the Internal Revenue Code of 1986, as amended

BASIS STATEMENT: This rule is the qualified allocation plan for allocating and administering federal low income housing tax credits ("LIHTC") in the State of Maine, which MaineHousing, as the State's designated housing credit agency, is required to adopt pursuant to [Section 42](#) of the Internal Revenue Code and the above-referenced sections of the Maine Housing Authorities Act.

This rule replaces the prior rule and includes the following changes:

Throughout:

- Updated deadlines
- Updated Section number references
- Repaired grammatical errors (punctuation, typos, correcting defined terms, etc.)

Section 3B: Updated Preservation Set-Aside amount to \$750,000.

Section 3C: Increased the amount of credit per unit to \$30,000 from \$20,000, and changed the maximum amount of credit per project to \$1,200,000.

Section 4A: Pre-apps due July 3, 2024 and July 3, 2025.

Section 4B2: Applications due September 19, 2024 and September 18, 2025.

Section 4B3: Added language: “Submitted exhibits must include proper documentation to provide evidence of all funding sources and official approvals.”

Section 4I4: Updated language to clarify.

Section 4I5: Added language “in the case of a TDC Index Cap waiver, the TDC Index increases substantially”

Section 5A: Removed Section 811 language.

Section 5A3 Revised to revert the language back to the language that was adopted in the 2023-2024 QAP. MaineHousing had made changes to the 2023-2024 QAP after a public hearing and those changes were adopted, however in the version MaineHousing published for the 2025-2026 QAP, those changes were inadvertently left out. MaineHousing did not intend to make any changes to this Section.

Section 5A4 Revised to revert the language back to the language that was adopted in the 2023-2024 QAP. MaineHousing had made changes to the 2023-2024 QAP after a public hearing and those changes were adopted, however in the version MaineHousing published for the 2025-2026 QAP, those changes were inadvertently left out. MaineHousing did not intend to make any changes to this Section.

Section 5B: Increased the TDC Index caps.

Section 5C: Increased Rehabilitation Costs per unit of existing housing from \$50,000 to \$75,000.

Section 5G: Updated and clarified re-characterization language.

- Section 5H: Added a link to the latest version of the Quality Standards and Procedures Manual and noted energy efficiency standards. Additionally, updated Build America, Buy America requirements, removed electrical raceway/conduits language and relocated and updated Section 3 language.
- Section 5I3: Revised to revert the language back to the language that was adopted in the 2023-2024 QAP then revised to update the language to be consistent with the changes that were provided in the 2025-2026 version of the QAP that was published. Changed Broadband Capabilities to “Broadband Access” and indicated that the project must include broadband infrastructure with capacity sufficient to support the provision of Telehealth services. Separated out the definition of Broadband infrastructure and removed “ConnectMaine”. Deleted “If the broadband capabilities are used for telemedicine services”.
- Section 5J: Added that the resident service coordinator must be available twice weekly which is the appropriate number of days each week acceptable to MaineHousing.
- Section 6: Renumbered and reorganized the scoring criteria.
- Section 6A: Increased the scoring points for Rehabilitation or Reuse of Existing Housing, Structure or Site from 4 to 5.
- Section 6B: Increased the scoring points for Historic Rehabilitation from 4 to 5.
- Section 6E: Updated the scoring points for Accessibility to increase 6 points to 9 points for Projects that are not specifically for Older Adults or Families, having only 1 BR and/or efficiency units and to add 6 points for Family Projects.
- Section 6F: Increased the scoring points for National Housing Trust Fund from 1 to 2.
- Section 6G: Increased the scoring points for Acquisition Cost from 4 to 5, increased the average acquisition cost per unit and increased the percentage of project’s acquisition cost as compared to average acquisition cost and the associated points.
- Section 6I: Decreased the scoring points for Housing Need from 10 to 8 and updated the Service Center Community Cities/Towns for both Project providing housing for Older Adults and Other Housing Projects and the associated points. Additionally, adjusted the points for Projects located on Native American tribal lands from 10 points to 8 points.
- Section 6J: Increased the scoring points for Community Revitalization from 3 to 5 and added two points for Projects located in a QCT with at least 20% of the units at market rate.

- Section 6K: Adjusted the scoring points and criteria for proximity to activities important to daily living to up to 5 points for activities important for daily living that are located within not more than a ½ mile of the Project, 1 point per activity.
- Section 6L: Increased the scoring points for Readiness and provided a breakdown of the points for different categories.
- Section 6M: Added the word “successfully” to the scoring criteria for two categories.
- Section 6N: Changed to negative points for bad performance.
- Section 6O: Reduced the weight of the scoring criterion from 5 points to 2.
- Section 6P: Changed to negative points for bad performance.
- Section 10F: Added Utility Monitoring to begin in Year 2 of the QAP.
- Section 11H: Added a reference to Appendices for clarity.
- Appendix A: Change made to “Activities Important to Daily Living” definition adjusting retail store to a store that offers regularly purchased household supplies.

Deleted the definition for “Telemonitoring.”
- Appendix B: Language was added to require any available radon test results for the Project site.
- Appendix E: Revised to revert the language back to the language that was adopted in the 2023-2024 QAP. MaineHousing had made changes to the 2023-2024 QAP after a public hearing and those changes were adopted, however in the version MaineHousing published for the 2025-2026 QAP, those changes were inadvertently left out. MaineHousing did not intend to make any changes to Appendix E.

PUBLIC COMMENT:

Process:

Notice of Agency Rule-making Proposal (MAPA-3) was submitted to the Secretary of State for publication in the March 27, 2024 edition of the appropriate newspapers. Additionally, MaineHousing sent the proposed rule to Interested Parties on March 27, 2024 and published the proposed rule on its website on March 27, 2024. MaineHousing held a public hearing on April 16, 2024. The comment period was held open until April 26, 2024 at 5:00 PM.

A second Notice of Agency Rule-making Proposal (MAPA-3) was submitted to the Secretary of State for publication in the May 15, 2024 edition of the appropriate newspapers. Additionally, MaineHousing sent the proposed rule to Interested Parties on May 15, 2024 and published the proposed rule on its website on May 15, 2024. No public hearing was held. The comment period was held open until June 14, 2024 at 5:00 PM.

FISCAL IMPACT OF THE RULE: The 2025 State of Maine ceiling of federal low-income housing tax credits is projected to raise approximately \$ 34,700,000 of private investor capital, and the 2026 State of Maine ceiling of federal low-income housing tax credits is projected to raise approximately \$ 35,300,000 of private investor capital. The private investor capital generated by the federal low-income housing tax credits will be used to develop affordable housing for low-income persons. Additionally, it is estimated that 1,400 jobs a year will be created with this investment. The rule will not impose any costs on municipalities or counties for implementation or compliance.

EFFECTIVE DATE:

DRAFT

APPENDIX A

Definitions

“Above Average” means an average overall score of 4 in the rating category - Physical plant inspections, Project Reports submissions, or Management and Occupancy Reviews. Physical plant inspections, and Management Occupancy Reviews are scored on the following scale: 1- Unsatisfactory, 2 – Below Average, 3 – Average, 4 – Above Average, and 5 – Superior. Project Reports submissions are scored as 5-Timely Submission and 1-Late Submission for each required submission report – Audited Financial Review (AFR), Budget, and Owner Certification of Continued Compliance.

“Act” means the Maine Housing Authorities Act, [30-A M.R.S. §4701 et seq.](#), as may be amended from time to time.

“Activities Important to Daily Living” means activities or destinations that are important to the course of daily living of the population served by the Project, which include a grocery store, a public school only if the Project is housing for families, a daycare only if the Project is housing for families, a senior center only if the Project is Housing for Older Adults, a pharmacy, a bank or credit union, a post office, a store that offers regularly purchased household supplies, a general health care practitioner’s office, a public library, a location where people socialize, a hospital and other activities or destinations approved by MaineHousing. Convenience stores and gas stations are not eligible destinations for purposes of this subsection. If there is more than one activity or destination important to the course of daily living within a single establishment, each activity or destination will be counted separately (e.g. a retail store that also includes a pharmacy and a bank branch will be treated as 3 destinations important to the course of daily living).

“Adaptive Reuse” means the conversion of an existing non-housing building or structure to multi-family residential rental housing or the reconstruction of existing housing that has become functionally obsolete, as determined by MaineHousing.

“Affiliates” means any person or entity directly or indirectly controlling, controlled by, or under common control with another person or entity.

“Affordable Housing” means multi-family rental housing that has five or more units and is assisted under a HUD or Rural Development program or is subject to a restrictive covenant requiring units in the housing to be restricted to households with income at or below 60% of area median income, as determined by HUD.

“Affordable Housing TIF” means an affordable housing development district and development program approved by MaineHousing pursuant to MaineHousing’s Affordable Housing Tax Increment Financing Program, [30-A M.R.S., Chapter 206, Subchapter 3](#) and the Act, as may be amended.

“Applicant” means the entity applying for Credit, its successors and assigns, which must be the entity that will be the owner of the Project for tax purposes; must be duly organized and validly existing under the laws of the state in which it is formed, and if not formed in this State, must be

duly authorized to conduct business in this State; and must be in good standing under the laws of this State and its state of formation, if not this State.

“Application” means an application to MaineHousing for an allocation of Credit.

“Capitalized Lease Value” means the net present value of all lease payments under a lease calculated over the term of the lease using the 10-year Treasury note rate 60 calendar days before the Application deadline plus 300 basis points.

“Code” means the Internal Revenue Code, Title 26 of the United States Code, and applicable regulations promulgated pursuant thereto, as may be amended.

“Community Revitalization Plan” means (1) a community that has been designated by HUD or RD as an Empowerment Zone, a Renewal Community or Enterprise Community, or a Neighborhood Revitalization Strategy Area; or (2) a written plan that was formally adopted by the governing body of a municipality no more than twelve (12) years prior to the Application deadline following a concerted planning process and public input, specifically targets a neighborhood or area in the community (not a single building or site or the entire municipality) for redevelopment or revitalization, and includes (a) an assessment of the existing physical structures and infrastructure of the area, (b) detailed policy goals with respect to economic redevelopment, the rehabilitation or development of housing (including multi-family rental housing) and the improvement or expansion of infrastructure, and (c) proposed activities and a timetable for implementing the policy goals. Plans for a single development and plans formulated by or on behalf of the Applicant are not Community Revitalization Plans. A comprehensive plan that meets all of the requirements in (2) may qualify.

“Compliance Period” means the period defined in Section 42(i)(1) of the Code.

“Credit” or “LIHTC” means the low-income housing tax credit established pursuant to [Section 42](#) of the Code and allocated pursuant to this rule.

“Credit Period” means the period defined in Section 42(f)(1) of the Code.

“Credit Units” means units in a Project that are eligible for Credit.

“Demand Response Transportation” means on-call transportation services that operate at least 3 days per week and provide service throughout the day.

“Developer Fee” means the total compensation for the work, costs and risks associated with developing a Project, including without limitation, creating the Project concept, identifying and acquiring the Project site, obtaining construction and permanent financing, obtaining necessary subsidies, negotiating the syndication of investment interests in the Project, obtaining all necessary regulatory approvals, constructing and/or rehabilitating the Project and marketing, and includes all amounts paid to consultants to perform this work, except fees for professional services such as environmental assessments, rental market studies, soil tests, and water tests, and includes all reserves, in the form of cash, expected to be paid to the tax credit developer from the Project.

“DDA” means an area of the State that is designated by HUD as a difficult development area

pursuant to [Section 42\(d\)\(5\)\(B\)\(iii\)](#) of the Code or an area of the State that is designated by MaineHousing as a difficult-to-develop area in Section 7.A.3 pursuant to [Section 42\(d\)\(5\)\(B\)\(v\)](#) of the Code.

“Extended Use Agreement” means an agreement that satisfies the requirements of [Section 42\(h\)\(6\)\(B\)](#) of the Code.

“Extended Use Period” means the period of time specified by MaineHousing in the Extended Use Agreement executed in connection with a Project pursuant to [Section 42\(h\)\(6\)\(D\)](#) of the Code, which is the period set forth in Section 5.A. for Projects allocated Credit under the State Ceiling.

“Extremely Low Income” means income that is at or below 30% of the area median income as determined pursuant to the regulations and guidance governing the National Housing Trust Fund.

“Family Housing” means housing for families that qualifies for points under the Family Housing scoring criteria set forth in Section 6.E.

“Fiscal Year” means the fiscal year for a LIHTC Project as defined in the Owner’s organizational documents.

“Fixed-route Public Transportation” means year-round, regularly scheduled public transportation that operates at least 5 days per week and provides regular service throughout the day.

“Housing Development Costs” means the total of all direct and indirect costs incurred in financing, creating, purchasing or rehabilitating a LIHTC Project except the costs attributable to the acquisition of the land and any existing buildings as determined by MaineHousing.

“Housing for Older Adults” means a Project that is designated as elderly or senior housing and receives funding and project-based rental assistance under a RD or HUD multi-family elderly housing program (such as [RD’s Section 515 Rural Rental Housing Program](#) and [HUD’s Section 202 Supportive Housing for the Elderly Program](#)) or that meets the definition of “housing for older persons” under the federal [Fair Housing Act, 42 U.S.C. §3607\(b\)\(2\)](#) and the Maine Human Rights Act, [5 M.R.S. §4581 et seq.](#) and all associated regulations, as may be amended.

“HUD” means the United States of America acting through the United States Department of Housing and Urban Development.

“Intermediary Costs” means all Housing Development Costs except the actual construction costs or eligible rehabilitation costs under [Section 42\(e\)](#) of the Code attributable to the development of the units.

“IRS” means the United States Department of Treasury, Bureau of Internal Revenue Service.

“LIHTC Project” means a qualified low-income housing project as defined in and governed by [Section 42\(g\)](#) of the Code.

“MaineHousing” means Maine State Housing Authority.

“MaineHousing’s Construction Standards” means MaineHousing’s [Quality Standards and Procedures Manual](#) in effect 60 calendar days prior to the applicable deadline for an Application for Credit which include without limitation certain energy efficiency standards and UPCS and incorporate MaineHousing’s accessibility policy and procedures.

“Maximum Credit Amount” means the maximum amount of Credit a Project is eligible to receive pursuant to Section 3.C.

“National Housing Trust Fund” means the Housing Trust Fund established under Title I of the Housing and Economic Recovery Act of 2008, [12 U.S.C. §4568](#), together with associated regulations and guidance now or hereafter promulgated pursuant thereto.

“Net Developer Fee” means the Developer Fee with respect to a Project that does not exceed the applicable limit set forth in Section 7.B.2., including any portion thereof that is deferred or loaned to pay for costs associated with the Project (and does not include any additional Developer Fee allowed under Section 7.B.3).

“Notice to Proceed” means the notice that a Project has been selected for further evaluation to determine the Project’s eligibility for Credit and the amount of Credit to be allocated for the Project. The Notice to Proceed will require the submission of all information necessary for MaineHousing to determine the amount of Credit, if any, to be allocated to the Project, obligate the Applicant to fulfill all commitments made in the Application, and require the Applicant to promptly and diligently develop and complete the Project according to the deadlines specified in the notice.

“Owner” means the legal owner of a LIHTC Project or Qualified Building for which an Application has been submitted to MaineHousing or which has received an allocation of Credit from MaineHousing pursuant to this Qualified Allocation Plan or a prior Qualified Allocation Plan for the State.

“Ownership Transfer Rule” means Chapter 27 of MaineHousing’s rules, *Transfers of Ownership Interests*, and the policies and procedures related thereto, all as may be amended.

“Passive House Certification” means certification from Passive House Institute US, Inc. (PHIUS) or Passive House Institute (PHI) prior to MaineHousing’s issuance of IRS Form 8609.

“Persons Experiencing Homelessness” means persons sleeping in a place not meant for human habitation, in an Emergency Shelter, or in other emergency housing; persons exiting an institution where they resided for 90 days or less and who had resided in an Emergency Shelter, other emergency housing, or place not meant for human habitation before entering that institution; and persons fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual’s or family’s current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.

“Placed in Service” means the date on which a Qualified Building is suitable and available for occupancy as determined in accordance with [Section 42](#) of the Code.

“Principal” means any person or entity with a controlling interest in another entity, including without limitation, a person or entity with an ownership interest in an Applicant that controls the development and day-to-day operation of a Project, such as the general partner(s) of a limited partnership or the manager(s) or member(s) invested with the management authority of a limited liability company, and all persons and entities with an ownership interest in or control of said entity.

“Project” means the property described in the Application, which must be a qualified low-income housing project as defined in and governed by [Section 42\(g\)](#) of the Code.

“Project Reports” means the annual certification and tenant data required under Section 10.C., and if required for the LIHTC Project, the audited financial report (AFR) and the annual project budget.

“QCT” means an area of the State designated by HUD as a qualified census tract pursuant to [Section 42\(d\)\(5\)\(B\)\(ii\)](#) of the Code.

“Qualified Allocation Plan” or “Plan” means the plan for allocating and administering the Credit adopted by the housing credit agency pursuant [Section 42\(m\)\(1\)\(B\)](#) of the Code.

“Qualified Building” means a qualified low-income building as defined in and governed by [Section 42\(c\)\(2\)](#) of the Code.

“Qualified Contract” means a contract as defined in Section 42(h)(6)(F) of the Code.

“Qualified Nonprofit Organization” means a qualified nonprofit organization as defined in Section 42(h)(5)(C) of the Code.

“Rehabilitation Costs” means with respect to a Project (1) the site costs, (2) the costs of complying with the construction requirements of other funding sources except those required by the Applicant, any Principal thereof or Affiliates of either, (3) contractor profit, overhead and general conditions, and (4) certain costs identified in the capital needs assessment required under Section 5.C.1. of the QAP, including (a) the cost of correcting all violations of applicable federal, state and local health, safety and building codes and correcting deferred maintenance, (b) the rehabilitation or replacement of all structures, systems, facilities and components that have reached or exceed their useful life or will reach their useful life within 5 years, (c) the cost of complying with MaineHousing’s Construction Standards, (d) the cost of complying with the most current accessibility requirements for new construction projects under applicable federal, state and local accessibility laws, regulations, standards and guidance, and (e) the remediation and disposal of any environmental or other hazards identified in environmental reports. Rehabilitation Costs do not include construction contingency, relocation costs, or other soft costs.

“Related Development” means any development of which the Project is a part or is related and the Project cannot be completed, either structurally or financially, without the completion of the development.

“RD” or “Rural Development” means the United States of America acting through the United States Department of Agriculture, Rural Housing Services.

“Safe Walking Distance” means a pedestrian route appropriate to the area, as determined by MaineHousing, with sidewalks, crosswalks and traffic signals at busy roads or intersections and year-round walkability, which includes being plowed during the winter.

“Section 8” means Section 8 of the United States Housing Act of 1937, [42 U.S.C. §1437f](#), as may be amended.

“Service Center Community” means an entire municipality that provides jobs and retail to surrounding areas and is a center for education, health care, cultural, recreational and social services, designated pursuant to the Municipal Planning Assistance Program of the State’s Department of Agriculture, Conservation and Forestry as a Regional Service Center as of January 2013.

“State” means the State of Maine.

“State Ceiling” means the State’s housing credit ceiling established pursuant to [Section 42\(h\)\(3\)\(C\)](#) of the Code.

“Tax Increment Financing” means any type of tax increment financing, including without limitation an Affordable Housing TIF, a development district and development program approved by a municipality or a tax increment financing district approved by the State’s Department of Economic and Community Development pursuant to [30-A M.R.S., Chapter 206](#), as may be amended.

“TDC Index” means the calculation described in Section 5.B.

“TDC Index Cap” means the limit on Total Development Cost set forth in Section 5.B.

"Telehealth" means the use of interactive real-time visual and audio or other electronic media for the purpose of consultation and education concerning and diagnosis, treatment, care management, and self-management of a patient's physical and mental health and includes real-time interaction between the patient and the telehealth provider, synchronous encounters, asynchronous encounters, store and forward transfers and remote patient monitoring. Telehealth includes telephonic services when interactive telehealth services are unavailable or when a telephonic service is medically appropriate for the underlying covered service.

“Total Construction Cost” means the sum of site costs, costs of constructing or rehabilitating structures, systems, facilities, units and components, general requirements, bond premiums, and contractor overhead and profit as determined by MaineHousing.

“Total Development Cost” or “TDC” means Total Project Cost less (1) the fees required by MaineHousing, (2) the Project’s operating deficit account to the extent required by MaineHousing and (3) the costs associated with any commercial space developed in connection with the Project.

“Total Project Cost” means the sum of all costs associated with the development, construction and rehabilitation of a Project, as determined by MaineHousing. Total Project Cost includes, without limitation, acquisition costs, the Capitalized Lease Value of all leases of land and building(s), demolition costs, Total Construction Cost, construction contingency, costs associated with community service facilities included in the Eligible Basis of the Project, soft costs (such as permits, design and engineering fees, environmental reports, appraisals, market studies and legal fees),

syndication costs, Developer Fee, financing costs and project reserves. Community service facilities are not considered commercial space for purposes of Total Project Cost.

“UPCS” means the Uniform Physical Conditions Standards established by HUD pursuant to [24 CFR §5.703](#), as may be amended.

APPENDIX B

Pre-Application Submission Requirements

Applicants must submit a request for pre-application review and the following information to MaineHousing **at least 60 calendar days before the applicable Application deadline.**

1. A narrative description of the Project and any Related Development, including, the location, type of housing, total number of units by bedroom size, breakdown of required and/or pledged accessible units by type and location, total number of income-restricted units by bedroom size, proposed affordability, any existing affordability restrictions, any existing or proposed use restrictions, common areas and amenities at the Project, any community service facilities, any commercial space and other unique features of the Project.
2. Conceptual, Diagrammatic Site Plan and Conceptual Floor Plans and Conceptual Building Elevations in accordance with the requirements set forth in MaineHousing's *Quality Standards and Procedures Manual* which can be found at <https://www.mainehousing.org/programs-services/housing-development/construction-services>.
3. The status of applicable federal, State and local land use approvals for the Project and any Related Development, and any site, subdivision and other plans for the Project and any Related Development that have been prepared for submission or have been submitted to applicable municipal, state and federal governmental entities.
4. Details about the parking for the Project, including the number, type and location of all on-site parking and off-site parking and the terms and conditions thereof.
5. An explanation and all supporting documentation for any exceptions from the requirement to provide a community room, laundry facilities, telemedicine facilities or area activities in accordance with Section 5.I of the QAP.
6. All available information about any known or suspected environmental conditions on the Project site and any Related Development or adjacent sites that may impact the Project site or any Related Development, including any environmental reports and all available radon test results for the Project site. To the extent feasible, identify any and all visible (both on and off-site) fuel oil and propane tanks and include them on the site plan
7. A capital needs assessment for any existing housing that meets the requirements in Section 5.C. and Appendix C.
8. A conceptual construction estimate(s) prepared by a qualified general contractor or third-party estimator for the Project and any Related Development, including trade breakdowns in the form of a schedule of values and a reasonable estimating contingency, if applicable, with sufficient detail to demonstrate expected construction-related costs. All exclusions and qualifications, if any, must be clearly stated in the estimate. The estimate is to be the basis of the hard cost line items contained in the project underwriting without exception.
9. A projected development and operating budget(s) for the Project and any Related Development which must be submitted electronically in the format prescribed by MaineHousing.

APPENDIX C

Capital Needs Assessment Requirements

1. The assessment must include a site visit, an interview with the on-site property manager and maintenance personnel concerning prior and pending repairs and improvements and existing or chronic physical deficiencies, and a physical inspection of the interior and exterior of at least 20% of the units and all other structures, facilities, systems and components that will be part of the Project, including the following:

- a) Site, including without limitation topography, drainage, pavement, curbing, walkways, sidewalks, parking, accessible parking, accessible routes, landscaping, amenities, water, sewer, storm drainage, and all utility lines;
- b) Structural systems and components, both substructure and superstructure, including without limitation foundations, exterior walls, balconies, porches, and stairways, exterior doors and windows, chimneys and roofing;
- c) Interiors, including without limitation unit and common area finishes and substrata (e.g. flooring, underlayment, carpeting, plaster or drywall, wall coverings and paint condition), and unit and common area kitchen finishes, cabinets, countertops and appliances, and unit and common area bathroom finishes, fixtures and accessories, laundry facilities, and common area lobbies and corridors; and
- d) Building systems, including without limitation plumbing supplies and drainage, domestic hot water production, heating, ventilating and air-conditioning production and distributions systems, fuel storage and delivery systems, electrical power distribution and metering systems, lighting controls and fixtures, smoke, fire and any other alarm systems, fire protection systems, security systems, and elevators.

The capital needs assessment must specifically identify all structures, systems, facilities, units and components that were inspected and must include a concise overview of the physical and operational condition of the existing housing and a detailed assessment of the expected useful life and the remaining useful life of each structure, system, facility, unit and component inspected. The assessment must also consider the presence of environmental and other hazards, including without limitation, asbestos, lead paint, mold, water damage and insect infestations.

2. The capital needs assessment must include a recommended scope of work and a cost estimate to complete the scope of work that addresses the following capital needs of the Project, without consideration of financial feasibility:

- a) Correction of all violations of applicable federal, state and local building, health and life safety codes and correction of all deferred maintenance;
- b) Rehabilitation or replacement of all structures, systems, facilities, units and components that have reached or exceeded their useful lives or will reach their useful lives within 5 years;
- c) Rehabilitation of all units and common areas and facilities to bring them into compliance with MaineHousing's Construction Standards to the maximum extent feasible;
- d) Rehabilitation of the minimum number of units and all common areas and facilities that are necessary to comply with the most current requirements for new construction projects under applicable federal, state and local accessibility laws, regulations, standards and guidance (which include without limitation, [Section 504 of the Rehabilitation Act of 1973](#), HUD's housing regulations at [24 C.F.R. Part 8](#) and any accessibility standard designated by HUD; Title II and Title III of the Americans with Disabilities Act of 1990 and the 2010 Standards of Accessible Design; and if the Project involves substantial rehabilitation, the Maine Human Rights Act, the Maine Human Rights Commission's Chapter 8, Housing Regulations, and ANSI Standard A117.1-2009); and

e) Remediation and disposal of any environmental or other hazards identified in the assessment.

3. The capital needs assessment must also identify any structures, systems, facilities, units and components with a remaining useful life of less than 30 years. The Application must include a plan for future rehabilitation or replacement of any identified structure, system, facility, unit and component with a useful life of less than 30 years that is not included in the scope of work for the Project, including possible funding sources, which will be considered in establishing the appropriate funding amounts for the Project's reserve accounts.

**APPENDIX D
LOW INCOME HOUSING TAX CREDIT PROGRAM
OWNER'S CERTIFICATE OF CONTINUING PROGRAM COMPLIANCE**

To: *MaineHousing*
26 Edison Drive
Augusta, ME 04330

Certification Dates:	From: January 1, 20 _____	To: December 31, 20 _____		
Project Name:			Project No:	
Project Address:		City:	County:	Zip:
Tax ID # of Ownership Entity:				
Building Identification Number(s):	(1)	(2)	(3)	
	(4)	(5)	(6)	
	(7)	(8)	(9)	
	(10)	(11)	(12)	

No buildings have been Placed in Service
 At least one building has been placed in Service but owner elects to begin credit period in the following year.
 If either of the above applies, please check the appropriate box, and proceed to page 2 to sign and date this form.

The undersigned _____ on behalf of _____

_____ (the "Owner"), hereby certifies that:

1. The project meets the minimum requirements of: (check one)
 - 20 - 50 test under Section 42(g)(1)(A) of the Code
 - 40 - 60 test under Section 42(g)(1)(B) of the Code
 - 15 - 40 test for "deep rent-skewed" projects under Section 42(g)(4) and 142(d)(4)(B) of the Code
 - Income Averaging

2. There has been **no change in the applicable fraction** (as defined in Section 42(c)(1)(B) of the Code) for any building in the project:
 - NO CHANGE** **CHANGE**

If **"Change"**, list the applicable fraction to be reported to the IRS for each building in the project for the certification year on page 4:

3. There have been no changes in the building's eligible basis under Section 42(d) of any building in the project.
 - NO CHANGE** **CHANGE**

If **"Change"**, list the changes on page 4:

4. The owner has received an annual Tenant Income Certification from each low-income resident and documentation to support that certification, or the owner has a re-certification waiver letter from the IRS in good standing, has received an annual Tenant Income Certification from each low-income resident, and

documentation to support the certification at their initial occupancy.

YES NO

5. Each low-income unit in the project has been rent-restricted under Section 42(g)(2) of the Code:

YES NO

6. All low-income units in the project are and have been for use by the general public and used on a non-transient basis (except for transitional housing for the homeless provided under Section 42 (i)(3)(B)(iii) of the Code):

YES NO HOMELESS

7. There has been no finding of discrimination under the Fair Housing Act, 42 U.S.C 3601-3619 with respect to this project. A finding of discrimination includes an adverse final decision by the Secretary of Housing and Urban Development (HUD), 24 CFR 180.680, an adverse final decision by a substantially equivalent state or local fair housing agency, 42 U.S.C 3616a(a)(1), or an adverse judgment from a federal court:

FINDING NO FINDING

If "**Finding**", please explain the nature of the violation and attach a copy of the decision or judgment.

8. There has been no finding of discrimination under any other applicable local, State or federal equal access or nondiscrimination law with respect to this project. A finding of discrimination includes an adverse final decision by the governmental agency responsible for administering such law, or an adverse judgment from a court with jurisdiction over such law:

FINDING NO FINDING

If "**Finding**", please explain the nature of the violation and attach a copy of the decision or judgment.

9. Each building in the project is and has been suitable for occupancy, taking into account local health, safety, and building codes (or other habitability standards), and the state or local government unit responsible for making building code inspections did not issue a report of a violation for any building or low income unit in the project:

YES NO

If "**No**", explain the nature of violation on page 4 and attach a copy of the violation report as required by 26 CFR 1.42-5 and any documentation of correction.

10. Each building and all FedHome (HOME) assisted units are suitable for occupancy, taking into account State and local health, safety, and other applicable codes, ordinances, and requirements, and the ongoing property standards established by the participating jurisdiction (MaineHousing) to meet the requirements of 24 CFR, Part 92, HOME Investment Partnership Program, Section 92.251.

YES NO N/A

11. There has been **no change in the eligible basis** (as defined in Section 42(d) of the Code) of any building in the project since last certification submission:

NO CHANGE CHANGE

If "**Change**", state nature of change (e.g., a common area has become commercial space, a fee is now charged for a tenant facility formerly provided without charge, or the project owner has received federal

subsidies with respect to the project which had not been disclosed to the allocating authority in writing) on page 4:

12. All tenant facilities included in the eligible basis under Section 42(d) of the Code of any building in the project, such as swimming pools, other recreational facilities, parking areas, washer/dryer hookups, and appliances were provided on a comparable basis without charge to all tenants in the buildings:
 YES NO
13. If a low-income unit in the project has been vacant during the year, reasonable attempts were or are being made to rent that unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any units were or will be rented to tenants not having a qualifying income:
 YES NO
14. If the income of tenants of a low-income unit in any building increased above the limit allowed in Section 42(g)(2)(D)(ii) of the Code, the next available unit of comparable or smaller size in that building was or will be rented to residents having a qualifying income:
 YES NO
15. Project complies with an extended low-income housing commitment as described in section 42(h)(6) (not applicable to buildings with tax credits from years 1987-1989):
 YES NO N/A
16. In the prior 12 month period, the owner has:
a) terminated the tenancy of a tenant in a low income unit, including without limitation, non-renewal of the lease of an existing tenant in a low income unit, for other than good cause;
b) increased the gross rent of a tenant with respect to a low income unit not otherwise permitted under Section 42 of the Code and any other applicable program (e.g. HOME, HUD Section 8);
c) denied tenancy to any applicant or terminated the tenancy of any tenant solely because the applicant or tenant had a Section 8 voucher or certificate; or
d) denied tenancy to any applicant, terminated the tenancy of any tenant, or failed to assist a tenant in finding alternative appropriate housing in violation of Title VI of the Violence Against Women Reauthorization Act of 2013, 34 USC Subpart 2 – housing rights Chapter 121 and applicable regulations (VAWA), as amended.
 YES NO

If “Yes”, please explain the nature of the violation on page 4.

17. The project complies with the requirements of all applicable Federal and State Housing Programs included in the development (e.g., Rural Housing Services, HOME, HUD Section 8, or Tax-Exempt Bonds).
 YES NO

If “No”, please explain the nature of the violation on page 4.

18. The owner received its credit allocation from the portion of the state ceiling set-aside for a project involving "qualified non-profit organizations" under Section 42(h)(5) of the code and its non-profit entity materially participated in the operation of the development within the meaning of Section 469(h) of the Code.
 YES NO N/A

19. The property has not suffered a casualty loss resulting in the displacement of residents.
 YES NO

If “Yes”, please explain the nature of the loss on page 4.

20. There has been no change in the ownership or management of the project:

NO CHANGE CHANGE

If "**Change**", complete page 4 detailing the changes in ownership or management of the project.

Note: Failure to complete this form in its entirety will result in noncompliance with program requirements. In addition, any individual other than an owner or general partner of the project is not permitted to sign this form, unless permitted by the state agency.

The project is otherwise in compliance with the Code, including any Treasury Regulations, the applicable State Allocation Plan, and all other applicable laws, rules and regulations. This Certification and any attachments are made UNDER PENALTY OF PERJURY.

(Ownership Entity)

By: _____

Title: _____

Date: _____

PLEASE PROVIDE ANY CHANGES OR EXPLANATIONS REQUIRED UNDER QUESTIONS 1-19.

Question #	Explanation

CHANGE IN MANAGEMENT CONTACT

Date of Change:	
Management Co. Name:	
Management Address:	
Management city, state, zip:	
Management Contact:	
Management Contact Phone:	
Management Contact Fax:	
Management Contact Email:	

1. **CHANGES IN OWNERSHIP OR MANAGEMENT**

(to be completed **ONLY** if **“CHANGE”** marked for question 20 above)

2. **TRANSFER OF OWNERSHIP**

Date of Change:	
Taxpayer ID Number:	
Legal Owner Name: Address: Phone:	
General Partnership:	
Status of Partnership (LLC, etc.):	

CHANGE IN OWNER CONTACT

Date of Change:	
Owner Contact:	
Owner Contact Phone:	
Owner Contact Fax:	
Owner Contact Email:	

APPENDIX E

THRESHOLD REQUIREMENTS FOR PURCHASE OPTIONS/RIGHTS OF FIRST REFUSAL

I. The Purchase Options must:

- 1) grant to one or more of the general partner, managing member, developer or sponsor an irrevocable option to purchase the Project at a purchase price not more than the greater of: (a) its fair market value as encumbered by the Extended Use Agreement and any other restrictions of record; and (b) the sum of: (i) the outstanding debt secured by the Project, (ii) the amount of the limited partner's or non-managing member's federal, state and local tax liability resulting from the sale of the Project, and (iii) all amounts owed to the limited partner or non-managing member under the limited partnership agreement or limited liability company operating agreement (the "Project Option Price");
- 2) grant to one or more of the general partner, managing member, developer or sponsor an irrevocable option to purchase the interest of the limited partner(s) or non-managing member(s) in the Project ownership entity ("Ownership Interest") at a purchase price not more than the amount the limited partner(s) or non-managing member(s) would have received on an after-tax basis if the Project had been sold at the Project Option Price and the proceeds distributed pursuant to the terms of the limited partnership agreement or limited liability company operating agreement;
- 3) be exercisable beginning at the earlier of: (a) the expiration of the Compliance Period; or (b) the exit of or change of controlling interest in the limited partner or non-managing member occurring after the expiration of the Credit Period;
- 4) expire no earlier than 36 months after the expiration of the Compliance Period; and
- 5) give the holder of the option a minimum of 12 months to close on the purchase of the Project or the Ownership Interest after exercise of the option or such longer period required by any lender(s) or other party whose consent to the transfer is required.

II. The right of first refusal (ROFR) must:

- 1) grant to a Qualified Nonprofit Organization an irrevocable and exclusive ROFR to purchase the Project at the lesser of: (a) its fair market value as encumbered by the Extended Use Agreement and any other restrictions of record; and (b) the Minimum Purchase Price as defined in Section 42(i)(7) of the Code but in no event less than the outstanding debt secured by the Project, excluding any indebtedness incurred within the 5-year period ending on the date of the sale pursuant to the ROFR (the "ROFR Price");
- 2) be exercisable beginning at the expiration of the Compliance Period;
- 3) expire no earlier than 36 months after the later of: (i) the public offer of the Project for sale by the general partner or managing member; and (ii) the expiration of the Compliance Period;

- 4) give the holder of the ROFR a minimum of 90 days to exercise its ROFR and a minimum of 12 months to close on the purchase of the Project after exercise of the ROFR or such longer period required by any lender(s) or other party whose consent to the transfer is required; and
 - 5) not require more than a nominal earnest money deposit in order to exercise the ROFR.
- III. The Project owner's limited partnership agreement or limited liability company operating agreement must provide that:
- 1) the holder of the ROFR may assign the ROFR to a governmental unit, tenant organization or resident management corporation of the Project, or another Qualified Nonprofit Organization without the consent of the limited partner(s) or non-managing member(s);
 - 2) the general partner or managing member may elect to do any of the following:
 - a) subject to the consent of the limited partner(s) or non-managing member(s), which consent shall not be unreasonably withheld, conditioned, or delayed, sell the Project to the holder of the ROFR in connection with the exercise of the ROFR (the limited partner(s) or non-managing member(s) may not withhold consent for a non-material breach of the Project owner's organizational documents);
 - b) at its discretion, without the consent of the limited partner(s) or non-managing member(s), sell the Project to the holder of the ROFR in connection with the exercise of the ROFR following the general partner's or managing member's receipt of a bona fide third party offer to purchase the Project, which offer may be solicited by the general partner/managing member or the holder of the ROFR; or
 - c) at its discretion, without the consent of the limited partner(s) or non-managing member(s), offer the Project for sale publicly at any time following the expiration of the Compliance Period and thereafter accept an offer from the highest bidder to purchase the Project, as long as the sale price is not less than the ROFR Price, and provided such acceptance is subject to the rights of the holder of the ROFR to exercise the ROFR and purchase the Project at the ROFR Price;
 - 3) the general partner or managing member is directed and authorized to execute all documents necessary to effect the sale of the Project pursuant to the ROFR or Purchase Options;
 - 4) the limited partner(s) or non-managing member(s) affirmatively agree not to challenge: (i) the sale of the Project pursuant to the terms of the ROFR by the general partner or managing member to the holder of the ROFR even if the holder of the ROFR is affiliated with the general partner or managing member; (ii) the general partner's or managing member's acceptance of an offer from the highest bidder in response to the general partner's or managing member's public offer of the Project for sale, provided the offer price is not less than the ROFR Price, and/or the exercise of the ROFR by the holder of the ROFR after any such acceptance; and (iii) the exercise of the Purchase Options by the holder(s) thereof pursuant to the terms of the Purchase Option;

- 5) in the event Section 42(i)(7) of the Code is amended to permit a Qualified Nonprofit Organization to hold a purchase option after the expiration of the Compliance Period, and only to the extent permitted under such revised Section 42(i)(7) of the Code, the holder of the ROFR shall be entitled to purchase the Project, or at its option, all of the interests in the owner, in either case at the ROFR Price, in lieu of exercising the ROFR;
- 6) neither the ROFR or Purchase Options will be adversely affected or limited by any other rights of the limited partner(s) or non-managing member(s), or any owner of any interest in any limited partner or non-managing member, such as forced sale rights, and there are no conditions to the exercise of the ROFR or Purchase Options except as explicitly identified in the limited partnership agreement or limited liability company operating agreement; and
- 7) any amendment that would modify any term or condition related to the ROFR or Purchase Options requires the prior written consent of MaineHousing.



To: MaineHousing Board of Commissioners
From: Genevieve Soucy, Director Energy and Housing Services
Date: May 13, 2024
Subject: EHS Monthly Report

Home Energy Assistance Program (HEAP)

The Home Energy Assistance Program (HEAP) is a component of the LIHEAP grant which will provide eligible applicants with a benefit to cover a portion of their heating costs. Applications for the program are taken July – May. A household must meet the income guidelines each year and must have a direct, or indirect, heating burden.

STATEWIDE BY STATUS	PY24		PY23		PY24 +/-%
	Returning	New	Returning	New	
Benefits Issued:	\$22,886,155		\$50,361,914		
Totals	Returning	New	Returning	New	
Pending- Wait List	275	902	-	-	
Pending: App. In Process	589	1,114	116	334	
Confirmed Eligible- Wait List	702	1,341	-	-	
Confirmed Eligible- Paid	39,046	11,075	36,126	12,187	
Other: Ineligible/Denied/Void	8,249	7,153	3,759	6,660	
TOTAL APPLICATIONS TAKEN	48,861	21,585	40,001	19,181	19%

Additional information:

- **Wait List** – The Community Action Agencies have been processing applications for the wait list. As of May 1st, we have paid a little over 700 applications from the wait list.
- **Rule Public Hearing** –The public hearing for the HEAP Rule will be held at the May board meeting, the comment period will close May 31.
- **State Plan** – Included in the May Board Packet is a redlined version of the PY2025 Model State Plan. The template for the State Plan has been updated to include new sections which are blue. The State Plan will be posted on the MaineHousing website as well as sent to Interested Parties for review. The public hearing for the LIHEAP State Plan will take place at the June Board Meeting.

Emergency Crisis Intervention Program (ECIP)

The Emergency Crisis Intervention Program (ECIP) is a component of the HEAP grant which will grant households who are eligible for HEAP up to an additional \$800 benefit if they find that they have less than a seven-day supply of fuel available. The ECIP program starts on November 1 and runs through April 30, or until funding is exhausted.

	Processed/Committed	Funds Committed
ECIP Occurrence Processed	7,641	\$3,011,928

Weatherization Assistance Programs (WAP)

WEATHERIZATION							
Reporting Period: January 1, 2024 – May 10, 2024							
	Projects	Readiness Jobs	Total Cost	Program Delivery & Support	DOE Funded	DOE Wx Readiness	HEAP Funded
DOE & HEAP Wx	107	7	\$2,028,335	\$588,322	\$476,754	\$40,864	\$922,395
BIL Funding	43		\$416,630	\$174,995	\$241,635		
Total	150	7	\$2,444,965	\$763,317	\$718,388	\$40,864	\$922,395
2023 Total	317	45	\$6,141,207	\$2,207,727	\$1,634,374	\$383,703	\$1,915,402
2022 Total	319	1	\$6,442,853	\$2,017,550	\$1,545,698	\$6,700	\$1,705,181

- DOE Monitoring Visit** – Representatives from the Department of Energy WAP programs will be conducting an on-site monitoring in May. Administrative monitoring took place the week of May 6th and there were many positive comments and references to administrative best practices both by MaineHousing as well as our Subgrantee network. The technical monitoring is the week of May 13th, the final audit report will be provided by the end of June.

Heat Pump Installation Program (HPP)

The Heat Pump Installation Program (HPP) installs heat pumps for eligible households where it is determined that a heat pump will reduce the household’s 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 10, 2024				
	Projects	Total Cost	Program Delivery & Support	Heat Pump Installation Costs
2024 YTD	334	\$1,609,496.56	\$204,610.27	\$1,404,886.29
2023 TOTAL	833	\$4,233,478.39	\$772,172.40	\$3,461,305.99
2022 TOTAL	1,697	\$7,207,641.80	\$851,911.98	\$6,355,729.82

Central Heating Improvement Program (CHIP)

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

CENTRAL HEATING IMPROVEMENT							
Reporting Period: January 1, 2024 – May 10, 2024							
	Projects	Total Cost	Program Delivery & Support	Projects	Heating System CTE, Repair or Replacement	Projects	Chimney or Oil Tank Repairs or Replacements
2024 TOTAL	687	\$2,048,118	\$329,050	601	\$1,468,082	86	\$250,986
2023 TOTAL	2,081	\$6,242,918	\$1,284,689	1,827	\$4,245,983	254	\$712,246
2022 TOTAL	2,506	\$6,772,882	\$1,185,574	2,121	\$4,369,621	385	\$1,217,687

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).

HARP PROGRESS							
Reporting Period: January 1, 2024 – May 10, 2024							
	Program Delivery & Support	Home Repair		Emergency		2023 Weatherization Readiness	
Totals:	\$110,589.04	27	\$140,241	34	\$412,704		
2023 Program	\$637,264.29	68	\$1,045,510	136	\$1,899,538	19	\$241,273
2022 Program	\$832,625.20	117	\$2,070,223	121	\$2,092,903		

Community Aging in Place (CAIP)

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

Community Aging in Place (CAIP)			
	2024	2023	2022
Households Served	28	216	149
Expenditures	\$93,836	\$ 706,009	\$741,923
Average assistance cost	\$3,351	\$3,269	\$4,979

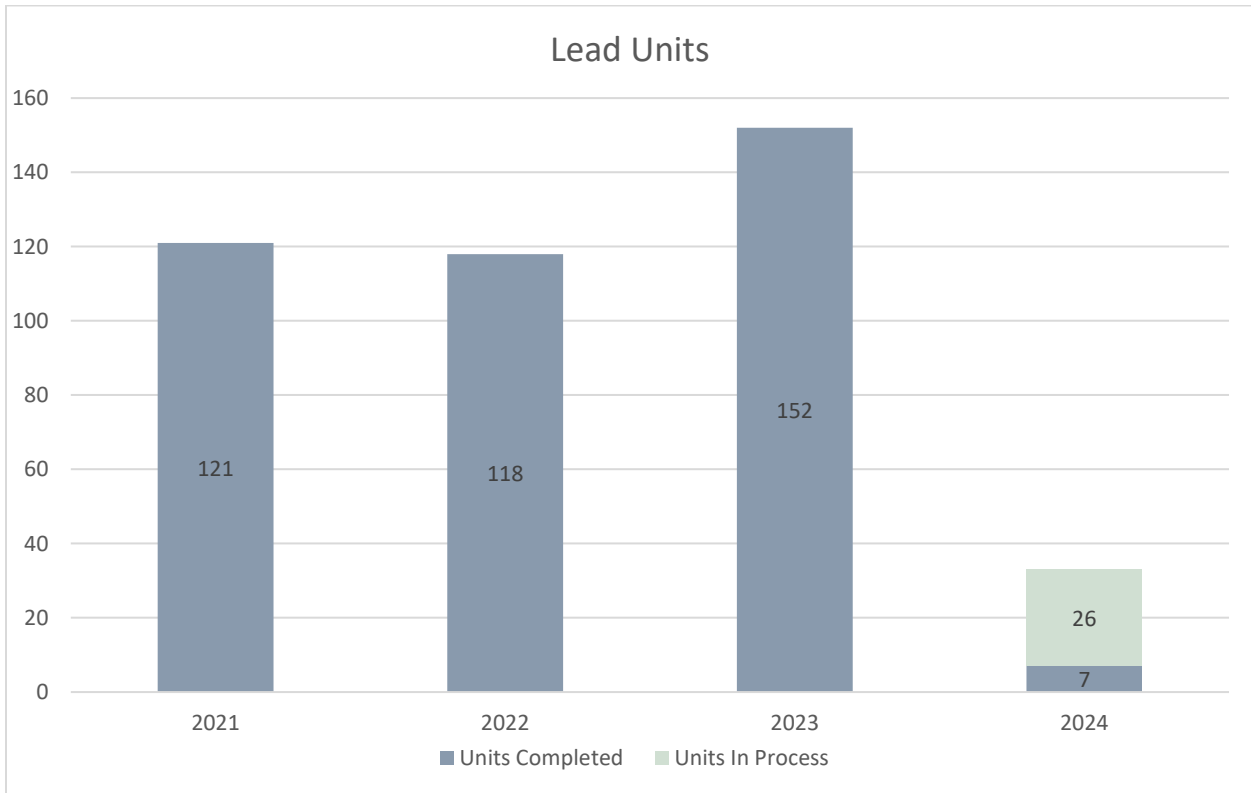
Low Income Assistance Plan (LIAP)

The Low Income Assistance Plan (LIAP) provides a credit to an eligible households electricity account. The LIAP program is funded by contributions from transmission and distribution electricity providers and the program rules and orders are governed by the MPUC. Additional assistance for households who require electricity for an oxygen pump or ventilator are also available as part of this program.

Low Income Assistance Plan (LIAP)					
Reporting Period: October 1, 2023 - September 30, 2024					
Utility	Oxygen/Vent Participants	Oxygen/Vent Credits Provided	LIAP Participants	Credits Provided	Funding for LIAP Credits Available
PY2024 TOTAL	1,610	\$313,267.81	43,795	\$ 13,713,701.74	\$ 22,500,000.00
PY2023 TOTAL	3,450	\$449,288.34	38,092	\$ 13,697,481.00	\$ 15,000,000.00
PY2022 TOTAL	1,078	\$250,224.85	29,869	\$10,338,389.02	\$8,386,453.00

Lead Abatement Program

MaineHousing works with four Community Action Agencies to deliver the Lead Abatement Program across the state.





Finance Department Memorandum

To: Board of Commissioners
From: Darren R. Brown
Date: May 14, 2024
Subject: Monthly Activity Report – Finance Department

ACCOUNTING AND FINANCIAL REPORTING (AFR):

- Work continued 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 requirements. The AFR staff are coordinating activities between the auditors and program departments. They are also preparing and compiling requested information.

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 of the programs 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.

- The AFR staff also completed the financial close for the first fiscal quarter of 2024 and the financial statements for the period ended March 31, 2024. The financial results for the quarter-ended March 31, 2024 are presented in the Financial and Budget Report section.

LOAN ADMINISTRATION:

- MaineHousing has a large portfolio of USDA guaranteed loans and the USDA provides various trainings for lenders and servicers. Loan Administration staff attended their Loss Mitigation training in April. This training focused on the methodology and processes of handling troubled USDA loans. It also covered USDA’s entire waterfall of loss mitigation options and the specific rules and processes of administration, and provided an update on USDA programs and portfolio review.
- The law firm of Eaton Peabody presented a Bankruptcy & Foreclosure Overview training at MaineHousing. Members of MaineHousing’s Loan Administration, Homeownership, and Legal teams were in attendance. MaineHousing is looking at changing the way mobile homes are securitized in an effort to improve lender’s participation in the Mobile Home program by reducing the documentation requirements and improving the purchasing timeline of a mobile home on leased land. This training included discussions on how MaineHousing currently securitizes mobile homes and an alternative approach that could substantially reduce the time and cost associated with collateral recovery.

- The Loan Operations Manager, Renee Karter, completed the Lean White Belt certification course. This course was an introductory-level overview of the Lean methodology. Key topics covered were: The Benefits of Process Improvement, Brainstorming, and Project Selection. Loan Administration is currently working with MaineHousing's largest single family servicer, Mortgage Servicing Solutions, and the Information Technology Department to streamline the boarding process for new loans and a Lean approach is being used for this initiative.

Finance Department Memorandum

To: Board of Commissioners

From: Darren R. Brown

Date: May 14, 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 three-month period ended March 31, 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 \$2.57 billion and total combined liabilities approximate \$2.1 billion. Total net assets amount to approximately \$458 million. Total combined revenues approximate \$91.9 million and total expenses amount to approximately \$84.6 million, which results in net operating income of \$7.3 million. Total combined net operating income for this period in 2023 was \$8.9 million. Net operating income is \$1.6 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 \$3.8 million. This is a \$3.5 million decrease compared to net operating income of \$7.3 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 \$1.5 million has been recorded for 2024, which is a \$5.2 million decrease from the paper gain of \$3.7 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 \$5.3 million at the end of March 2024. This is an increase of \$1.7 million compared to \$3.6 million in 2023. The net operating income improvement is due primarily to the higher interest rate environment and a \$1 million increase in net interest income. Although interest expense on bonds increased \$2.6 million, interest income from mortgages and investments are higher in 2024 by a combined amount of \$3.6 million. Additionally, fee income from multifamily loan production is \$0.7 million higher at this point in 2024.

BUDGET RESULTS

Also attached are the budget variance results for the period ended March 31, 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 March 31, 2024 amount to \$29.6 million, while total expenses amount to \$23.6 million. For the three-month period ended March 31, 2024, revenues exceed expenses by approximately \$6 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 March 31, 2024, approximately \$6.2 million or 24% of the total operating budget has been used. Total other program administrative expenses are budgeted at \$10 million and actual expenses amount to \$2.4 million as of March 31, 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 \$244,000 as of March 31, 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 March 31, 2024.

MAINE STATE HOUSING AUTHORITY
BALANCE SHEETS
MARCH 31, 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	109,538	91,181	26,896	0	54,090	0	9,409	786	0
Investments	616,900	618,165	523,133	8,468	21,063	33,840	0	6,285	25,376
Accounts receivable - Government	14,438	6,947	0	0	0	1,261	5,178	508	0
Accrued interest and other assets	11,372	14,019	13,297	22	257	98	199	66	80
Mortgage notes receivable, net	1,607,646	1,799,247	1,710,724	0	6,982	43,330	0	0	38,211
Land, equipment and improvements, net	17,918	17,934	22	0	17,912	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	2,246	1,941	1,941	0	0	0	0	0	0
Total Assets	2,397,029	2,570,856	2,297,152	8,492	100,371	78,529	14,786	7,859	63,667
LIABILITIES AND NET ASSETS:									
Accrued interest payable	20,126	25,157	24,779	0	0	0	0	0	378
Excess arbitrage to be rebated	0	650	650	0	0	0	0	0	0
Accounts payable - Government	451	496	0	0	0	0	496	0	0
Accounts payable & accrued liabilities	14,035	17,124	212	0	16,597	0	314	1	0
Unearned income	62,829	36,049	0	0	0	625	18,027	17,397	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	1,663	22	27,533	(7,092)	(12,729)	(9,400)	3
Mortgage bonds and notes payable, net	1,857,224	2,006,142	1,941,736	0	13,463	0	0	0	50,943
Deferred grant income	0	3,555	0	0	0	0	3,555	0	0
Deferred loan origination points	18	14	14	0	0	0	0	0	0
Total Liabilities	1,973,273	2,112,362	1,991,158	30	57,846	(6,467)	9,663	8,808	51,324
NET ASSETS:									
Restricted Net Assets	383,920	415,969	305,994	8,462	0	84,996	5,123	(949)	12,343
Unrestricted Net Assets	39,836	42,525	0	0	42,525	0	0	0	0
Total Net Assets	423,756	458,494	305,994	8,462	42,525	84,996	5,123	(949)	12,343
Total Liabilities and Net Assets	2,397,029	2,570,856	2,297,152	8,492	100,371	78,529	14,786	7,859	63,667

MAINE STATE HOUSING AUTHORITY
STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE PERIOD ENDED MARCH 31, 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	16,225	18,360	18,185	0	91	73	0	0	11
Income from investments	6,135	7,834	6,510	113	340	378	6	133	354
Net increase (decrease) in the fair value of investments	3,742	(1,518)	(1,518)	0	0	0	0	0	0
Fee income	3,291	4,178	1,099	0	358	0	2,639	82	0
Other revenue	0	20	12	0	2	6	0	0	0
Grant income	92,941	26,415	0	0	0	0	21,395	5,020	0
Income from State	4,386	4,687	0	0	0	4,687	0	0	0
Federal rent subsidy income	27,948	31,978	0	0	0	0	31,978	0	0
Total Revenues	154,668	91,954	24,288	113	791	5,144	56,018	5,235	365
EXPENSES:									
Operating expenses	6,785	6,172	0	0	6,172	0	0	0	0
Other program administrative expenses	1,278	1,909	1,457	0	1	0	400	48	3
Mortgage servicing fees	476	516	513	0	3	0	0	0	0
Interest expense	12,675	15,260	15,008	0	0	0	0	0	252
Grant expense	96,462	29,491	0	0	0	4,475	19,996	5,020	0
Federal rent subsidy expense	28,109	31,295	0	0	0	0	31,295	0	0
Allocated operating costs	0	0	3,537	21	(5,506)	0	1,914	34	0
Total Expenses	145,785	84,643	20,515	21	670	4,475	53,605	5,102	255
Net Operating Income	8,883	7,311	3,773	92	121	669	2,413	133	110
Transfers between funds, net	0	0	0	0	93	0	(1,480)	0	1,387
Change in net assets	8,883	7,311	3,773	92	214	669	933	133	1,497
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	423,756	458,494	305,994	8,462	42,525	84,996	5,123	(949)	12,343

**MAINE STATE HOUSING AUTHORITY
OPERATING REVENUES AND EXPENSES BUDGET VARIANCE REPORT
FOR THE PERIOD ENDED MARCH 31, 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	18,276	0	18,276	74,385	56,109	75%
Income from investments	6,963	139	7,102	23,400	16,298	70%
Fee income	1,457	2,721	4,178	19,266	15,088	78%
Other revenue	14	0	14	105	91	87%
Total Revenues	26,710	2,860	29,570	117,156	87,586	75%
EXPENSES:						
Operating expenses	4,224	1,948	6,172	25,670	19,498	76%
Other program administrative expenses	1,974	451	2,425	10,021	7,596	76%
Interest expense	15,008	0	15,008	65,570	50,562	77%
Total Expenses	21,206	2,399	23,605	101,261	77,656	77%
Excess Revenues Over Expenses	5,504	461	5,965	15,895	9,930	62%

**MAINE STATE HOUSING AUTHORITY
OPERATING AND OTHER PROGRAM ADMINISTRATIVE EXPENSES
FOR THE PERIOD ENDED MARCH 31, 2024**

ATTACHMENT B

	Total Annual Budget	Total Year to Date Actual	Budget Available	Percentage of Budget Available
Operating Expenses				
Salaries	13,853,898	3,509,059	10,344,839	75%
Payroll Taxes	1,013,479	262,568	750,911	74%
Retirement	1,386,948	358,533	1,028,415	74%
Medical and Life Insurance	3,663,963	841,672	2,822,291	77%
Other Fringe Benefits	10,000	2,225	7,775	78%
Office Supplies	60,525	11,812	48,713	80%
Printing	85,450	15,096	70,354	82%
Membership and Dues	66,879	15,772	51,107	76%
Subscriptions	20,080	6,994	13,086	65%
Sponsorships	19,600	4,750	14,850	76%
Staff Educ/Train/Conf	213,342	24,504	188,838	89%
Travel/Meals - Staff Educ/Train/Conf	230,594	20,959	209,635	91%
Partner/Client Train/Meetings	87,250	1,965	85,285	98%
Travel/Meals - Partner/Client Training	89,506	6,248	83,258	93%
Staff Events	36,680	8,836	27,844	76%
Meals - Staff Events	33,590	14,317	19,273	57%
Leased Vehicles	198,991	35,962	163,029	82%
Computer Supplies	31,000	7,011	23,989	77%
Computer License SAAS	248,564	95,214	153,350	62%
Rent-Other	44,519	11,771	32,748	74%
Computer Maintenance	986,752	160,985	825,767	84%
Depreciation	1,279,000	263,449	1,015,551	79%
Telephone	131,750	35,194	96,556	73%
Employment Advertising	18,000	4,191	13,809	77%
Postage and Shipping	152,512	47,561	104,951	69%
Insurance	102,186	2,566	99,620	97%
Recording Fees	1,000	334	666	67%
Payroll Services	51,668	13,875	37,793	73%
Audit Services	175,350	50,000	125,350	71%
Property Expenses	556,950	160,714	396,236	71%
Professional Services	371,538	67,897	303,641	82%
Building Interest Expense	448,452	110,316	338,136	75%
Total Operating Expenses	25,670,016	6,172,350	19,497,666	76%
Other Program Administrative Expenses				
Loan foreclosure expenses	200,000	2,147	197,853	99%
REO expenses	50,000	1,040	48,960	98%
Provision for losses on loans & REOs	125,000	0	125,000	100%
Mortgage Servicing fees	1,975,000	515,567	1,459,433	74%
Loan Origination expenses	3,230,000	905,940	2,324,060	72%
Bond issuance expenses	900,000	123,797	776,203	86%
Trustee/Bank fees	178,000	45,788	132,212	74%
Program advertisements	336,500	14,375	322,125	96%
Bond and mortgagee insurance	24,313	0	24,313	100%
Variable rate bond remarket/SBPAs	645,000	161,520	483,480	75%
Cash flow/arbitrage/swap consultants/legal	738,500	197,419	541,081	73%
Homebuyer education	150,000	13,350	136,650	91%
Program administrator fees	1,469,000	442,796	1,026,204	70%
Total Other Program Administration Expenses	10,021,313	2,423,739	7,597,574	76%

**MAINE STATE HOUSING AUTHORITY
CAPITAL BUDGET
FOR THE PERIOD ENDED MARCH 31, 2024**

ATTACHMENT C

Description	2024 Budget	2024 Actual	Budget Available	% Expended
Computer Hardware:				
Laptop replacements	57,000	0	57,000	
Total computer hardware	<u>57,000</u>	<u>0</u>	<u>57,000</u>	<u>0%</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	
Potential office building improvements/repairs	50,000	40,596	9,404	
	<u>90,000</u>	<u>40,596</u>	<u>49,404</u>	<u>45%</u>
Director's Vehicle:	<u>30,000</u>	<u>26,689</u>	<u>3,311</u>	<u>89%</u>
Total	<u><u>684,558</u></u>	<u><u>244,243</u></u>	<u><u>440,315</u></u>	<u><u>36%</u></u>

**MAINE STATE HOUSING AUTHORITY
MEMBERSHIPS, DUES, AND SPONSORSHIPS
FOR THE PERIOD ENDED MARCH 31, 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
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>\$ 15,772</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
Total	<u>\$ 4,750</u>

Finance Department Memorandum

To: Board of Commissioners
From: Darren Brown
Date: May 3, 2024
Subject: Monthly Delinquencies Report

MULTI-FAMILY DELINQUENCIES

The Multi-Family portfolio totals \$953 million with 1,342 loans as of April 30, 2024. There are three 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 10,042 loans as of March 31, 2024. The over 60-day delinquencies decreased from 2.21% to 2.16%, and the in-foreclosures increased from 0.62% to 0.64%. 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 2.29%. 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 March 2024, Bank of America (BOA) had the highest overall delinquency rate of 8.30% (9 loans), with an in-foreclosure rate of 4.35% (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 2.68% to 2.60%, while the in-foreclosure rate increased from 0.68% to 0.74%. Both Salem Five Mortgage Corp. and Bangor Savings Bank QS had a rate of 0.00%, which was the lowest rate for the month. Delinquency rates for each servicer are shown in *Exhibit 3*.

Delinquencies by Insurance Type – In March 2024, SELF insured loans had the highest delinquency rate by total insurance type of 3.30%, with in-foreclosures at 0.99%. When compared to the total loan portfolio, RD insured loans had the highest delinquency rate of 1.19%, with in-foreclosures at 0.42%. 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 55% 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*.

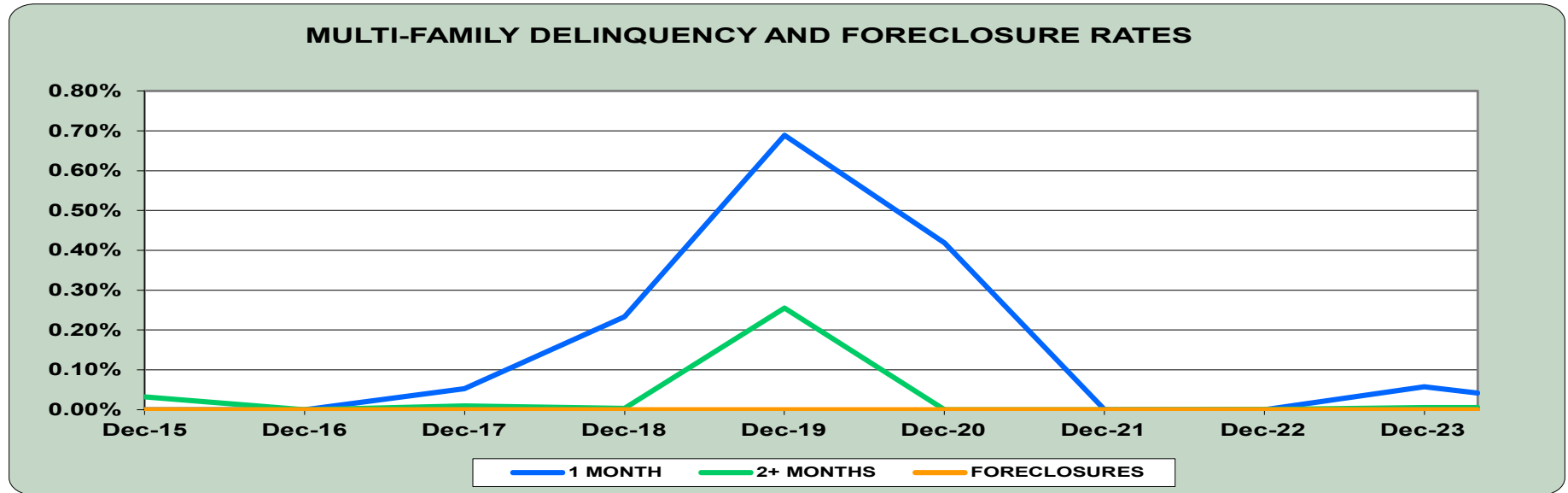
Foreclosure Prevention Activities – *Exhibit 8* summarizes our foreclosure prevention activities, as well as the number of completed foreclosures. As of the end of month March 2024, we assisted 311 borrowers with various foreclosure prevention options. As of March 2024, twenty-two HAF reinstatements have occurred.

Multi-Family Delinquent Loans

MAINE STATE HOUSING AUTHORITY MULTI-FAMILY DELINQUENCIES 4/30/2024								
Section 8					ORIGINATION	DELINQUENT		
BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	DATE	1 MONTH	2 MONTHS	3+ MONTHS
AVIGNON APARTMENTS	2,024.97	03/01/24	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					ORIGINATION	DELINQUENT		
BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	DATE	1 MONTH	2 MONTHS	3+ MONTHS
NONE								
						<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Supportive Housing & Other					ORIGINATION	DELINQUENT		
BORROWER	LEVEL PMT	PTD	LOCATION	PROJECT OWNER	DATE	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
ELM STREET, 63	436.74	09/01/23	MACHIAS	DOWNEAST COMMUNITY PARTNERS	04/01/99	0.00	0.00	26,866.00
						<u>0.00</u>	<u>0.00</u>	<u>45,709.00</u>
Grand Total						<u>401,647.00</u>	<u>0.00</u>	<u>45,709.00</u>
% of Portfolio Delq 60+ days		0.00%						
Total Number of Loans		1,342						



Multi-Family Delinquency & Foreclosure Trends



	OUTSTANDING PRINCIPAL	1 MONTH		2+ MONTHS		FORECLOSURES	
		DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE
Apr-24	\$ 953,168,499	\$ 401,647	0.04%	\$ 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%



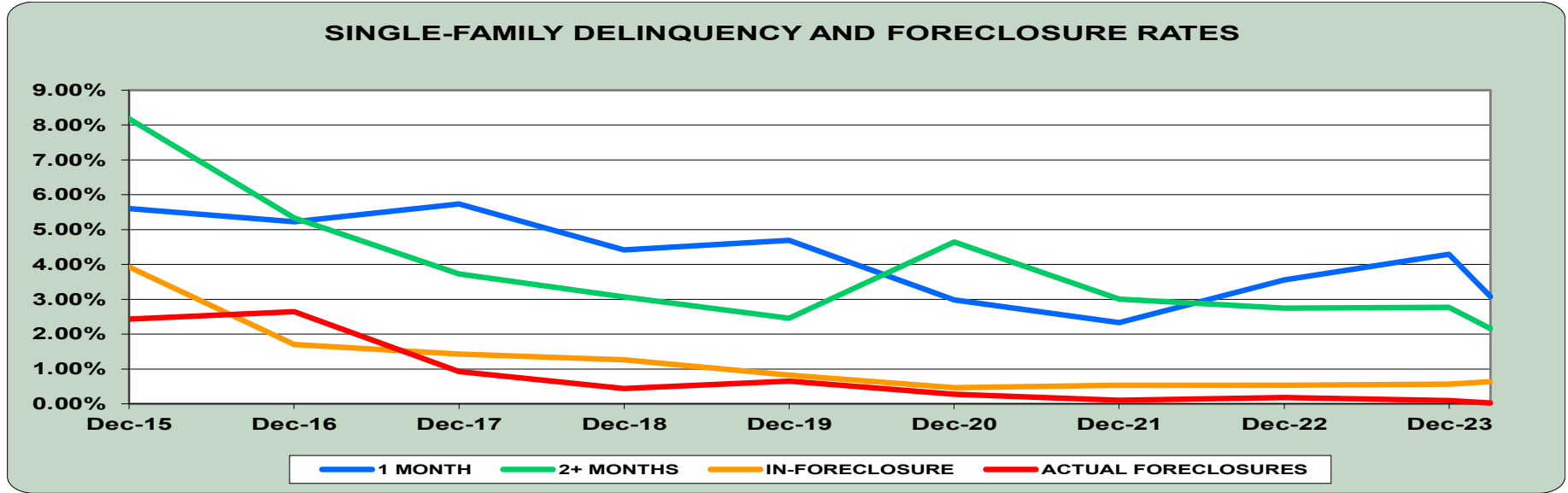
Single-Family Delinquent Loans

Maine State Housing Authority Single-Family Delinquencies by Servicer 3/31/2024

SERVICER	% OF PORTFOLIO	% of Portfolio Delq 60 + days	OUTSTANDING PRINCIPAL	----- 1 MONTH	DELINQUENT 2 MONTHS	----- 3+ MONTHS	IN- FORECLOSURE
MORTGAGE SERVICING SOLUTIONS	67.83%	2.60%	739,574,234.94	25,956,428.19	5,441,235.35	8,300,741.32	5,458,347.74
BANGOR SAVINGS BANK	10.02%	1.04%	109,201,483.64	1,719,798.41	491,219.14	240,575.14	407,220.07
CAMDEN NATIONAL BANK UK	7.80%	1.67%	85,015,810.64	2,487,795.33	712,773.40	618,068.54	84,895.26
BANGOR SAVINGS BANK QS	7.35%	0.00%	80,092,382.94	760,043.90	0.00	0.00	0.00
MACHIAS SAVINGS BANK	6.52%	1.89%	71,097,921.60	1,951,197.82	114,967.76	431,551.98	793,736.11
BANK OF AMERICA NA	0.46%	8.30%	5,041,937.37	622,775.10	63,992.70	135,027.44	219,553.37
SALEM FIVE MORTGAGE CORP	0.02%	0.00%	270,080.87	40,296.80	0.00	0.00	0.00
TOTAL	100.00%	2.16%	1,090,293,852.00	33,538,335.55	6,824,188.35	9,725,964.42	6,963,752.55



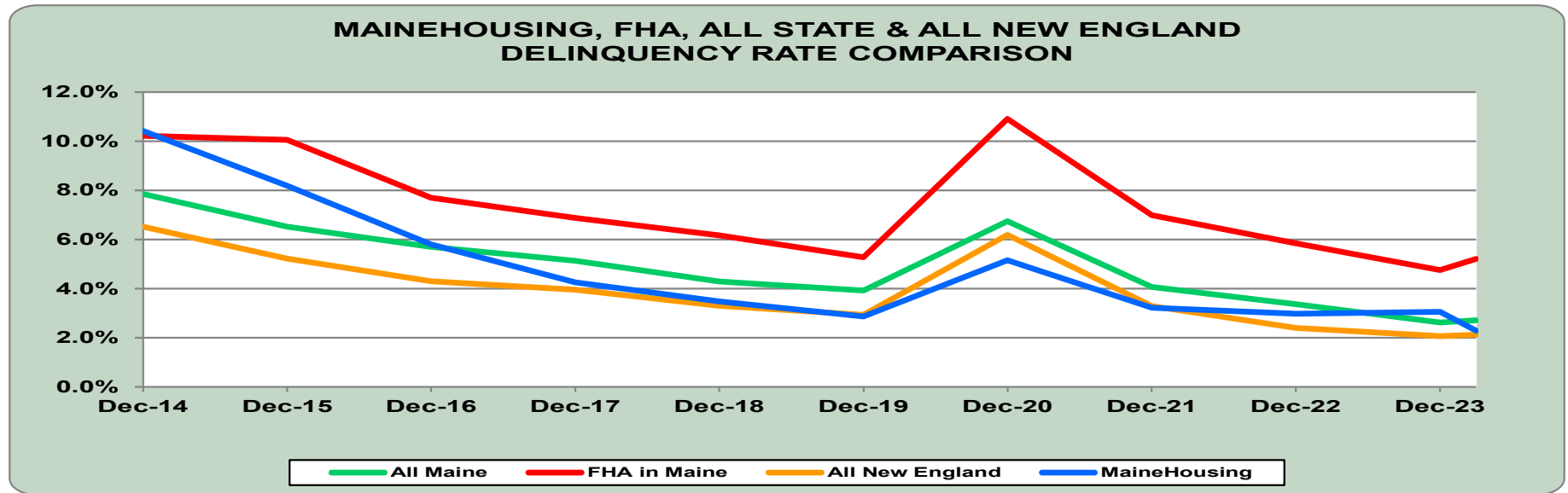
Single-Family Delinquency & Foreclosure Trends



	OUTSTANDING PRINCIPAL	1 MONTH		2+ MONTHS		IN-FORECLOSURE		ACTUAL FORECLOSURES	
	DOLLARS	DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE	DOLLARS	RATE
Mar-24	\$ 1,090,293,852	\$ 33,538,336	3.08%	\$ 23,513,905	2.16%	\$ 6,963,753	0.64%	\$ 258,645	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*	122,316	0.68%	1.05%	0.99%	2.72%
FHA for State*	16,986	1.85%	2.19%	1.17%	5.21%
All New England*	1,729,407	0.68%	0.96%	0.49%	2.13%
MaineHousing**	10,042	0.75%	0.78%	0.76%	2.29%

*This information is obtained from MBA's National Delinquency Survey for the fourth quarter of 2023.

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



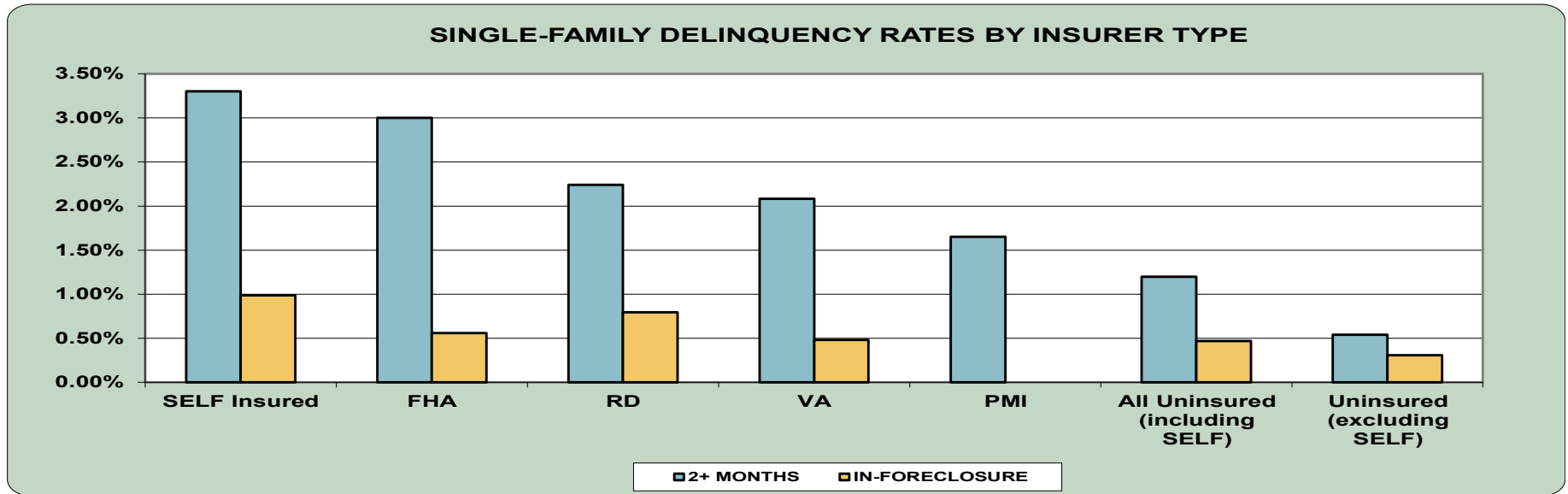
Single-Family Delinquencies by Mortgage Insurer

As A Percent of Total Insurance Type
3/31/2024

TYPE	2+ MONTHS	IN-FORECLOSURE
SELF Insured	3.30%	0.99%
FHA	3.00%	0.56%
RD	2.24%	0.80%
VA	2.08%	0.48%
PMI	1.65%	0.00%
All Uninsured (including SELF)	1.20%	0.47%
Uninsured (excluding SELF)	0.54%	0.31%

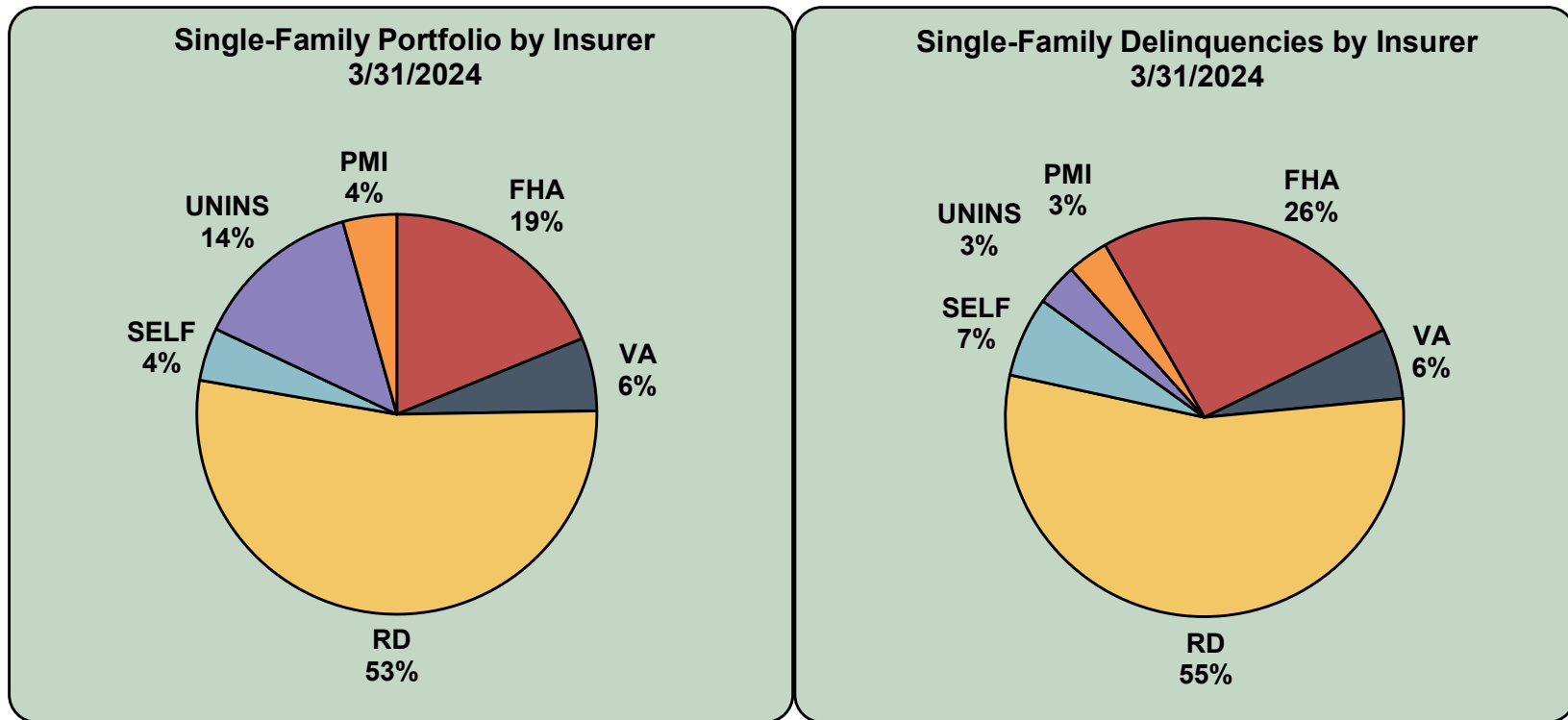
As A Percent of Total Loan Portfolio
3/31/2024

TYPE	2+ MONTHS	IN-FORECLOSURE
RD	1.19%	0.42%
FHA	0.56%	0.11%
All Uninsured (including SELF)	0.21%	0.08%
SELF Insured	0.14%	0.04%
VA	0.12%	0.03%
Uninsured (excluding SELF)	0.07%	0.04%
PMI	0.07%	0.00%

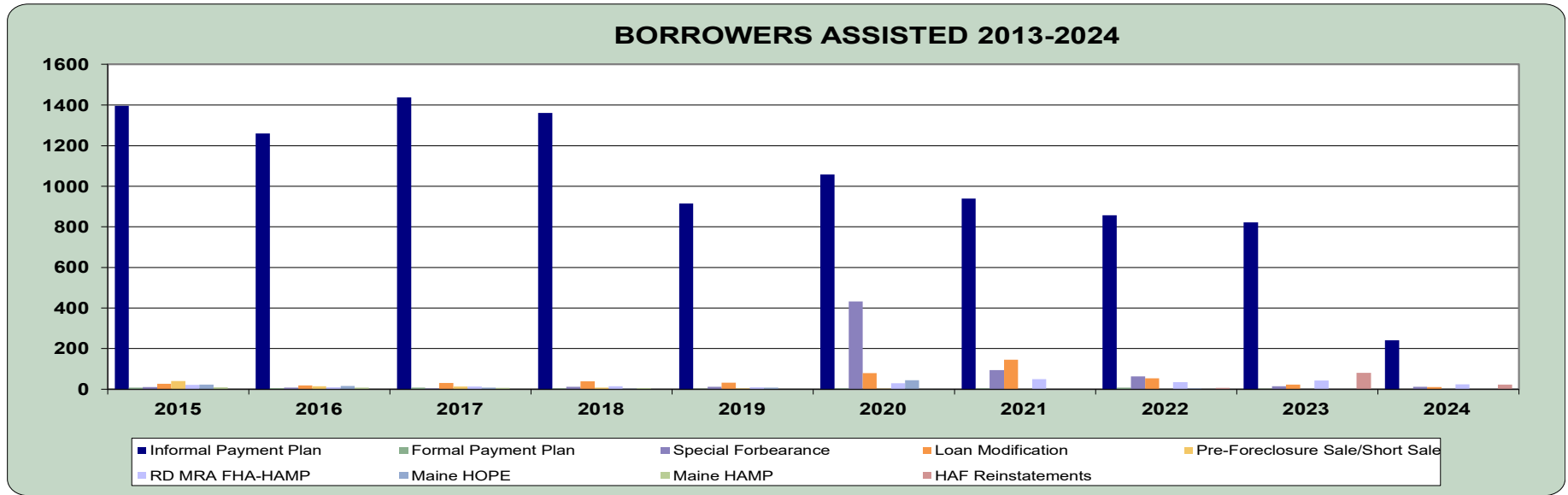


Single-Family Delinquencies by Mortgage Insurer

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
Mar-24	241	1	12	11	0	24	0	0	22	311
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
Mar-24	1	10,042	0.01%
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%



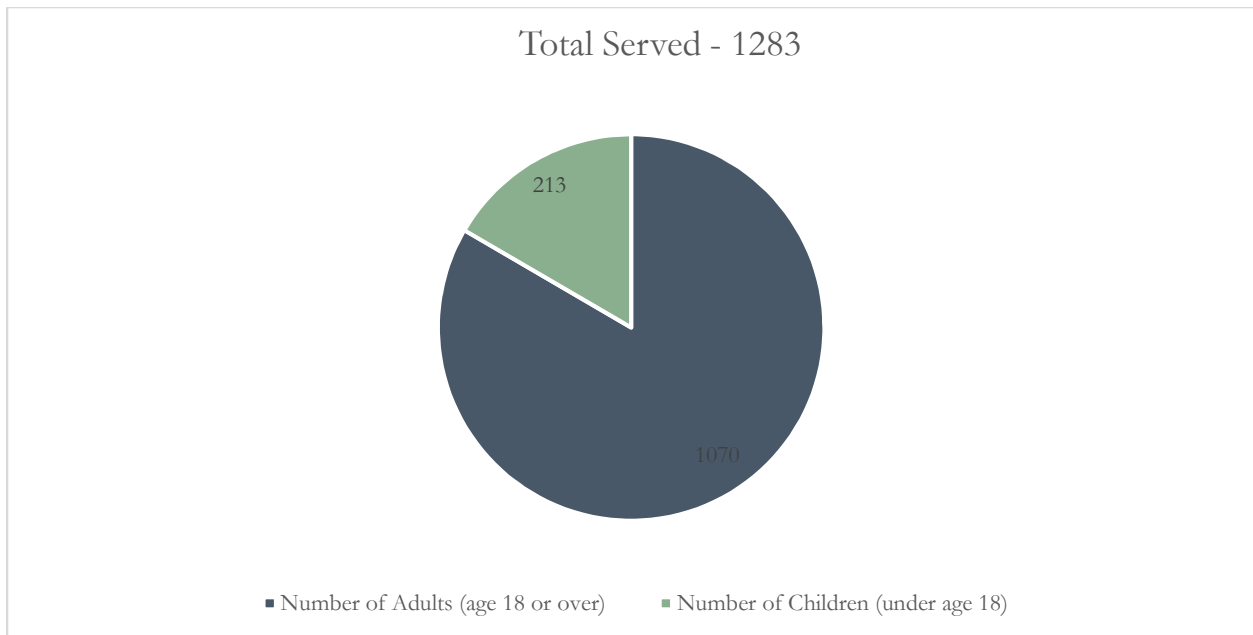
Homeless Initiatives Department Memorandum

To: Board of Commissioners
From: Kelly Watson, Director of Homeless Initiatives
Date: May 13, 2024
Subject: Homeless Initiatives Report

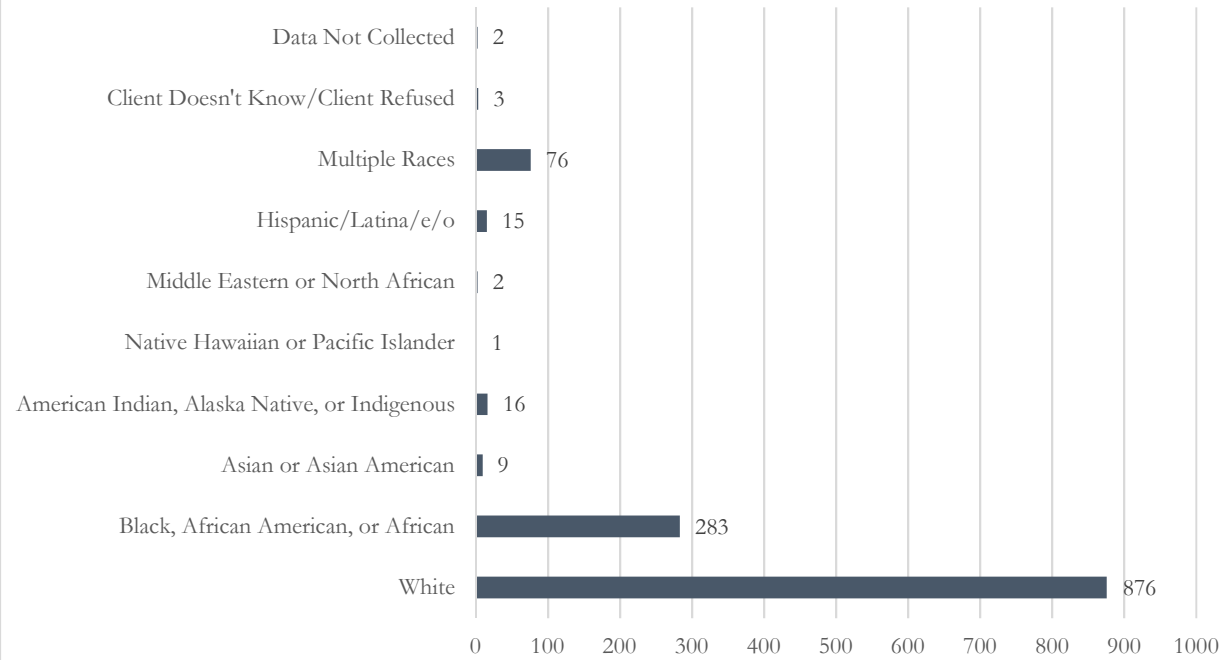
Homeless Data – April 2024

The following are the monthly statistics for April:

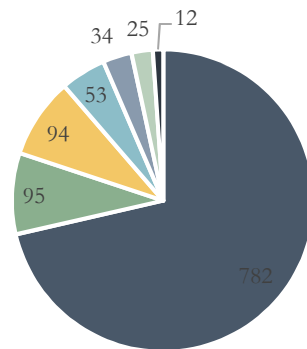
1. Total number of people served in ESHAP funded shelters (1283) decreased by 38 individuals. This number does not include many of the Asylum Seekers in Portland as well as those served in hotels through GA, or those seeking emergency shelter with a Victim Service Provider.
2. Racial equity – the percentage of people of color served stayed consistent at 31 in March. The number of those who identify as Hispanic/Latina/e/o decreased from 16 to 15.
3. The number of Exits to Permanent Housing last month decreased from 96 permanent exits in March to 61 in April. The total exits from shelter to any location was down by 63 from the previous month.



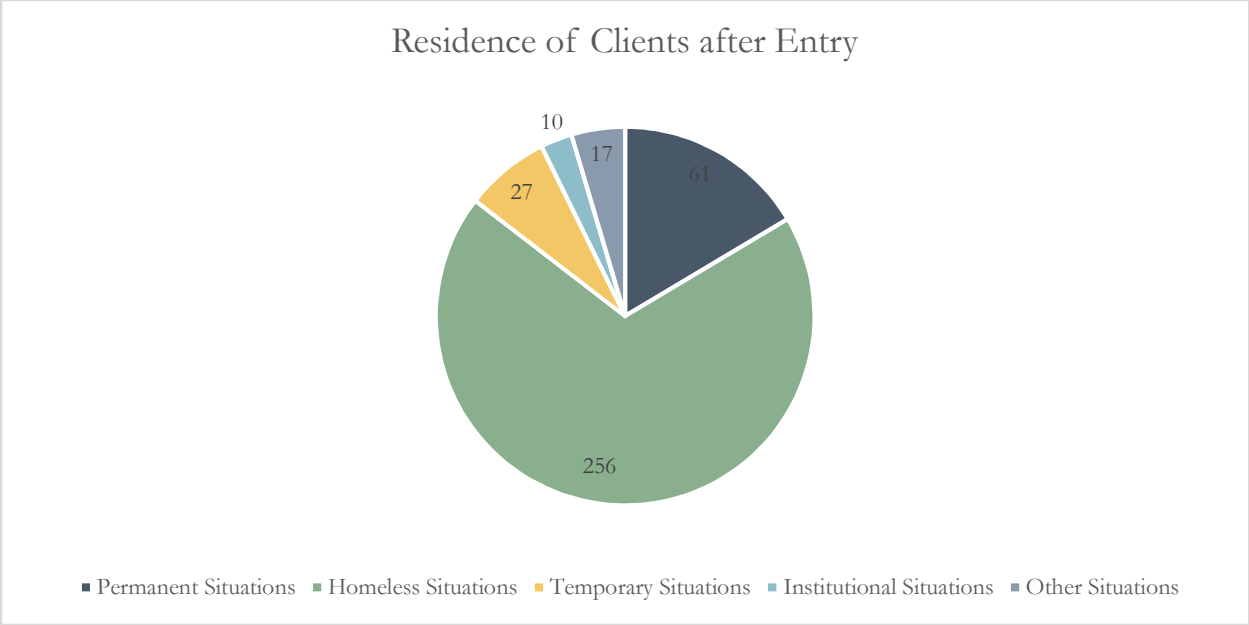
Number of People Served by Race



Residence of Clients Prior to Entry



- Homeless Situations
- Institutional Settings
- Staying or living in a friend's room, apartment or house
- Staying or living in a family member's room, apartment or house
- Hotel or motel paid for without ES voucher
- Permanent Locations
- Other Locations



Housing Opportunities for People in Encampments (HOPE) Program

Staff positions for the HOPE program in Portland have been filled. The program will soon begin working closely with outreach workers currently serving the unsheltered population in the area to ensure that everyone has been assessed through the Coordinated Entry System (CES). Referrals to HOPE as well as access to MaineHousing’s vouchers will be handled through the CES.

Maine CoC Update

A working group of the CoC has been formed to review the current governance and structure. The group is scheduled to meet every two weeks and is tasked with bringing recommendations forward to the larger CoC around governance, process, and structure. HUD TA is also working with the CoC leadership on movement toward goals in the areas of documentation, coordinated entry, and overall collaboration.

Based on concerns around data accuracy, a small group was formed to review the data contributions for the Bridging Rental Assistance Program (BRAP) administered by DHHS. After working closely with HUD TA, it was determined that BRAP does not meet the definition of what HUD considers homeless dedicated transitional housing, and therefore will be discontinuing data entry into HMIS and on the annual Point in Time (PIT) and Housing Inventory Count (HIC). This will result in a large decrease in counts under the Transitional Housing category in the 2024 reports. BRAP is still an active program and continues to serve participants; the clarification is around their homeless dedicated status.

Service Hub Implementation – Built for Zero Initiative

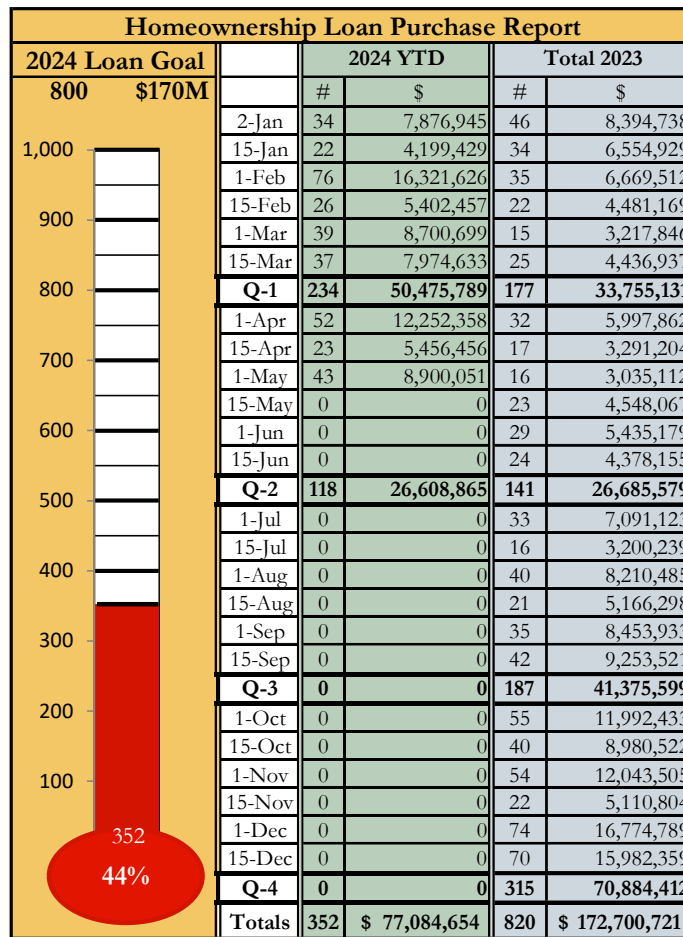
Shelby Wilson was hired on April 22 as the new Hub 9 Coordinator for Aroostook County. Shelby has worked with Continuums of Care in North Carolina and Colorado, and has hit the ground running here in Maine. She is working closely with MaineHousing, hub coordinators, and Hub 9 providers to orient herself in the hub coordinator position. With Shelby joining the team, we now have all 9 hub coordinators on board again.

The York County Commissioner's Office gave \$125,000 to Hub 1 to use towards solving homelessness in that area. The Hub 1 Coordinator, Abigail Smallwood, met with her homeless service providers and they decided to use the funding for move-in expenses and homelessness diversion, both of which have been identified as significant needs in York County. This funding will go through the Coordinated Entry System and HMIS will be utilized to track how the funding is being used.

Homeownership Department Memorandum

To: MaineHousing Board of Commissioners
From: Patricia Harriman, Director of Homeownership
Date: May 8, 2024
Subject: Monthly Report – Homeownership Department

PRODUCTION UPDATE



Monthly Loan Reservations: 05/01/24	
#	\$ Volume
104	\$ 23,082,241

Loan Pipeline as of: 05/01/24	
#	\$ Volume
212	\$ 46,224,925

Loan Reservation Comparison					
April 2023		April 2024		2023 vs 2024	
#	\$ Volume	#	\$ Volume	#	\$ Volume
184	\$35,746,188	212	\$ 46,224,925	15%	29%

PROGRAM HIGHLIGHTS

Spring has finally arrived in Maine and with that traditionally comes the busiest and most competitive time of the year for the real estate market. Warmer weather with longer hours of sunlight combined with families wanting to start the process to be finalized and settled before the start of the new school year are two of the major contributing factors to the increased activity in the second quarter of each year. In addition, homes tend to have better curb appeal in the spring as the flowers begin to bloom and homes overall tend to show better.

The season brings the best of both worlds for homebuyers and sellers in our current environment. Prices still remain relatively high, which benefits the seller, but price increases are slowing, which is good news for the buyer. In many areas this has not yet resulted in increase in sales, but many are hopeful that it will do so.

Supply continues to be the root of the issue. There are not nearly as many homes on the market as there is need to purchase. The demand from millennials to start their next chapter often hits a roadblock by the large baby boomer population not wanting or willing to sell their homes.

According to the National Association of Realtors, the baby boomers of today are of the mindset that they are healthier than their own parents, have the financial ability to maintain their homes and overall wish to live their days out in their homes. The rising costs of assisted and nursing home facilities combined with the uncertainty of the viability of many of these facilities is leaving the baby boomers to re think what comes next.

68.6 million Americans represent the baby boomers born between 1946 and 1964. The vast majority of them have stated that they want to age in place even if they haven't figured out how to do so safely. They know one thing, they aren't rushing to relocate to senior and assisted living care facilities.

10,000 baby boomers reach age 65 every day. Unlike the first time home buyer, this group has several options to choose from, what they choose however will have drastic impacts on the markets around them.

While the market continues to be volatile and secondary market rates still remain higher than anticipated, first time homebuyers still make up about 32% of all homebuyers. National Association of Realtors Chief Economist Lawrence Yun pointed out that there are "70 million more Americans today than in 1995. Housing needs are only increasing and that won't change because of complicated economic factors."

EDUCATION AND OUTREACH

On Tuesday, April 2nd The Maine Association of Realtors hosted a REALTOR Rally at the State House. This event provided an opportunity for Realtors to connect with their legislators. Intertidal Zone Takings, Zoning and Land Use Ordinances, Evictions, Housing Supply, Income Tax Surcharges are just a few of the topics that were in discussion in the Maine Legislature this session. Patricia Harriman, Director of Homeownership, and Jessica Gurney, Outreach and Education Coordinator, represented MaineHousing with a table display in The Hall of Flags.



The Maine Association of Mortgage Professionals held the 2024 Maine Mortgage Expo on April 3rd, 2024. This event was held at the Hilton Garden Inn in Freeport. This event featured a Mortgage Insurance Panel featuring Lou Chinappi with Arch MI, Greg Korn with MGIC, Mike Stevens with Essent, and Peter Yetman with Enact. Other presentations throughout the day included Fraudulent Real Estate Transfers in Maine, interviews with the MAMP Executive Panel, and The Maine Association of REALTORS Presidents Panel. Jessica Gurney, Outreach and Education Coordinator, and Dawn Libby-Lynch, Mortgage Compliance Specialist, represented MaineHousing's First Home Loan table.



Jessica Gurney and Dawn Libby-Lynch are featured. Dawn is shown talking with lenders from First National.



Adam Carrier, Regional Business Development Manager with Empeople Credit Union, won the \$100 Longfellow's Gift Card from MaineHousing.

The Maine Home Show was held at the Augusta Armory on Saturday, April 20th and Sunday, April 21st. The Homeownership Team had a table at this event. Future First Time Homebuyers stopped by the table to learn more. Some family members took materials back for First Time Homebuyers in their life. The team spent the weekend connecting with the public.



Jessica Gurney, Maggie Nason, and Dawn Libby Lynch are featured at the Home Show.

MaineHousing, with our advertising agency, Rink Advertising, went out to Mexico, Maine to do a site visit on a First Generation Homebuyer's new home. Liam Hunter is the buyer who agreed to let camera crews into his home. It was determined the house was a great home to feature. Filming will take place sometime in May. This will be produced into a video about a First Generation Homebuyer's story.

MaineHousing hosted its own CEU class for Real Estate Agents at the Hilton Garden Inn on April 30th. Lisa McKenna, Mortgage Compliance Specialist, taught the class. Agents who attended walked away with a deeper understanding of MaineHousing loan products and the knowledge needed to help First Time Homebuyers.

The journey to Homeownership looks different for each First Time Homebuyer. With the creation of The First Generation Program, it is MaineHousing's goal to offer classes that met all needs and learning styles. Penquis hosted its first Spanish Homebuyer Education Class. 13 Spanish speaking clients attended from the Mano and Mano Community in Milbridge. This request first came from Mano and Mano in a Culturally Advisory Meeting. Jessica Gurney, Outreach and Education Coordinator, worked with Heather Marrow, an educator from Penquis, Mano and Mano community members, and The Bangor Chinese School for translation. The class happened on Saturday, April 6th. It was a wonderful learning experience for everyone involved.

Partnering together, Mano and Mano and Machias Savings Bank, are offering a Financial Literacy Series in Spanish. Financial Empowerment Toolkit will meet the First Generation requirements for Spanish speaking First Time Homebuyers. The curriculum was produced by the Consumer Financial Services Protection Bureau and would be led by a Spanish speaking employee at their local Machias Savings Bank. This curriculum is 242 pages and includes 9 modules. These modules include settings goals, savings, tracking income and benefits, paying bills, getting through the month, dealing with debt, understanding credit reports, choosing financial products and services, and

protecting your money. This curriculum includes all documents translated. This class will be taught over four weeks in-person at Mano and Mano. The time frame of the class will be two hour sessions. The class will total 8 hours with assigned homework. This learning opportunity is very exciting for this community.

Housing Choice Vouchers Department Memorandum

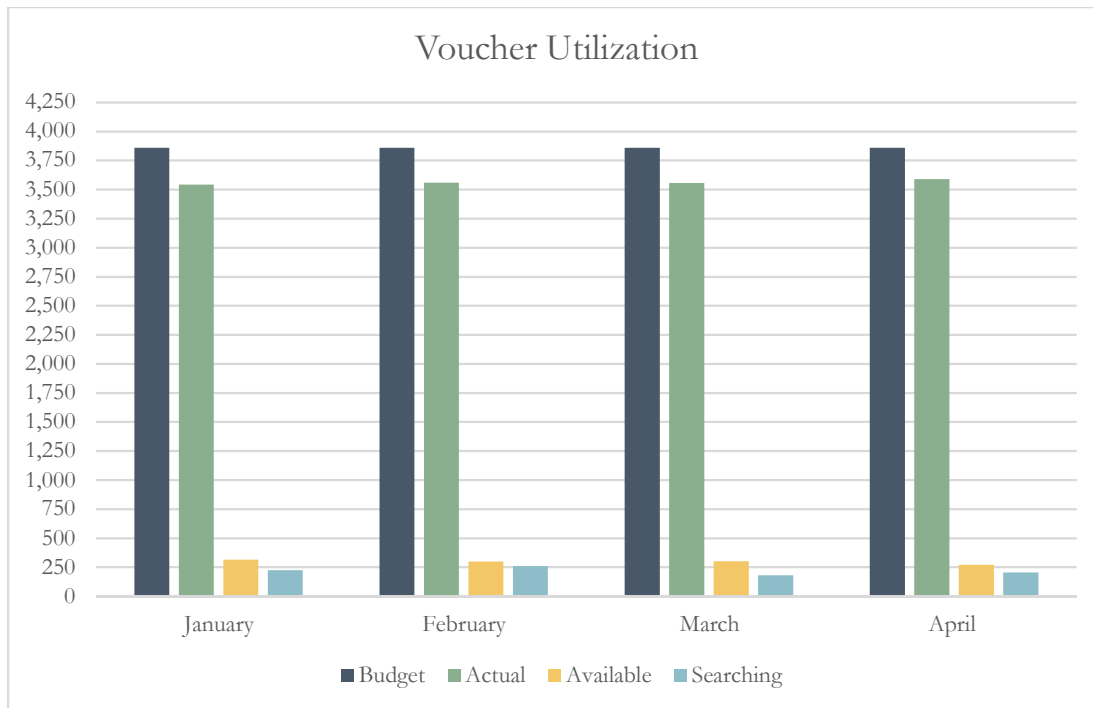
To: MaineHousing Board of Commissioners

From: Allison Gallagher - Director of HCV Programs

Date: May 21, 2024

Subject: Monthly Report – Housing Choice Voucher Program

Program Updates:



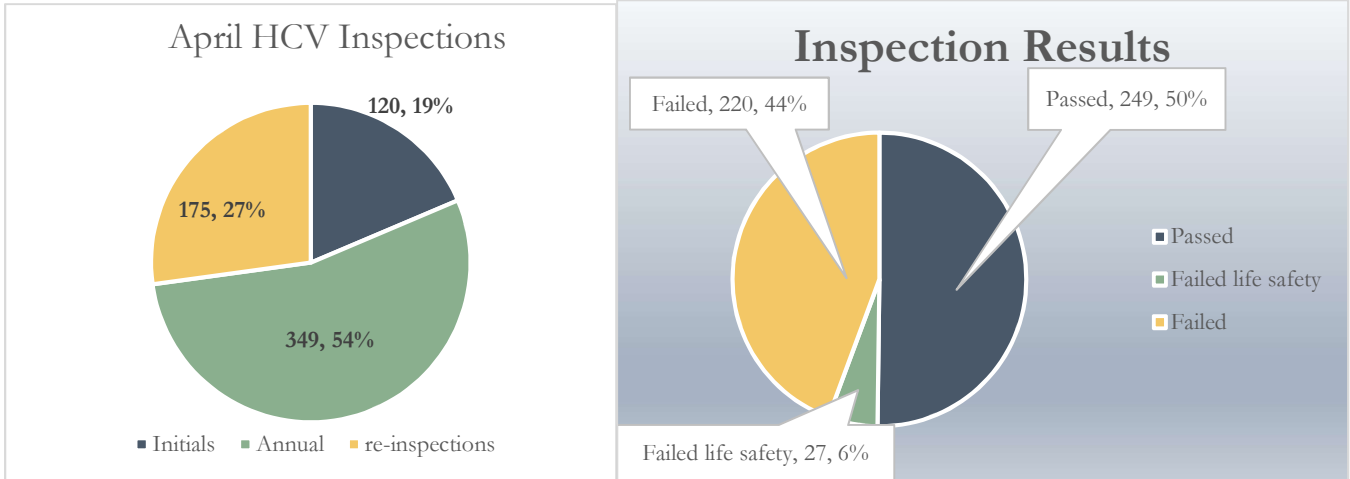
Homeless Priority

	Leased
Home to Stay	260
EHV	71
Homeless (non HTS)	289
STEP	127

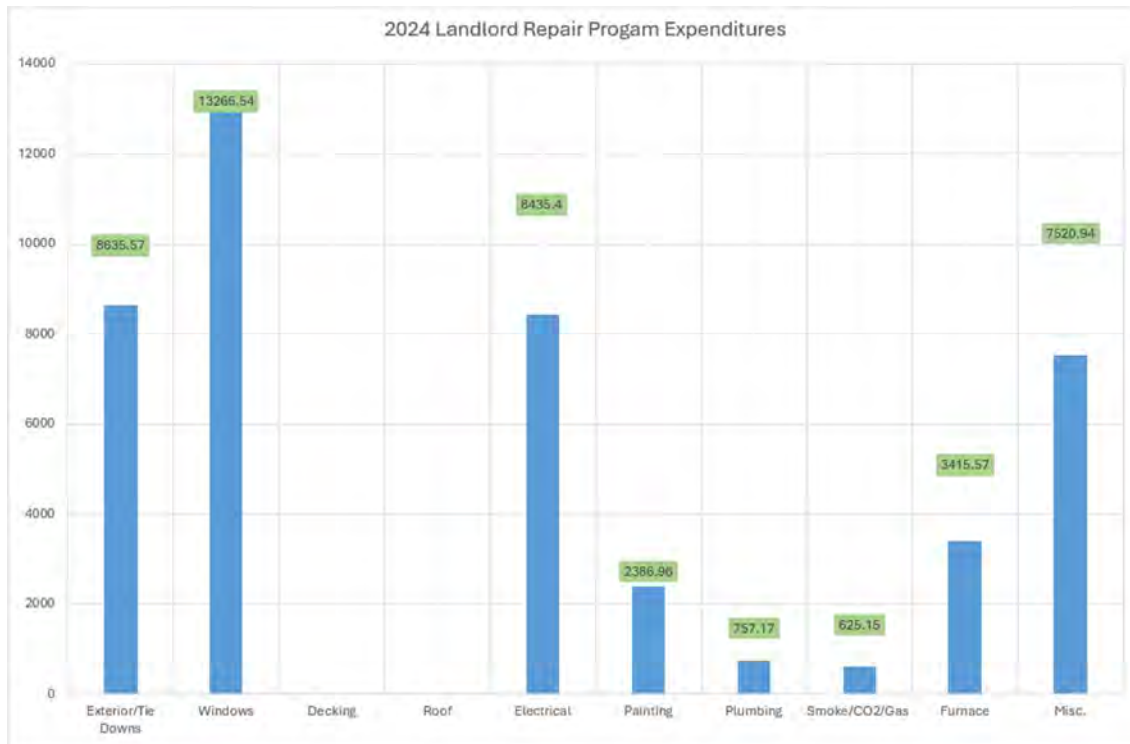
HCV Program and Inspection Training Update:

HCV staff are preparing for the upcoming transition from HQS to NSPIRE V. Target implementation date is September 2024. We are attending various HUD and industry training sessions.

HCV program staff have attended two trainings for the changes in HUD reporting and implementation of the new Housing Opportunity Through Modernization Act of 2016 (HOTMA). We are aligning our PHA plan and administrative plan effective January 1 2025, with the HOTMA changes.



LL Repair Program – \$45,043 Damage Reimbursement Program – \$15,000



HCV Open Positions

- Occupancy Specialist
- HCV Inspection Assistant

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 May 13



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: May 13, 2024

Subject: Monthly Report

Information Technology Updates:

- Information Technology began pilot of Microsoft Teams for testing and prep.
- Continued installation of Microsoft 365 applications on user desktops, replacing no longer supported versions of the software.
- Completed Draft Business Impact Analysis (BIA) and submitted to the leadership team and stakeholders for review and feedback.
- Performed testing and mitigation of disaster recovery systems after migration during 2023.
- Demoed and submitted Requests for Quotes for an ITSM (Information Technology Service Management) platform to upgrade capabilities for supporting hardware, software and support.
- Started 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.
- Applied security patches to critical systems to address identified vulnerabilities.
- 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: May 14, 2024
Subject: May 2024 Board Report

Planning and Research Department

PnR released MaineHousing’s 2023 Annual Report on April 29. The report features the input of the entire Planning and Research Department, with help from every department in the agency, and highlights the design skills of our own UI/UX Designer, Amanda Oullette. A print copy will have been provided to you at your meeting. Around the same time, our Planning and Research Coordinator facilitated the expansive, interdepartmental effort to address the NCSHA Factbook surveys and Communications Director Scott Thistle led the effort to draft MaineHousing’s submissions for the NCSHA Annual Awards. Throughout this entire period, our new Data Analyst, myself, and much of the team have also been focused on the developing the data and analysis for the 5-year Consolidated Plan and the Fair Housing Plan, both of which are due to HUD in this fall but require early development for public review.

One small internal project that has come to fruition is our redesign of this report. We’ve settled on a few metrics to track for each section of the report. Each metric will be reported for the preceding calendar month and, for context and comparison, averaged over the 3- and 12- months preceding that one. Finally, the same metric is reported for the same month of the previous year. Our logic is that these data points will provide you with a quickly accessible, high-level view of several of the common activities in our department with sufficient context to draw some of your own conclusions without relying reading our narrative about the department happenings. We hope that it is received as an improvement.

External Communications

Press Interaction	ME-based outlets Press contacts*	Out-of-state outlets Press contacts*	Director-level Press interviews
April 2024	25	1	5
Previous 3mo Average	19.7	1.7	6
Previous 12mo Average	-	-	-
April 2023	-	-	-

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

As you see above, the data highlight for external communications will be monthly counts of in-state and out-of-state (which includes regional, national, and international outlets) press contacts, as well as the number of press interviews with a MaineHousing director that were aired on television or radio. We did not have data readily available data to calculate full-year averages or the previous April metrics but they will be updated as sufficient time passes. Note that the metrics will be defined by calendar month, whereas the narrative will include press interactions up to the point of writing this report.

In the period since the last Board of Commissioners meeting in April, MaineHousing and their staff have participated in a variety of media events promoting and explaining the agency's work while providing high-level, professional insights and context to stories about affordable housing and housing-related development.

Topping the list for public attention this period was the release of MaineHousing's 2023 Annual Report. The report and its details generated six different stories across print, television, and online platforms. We believe that the unusual amount of press coverage was due to the simple fact that we decided to email our full list, which includes several members of the press, about its release this year.

Second to the annual report, were stories about the outcome of the 131st Maine Legislature and \$76 million that was directed to MaineHousing for a variety of programs including two development subsidy programs, the Rural Affordable Rental Program and the Affordable Homeownership Program.

Meanwhile, MaineHousing's Development Director Mark Wiesendanger, was quoted in national online publications surrounding the news from the University of Maine and the installation of the world's largest 3-D printer. Mark was a featured call-in guest on Maine Calling during the segment about 3-D printing and its implications for affordable housing. MaineHousing Senior Director of Communications and Government Relations, Erik Jorgensen, was also featured on Maine Calling as a primary guest for a segment about intergenerational housing and home sharing. Erik shared details of the new Nesterly pilot program and answered questions.

As may be evident by the frequency with which you've heard of our appearances on the show, Maine Public has been collaborating closely with MaineHousing's Communications Director Scott Thistle in selecting guests for the station's monthly Maine Calling show on housing issues. Thistle has not only supplied MaineHousing experts as guests but helped connect the show with advocates and experts throughout the state. "We're going to have to make you an official producer for this series!" show producer Cindy Han wrote to Scott.

Once again MaineHousing's Director Daniel Brennan led the agency with media appearances, including three interviews in a single day following the Legislature's adjournment.

Internal Communications

Intranet Activity	Content Created (Articles, blogs, polls, etc)	Total Content Interactions	Total Page Views
April 2024	23	272	4,459
Previous 3mo Average	28.3	170	2,106
Previous 12mo Average	21.8	120	1,752
April 2023	19	7	1,016

Content Created includes articles, blogs, photos, videos or any other content created by PnR staff or other contributors on the platform. Content Interactions include comments, likes, and ratings. Page views include every instance of a user visiting a page of the platform. Activity on the Intranet was, for lack of a better term, through the roof in April. In very significant part, this was driven by a virtual Easter Egg hunt that UI/UX Designer Ouellette implemented on April 1st. Staff had to search the for articles, posts, and files throughout the platform where Ouellette had inserted images of eggs, then fill out a survey with their locations in order to receive a prize. Participation in the activity exceeded our expectations.

The big Snacks & Facts event of the month was a Fair Housing session on April 29th. We watched a fascinating short documentary film called *A Matter of Place* and then had Q&A conversation with Kit Thompson Crossman, the Executive Director of the Maine Human Rights Commission.

Interdepartmental Support

Lytho Activity	New Requests	Requests Completed	Median hours to completion	Top 2 Departments
April 2024	23	23	23.25	Energy & Housing Asset Management
Previous 3mo Average	26	26	1.44	Energy & Housing Housing Choice Vouchers
Previous 12mo Average	28	29	2.47	Energy & Housing Homeownership
April 2023	14	20	10.65	Energy & Housing

Planning and Research supports other departments via a workflow management software called Lytho. The jobs range between simple edits to documents, website updates, graphic design and print jobs, data and dashboard development, and major projects like planning events. The task flow in April was steadier than in previous years, which often sees a bit of dip after the backlog from the first quarter is cleared. Also notable, though not visible in the metrics, is that we have recently received an unusual number of longer term project requests, including two new data dashboards for development.

Website

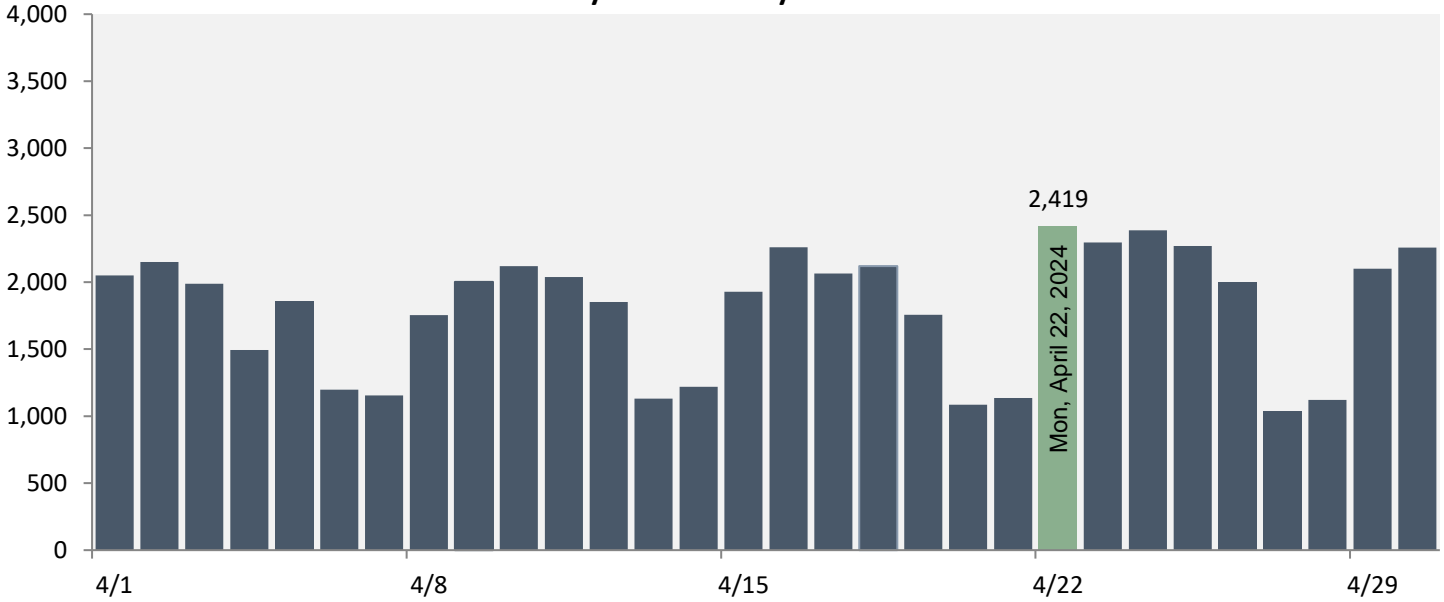
Web Traffic	Visitors	Total Hits	Engagement	Top 2 Program Areas
April 2024	54,252	205,576	89.1%	Homebuyer Programs Rental Programs
Previous 3mo Average	56,906	211,900	86.93%	Homebuyer Programs Rental Programs
Previous 12mo Average	64,933	245,036	83.56%	Homebuyer Programs Rental Programs
April 2023	69,340	262,986	83.4%	Homebuyer Programs Energy Programs

Each of the metrics reported in the data highlight for the website are also included in the full web report below, merely pulled forward here for ready access and comparison with previous time periods. April holds with UI/UX Designer Ouellette's previously shared observation that the surge in web traffic during the pandemic only seems to be partially abating, our new normal is much higher rates of traffic than we ever saw prior to the pandemic. One interesting note from the full report is that WGME shot up to #2 in the top referring sites in April, clearly indicating that one or more of their stories, likely the one about Nesterly, drove a lot of traffic to our site.

April 2024 - MaineHousing Website Statistics

Hit Summary

Daily Hit Analysis

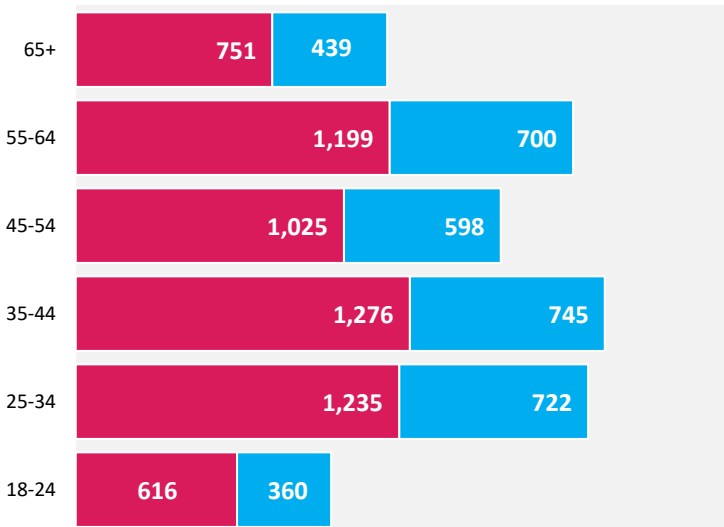


Visitors	Unique Visitors	Page Loads (Hits)	Avg Page Views	Avg Duration	Avg Engagement Rate
54,252	32,171	205,576	3.82	0:03:15	89.1%

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



63%



37%

TOP CITIES

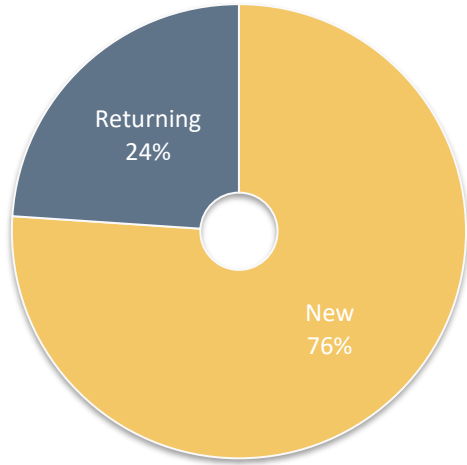
Boston, Massachusetts	5,821
New York, New York	3,799
Portland, Maine	3,285
Bangor, Maine	1,712
Augusta, Maine	1,354
Greenville, North Carolin	1,284
Ashburn, Virginia	1,223
Lewiston, Maine	1,090
Hallowell, Maine	787
Waterville, Maine	679

Top Cities account for 38.77% of all website traffic.

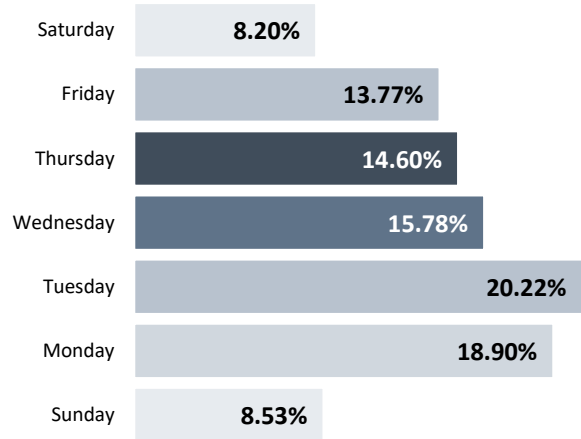
Visitor Engagement

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.

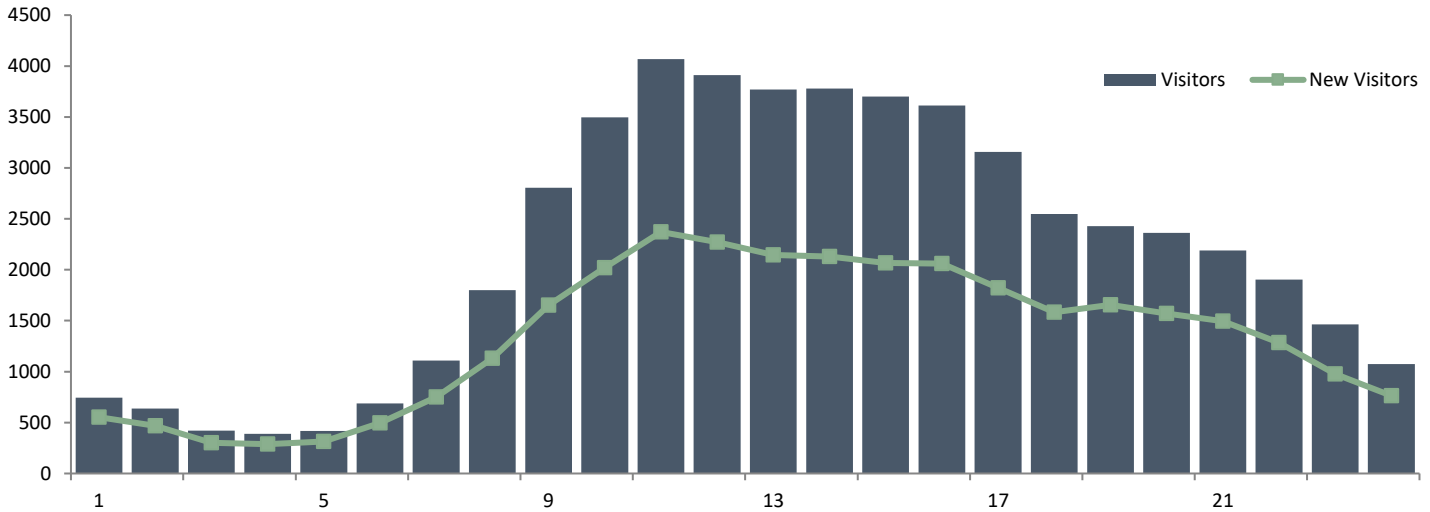
NEW & RETURNING VISITORS



DAYS OF THE WEEK

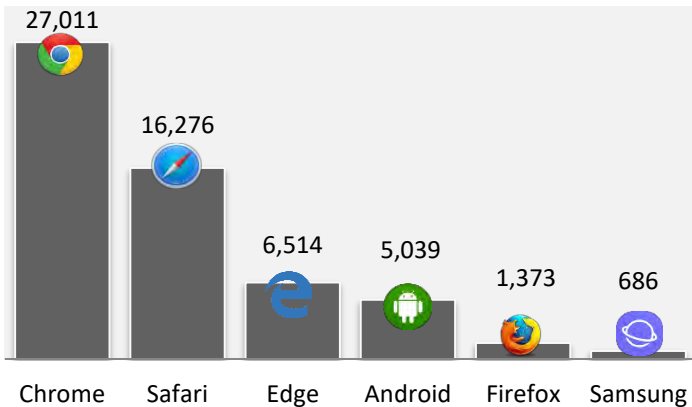


HOUR OF THE DAY

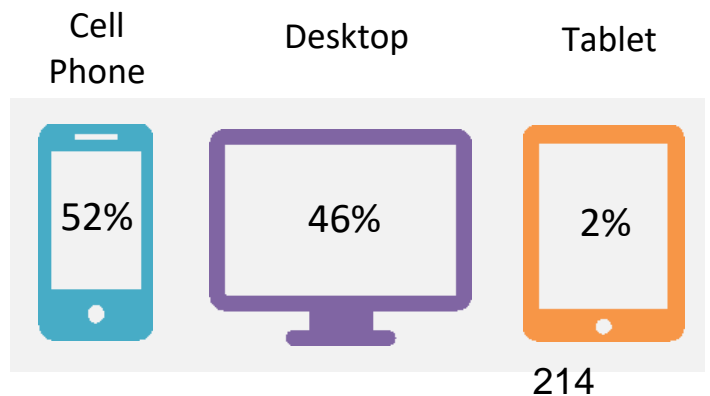


Visitor Technology Summary

Web Browser Analysis



DEVICE ANALYSIS

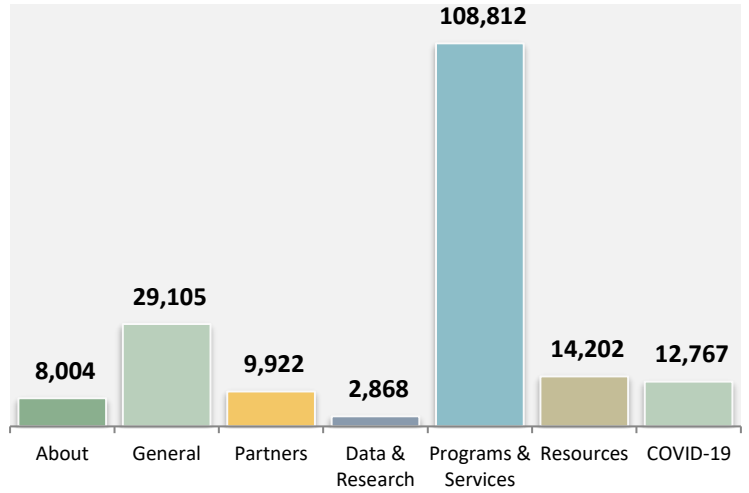


Popular Content

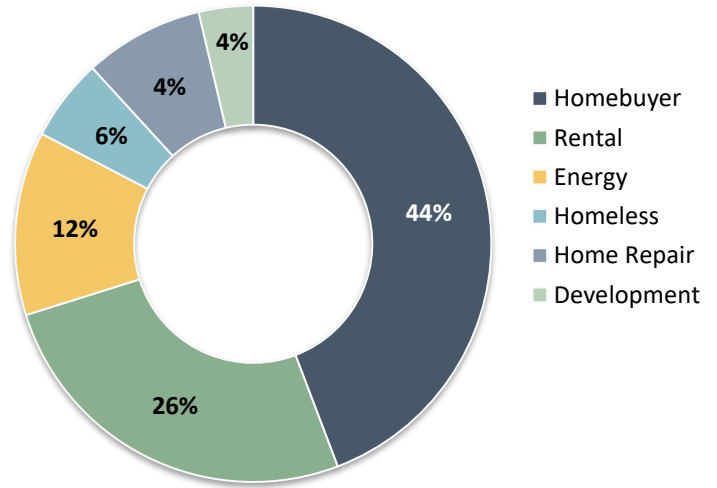
Popular content on our site is defined by pages and or sections of our site that have the highest visits. Below content has been categorized by page, program area and content sections. COVID-19 was added in March of 2020.

Page Title	Hits
Home	27,611
First Home Loan Program	18,476
Rental Assistance	8,830
Housing Choice Vouchers	7,736
Home Energy Assistance Program	7,710
Subsidized Housing	5,791
MaineHousing Lenders	5,565
Programs - Services	4,965
Home Repair	4,743
Steps to Homeownership	4,481
Homebuyer Income & Purchase Limits	4,108
HEAP Income Eligibility	3,560
First Generation Program	3,482
Maine HAF - Homepage	3,362
Current Interest Rates	3,303
Emergency Shelters	2,955
Contact MaineHousing	2,835
Homebuyer Programs	2,711
Mortgage Calculator	2,695
Rent - Income Charts	2,535
Homeless Initiatives	2,520
Emergency Rental Assistance Program	2,349
Maine HAF - Application	2,293
Careers at MaineHousing	1,911
Multifamily Developers Programs	1,906

Popular Content By Program

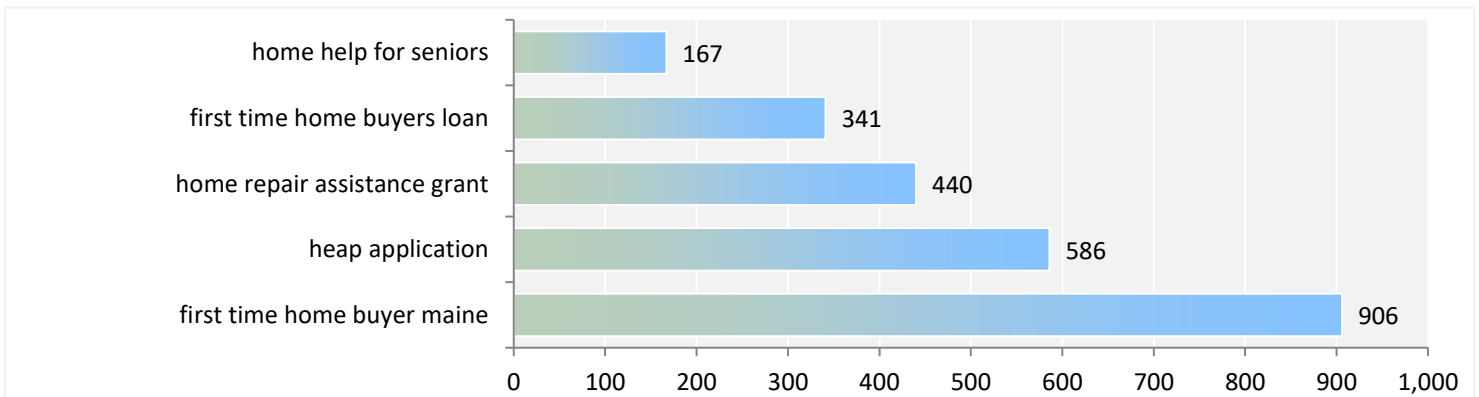


Popular Content By Section



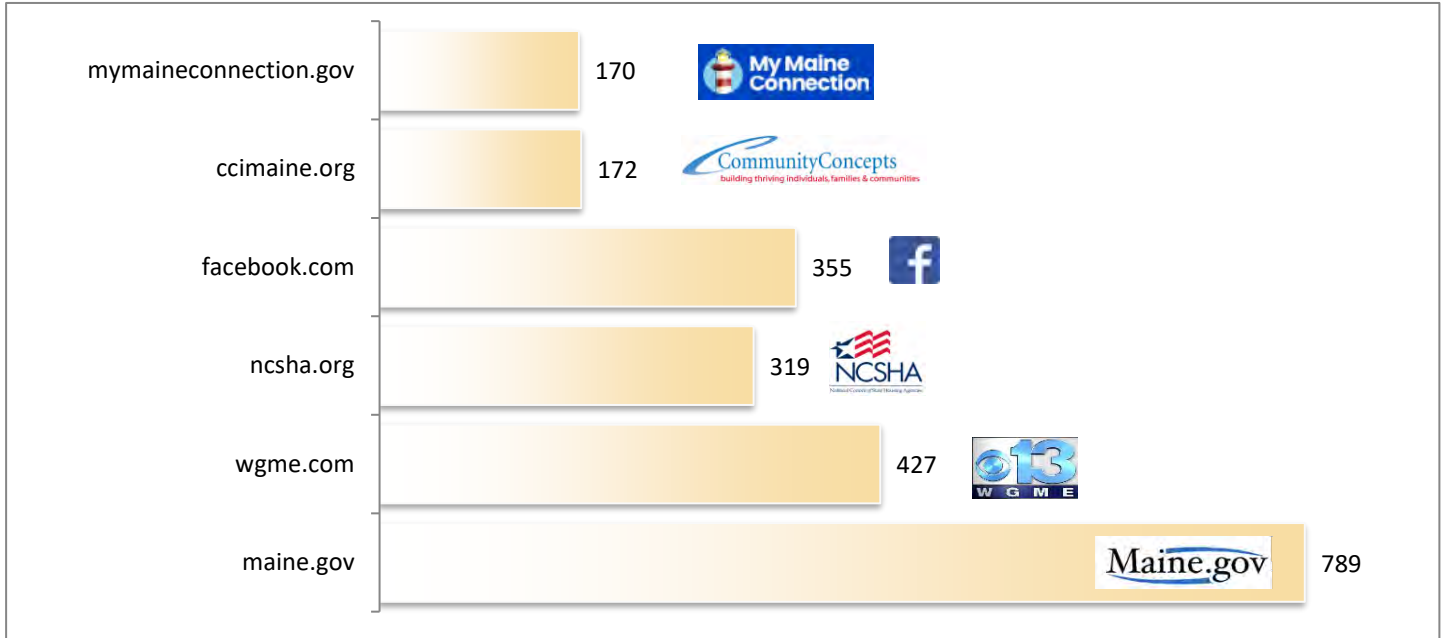
Search Keywords

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
<p>SEPTEMBER 17 <u>Board Business:</u></p> <ul style="list-style-type: none"> • PHA Plan Public Hearing • 2025 Goal Setting <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 <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>