



**CITY OF CINCINNATI**

**APPLICATION FOR LOAN GUARANTEE**

**FROM**

**THE U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

**FOR AN**

**ECONOMIC AND COMMUNITY DEVELOPMENT LOAN POOL**

**IN THE AMOUNT OF \$37,000,000**

**December, 2012**

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## Exhibits

- I. Publication of first public hearing**
- II. 108 Loan Substantial Amendment**  
*-includes comments from first public hearing*
- III. Publication of second public hearing and comments**
- IV. Authorizing Ordinance and Certifications**  
*-includes Environmental Review*

## Executive Summary

The City of Cincinnati's Department of Community Development (DCD) and the Economic Development Division (EDD) are jointly applying to HUD for authorization to utilize the Section 108 program to create a \$37,000,000 Loan Pool. This Loan Pool will establish a funding source for City projects where funding may otherwise be unavailable. These projects are:

<u>Project</u>	<u>Amount</u>	<u>Dept.</u>
A. Economic Development Loan Pool	\$11,000,000	EDD
B. Homeless to Homes Initiative	\$7,000,000	DCD
C. Tax Credit Bridge Loan	\$17,000,000	DCD
D. Community Development Loan Pool	\$2,000,000	DCD
<b>Total</b>	<b>\$37,000,000</b>	

Each project is in its own stage of implementation and scope. In addition, each project will have a separate HUD repayment structure and City funding commitment. Specifics pertaining to the structure of each Loan Pool are outlined below.

The Economic Development Loan Pool will lend Section 108 Loan funds utilizing strict underwriting criteria to assure repayment of its obligations to the City. The loan repayment proceeds from the Tax Credit Bridge Loan and the Economic Development Loan Pool programs will be available to fully repay HUD for those portions of the overall Loan Pool thus minimizing impact on the City's ability to continue other CDBG activities.

The Homeless to Homes Initiative, which has already been approved in concept by City Council and to which the City has proposed a commitment of \$10 million in grants, has no ability to contribute to the debt services being incurred. As such, all repayment will come from future HUD CDBG Entitlement grants.

The Tax Credit Bridge Loan is designed for the City to be repaid all HUD Section 108 Loan funds. As such, the City will account for future CDBG funds in the guarantee part of the program and receive Bridge Loan repayments which will provide Program Income to the CDBG program. This Program Income will be utilized by the City for other CDBG-eligible program activities.

As part of this loan application, the City will also be seeking a \$2 million dollar Loan Pool to be utilized for CDBG-eligible housing projects. With past cuts and potential future cuts to the Federal HUD budget which could impact the City, the availability of the Section 108 Loan funds will be a valuable resource to ensure future projects that positively impact our neighborhoods can be considered by the City at a time where there may not necessarily be direct HUD allocations. All project concepts eligible for 108 Loan Pool dollars will be carefully scrutinized to ensure their viability, eligibility, and that they meet the appropriate HUD National Objective.

A thorough description of all four components of this application is outlined throughout this application. While an abundance of planning has taken place related to each, the City is willing to make needed adjustments deemed necessary by HUD. Furthermore, should there be alterations, a full review of the project scope will be undertaken and vetted accordingly.

## 1. Project Description

**The City of Cincinnati's Section 108 Loan Pool Application is broken into four individual components:**

### **A. Economic Development Loans**

The City of Cincinnati will create a new Loan Pool to increase its ability to stimulate job creation within the City. This Section 108 opportunity provides the City another vehicle to elevate and undergird our lending capacity and our ability to produce more jobs beyond those outlined in the City's Consolidated Plan.

Cincinnati, like many cities its size, has varying Economic Development goals and needs. As the City targets its limited resources, we have identified several investment strategies deemed to be more impactful to neighborhoods and that maximize outcomes. For several years, the City has focused a substantial amount of development resources in the Empowerment Zone and the four Neighborhood Revitalization Strategy Areas (NRSAs). Investments in these areas have been instrumental in spurring additional redevelopment. Similarly, the City of Cincinnati adopted the "*Growth & Opportunities Cincinnati*" study (*GO Cincinnati*) as its Economic Development strategy in 2009. *GO Cincinnati* applies a place-based development strategy to prioritize development in six specific areas within the City. These areas of focus encompass the Empowerment Zone, NRSAs, and the *GO Cincinnati* plan. This methodology will continue to guide our Economic Development investments. To the extent feasible, Section 108 Loan funds will complement these strategies.

Section 108 Loan funds will be used toward gap financing for projects that have market feasibility, but require additional cash infusion to become viable. Each project will generate sufficient Cash Flow to repay the loan. The City will consider deals that promote business retention or expansion to commercial development with the primary outcome being job creation. Real Estate acquisitions and improvements are the preferred path because other assets are more difficult to collateralize. Every prospective deal will be subject to an exacting set of underwriting criteria. Each project must also follow CDBG program regulations, which includes meeting Eligibility, National Objective, and Public Benefit requirements. Deals will be expected to include an appropriate level of private funding, though EDD will remain open to deals that utilize the HUD Section 108 program in tandem with other public funding sources, such as Historic Rehabilitation Tax Credits, New Markets Tax Credits (NMTCs), Tax Increment Financing (TIF), and other conventional sources.

### **B. Homeless to Homes (HTH) Initiative**

The Homeless to Homes (HTH) Plan was approved by City Council in 2008. HTH seeks to improve and expand the services provided to single homeless men and women. The City has already made a commitment of nonfederal funds in the amount of \$10 million toward Plan implementation.

The Section 108 Loan will advance the City's vision in bringing two facilities to fruition. The City of Cincinnati will establish a \$7 million Loan Pool using Section 108 Loan funds. These funds will help fund the construction of two homeless shelters in the City.

This project encompasses the new construction of the YWCA shelter for women and relocation of the Drop Inn Center (DIC), a facility which currently houses both single men and women. Upon construction of a new facility, the DIC will house single men only.

### **C. Tax Credit Bridge Loan**

The HUD Section 108 Loan will be used to bridge \$17 million of Tax Credit Equity for five years toward a project named “Losantiville Apartments” which is scattered site development throughout various City neighborhoods. During the 5-year period, the investors will make interest payments on the HUD Section 108 Loan and pay off the entire balance at the end of year five in a balloon payment. The developer is estimating the HUD Section 108 Loan interest at 1.5%. Since the interest rate on the HUD Section 108 Loan is significantly less than the investor’s required Internal Rate of Return, there is an interest arbitrage that accumulates in the fund which will then be invested in other eligible housing projects. Analysis by the developer which is based on current investor hurdle rates and current HUD Section 108 rates, the developer estimates that this arbitrage would generate over \$3.5 million in Equity. The City will obtain Guarantees from the Tax Credit Investors for repayment of the Bridge Loan which significantly reduces the risk. This Bridge Loan fund provides the opportunity to revolve and be used in other projects as Tax Credit bridge financing.

### **D. Community Development Loans**

City neighborhoods face sizeable and unique challenges. The City of Cincinnati’s request for \$2 million in Section 108 Loan funds will enable the City of Cincinnati to further its goal of stimulating housing development in areas where investment is present but significant gap financing is unavailable. Section 108 Loan funds will establish a Loan Pool for residential development projects to spur additional financing from private banks and varying sources.

## **2. Sources and Uses**

### **A. Economic Development Loans**

A detailed listing of specific proposed Sources and Uses will be provided as required by each Section 108 project application. The debt and/or Equity that the principal developer or business owner is investing in the project will be included in this calculation. Loan recipients will be required to have Equity in the project.

### **B. Homeless to Homes Initiative**

All funds requested for this project will be for construction costs only. Explicit details by project will be presented to HUD as appropriate to the timeline. Funding for the project will be a combination of Community Development Block Grant (CDBG) Entitlement funds, HUD 108 Loan funds, capital funds, and private financing.

### **C. Tax Credit Bridge Loan**

All funds requested for this project will be used for qualified Tax Credit expenditures only. Detail on the project will be presented to HUD as the processes evolve.

#### **D. Community Development Loans**

The City will take into account additional funding sources (Low-Income Housing Tax Credits, etc.) when structuring deals with the HUD Section 108 Loan funds and the amount of private sector financing in the deal. A detailed form will be provided for each project application that requires the identification of specific funding sources and the corresponding dollar amounts. The debt and/or Equity invested by the Principal Developer will be factored into the calculation. For-profit developers will be required to provide a minimum of 5% Equity in the project. Non-profit developer projects will not be subject to the 5% Equity threshold. The City will focus on the capacity of the non-profit to meet its commitment in a timely manner.

### **3. Project Structure and Participants**

#### **A. Economic Development Loans**

The Section 108 Loan funds will be loaned to a Principal Developer (which may be a private business), except in cases where the City acts as the developer such as for public facilities projects. The Principal Developer will be a private non-profit or for-profit entity. The City will contract with the Principal Developer and ensure the Principal Developer to act as or hire a General Contractor.

The City encourages deals with layered financing structure such as deals involving rehabilitation Tax Credits, New Markets Tax Credits, tax increment financing, and other creative funding sources. As each deal progresses, The City will tailor requirements on a case-by-case basis.

#### **B. Homeless to Homes Initiative**

The applicant for the 108 Loan funds will be the City of Cincinnati. The City will borrow the funds and re-lend the funds to 032811 Holdings, LLC (a wholly owned subsidiary of the Cincinnati Center City Development Corporation), a local private nonprofit corporation that has almost ten years of development experience in Cincinnati's urban core. 032811 Holdings, LLC will be the principal developer and will provide Equity funding by way of private fundraising. The City of Cincinnati will provide interim and permanent financing through the use of CDBG Entitlement, 108 Loan funds and capital funds. Upon completion of both shelter projects, 032811 Holdings, LLC will transfer title of ownership to the existing owners, the YWCA and the Shelterhouse Volunteer Group (aka Drop Inn Center).

#### **C. Tax Credit Bridge Loan**

The applicant for the 108 Loan funds will be the City of Cincinnati. The City will borrow and initially re-lend the funds to the Model Group as interim construction financing. The Model Group is a local for-profit property development, construction, and management Company that has 20+ years experience in quality housing development. The Model Group will be the principal developer and Equity will be provided through Tax Credits. Upon completion of construction, the Model Group will own, operate, and manage the property.

#### **D. Community Development Loans**

The City of Cincinnati will borrow Section 108 Loan funds and re-lend to one or more

Principal Developers, except in cases where the City serves as the developer. The Principal Developer will be a private or a non-profit entity. The City will have a development agreement with the Principal Developer and require the Principal Developer to act as, or in some cases, hire the General Contractor. Similarly, all development agreements will contain any requirements pertaining to the disbursement of Section 108 Loan funds associated with the specific development budget and project.

#### **4. Collateral**

##### **A. Economic Development Loans**

Collateral will be secured for each project assisted with 108 Loan funds in the following order: 1) liens on real property associated with the project; 2) corporate and personal Guarantees by the Principle Developer or Owners of the project; and, 3) the City's Community Development Block Grant funding. For loans with terms in excess of ten (10) years, the City will provide HUD with additional satisfactory collateral upon request.

##### **B. Homeless to Homes Initiative**

Apart from the City pledge of CDBG Entitlement funds, the City will hold a first mortgage on each developed shelter for the life of the 108 Loan term. The mortgage will be assign to HUD as additional security for the same time period. If the appraised value "as constructed" does not have an 80% LTV, additional collateral acceptable to HUD will be provided.

##### **C. Tax Credit Bridge Loan**

Apart from the City pledge of CDBG Entitlement funds, the City will provide additional collateral for the life of the loan term. This collateral will be outlined and presented to HUD for approval and acceptance upon request.

##### **D. Community Development Loans**

For each project assisted with 108 Loan funds, collateral will be secured in the following order: 1) liens on real property associated with each project; 2) corporate and personal Guarantees by the Principal Developer or Owners of the project; and, 3) the City's Community Development Block Grant funding. For projects structured with loan terms surpassing 10 years, the City will provide HUD with additional collateral as requested.

#### **5. Repayment Schedule**

##### **A. Economic Development Loans**

Loans will be structured with up to twenty year terms or with terms that closely mirror the useful life of the asset and/or the lease terms of the end users. Interest-only payments may be offered to the Principle Developer for up to two years after the completion of the project. For 108 Loan financing structured to leverage NMTCs, the interest-only period will be maintained through the 7-year NMTC compliance period (including construction).

The City of Cincinnati understands that, should participants in this Section 108 Loan fund fail to make timely payments, and the City of Cincinnati therefore fails to make a required payment on its notes, HUD will deduct the payment amount from the City of

Cincinnati's CDBG Letter of Credit. In accepting this Loan Guarantee, the City of Cincinnati has pledged its CDBG funds and all other applicable grants as security for the Guarantee.

**B. Homeless to Homes Initiative**

Section 108 Loan funds to the principal developer will be forgivable over the life of the loan term with HUD. The City desires to maximize its loan term with HUD at 20 years to minimize the impact of its CDBG Entitlement pledge. The amount of principal to be repaid will be contingent on the interest rate applied.

**C. Tax Credit Bridge Loan**

This will be structured with up to a five-year term including construction. City consideration of projects requires an allocation of Tax Credits (rehabilitation, low-income housing or renewable energy) and the use of Tax Credit Equity as the source of repayment. Completion Guarantees will be required in order to ensure that the Tax Credits are available as the principal source of repayment.

**D. Community Development Loans**

Loans will be structured with up to twenty year terms depending a thorough underwriting of the project and the project's ability to pay the debt service. Interest-only payments may be offered to the Principal Developer where it makes financial sense and is feasible.

The City of Cincinnati understands that if the participants in this Section 108 Loan fund fail to make timely payments resulting in the City of Cincinnati missing required payments on its notes, HUD will deduct that payment from the City of Cincinnati's CDBG Letter of Credit. In accepting the terms of this Loan Guarantee, the City of Cincinnati pledges its CDBG funds and other applicable grants as security for the Guarantee.

**6. Project Implementation/Time Table**

**A. Economic Development Loans**

A project schedule will be included with each application for use of funds from the City of Cincinnati's proposed Section 108 Loan Pool. Section 108 Loan financing will typically be structured to fund acquisition, site work, rehabilitation and/or new construction proportionate to its share of all project Sources.

**B. Homeless to Homes Initiative**

Projects are anticipated to start in the 3<sup>rd</sup> quarter of 2013. The 108 Loan funds will be paid out on a pro-rate basis. This requires funds to be available at the commencement of the project.

**C. Tax Credit Bridge Loan**

A project schedule will be presented as deals are solidified. Funding will be expected at the commencement of construction and used to bridge Equity from the Tax Credits.

**D. Community Development Loans**

A project schedule will be included with each application for use of funds from the City

of Cincinnati's proposed Section 108 Loan Pool. Section 108 Loan financing will typically be structured to fund acquisition, site work, rehabilitation and/or new construction proportionate to its share of all project Sources.

## **7. Eligibility under 24 CFR 570.703, 24 CFR 570.203**

### **A. Economic Development Loans**

Each of the projects to be assisted with Section 108 Loan funds will be eligible under 24 CFR 570.703(i).

Under 24 CFR 570.203(a), the City can provide assistance for commercial/industrial development, and under 570.203(b), the City can provide assistance to private for-profit business, including, but not limited to, grants, loans, Loan Guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an Economic Development project, excluding those described as ineligible in Section 570.207(a). In addition, these activities will meet the guidelines provided in Section 570.209 (Guidelines for evaluation and selecting Economic Development projects).

Section 570.207(a) excludes: buildings or portions thereof, used for the general conduct of government, general governmental expenses and political activities. None of the projects to be assisted with Section 108 proceeds will include buildings used for the general conduct of government, general governmental expenses, nor for political activity.

### **B. Homeless to Homes Initiative (570.704)**

This project will be eligible under CFR 570.201(c): Public facilities and improvements. Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, except as provided in 570.207(a), carried out by the recipient or other public or private nonprofit entities. (However, activities under this paragraph may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to public facilities and improvements, including those provided for in 570.207(a)(1). In undertaking such activities, design features and improvements which promote energy efficiency may be included. Such activities may also include the execution of architectural design features, and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving CDBG assistance, such as decorative pavements, railings, sculptures, pools of water and fountains, and other works of art. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction described in 570.207(b)(3). Such facilities include shelters for the homeless; convalescent homes; hospitals, nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons and temporary housing for disaster victims. In certain cases, nonprofit entities and subrecipients including those specified in 570.204 may acquire title to public facilities. When such facilities are owned by nonprofit entities or subrecipients, they shall be operated so as to be open for use by the general public during all normal hours of operation. Public facilities and improvements eligible for assistance under this paragraph are subject to the policies in 570.200(b).

### **C. Tax Credit Bridge Loan 570.703(j)**

This project will be eligible under CFR 570.202(a) and 570.202(f). Privately owned buildings and improvements for residential purposes; improvements to a single-family residential property which is also used as a place of business, which are required in order to operate the business, need not be considered to be rehabilitation of a commercial or industrial building, if the improvements also provide general benefit to the residential occupants of the building; (f) *Lead-based paint activities*. Lead-based paint activities pursuant to §570.608. NOTE: LIHTC Bridge and Housing Development Loans should be the same eligibility.

### **D. Community Development Loans**

Each of the housing development projects to be assisted with Section 108 Loan funds will be eligible under 24 CFR 570.703 (h). Under 24 CFR 570.202 (a), the City may do the following:

- *“CDBG funds may be used to finance the rehabilitation of privately owned buildings for residential purposes” (570.202 (a)(1));*
- *“Low-income public housing and other publicly owned residential buildings and improvements” (570.202 (a)(2));*
- *“Assistance to private individuals and entities, including profit making and non profit organizations, to acquire for the purpose of rehabilitation, and to rehabilitate properties, for use or re-sale for residential purposes” (570.202 (b)(1)).*

## **8. Description of how the Proposal meets one of the National Objectives prescribed in 24 CFR 570.200 (a) (2)**

### **A. Economic Development Loans**

The creation of the City of Cincinnati's Section 108 Loan fund will facilitate the creation or retention of jobs for low- and moderate-income persons, support projects that provide critically needed goods and services to areas that are predominantly low and moderate income, and/or assist in the elimination of slum and blight. However, the City envisions that Section 108 Loan funds will be used *primarily* for LMI Jobs.

Section 570.208 defines the criteria under which an activity may meet Section 570.200(a)(2), National Objectives. Section 570.200(a)(2) requires that all CDBG activities meet one of three National Objectives. These objectives are: 1) benefit to low and moderate income families; 2) aid in the prevention or elimination of slums or blight; and 3) meeting other Community Development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available. Each project funded through the Section 108 Loan fund will meet one of the National Objectives listed in Section 570.200(a)(2) as detailed in Section 570.208.

Section 570.208 defines activities that meet the requirements of 570.200(a)(2) through the creation or retention of jobs (Section 570.208(a)(4)), area benefit activities (Section

570.208(a)(1)), and elimination of slums or blight (Section 570.208(b)). Subsection 570.208(a)(4) states that to qualify as a job creation or retention activity the project must “create or retain permanent jobs where at least 51 percent of the jobs, computed on a full time equivalent basis, involve the employment of low-and moderate-income persons.” Sections 570.208(a)(4)(i) & (ii) specify that to qualify under Section 570.208(a)(4) the jobs created or retained must either be held by or be available to low- and moderate-income persons. Section 570.208(a)(4)(iv) lists minimum standards for the presumption that jobs will be “held by or made available to low- and moderate-income persons.” Finally, Section 570.208(a)(4)(iv) and (v) state that if the assisted business is located in a census tract or block numbering area that is part of a Federally-designated Enterprise Community, and if the job is located within that census tract, then the person may be presumed to be a low- or moderate-income person.

Section 570.208(a)(1) explains Area Benefit activities. Activities to be considered Area Benefit for HUD 108 Loan Guarantee purposes may follow 570.208(a)(1)(i) to include activities, “the benefits of which are available to all the residents in a particular area, where at least 51 percent of the residents are low and moderate income persons.”

Section 570.208(b)(2) explains that for activities to qualify as slum or blight removal on a spot basis they must “eliminate specific conditions of blight, physical decay, or environmental contamination that are not located in a slum or blighted area: acquisition; clearance; relocation; historic preservation; remediation of environmentally contaminated properties; or rehabilitation of buildings or improvements” Activities to address slums or blight may also fall under slum or blight in an urban renewal area as outlined in 570.208(b)(3). 570.208(d)(1) stating “Where the assisted activity is acquisition of real property, a preliminary determination of whether the activity addresses a National Objective may be based on the planned use of the property after acquisition.” It states further that “where the acquisition is for the purpose of clearance which will eliminate specific conditions of blight or physical decay, the clearance activity shall be considered the actual use of the property.

#### **B. Homeless to Homes Initiative 570.208(a)(2)**

The Homeless to Homes Initiative meets the benefit to Low/Mod Income-limited clientele National Objective. These shelters will be available to single homeless men and women.

#### **C. Tax Credit Bridge Loan**

The creation of the City of Cincinnati’s Section 108 Loan fund will play an important role in supporting several initiatives including, but not limited to the following: 1) provision of housing for low and moderate income individuals and families—shelters, homeownership units, and rental units; 2) facilitation of development in neighborhoods where gap financing is necessary to finance small and large-scale residential projects; 3) facilitation of the creation or retention of jobs for low- and moderate-income persons; 4) support projects that provide critically needed goods and services to areas that are predominantly low and moderate income; and/or 5) assist in the elimination of slum and blight. However, the City envisions that Section 108 Loan funds will be used primarily for LMI Housing.

All projects that use Section 108 Loan funds will meet one or more of the National Objectives as outlined in 507.208. Section 570.208 defines the criteria under which an activity may meet a National Objective. Section 570.200(a)(2) requires that all CDBG activities meet one of three National Objectives. Those objectives are: 1) benefit to low and moderate income families; 2) aid in the prevention or elimination of slums or blight; and 3) meeting other Community Development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available.

#### **D. Community Development Loans**

The creation of the City of Cincinnati's Section 108 Loan fund will play an important role in supporting several initiatives including, but not limited to the following: 1) provision of housing for low and moderate income individuals and families—shelters, homeownership units, and rental units; 2) facilitation of development in neighborhoods where gap financing is necessary to finance small and large-scale residential projects.

All projects that use Section 108 Loan funds will meet one or more of the National Objectives as outlined in 507.208. Section 570.208 defines the criteria under which an activity may meet a National Objective. Section 570.200(a)(2) requires that all CDBG activities meet one of three National Objectives. Those objectives are: 1) benefit to low and moderate income families; 2) aid in the prevention or elimination of slums or blight; and 3) meeting other Community Development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available.

### **9. Standards for evaluating Public Benefit Standards**

#### **A. Economic Development Loans**

All projects eligible under Section 203 and Section 204 will be required to comply with Section 570.209. Section 570.209(b)(1) establishes the standards for evaluating Public Benefit in the aggregate, Section 570.209(b)(2) applies those standards and 570.209(b)(3) establishes the standards for individual activities. All projects funded through the Section 108 Loan Guarantee will comply with the standards of subsections 570.209(b)(1), (2) & (3).

All projects funded through the Loan Guarantee will be required to meet either the individual or aggregate job creation standard of Section 570.209(b)(3), as applicable. The City of Cincinnati anticipates qualifying projects under both 570.209(b)(3)(i)(A) & (B) - the creation or retention of at least one full-time equivalent permanent job for every \$50,000 of CDBG assistance and the provision of goods and services to low- and moderate-income persons where the CDBG assistance does not exceed \$1,000 per low- and moderate-income person to which goods or services are provided by the activity.

In some situations, projects assisted with the loan fund may be located within the federally designated Enterprise Zone Community, HUD-designated Neighborhood Revitalization Strategy Areas, or within a census tract with poverty rates in excess of 20%. Section 570.209(b)(2)(v)(F) exempts activities from meeting the aggregate standard for Public Benefit if the activity provides assistance to businesses that operate

within a census tract that has at least 20 percent of its residents who are in poverty. If a project should fall outside of this area, it will be required to meet the aggregate standard.

**B. Homeless to Homes Initiative**

This project will be eligible under CFR 570.201(c) and is therefore not subject to the Public Benefit standards.

**C. Tax Credit Bridge Loan**

Each of the housing development projects to be assisted with Section 108 Loan funds will be eligible under CFR 570.202 (a) and is therefore not subject to the Public Benefit standards. If the project is not a housing development, then the Public Benefit standard detailed in Section 570.209 shall be complied with as detailed in the Economic Development Loans above.

**D. Community Development Loans**

Each of the housing development projects to be assisted with Section 108 Loan funds will be eligible under CFR 570.202 (a) and is therefore not subject to the Public Benefit standards.

**10. Section 570.209: Guidelines for Evaluating Project Costs and Financial Requirements**

All activities eligible under Section 570.203 must meet the requirements of Section 570.209. This section outlines guidelines for ensuring that a proposed project carries out an Economic Development objective in an appropriate manner. These guidelines under 570.209(a) are not mandatory but serve as a framework for financially underwriting Economic Development projects.

In evaluating proposed projects the City of Cincinnati will use the following criteria:

**Project Evaluations**

**1. Guidelines for evaluating project costs and financial feasibility**

**a. Reasonableness of the Proposed Project Costs**

Each use of Section 108 Loan funds shall be evaluated to ensure the reasonableness of proposed project costs. The scope of this evaluation shall depend on the size and nature of each project. Care will be taken to use third party evaluations of costs wherever appropriate, and particular attention will be exercised when an activity involves a non-arms-length transaction.

**b. Commitment of all Sources of Funds.**

The City and its consultants shall review every project to verify that all sources of funding are committed and available prior to approval of an activity to be funded through the Section 108 Loan Guarantee.

**c. Substitution of CDBG funds for Private Sources.**

City staff, assisted by consultants, will review all projects to ensure that each loan minimizes the use of CDBG funds. It is in the City of Cincinnati's self interest to verify that there is no substitution of CDBG funding for non-federal funding. Given the limited availability of federal funds, the city staff will work diligently to maximize the use of private, non-federal funding in all projects.

All projects will be reviewed to verify that private sources of financing have been maximized and that the Rate of Return on Equity is reasonable and within general standards.

**d. Feasibility of the Project.**

All projects seeking assistance under the Section 108 Loan fund shall be evaluated as to project feasibility. The scope of each evaluation will depend on the nature of prospective projects. For existing businesses, three years of financial statements will be reviewed and analyzed, projections evaluated and project costs verified. For business start-ups, projections will be compared to industry averages and evaluated by others experienced in the line of business. In addition, at risk capital will be required on the part of the borrower. For real estate projects, appraisals will be required and reviewed, appropriate pre-leasing levels will be set and prospective tenants' credit worthiness will be evaluated. In some cases formal market feasibility studies will be required. In other cases less formal evaluations will be sufficient. In all cases the prospective borrowers' experience and capacity to perform will be reviewed.

**e. Return on owner's Equity.**

Staff will evaluate all projects to determine the owner's return on Equity and compare this projected return to local standards and industry norms. The loan fund will seek to participate in projects where its participation will help secure the owner a return commensurate with the risk. Projects where the return on Equity is high will need to demonstrate why the fund's involvement is necessary, or why its participation should not be lessened. Projects where the return on Equity is low will need to further justify feasibility and accuracy of costs. It shall be the goal of the fund to maintain a viable portfolio of loans with the minimum fund involvement.

**f. To the extent practicable the Section 108 Loan funds should be disbursed on a pro rata basis**

It shall be a goal of the fund to disburse funds on a pro rata basis with other funds being used in specific projects. In those situations where pro rata disbursement is not followed, staff will justify the procedure and seek alternative means to mitigate risk.

The City will not disburse Section 108 Loan funds in a ratio greater than the ratio of committed Section 108 Loan funding to the amount of committed Equity for each of the proposed projects.

## **Underwriting Standards for City of Cincinnati Section 108 Loan Fund**

1. **National Objective**

All loans shall meet a National Objective as specified in 24 CFR 570.208. No loan shall be approved without verification of compliance with the National Objective requirements, specified in 24 CFR 570.208, by the Ohio Office of the United States Department of Housing and Urban Development.

2. **Eligible Activity**

In addition to meeting one of the programs National Objective all projects assisted through the Section 108 Loan Fund must fall within one of the eligible activities listed in 570.703.

3. **Guidelines for evaluating and selecting Economic Development projects**

For all activities eligible under 570.703(i), Economic Development activities, the project will be required to meet the guidelines listed under 570.209: Guidelines for evaluating and selecting Economic Development projects. No loan shall be approved without verification of compliance with the Public Benefit standards as specified in 24 CFR 570.209(b) by the Ohio Office of the United States Department of Housing and Urban Development.

4. **Financial Underwriting**

The City shall adhere to the follow loan underwriting criteria:

A. **Real Estate Loans**

Real Estate Loan shall be evaluated based on:

- Ability to Repay
- Collateral
- Development Team Capacity and Experience
- Developer Commitment
- Character of the Developer
  
- Ability to Repay

Projects to be funded will have at least a 1.1 projected Debt Coverage Ratio. If the project includes more than a small percentage of its rental income from start-up or financially weak tenants then a higher Debt Coverage Ratio shall be required.

- Collateral

Projects to be funded should maximally have an 80 percent Loan-to-Value Ratio. This Value must be supported by an appraisal prior to funding. If more than an 80 percent Loan-to-Value Ratio is proposed, outside collateral sufficient to provide an 80 percent Loan-to-Value shall be required. In certain cases outside

Guarantees may suffice for additional collateral.

- Development Team Capacity and Experience

Projects funded shall have a development team that has both the capacity and experience to complete the project as demonstrated by past projects and financial strength.

- Developer Commitment

Developer commitment can take many forms. While each project is likely to be different the forms of developer commitment that can be expected include: adequate Equity, Guarantees of completion, Guarantees to fund shortfalls or Guarantees of minimum Cash Flow.

- Character

Projects to be funded should have developers with good credit histories, demonstrated integrity, and quality references.

### **Project Management**

The City of Cincinnati's Department of Community Development (DCD) and the Economic Development Division (EDD) will administer the Community Development and the Economic Development Loan Pool respectively. DCD and EDD, with direct guidance from the City's existing Financial Review team will underwrite all loans and will utilize the National Development Council (NDC) to advise on project feasibility. NDC has a more than 42-year track record of assisting local governments in structuring and implementing Economic Development and housing projects.

### **11. Citizen Participation Plan 570.704**

The City of Cincinnati has initiated its Citizen Participation Plan for the purposes of utilizing the Section 108 Loan Guarantee Program. The City has advertised and held a public hearing September 20, 2012. The public hearing announced the plans to apply for a HUD Section 108 Loan Pool and the proposed components of the application. The public comment period ran thru October 22, 2012. A response to comments was provided. A second Public hearing was held on October 29, 2012 before the City Council Budget and Finance Committee on the City's 2009-2014 Consolidated Plan/Action Plan Substantial Amendment for the HUD 108 Loan Program. The Substantial Amendment and HUD 108 Loan application were published on the City's website for review. After consideration of public and administrative feedback, the application was finalized and submitted to HUD for review by both the Field Office and Headquarters.

## 12. Contacts

**Michael Cervay, Director**

Department of Community Development  
805 Central Avenue, Suite 700  
Cincinnati, Ohio 45202  
Tel: (513) 352-1948 Fax: (513) 352-6123

**Odis Jones, Director**

Economic Development Division  
805 Central Avenue, Suite 700  
Cincinnati, Ohio 45202  
Tel: (513) 352-1915 Fax (513) 352-6257

**Exhibit I – Publication of First Public Hearing**

**ATTORNEY DISCIPLINE**

On September 6, 2012, **JOHN PETER ANTONY**, Attorney Registration No. 0043520, last known address in Highland Heights, Kentucky, was suspended from the practice of law in Ohio for a period of 90 days. See the Supreme Court's entry in *Disciplinary Counsel v. John Peter Antony*, 2012-Ohio-1181 for additional information. 1728404

Call 513-421-6300 or visit [www.cincinnati.com](http://www.cincinnati.com) to get your ad in print and on the Internet!

**ADVERTISING ORDER**  
DATE: September 12, 2012  
**DEPARTMENT OF HOMELAND SECURITY CUSTOMS AND BORDER PROTECTION COPY FOR ADVERTISEMENT:** CINCINNATI, OHIO. Notice is hereby given that the following property was seized in Cincinnati, OH; for violations cited below:  
2010-4197-100756: 1 serialized gold ingot, 1 serialized certificate, 1 disc player and 5 shipping materials: 19USC1595a(c), 18USC545 and

Our Classified ads can help you get the employees you need! Call us at 421-6300

19USC1499; March 4, 2010 (Bond Amount - \$3,678.30) 2010-4197-102266: 40 handbags: 19USC1526(e); September 2, 2010 (Bond Amount - \$620.00) 2010-4197-102292: 62 handbags: 19USC1526(e); September 3, 2010 (Bond Amount - \$961.00) 2010-4197-102293: 47 handbags: 19USC1526(e); September 6, 2010 (Bond Amount - \$728.50) Anyone desiring to claim this property must appear at Customs and

Call 513-421-6300 and get your ad in Classifieds today!

Border Protection, Cleveland, Ohio and FILE A LEGAL CLAIM to such property within twenty (20) days from the date of first publication of this notice, in default of which the property will be forfeited and disposed of in accordance with the law. BY ORDER OF TESSIE DOUGLASS, FINES, PENALTIES AND FORFEITURES OFFICER; CLEVELAND, OHIO. 1722968

**ATTORNEY DISCIPLINE**

On September 6, 2012, **SUZANNE PRIEUR LAND**, Attorney Registration No. 0046978, last known business address in Cincinnati, Ohio was suspended from the practice of law for an interim period with the matter referred to the Disciplinary Counsel for investigation and commencement of disciplinary proceedings. See the Supreme Court's entry in *In re: Suzanne Prieur Land*, 2012-Ohio-1452 for additional information. 1728395

COUNTY: HAMILTON The following applications and/or verified complaints were received, and the following draft, proposed and final actions were issued, by the Ohio Environmental Protection Agency (Ohio EPA) last week. The complete public notice including additional instructions for submitting comments, requesting information or a public hearing, or filing an appeal may be obtained at: <http://www.epa.ohio.gov/actions.aspx> or Hearing Clerk, Ohio EPA, 50 W. Town St. P.O. Box 1049, Columbus, Ohio 43216. Ph: 614-644-2129 email: HClerk@epa.state.oh.us

**FINAL ISSUANCE OF PERMIT TO INSTALL GREENACRES FOUNDATION SPOOKY HOLLOW ROAD CINCINNATI OH ACTION DATE: 9/11/2012**  
FACILITY DESCRIPTION: WASTEWATER IDENTIFICATION NO.: 887758  
This final action not preceded by proposed action and is appealable to ERAC. Sanitary Sewer for Greenacres Sewer Extension, Phase 1 on Spooky Hollow Road  
**FINAL ISSUANCE OF RENEWAL OF NPDES PERMIT VILLAGE OF INDIAN HILL 7100 GLENDALE MILFORD RD MILFORD OH ACTION DATE: 10/01/2012**  
RECEIVING WATERS: LITTLE MIAMI RIVER  
FACILITY DESCRIPTION: ION EXCHANGE SYSTEM IDENTIFICATION NO.: #1X00050\*FD  
This final action not preceded by proposed action and is appealable to ERAC. DETAIL PLANS FOR PWSID: OH3102612 PLAN NO: 894984 REGARDING HAGEMAN / ROCKDALE WATER MAIN PROJECT  
**HARRISON CITY PWS 300 GEORGE ST HARRISON OH ACTION DATE: 09/13/2012**  
FACILITY DESCRIPTION: COMMUNITY WATER SYSTEM IDENTIFICATION NO.: 895272  
This final action not preceded by proposed action and is appealable to ERAC. DETAIL PLANS FOR PWSID: OH 3100812 PLAN NO: 895272 REGARDING THE PARKS OF WHITEWATER SECTION FIVE  
**FINAL ISSUANCE OF PERMIT TO INSTALL AND OPERATE GIVAUDAN FLAVORS CORPORATION 110 E. 70TH ST. CINCINNATI OH ACTION DATE: 09/12/2012**  
FACILITY DESCRIPTION: AIR IDENTIFICATION NO.: P0110705

ceded by proposed action and is appealable to ERAC. **FINAL ISSUANCE OF REVOCATION OF PERMIT TO INSTALL THE C.W. ZUMBIEL COMPANY - HARRIS AVE 2339 HARRIS AVENUE CINCINNATI OH ACTION DATE: 09/12/2012**  
FACILITY DESCRIPTION: AIR IDENTIFICATION NO.: RVK02347 Permit revoked.  
THE C.W. ZUMBIEL COMPANY - HARRIS AVE 2339 HARRIS AVENUE CINCINNATI OH ACTION DATE: 9/12/2012  
FACILITY DESCRIPTION: AIR IDENTIFICATION NO.: RVK02346 Permit revoked.  
DRAFT NPDES PERMIT RENEWAL - SUBJECT TO REVISION BROADWELL FACTORY GROUP LLC FACILITY 8485 BROADWELL RD CINCINNATI OH ACTION DATE: 09/20/2012  
RECEIVING WATERS: UNNAMED TRIBE LITTLE MIAMI RIVER FACILITY DESCRIPTION: MISCELLANEOUS IDENTIFICATION NO.: 11500003\*DD  
COUNTY: HAMILTON  
**FINAL APPROVAL OF PLANS AND SPECIFICATIONS CINCINNATI PUBLIC WATER SYSTEM 4747 SPRING GROVE AVE CINCINNATI OH ACTION DATE: 09/12/2012**  
FACILITY DESCRIPTION: COMMUNITY WATER SYSTEM IDENTIFICATION NO.: 894984  
This final action not preceded by proposed action and is appealable to ERAC. DETAIL PLANS FOR PWSID: OH3102612 PLAN NO: 894984 REGARDING HAGEMAN / ROCKDALE WATER MAIN PROJECT  
**HARRISON CITY PWS 300 GEORGE ST HARRISON OH ACTION DATE: 09/13/2012**  
FACILITY DESCRIPTION: COMMUNITY WATER SYSTEM IDENTIFICATION NO.: 895272  
This final action not preceded by proposed action and is appealable to ERAC. DETAIL PLANS FOR PWSID: OH 3100812 PLAN NO: 895272 REGARDING THE PARKS OF WHITEWATER SECTION FIVE  
**FINAL ISSUANCE OF PERMIT TO INSTALL AND OPERATE GIVAUDAN FLAVORS CORPORATION 110 E. 70TH ST. CINCINNATI OH ACTION DATE: 09/12/2012**  
FACILITY DESCRIPTION: AIR IDENTIFICATION NO.: P0110705

Renewal PTIO for one Pre-Weigh Area (P040) and one Pilot Plant Process (P041). **FINAL ISSUANCE OF ADMINISTRATIVE MODIFICATION TO PERMIT-TO-INSTALL RUMPKER SANITARY LANDFILL, INC. 10795 HUGHES ROAD CINCINNATI OH ACTION DATE: 09/11/2012**  
FACILITY DESCRIPTION: AIR IDENTIFICATION NO.: P0110470  
Administrative permit modification to PTI 14-06006 to establish BAT, following Sierra Club v. Korleski. 1001727068

**RENT SMARTER** - to own this 3 bedro bathroom home. Prt needs plumbing and trical work done. Great opportunity to home. We work w types of credit. The rly payment on this prc with taxes and insu is only \$308. Down ment is \$1,000. Call U.S. Home Ownr today for more inform 888-805-7474 Ext. 101

**120 condominium**

**COLD SPRING-Twr** 2 Bdrm, 2 1/2 bths, LR, in kch., w/d, atch g patio/yard, nwly re \$795+util. No Pets 859-441-5129

**140 resort property/5**

**HAVE A TIMESHARE** Want It Gone? Don't List It - Eliminate American Traveler 866-563-6912

**150 land for sale residential**

**\*\*\*\*\*:** 7 1/2 ac Williamstown barn pasture, city watr \$46,900.00. \$2,000 down. **10 ac Kenton Co** mostly wooded, mobil welcome. \$3,000 down \$575 mo. **TRI-STATE LAND C** (859) 485-1330

**155 apartment for sale**

**10 UNIT APT. BLDG. PRICE REDUCED** Concrete steel bar joist construction, long term tenants, close to W. Hill Shopping Cntr. Good ca flow. \$264,000. Bricktop Realtors 513-404-1216

**165 land for lease**

**COLERAIN TWP--Limit** 17 1/2 exclusive hunti priviledges 78ac. \$500/yr each. 513-825-9233

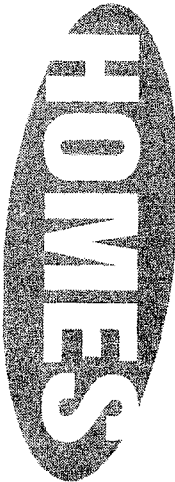
**183 office space for lease**

**Florence, Ky** 100 to 2500 sq ft all 1st flr space, nr x-way. 859-283-1140

**PLEASANT RIDGE** 2600 SF, 2nd floor 1500, ample parking, rent as-is. Renter is responsible for repairs. 513-498-4558

**222 corporate rental short term**

**Ft. Thomas - Pleasant Ave** nr. NKU Special 1/2 Off 1st Month; S/D \$300 1BR w/laundry kit



**100-297**

**Real Estate for Sale**

Apartments for Sale	155
Auctions/Real Estate	191
Auctions/Personal Property	192
Condominiums	120
Farms/Country Homes	147
Homes, Indiana	110
Homes, Kentucky	105
Homes, Ohio	100
Industrial for Lease	175
Industrial for Sale	370
Investment Property	190
Land for Lease	165
Land for Sale/Commercial	160
Land Sale/Residential	150
Mobile Homes/Lots	137
Modular, Pre-cut Homes	110
Mortgages/RE Loans	124
Office Space/Lease	183
Office Space/Sale	186
Out-of-State Property	146
Real Estate Services	149
Real Estate Wanted	197
Resort Memberships	137
Resort Property/Sale	140
Retail for Lease	177
Retail for Sale	180

**Real Estate for Rent**

Apartments, Furnished	200
Apts-Houses to Share	215
Apartments Unfurnished	226
Condos for Rent	240
Condos-Rent/Option Buy	245
Corporate Rentals	222
Farms/Country Homes	285
Garages, Storage	260
Hotels/Motels	210
Houses for Rent	250
Houses-Lease/Option	255
Housing for the Disabled	230
Mobile Homes for Rent	235
Rental Services	259
Resorts/Cottages	290
Room and Board	275
Rooms for Rent	270
Senior Living	220
Wanted to Rent	297

**100 homes, ohio**

**ANDERSON TWP** Open House Sunday 12n-7n

**NOTICE OF FINDING OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT**

September 26, 2012

City of Cincinnati  
Department of City Planning and Buildings  
805 Central Avenue, Suite 720  
(513) 352-4855

**TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:**

The City of Cincinnati proposes to request the U.S. Department of Housing and Urban Development (HUD) to release Federal Funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383). The following projects are included as part of its Consolidated Plan:

**1. HUD 108 LOAN POOL PROGRAM - CDBG**

The HUD 108 Loan Pool Program is a Community Development Block Grant (CDBG) program. It enables the funding of particularly large scale projects for which there would otherwise not be sufficient funding on an annual basis utilizing CDBG. As such, important and significant community and economic development projects can be implemented in the short term. The funds may be used to assess and acquire property, to remediate contamination, for exterior/interior demolition, for rehabilitation and new construction, for the conversion of use, and for pre-development efforts including but not limited to design work and planning. **2013 CDBG - DOLLAR AMOUNT IS equal up to the 108 Program regulation limit.**

The following potential negative impacts have been identified, as well as means to mitigate their effects: Contact with lead, asbestos, mold or any other environmental issue will be remediated according to all Federal, State and local guidelines. For new construction projects, Phase I and Phase II Environmental Assessments will be completed if and as necessary. It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and, accordingly, the City of Cincinnati has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The City hereby affirms its obligations under 24 CFR Part 58, and will ensure project compliance with the environmental requirements and obligations of the criteria, standards, policies, and regulations of the laws and authorities listed in 24 CFR Part 58.5. The City has an approved Memorandum of Agreement from the Ohio Historic Preservation Office.

The Environmental Review Records (ERR), which document the environmental reviews and set forth reasons why an Environmental Impact Statement is not required respecting the aforementioned projects made by the City of Cincinnati. The Environmental Review Records are on file at the above address and are available for public examination upon request at the Department of City Planning and Buildings; Two Centennial Plaza; 805 Central Avenue; Cincinnati, Ohio 45202 between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday.

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the City to the Department at the above address. Such written comments should be received on or before **Thursday, October 11, 2012**. All such comments so received will be considered and the City will not take any administrative actions on the aforementioned program prior to the date specified in the preceding sentence.

By order of: Oren J. Henry, CD Administrator, City of Cincinnati, Cincinnati, OH 45202

**NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS**

September 26, 2012  
City of Cincinnati  
805 Central Avenue, Suite 720  
Cincinnati, OH 45202  
(513) 352-4855

**TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:**

The City of Cincinnati will request the U.S. Department of Housing and Urban Development to release Federal Funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383) on or about **Monday, October 15, 2012**. These programs, included as part of the City's Consolidated Plan are as follows:

**2. HUD 108 LOAN POOL PROGRAM - CDBG**

The HUD 108 Loan Pool Program is a Community Development Block Grant (CDBG) program. It enables the funding of particularly large scale projects for which there would otherwise not be sufficient funding on an annual basis utilizing CDBG. As such, important and significant community and economic development projects can be implemented in the short term. The funds may be used to assess and acquire property, to remediate contamination, for exterior/interior demolition, for rehabilitation and new construction, for the conversion of use, and for pre-development efforts including but not limited to design work and planning. **2013 CDBG - DOLLAR AMOUNT IS equal up to the 108 Program regulation limit.**

**ORDER OF PUBLICATION**

**KING GEORGE J&R COURT**, Commonwealth of Virginia, in re **HILTON, JASON ALEXANDER** Timothy Alexander Hilton/v Jacoby Jene Conwell The object of this suit is to determine custody and visitation of a minor pursuant to 16.1-241(A.3) of the 1950 Code of Virginia as amended. It is ordered that the Defendant, Jacoby Jene Conwell appear at the above named Court and protect his or her interests on or before 11/01/2012.

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the City to the Department at the above address. Such written comments should be received on or before **Thursday, October 11, 2012**. All such comments so received will be considered and the City will not take any administrative actions on the aforementioned program prior to the date specified in the preceding sentence.

By order of: Oren J. Henry, CD Administrator, City of Cincinnati, Cincinnati, OH 45202

**NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS**

September 26, 2012  
City of Cincinnati  
805 Central Avenue, Suite 720  
Cincinnati, OH 45202  
(513) 352-4855

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The City of Cincinnati has completed the environmental review for the aforementioned projects. The Environmental Review Record is on file at the above address and will be available for public examination and copying, upon request of the Department of City Planning and Buildings; Two Centennial Plaza; 805 Central Avenue; Cincinnati, Ohio 45202 between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday.

The City of Cincinnati will undertake the projects described above with the use of Economic Development Initiative Grant (EDI) funds.

The City of Cincinnati certifies to HUD that the City and Milton Dohoney, Jr., in his official capacity as City Manager, consent to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to the environmental review, decision making, and action that the responsibilities have been satisfied. The legal effect of the certification is that upon its approval, the City of Cincinnati may use the funds, and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is one of the following bases (24 CFR 58.75):

- (a) The recipient's certifying officer did not in fact execute the certification.
- (b) The recipient has failed to make one of the two findings pursuant to 58.41 or to make the written determination decision required by 58.47, 58.53 or 58.64 for the project, as applicable.
- (c) The recipient has omitted one or more of the steps set forth in Subparts F and G for the preparation and completion of an EA.
- (d) Opportunity was not given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the projects on property listed on the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800.
- (e) With respect to a project for which the recipient has decided that 58.47, 58.53, or 58.64 apply, the recipient has failed to include in the ERR the written decision required, or its decision is not supported by facts specified by the objecting party.
- (f) Another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the program is unsatisfactory from the standpoint of environmental quality.

A person or agency objecting to a recipient's request for the release of funds and the related certification shall:

- (a) Submit objections in writing to HUD.
- (b) Include the name, address and telephone number of the person or agency submitting the objection, and be signed by the person or authorized official of an agency.
- (c) Be dated when signed.
- (d) Describe the basis for the objection and the facts or legal authority supporting the objection.
- (e) State when a copy of the objection was mailed or delivered to the recipient's Certifying Officer.

Objections must be prepared and submitted in accordance with the above procedure (24 CFR Part 58.76) and may be addressed to HUD at 200 North High Street, Columbus, OH 43215 for CDBG funds. HUD will not consider objections to the release of funds on any basis other than those stated. HUD will not consider any objections received after **Tuesday, October 30, 2012**.


By Order Of: Oren J. Henry, CD Administrator, City of Cincinnati, Cincinnati, OH 45202 1001728704

895272 REGARD-  
to HRAC. Sanitary Sewer  
for Greenacres Sewer Ex-  
tension, Phase 1 on  
Spooky Hollow Road  
FINAL ISSUANCE OF RE-  
NEWAL OF NPDES PER-  
MIT VILLAGE OF INDI-  
AN HILL 7100 GLEN-  
DALE MILFORD RD  
MILFORD OH ACTION  
DATE: 10/01/2012  
RECEIVING WATERS:  
LITTLE MIAMI RIVER  
FACILITY DESCRIPTION:  
ION EXCHANGE SYS-  
TEM IDENTIFICATION  
NO.: 11X00050\*FD  
This final action not pre-

**ORDER OF PUBLICATION**  
KING GEORGE & DR COURT, Commonwealth of Virginia, in re HILTON, JASON ALEXANDER Timothy Alexander Hilton/v Jacoby Jene Conwell The object of this suit is to determine custody and visitation of a minor pursuant to 16.1-241(A.3) of the 1950 Code of Virginia as amended. It is ordered that the Defendant, Jacoby Jene Conwell appear at the above named Court and protect his or her interests on or before 11/2/2012, 10:00A.M. 1001727166

**LEGAL NOTICE**  
COMPASS SELF STORAGE FOR LIENS ON STORAGE UNITS AT ALL SITES LISTED BELOW THURSDAY October 11, 2012. STARTING AT 9:30AM COMPASS SELF STORAGE, FORMERLY LUNKEN SELF STORAGE, 4700 WILMER CT., CINCINNATI, OH.45226, 513.321.1188  
308 Budkie, Dolores; 399K Spears, Virginia COMPASS SELF STORAGE, FORMERLY NINE MILE SELF STORAGE, 3951 NINE MILE RD. CIN CINNATI, OH.45255, 513.753.7400  
624 Behmyer, Jimmy; 119 Walsh, Daniel P.; 272 Clopper, Elizabeth; 322 Schaefer, Andrea COMPASS SELF STORAGE, FORMERLY 747 SELF STORAGE, 9343 PRINCETON GLENDALE RD. HAMILTON, OH.45011, 513.874.7005  
245 Gray, Monty; 660 Snader, Jennifer The goods in this Auction are being sold under the Judicial Lien Act. The goods are generally described as household goods and / or business related items unless otherwise noted. COMPASS SELF STORAGE reserves the right to accept or reject any and all bids. The payment terms of the sale are cash only. Complete terms of Auction will be posted day of sale at the Auction Site. Auctioneer Joseph C. Tate as Executive Administrator. 1001727036

**100 homes, ohio**

  
**EQUAL HOUSING OPPORTUNITY**  
**EQUAL HOUSING OPPORTUNITY**

All real estate advertising in this newspaper is subject to the Federal Fair Housing Act of 1968 which makes it illegal to advertise any preference, limitation or discrimination based on race, color, religion, sex, national origin, handicap or familial status or an intention to make any such preference, limitation or discrimination.

This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

Kentucky Commission on Human Rights  
800-292-5566  
H.O.M.E. (Housing Opportunities Made Equal)  
513-721-4663

**Real Estate for Rent**

Apartments, Furnished	200
Apts-Houses to Share	215
Apartments Unfurnished	225
Condos for Rent	240
Condos-Rent/Option Buy	245
Corporate Rentals	222
Farms/Country Homes	285
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Hotels/Motels	210
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Houses-Lease/Option	255
Housing for the Disabled	230
Mobile Homes for Rent	235
Rental Services	259
Resorts/Cottages	290
Room and Board	275
Rooms for Rent	270
Senior Living	220
Wanted to Rent	297

**100 homes, ohio**

**ANDERSON TWP** Open House Sunday, 12p-2p, 6237 Libbur Ln., Watch Hill area, nearly 3 peaceful acres, 4 BR, 3 1/2 bth, home nestled on gorgeous private wooded lot adjacent to Hillside Trust property. New maple/sss/granite kitch. Cherry hwdwd frs. Finished lower level, full bath, office/ rec room. 6237libburlane@fuse.net for inquiries or showings See Photo Online At Cincinnati.com

**BRIDGETOWN-OPEN** Sun Sept 23rd, 11-5pm. 6276 Berauer Rd. **OAK HILLS** 4BR, upgrades, 2 stry, 813 acres, fin bsmt, 2/1BA, cul-de-sac, 2 car attach garage, newly landscaped, 2 tier deck, \$238,900. 513-598-6109

**DEADLINES PUBLICATION DEADLINES**  
Sun Business Class 5:00 Thur. Sun. Enquirer 5:00 Fri. Mon. Enquirer 5:00 Fri. Tue. Enquirer 5:00 Mon. Wed. Enquirer 5:00 Mon. Thurs. Enquirer 5:00 Tue. Fri. Enquirer 5:00 Wed. Sat Enquirer 5:00 Thur.  
**FAX Deadlines:** 3 hours prior to above published deadlines.  
**PROOF Deadlines:** 24 hours in advance.

**EVANSTON/CITY-** 5 BR, 2.5 BA, equipped kit, hwdwd floors, carpet, porch, deck, fenced yard, \$117,900. Bill Brown Realty 513-221-5221

**MT. AUBURN-** Lg 3 BR, 2 BA home nr the new casino. Off-st prkg. \$875/mo.  
**Durso Management** 513-404-1216

Get your Ad in Print and on the Internet.  
Call 421-6300 or go to www.cincinnati.com

privileges 78ac, \$500 year each. 513-625-922

**183 office spa for lease**

  
**Florence, Ky**  
100 to 2500 sq ft all 1st flr space, n x-way. 859-263-112

**PLEASANT RIDG** 2500 SF, 2nd floor 150 ample parking, rent as Renter is responsible f repairs. 513-498-4558

**222 corporate rent short term**

**Ft.Thomas - Pleasant Ave Nr.NKU Special 1/2 Off 1st Month / SD \$300. 1BR w/equipt ki cpt; C/air/ Heat. Balc. \$475.00 + Util 631-1051**

**Pleasant Ridge 58 Ridge - Special 1/2 1st. Mo. \$300. / SD 1 equip; cpt; heat P \$455.00 631-1055;961-361**

**225 apartment unfurnished**

**Ashwood Apts & Townhomes, Erlanger, KY.** 1 & 2BR, avail. Sta \$500. Sec 8 ok. 859-727 2256 M-F 9-5. TOD 7-1-Ashcraft Real Estate Services, Inc EH0\*

**AVONDALE-** 1 & 2BR, ht wtr paid, equipt kitchen, carpet, Indry, parking. Se tion 8 ok. 513-961-2482

**BATAVIA WILLOWBROOK APTS** Starting at \$550/mo w/1 year lease & Security Dep. \$200. 2br, w/cpt, pool, lake view bcnry playground. Sec. 8 apc 513-520-1437, 513-619-791

**BEECHMONT--** Lrg 2 BR trash & wtr pd. \$530 +\$350 dep. No dogs. 513-240-7044

**BRIDGETOWN/DENT Cedar Hill Apt** Spacious 2 bd, 1 1/2 bath: Eat in Kitch, dining area, balcony, fireplace, Oak Hills Schl. Private Setting from \$615. 513-598-9300 6788 Harrison Ave, 45247

  
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WHAT IS IT NOW  
MICHAEL-WILL YOU  
IT'S LIKE

For Better Or For Worse / by Lynn Johnston

# **Exhibit II – 108 Substantial Amendment**

*-includes comments from first public hearing*

# **108 LOAN SUBMISSION TEMPLATE**

108 Loans must submit a Substantial Amendment. A complete submission contains the information requested below, including:

- (1) The 108 Loan Substantial Amendment (attached below)
- (2) Signed and Dated Certifications (attached below)
- (3) Signed and Dated SF-424.

# THE 108 LOAN SUBSTANTIAL AMENDMENT

Jurisdiction(s): Cincinnati	108 Loan Contact Person: Oren J. Henry
Jurisdiction Web Address: <a href="http://www.cincinnati-oh.gov/finance/budget/consolidated-plan/">http://www.cincinnati-oh.gov/finance/budget/consolidated-plan/</a>	Address: 801 Plum Street, Rm. 142 Cincinnati, OH 45202
	Telephone: (513) 352-6264
	Fax: (513) 352-3233
	Email: <a href="mailto:Oren.Henry@cincinnati-oh.gov">Oren.Henry@cincinnati-oh.gov</a>

## **§ 570.704 Application requirements.**

(a) Presubmission and citizen participation requirements. (1) Before submission of an application for loan guarantee assistance to HUD, the public entity must:

(i) Develop a proposed application that includes the following items:

(A) The community development objectives the public entity proposes to pursue with the guaranteed loan funds.

The City of Cincinnati is amending its 2009-2014 Consolidated Plan/Action Plan to include funding of this Section 108 Loan Program. The 2013 Action Plan should also authorize Section 108 Loans. The City of Cincinnati Department of Community Development (DCD) and the Economic Development Division (EDD) are jointly seeking to apply to HUD for authorization to utilize the Section 108 program to create a \$37,000,000 loan pool. The authorized funds will be utilized to fund multiple housing and economic development projects in locations throughout the City for which adequate funding would not otherwise be available. Projects would provide benefit to low and moderate income individuals or families, or would prevent or eliminate slum and blighting conditions. (1) A description of how each of the activities to be carried out with the guaranteed loan funds meets one of the criteria in §570.208.

(B) The activities the public entity proposes to carry out with the guaranteed loan funds. Each activity must be described in sufficient detail, including the specific provision of §570.703 under which it is eligible and the national objective to be met, amount of guaranteed loan funds expected to be used, and location, to allow citizens to determine the degree to which they will be affected. The proposed application must indicate which activities are expected to generate program income. The application must also describe where citizens may obtain additional information about proposed activities.

The Department of Housing and Urban Development (HUD) Section 108 loan guarantee is a provision of the Community Development Block Grant (CDBG) program. It enables the funding of particularly large scale projects for which there would otherwise not be sufficient

funding on an annual basis utilizing CDBG funds. Through the program, an entitlement community such as the City of Cincinnati is permitted to borrow against future CDBG entitlements for projects that are eligible under the CDBG program. As such, important and significant community and economic development projects can be implemented in the short term, but paid for on a long term basis up to a maximum of 20 years. In return for a commitment from HUD for funding, the City must pledge from its annual CDBG allocation and other sources, a sufficient level of funding for all future principle and interest payments. For this reason, it is important to be mindful that use of the HUD 108 loan guarantee program is not a risk-free venture as the City will be responsible for any outstanding debt service payments over the life of the loan term.

The City of Cincinnati Department of Community Development (DCD) and the Economic Development Division (EDD) are jointly seeking to apply to HUD for authorization to utilize the Section 108 program to create a \$37,000,000 loan pool. The authorized funds will be utilized to make loans for eligible housing and economic development projects throughout the city for which adequate funding would not otherwise be available. These projects and funding amounts are listed below:

<b><u>Project Sources and Uses of Funds:</u></b>	<b><u>Amount</u></b>	<b><u>Dept.</u></b>
Economic Development Loan Pool	\$11,000,000	EDD
Homeless to Homes Initiative	\$7,000,000	DCD
Low Income Housing Tax Credit Bridge Loan	\$17,000,000	DCD
<u>Community Development Loan Pool</u>	<u>\$2,000,000</u>	<u>DCD</u>
<b>Total</b>	<b>\$37,000,000</b>	

These projects vary greatly in scope and are in different stages of implementation. Each individual project will have a different level of ability to pay the debt service to HUD. More detail on each component of the HUD Section 108 Loan is provided throughout the remainder of this document.

#### **Economic Development Loan Pool:**

The Economic Development Division wishes to create a new loan pool to increase its ability to stimulate job creation in the City. Funds will be used for projects that are feasible in the market, but require additional gap financing. Each project will be expected to generate sufficient cash flow to repay the loan. The types of deals being considered will vary from business retention or expansion to commercial development, but the emphasis will be on job creation. Real estate acquisition and improvements are preferred because other assets are more difficult to collateralize. Every prospective deal will be subject to an exacting set of underwriting criteria. Each project must also follow CDBG program regulations, which includes meeting Eligibility, National Objective, and Public Benefit requirements. Specifically, each of the projects to be assisted with Section 108 loan funds will be eligible under 24 CFR 570.703(i). Deals will be expected to include an appropriate level of private funding, though EDD will remain open to deals that utilize the HUD Section 108 program in tandem with other public funding sources, such as historic rehabilitation tax credits, New

Markets Tax Credits (NMTCs), Tax Increment Financing (TIF), and other conventional sources.

The asset being financed will generally serve as the collateral, and in most cases EDD would require 100% collateral coverage. EDD would be willing however in some cases to subordinate its lien, if appropriate. EDD will be flexible in accepting additional forms of collateral if the financed asset has insufficient collateral value.

The interest rate relative to the prime rate would depend on the particulars of each deal. The City's rate will generally be close to prime or slightly above prime, but open to negotiation. The repayment term will depend on each asset being financed. Loans will generally be self-amortizing with up to a 20-year term. Interest-only payments may be offered to the Principle Developer for up to two years after the completion of the project. For financings structured to leverage NMTCs or other complex funding sources, the City will consider adjusting the amortization schedule when needed to facilitate the other funding sources.

Applications will be underwritten on a case-by-case basis. Trained City staff and a National Development Council consultant will perform detailed underwriting. Minimally, the following criteria must be met:

- Project costs are reasonable.
- All funding sources are committed.
- HUD Section 108 funds are not being substituted for private funding.
- EDD performs thorough financial and risk analysis and determines that project is feasible.
- Return on owner's equity is appropriate.
- Project will produce sufficient cash flow to repay loan.
- Applicant has sufficient capacity and experience.
- City of Cincinnati will receive sufficient return on its investment.

For more information on this activity citizens may contact: Mr. Odis Jones, Director; Cincinnati Ohio Economic Development; Two Centennial Plaza; 805 Central Ave., Suite 710; Cincinnati, Ohio 45202; 513-352-2499

### **Homeless to Homes Initiative:**

The developer for this project is the Cincinnati Center City Development Corporation (3CDC) and it has an estimated total project cost of \$34 million. This project is consistent with the Homeless to Homes (HTH) plan approved by City Council in 2008 to improve and expand the services provided to single homeless men and women. The project encompasses the relocation of the City Gospel Mission, new construction of the YWCA shelter for women, and relocation of the Drop Inn Center (DIC). The City is seeking \$7 million from a HUD Section 108 loan to fund the development of the DIC shelter and the YWCA shelter. This makes this project will be eligible under CFR 570.201(c): Public facilities and improvements. These funds will be structured as a 20-year forgivable loan for the development of these two shelters as the project will not have a means for repayment. The City will pledge a portion of its future CDBG entitlements to repay the loan to HUD. HUD will also require collateral, such as a mortgage on the real property for the life of the loan, which is 20 years. Any real

property used as collateral must have an 80% Loan-to-Value (LTV). A development agreement for the HTH project and subsequent funding was approved by Ordinance No. 15-2012, passed by City Council on January 25, 2012. CDBG funding in the amount of \$1.6 million already been secured for the project. An additional \$1.4 million in General Capital funds is expected to be allocated to the project in 2013. The remaining \$7 million will come from the HUD 108 loan. For more information on this activity citizens may contact: Mr. Michael Cervay, Director; Community Development; 805 Central Ave., Suite 700; Cincinnati, Ohio 45202; Phone: 513-352-6146

### **Low Income Housing Tax Credit Bridge Loan:**

The developer for this project is the Model Group. The HUD Section 108 loan will be used to bridge \$17 million of Low Income Housing Tax Credits (LIHTC) equity for five years in a scattered site development throughout various City neighborhoods known as the Losantiville Apartments. The Low Income Housing Tax Credit Bridge Loan project promises repayment to the City of all Section 108 loan funds. While future CDBG entitlement funds would need to be pledged as part of the guarantee required by HUD, this deal will be structured with personal guarantees from the tax credit equity investors to ensure that the entire loan amount will be satisfied in five years with a balloon payment. This significantly reduces the risk. During that five-year period, the equity investors are proposing to make interest-only payments to the City. This leaves the City to make principal payments to HUD from future CDBG entitlement grants unless HUD agrees to the City making interest-only payments until the loan matures. As the HUD Section 108 loans offer some flexibility in their structuring, the City will seek an interest-only repayment from HUD. Since the interest rate on the HUD Section 108 loan is significantly less than investor's required Internal Rate of Return, there is an interest arbitrage that accumulates in the fund which can then be invested in other housing projects. The Developer estimates that this arbitrage would generate over \$3.5 million in equity. This project will be eligible under CFR 570.202 (a)(1)(f) - (1) Privately owned buildings and improvements for residential purposes. For more information on this activity citizens may contact: Mr. Michael Cervay, Director; Community Development; 805 Central Ave., Suite 700; Cincinnati, Ohio 45202; Phone: 513-352-6146

### **Community Development Loan Pool:**

As part of the HUD Section 108 loan application, the City will also be seeking to establish \$2 million dollar loan pool to be utilized for CDBG-eligible community development projects. Any potential project(s) to be funded with this Community Development Loan Pool will be vetted to make sure that each project is eligible, viable, and has an appropriate national objective as required by HUD. Generally, each of the housing development projects to be assisted with Section 108 loan funds will be eligible under 24 CFR 570.703 (h). It is also understood that any project proposed under this Community Development Loan Pool will have to be reviewed and approved by HUD before any commitment for funding can be made. For more information on this activity citizens may contact: Mr. Michael Cervay, Director; Community Development; 805 Central Ave., Suite 700; Cincinnati, Ohio 45202; Phone: 513-352-6146

**Conclusion:**

Please note that, in applying for authorization to utilize a HUD Section 108 loan pool, the City is not irrevocably committing to disburse all of the funds. The reason for this application is to receive HUD's advance authorization of a loan pool, which will significantly shorten and streamline the process of securing HUD's approval for each proposed project at a later time. At the Federal level, funding will only be approved and available to the City from HUD on a case-by-case basis after a complete review and underwriting by HUD and the City of each individual activity has occurred. At the local level, funding will only be committed for each activity after approval by the City Council as well as the negotiation and execution of the necessary agreements on the part of the City and each loan recipient.

(C) A description of the pledge of grants required under §570.705(b)(2).

The City of Cincinnati understands that if the corporation or entity borrowing the proceeds of this loan is unable to make timely payments and the City of Cincinnati therefore fails to make a payment, HUD will deduct that payment from the City of Cincinnati's CDBG Letter of Credit and that in accepting this loan guarantee the City of Cincinnati has pledged its CDBG funds as security for the guarantee (please refer to the Certifications attached).

This obligation of the City of Cincinnati to pledge its future CDBG funds is the exclusive financial obligation of the City of Cincinnati with respect to this transaction in the event of a failure of the project to generate income to repay the loan. The City will also secure a second mortgage on the leasehold improvements and equipment as collateral for the loan when appropriate, however each loan will be evaluated on a case by case basis.

(ii) Fulfill the applicable requirements in its citizen participation plan developed in accordance with §570.704(a)(2).

**Consolidated Plan Amendments:**

A substantial amendment to the City of Cincinnati Consolidated Plan Budget requires public notice in the City Bulletin and a newspaper of general circulation with a 30-day opportunity to comment, and a public hearing before the City Council. The City considers all comments from citizens prior to the submission of the substantial amendment, and explains reasons for accepting or not accepting such comments as part of its amendment process.

A substantial amendment is defined to include the following situations:

- major budget adjustments related to final resources;
- reallocation of program dollars exceeding \$3,000,000, except for the annual sunset process;
- a proposed change in the allocation or selection criteria for generic programs such as loan programs or competitive development programs; and
- proposed uses of HUD 108 Loan Authority or CDBG Float loans.

A public hearing before the City Council will be held, if necessary, to consider the amendment to the Consolidated Plan related to the allocation of final resources.

In addition, a public hearing will be held at any other time during the year concerning any substantial amendment to the Consolidated Plan. A notice of the public hearing will appear in a newspaper of general circulation and in the City Bulletin approximately 15 days before the hearing. In addition, community organizations will be sent notices by surface mail or e-mail. The public hearing will be held in City Hall, which is an accessible facility. Other accommodations for sight or hearing-impaired persons and for non-English speaking persons will be made upon request.

The first HUD required public hearing was held September 20, 2012 at 5:30 PM in City Council Chambers, Third Floor; 801 Central Avenue, Cincinnati, OH 45202:

The 2013 Requested Budget for the City's Consolidated Plan entitlement programs – the Community Development Block Grant including the HUD 108 Loan Substantial Amendment

Members of the Community Development Advisory Board (CDAB) were present. The CDAB is a volunteer citizen group appointed by the Mayor and approved by the City Council. They advise the City Manager on the Consolidated Plan Budget and other matters related to the administration of the City's Consolidated Plan. Staff of the Office of Budget and Evaluation conducted the Public Hearing.

The 2013 Requested Budget included seven City departments that developed budget proposals both within their departments and with input from the public and have submitted requests to the City Administration. These requests, which included the proposed HUD Section 108 Loan Pool, were compiled to create the Requested Budget presented at the hearing. The Public Hearing was an opportunity for citizens to review the Requested Budget to comment on the requests or the HUD programs in general. The City accepted written and oral comments through October 22, 2012. The City Manager then considers all the information available including recommendations from the CDAB, public comments. The Manger then forwards a Recommended Budget/Action Plan document to the Mayor and the City Council to submit to HUD before November 15, 2012. There is also an opportunity for the Mayor and City Council to revisit the Budget during the overall Budget process starting in November. As many citizens are aware the Budget process will not conclude until the City Council approves the Budget in December and whenever HUD provides final grant amounts.

Notice of this Public Hearing has been widely distributed. Paid advertisement was published in the Enquirer on September 8, 2012. The notice was run in the City Bulletin on September 11, and 18, 2012, as well. The Requested Budget has been posted on the City's web site, <http://www.cincinnati-oh.gov/cmgr/pages/-12848/> Facebook Page, and Community Development's web page, since September 10, 2012. Notice of the Public Hearing was provided to all the Cincinnati Community Councils.

**SUBSTANTIAL AMENDMENTS** - There is a substantial amendment proposed for the 2013 Consolidated Plan/Action Plan. Copies of the proposal are also available. The amendment would allow the City to apply for HUD 108 funding for a loan pool that would be used for economic development activities, affordable housing, emergency shelters, and other eligible activities. The HUD 108 Loan Pool Program is a CDBG program. It enables the funding of particularly large scale projects for which there would otherwise not be sufficient funding on an annual basis utilizing CDBG. As such, important and significant community and economic development projects can be implemented in the short term.

The second HUD required public hearing was held October 29, 2012 at 1:00 PM in City Council Chambers, Third Floor; 801 Central Avenue, Cincinnati, OH 45202, prior to the meeting of the Finance & Budget Committee of the City Council. Citizens were provided an opportunity to comment on the proposed 108 Loan Program.

### **CITIZEN COMMENTS:**

As state above, a public hearing was held in City Council Chambers on September 20, 2012, to receive public comments on the Requested Consolidated Plan Budget and the proposed Section 108 Loan Pool. Four of the individuals in attendance spoke formally, of which one person commented on the proposed Section 108 Loan Pool. The comment and their comments are as follows:

1. Elizabeth Brown representing Housing Opportunities Made Equal (H.O.M.E.) asked questions about the proposed Section 108 Loan Pool. She wanted to first comment that in the past she was unaware of the City funding homeless initiatives with CDBG resources. Further, she wanted know how the Homeless to Homes commitment, proposed as part of this program, would affect funding available for the City's current CDBG programs. After receiving answers to her questions she expressed concern regarding projects funded through the loan pool, specifically Homeless to Homes, that did not have a source of repayment.

The City also received one email comment and two letters related to the proposed HUD Section 108 Loan Pool.

2. Elizabeth Brown sent an email against the use of HUD Section 108 funding for the Homeless to Homes project.
3. Affordable Housing Advocates and Metropolitan Area Religious Coalition of Cincinnati (MARCC) each sent a letter against the use of HUD Section 108 funding for the Homeless to Homes project.

A second public hearing was held in conjunction with a City of Cincinnati Budget and Finance Committee meeting on October 29, 2012. This hearing was only for the proposed HUD Section 108 Loan Pool. At the meeting Mr. William Fischer, Mr. Michael Cervay, and Mr. Odis Jones provided an overview of the City's proposed HUD Section 108 Loan program. The proposed projects were presented and the City Council members on Budget and Finance Committee were able to ask questions. After City Council comments were complete 10 members of the public spoke formally. Their comments are provided below.

1. Ms. Jennifer Vanlandingham is a licensed social worker and a member of Affordable Housing Advocates (AHA). She spoke in opposition to the Homeless to Homes project that would be part of the HUD Section 108 loan pool. In particular she was against the relocation of the Drop Inn Center and City Gospel Mission. She has worked with low income individuals for two years and believes funding should go toward development of more affordable housing not the relocation of emergency shelters.
2. Ms. Alice Skirtz is the chair of AHA and the past chair of the Community Development Advisory Board (CDAB). She stated that AHA voted unanimously to oppose the Homeless to Homes plan and the use of CDBG funding for the relocation of emergency shelters due to the growing need for affordable housing.
3. Mr. Josh Spring of the Greater Cincinnati Homeless Coalition spoke in opposition of using Section 108 loan funding for the Homeless to Homes plan. He believes this proposal is a self defeating process that would not contribute to the need for good jobs and good housing. He questioned what collateral would be acceptable by HUD for the Homeless to Homes project. He believes the debt service payment on this loan could be better spent on other projects.
4. Ms. Charlene Ventura is the Executive Director of the YWCA and spoke in support of the Homeless to Homes project that is part of the proposed Section 108 Loan Pool. There are currently 42 homeless women at the Drop Inn Center, the majority of which have been abused. The YWCA would provide 60 beds for homeless women. This would allow women currently at the Drop Inn Center to move to a women's only emergency shelter. The Homeless to Homes project is the outcome of a collaborative consortium and it is important to leverage other dollars with the HUD Section 108 loan funding.
5. Mr. Roger Howell spoke in support of the Homeless to Homes project. He worked for 10 years to relocate the City Gospel Mission. A day program with case management and emergency shelter beds is needed. The first step for any homeless individual is to get to a shelter and get stabilized. It is crucial to relocate all three shelters as fast as possible. He appreciates the City's support. It is extremely important to City Gospel Mission's clients.
6. Mr. Steve Smith from Model Group spoke in support of the Section 108 Loan Pool. He believes the loan pool is a creative way for the City to maximize resources, especially in a time when there is a historically high need for tax credits and low cost for borrowing. He appreciates the creativity and hopes City Council will support this program.

7. Mr. Reginald Hill spoke in opposition to the proposed HUD Section 108 loan pool. He does not believe the City should go deep into debt for 20 years and use CDBG to secure loan funds. He feels the city should instead build more low income housing.
8. Ms. Arlene Noland, a representative of the Drop Inn Center, spoke in support of the Homeless to Homes project. This effort is part of a collaborative and will help provide a higher level of service to the city's homeless individuals. The Drop Inn Center entered into an agreement two years ago with 3CDC and meets regularly to work on the plans for the new facility. The new facility will provide an updated medical area and more sleeping area.
9. Mr. Kevin Finn is the Executive Director of Strategies to End Homelessness (STEH), which manages the City and County Continuum of Care, as well as the City's ESG and HOPWA funding. He spoke in support of the HUD Section 108 Loan Pool and specifically the Homeless to Homes project. The Homeless to Homes initiative began with a City Council ordinance and it is important to support the resulting proposals of this effort with funding. The Homeless to Homes plan has broad community support including private sector entities, non-profits, grants, and 3CDC. This plan will help the city do a better job of serving the homeless with more complete services. The project will raise the bar system-wide and is not just simply moving shelters.
10. Ms. Patricia Garry representing the city's Community Development Corporations first expressed her concern about the use of the Section 108 Loan program to fund the Homeless to Homes project. Since this project has no source of repayment she is concerned about the long-term impact on CDBG resources, specifically the funding provided to CDCs for capacity building through the CDBG program. She expressed support for the \$2 million included in the loan pool for housing projects.

**DISCUSSION OF COMMENTS NOT ACCEPTED:**

In response to the citizen comments not accepted on the proposed HUD Section 108 Loan Pool the City replies:

The City has funded homeless projects with CDBG funding before. One such example is the Emergency Shelter Improvement project, which was funded with CDBG Recovery funds from the American Recovery and Re-investment Act (ARRA) of 2009. As it relates to the proposed HUD Section 108 loan, currently the relocation/development of the YWCA and the Drop Inn Center are the only two proposed projects that would be structured as forgivable loans. These loans were structured as forgivable since there will be no revenue generated from these projects and thus no source of repayment. The City Council requested and approved the Homeless to Homes plan in 2009. The homeless shelter developments are another

step toward the implementation of the Homeless to Homes plan. Earlier this year, a public report to City Council outlined a \$10 million commitment of City funds to develop these shelters. This plan did include seeking a HUD Section 108 loan. At this point the Administration plans to budget for known debt service obligations in the CDBG Budget and will make adjustments in the future as specific projects are finalized.

In addition a letter will be sent to all those that provided comment on the proposed HUD Section 108 Loan pool and the use of this funding for the Homeless to Homes project.

Publish community-wide its proposed application so as to afford affected citizens an opportunity to examine the application's contents and to provide comments on the proposed application.

Following approval of the City's HUD 108 Loan Substantial Amendment the City will publish as required the individual applications for 108 Loan program consideration.

Certifications follow.

# **Exhibit III – Publication of 2<sup>nd</sup> Public Hearing**

**Affidavit of Publication**

**Publisher's Fee 249.40 Affidavit Charge 10.00**

**State of Ohio**

}

}

} **SS.**

}

**Hamilton County**

}

Personally appeared Jenny Eilermann

Of the The Enquirer, a newspaper printed in Cincinnati, Ohio and published in Cincinnati, in said County and State, and of general circulation in said county, and as to the Kentucky Enquirer published in Ft. Mitchell, Kenton County, Kentucky, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

10/20/12

Cincinnati Enquirer

Kentucky Enquirer

Cincinnati.Com

Public Hearing Notice  
City of Cincinnati  
2013 Consolidated  
Plan/Action Plan  
Substantial Amendment  
108 Loan  
Monday October 29,  
2012  
1:00 P.M.

City Council Chambers  
801 Plum Street

A second public hearing will be held before the City Council Budget and Finance Committee on the City's Consolidated Plan/Action Plan Substantial Amendment for the HUD 108 Loan Program for 2013. The Substantial Amendment can be viewed at: <http://www.cincinnati-oh.gov/budget/consolidated-plan/> or contact Oren J. Henry, Community Development Administrator, by phone at: 513 352 6264; e-mail at: [oren.henry@cincinnati-oh.gov](mailto:oren.henry@cincinnati-oh.gov), or in writing at the Office of Budget and Evaluation; 801 Plum St., Room 142; Cincinnati, OH 45202. Persons with disabilities are invited to use the accessible City Hall courtyard entrance. The courtyard may be accessed through either Eighth or Ninth Street, between Plum Street and Central Avenue. 3162

Jenny Eilermann

AFFIANT  
Sworn to before me, this

11/12/12

Crystal Williams

Notary Public of Ohio



**Crystal Williams**  
Notary Public, State of Ohio  
My Commission Expires 08-24-2015

# **Exhibit IV – Authorizing Ordinance & Certifications**

*-Includes Environmental Review*

**City of Cincinnati**

SJF JR/CLZ

**An Ordinance No. 405 - 2012**

**AUTHORIZING** the submission of a Substantial Amendment to the City of Cincinnati's 2013 Consolidated Plan/Action Plan to HUD for Section 108 Loan funded activities; and further **AUTHORIZING** the City Manager to apply for, accept and appropriate Section 108 Loan funding from the United States Department of Housing and Urban Development as provided for under the provisions of Section 108 of the Housing and Community Development Act of 1974, as amended, in the amount up to \$37,000,000 for the purpose of partially financing Community Development Block Grant (CDBG) activities; and further **AUTHORIZING** the creation of new Community Development Block Grant account numbers 304x162x21114 "Homeless to Homes 108 Loan Pool," 304x162x21115 "LIHTC Bridge Funding 108 Loan Pool," 304x162x21116 "Community Development 108 Loan Pool," and 304x105x22225 "Economic Development 108 Loan Pool" for the deposit of said funding, when received.

WHEREAS, the City participates in a substantial number of federal programs and receives funding for such programs from the United States Department of Housing and Urban Development ("HUD"); and

WHEREAS, participation in these programs and the receipt of federal funding is guided by a 5-year Consolidated Plan drafted by the City and approved by HUD; and

WHEREAS, the City has prepared a Substantial Amendment to its Consolidated Plan that runs through 2014 for submission and approval by HUD that may result in the City borrowing up to \$37,000,000 to partially finance these activities; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to submit a Substantial Amendment to the City of Cincinnati's 2013 Consolidated Plan/Action Plan to the United States Department of Housing and Urban Development ("HUD") for Section 108 Loan funded activities.

Section 2. That the City Manager is hereby authorized to apply for, accept and appropriate Section 108 Loan funding from HUD as provided for under the provisions of Section 108 of the Housing and Community Development Act of 1974, as amended, in the amount up to \$7,000,000, as a part of the financing for the City's Homeless to Homes program, to support the construction of improved shelters and homeless prevention facilities within the City.

Section 3. That the City Manager is hereby authorized to apply for, accept and appropriate Section 108 Loan funding from HUD as provided for under the provisions of Section 108 of the Housing and Community Development Act of 1974, as amended, in the amount up to \$17,000,000 to provide bridge funding for low income housing tax credits for the Losantiville Apartments scattered site development.

Section 4. That the City Manager is hereby authorized to apply for, accept and appropriate Section 108 Loan funding from HUD as provided for under the provisions of Section 108 of the Housing and Community Development Act of 1974, as amended, in the amount up to \$2,000,000 to provide financing for future community development related uses.

Section 5. That the City Manager is hereby authorized to apply for, accept and appropriate Section 108 Loan funding from HUD as provided for under the provisions of Section 108 of the Housing and Community Development Act of 1974, as amended, in the amount up to \$11,000,000 to provide gap financing for future economic development related uses.

Section 6. That new Community Development Block Grant project account no. 304x162x21114 "Homeless to Homes 108 Loan Pool," is hereby created for deposits to and expenditures of monies received under the provisions of Section 2 hereof, and the terms of the loan and program.

Section 7. That new Community Development Block Grant project account no. 304x162x21115 "LIHTC Bridge Funding 108 Loan Pool," is hereby created for deposits to and expenditures of monies received under the provisions of Section 3 hereof, and the terms of the loan and program.

Section 8. That new Community Development Block Grant project account no. 304x162x21116 "Community Development 108 Loan Pool," is hereby created for deposits to and


expenditures of monies received under the provisions of Section 4 hereof, and the terms of the loan and program.

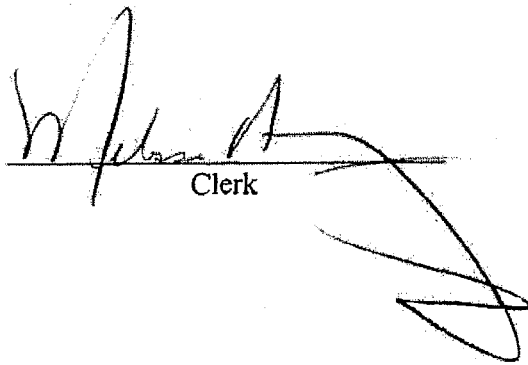
Section 9. That new Community Development Block Grant project account no. 304x105x22225 "Economic Development 108 Loan Pool" is hereby created for deposits to and expenditures of monies received under the provisions of Section 5 hereof, and the terms of the loan and program.

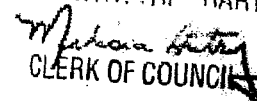
Section 10. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 1 through 9 hereof, including entering into any contracts and agreements necessary to carry out those provisions.

Section 11. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate necessity of seeking critical funding for community projects in the City at the earliest possible time.

Passed: November 7, 2012

  
\_\_\_\_\_  
Mayor

Attest:   
\_\_\_\_\_  
Clerk

HEREBY CERTIFY THAT ORDINANCE No. 405-2012  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 11-20-2012  
  
CLERK OF COUNCIL



# SF 424

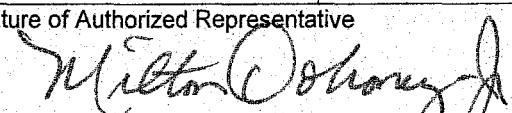
The SF 424 is part of the CPMP Annual Action Plan. SF 424 form fields are included in this document. Grantee information is linked from the 1CPMP.xls document of the CPMP tool.

## SF 424

Complete the fillable fields (blue cells) in the table below. The other items are pre-filled with values from the Grantee Information Worksheet.

11/15/2012	B13MC390003	<b>Type of Submission</b>	
Date Received by state	State Identifier	<b>Application</b>	<b>Pre-application</b>
Date Received by HUD	Federal Identifier	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Construction
		<input type="checkbox"/> Non Construction	<input type="checkbox"/> Non Construction
<b>Applicant Information</b>			
Cincinnati		OH391062 CINCINNATI	
Budget and Evaluation		04-332-5158 DUNS	
801 Plum St. Room 142		City of Cincinnati	
Cincinnati	Ohio	Office of the City Manager	
45202	Country U.S.A.	Budget and Evaluation	
<b>Employer Identification Number (EIN):</b>		Hamilton	
31-6000064		Program Year Start Date (01/13)	
<b>Applicant Type:</b>		<b>Specify Other Type if necessary:</b>	
Local Government: City		Specify Other Type	
<b>Program Funding</b>		<b>U.S. Department of Housing and Urban Development</b>	
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
<b>Community Development Block Grant</b>		14.218 Entitlement Grant	
City of Cincinnati Community Development Block Grant		City of Cincinnati	
HUD 108 Loan Substantial Amendment			
\$37,000,000	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$		Program Income	
\$37,000,000			
<b>Home Investment Partnerships Program</b>		14.239 HOME	
City of Cincinnati HOME grant portion of the Consolidated Plan		City of Cincinnati	
\$	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$	

\$		Program Income	
\$			
<b>Housing Opportunities for People with AIDS</b>		14.241 HOPWA	
City of Cincinnati HOPWA portion of the Consolidated Plan		City of Cincinnati and 12 counties in tri-state region	
\$	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
\$			
<b>Emergency Solutions Grants Program</b>		14.231 ESG	
City of Cincinnati Emergency Solutions Grant portion of the Consolidated Plan		City of Cincinnati	
\$	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
\$			
Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?	
Ohio First & Second Applicant Districts	Ohio First & Second Project Districts		
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input type="checkbox"/> Yes	This application was made available to the state EO 12372 process for review on DATE
		<input checked="" type="checkbox"/> No	Program is not covered by EO 12372
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	Program has not been selected by the state for review

Person to be contacted regarding this application		
Oren	J	Henry
Community Development Administrator	Phone 513 352 6264	Fax 513 352 3233
oren.henry@cincinnati-oh.gov	Website www.cincinnati-oh.gov	Other Contact Lea Eriksen (513 352 1578)
Signature of Authorized Representative 		Date Signed November 15, 2012

**PUBLIC ENTITY CERTIFICATIONS**  
(SECTION 108 LOAN GUARANTEES)

In accordance with Section 108 of the Housing and Community Development Act of 1974, as amended, (the "Act") and with 24 CFR § 570.704(b) the public entity certifies that:

(i) It possesses the legal authority to submit the application for assistance under 24 CFR Part 570, Subpart M ("Subpart M") and to use the guaranteed loan funds in accordance with the requirements of Subpart M.

(ii) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the public entity to submit the application and amendments thereto and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the public entity to act in connection with the application to provide such additional information as may be required.

(iii) Before submission of its application to HUD, the public entity has:

(A) Furnished citizens with information required by § 570.704(a)(2)(i);

(B) Held at least one public hearing to obtain the views of citizens on community development and housing needs; and

(C) Prepared its application in accordance with § 570.704(a)(1)(iv) and made the application available to the public.

(iv) It is following a detailed citizen participation plan which meets the requirements described in § 570.704(a)(2).

(v) The public entity will affirmatively further fair housing, and the guaranteed loan funds will be administered in compliance with:

(A) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); and

(B) The Fair Housing Act (42 U.S.C. 3601-3619).

(vi) In the aggregate, at least 70 percent of all CDBG funds, as defined at § 570.3, to be expended during the one, two, or three consecutive years specified by the public entity for its CDBG program will be for activities which benefit low and moderate income persons, as described in criteria at § 570.208(a).

(vii) It will comply with the requirements governing displacement, relocation, real property acquisition, and the replacement of low and moderate income housing described in § 570.606.

(viii) It will comply with the requirements of § 570.200(c) (2) with regard to the use of special assessments to recover the capital costs of activities assisted with guaranteed loan funds.

(ix) (Where applicable, the public entity may also include the following additional certification.) It lacks sufficient resources from funds provided under Subpart M or program income to allow it to comply with the provisions of § 570.200(c)(2), and it must therefore assess properties owned and occupied by moderate income persons, to recover the guaranteed loan funded portion of the capital cost without paying such assessments in their behalf from guaranteed loan funds.

(x) It will comply with the other provisions of the Act and with other applicable laws.

SECTION 108 LOAN GUARANTEES

-----Certification of Efforts to Obtain Other Financing-----

The City Manager hereby assures and certifies with respect to its application for a loan guarantee pursuant to Section 108 of the Housing and Community Development Act of 1974, as amended, that it has made efforts to obtain financing for the activities described herein without the use of such guarantee, it will maintain documentation of such efforts for the term of the loan guarantee, and it can not complete such financing consistent with the timely execution of the project without such guarantee.

SECTION 108 LOAN GUARANTEES  
STATEMENT REGARDING LOBBYING

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.

SECTION 108 LOAN GUARANTEES  
Certification of Legal Authority to Pledge Grants

The public entity hereby certifies and assures with respect to its application for a loan guarantee pursuant to Section 108 of the Housing and Community Development Act of 1974, as amended, that it possesses the legal authority to make the pledge of grants required under 24 CFR § 570.705(b)(2).

# Environmental Review Application

Complete Front and Return to Dept. of Planning, Suite 700 Centennial Plaza II

11646

**\*\* Incomplete Applications Will Not Be Accepted \*\***

Date of Request:

**Funding Program Name:**

**Funding Program Number:**

**Budget Year for this Project:**

Commitment Form Complete?:  Yes  No

Council Approved this Project?:  Yes  No

**Funding for This Project:**

Type of Funding Requested:

CDBG  HOME  ESG  HOPWA

Other:

**Project Manager:**

**Project Mgr Phone #:**

**Dept. or Agency:**

**Project Name:**

**Project Number:**

**Project Address:**

**Neighborhood:**

**# of Buildings:**  **Units:**

**Target Date to Begin Construction:**

**Project Description (Please attach scope of work as necessary)**

The HUD 108 Loan Pool Program is a Community Development Block Grant (CDBG) program. It enables the funding of particularly large scale projects for which there would otherwise not be sufficient funding on an annual basis utilizing CDBG. As such, important and significant community and economic development projects can be implemented in the short term. The funds may be used to assess and acquire property, to remediate contamination, for exterior/interior demolition, for rehabilitation and new construction, for the conversion of use, and for pre-development efforts including but not limited to design work and planning. 2013 CDBG – DOLLAR AMOUNT is equal up to the 108 Program regulation limit.

**Funding History - Is this a(n):**

New Program or Project

Continuation Program or Project

New Phase of an Existing Program or Project

**Prior or Future Year Funding:**

Year:  Funding:

Year:  Funding:

Year:  Funding:

**Does this project involve:**

Demolition:  Yes  No

New Construction:  Yes  No

Additions:  Yes  No

Exterior Work:  Yes  No

Interior Work:  Yes  No

Conversion of Use:  Yes  No

**Attach  
Photograph Here  
3x5 View Preferred**

**STOP HERE – Reverse side for Environmental Review Staff**

# Environmental Review Application

Complete Front and Return to Dept. of Planning, Suite 700 Centennial Plaza II

**INTAKE:** Date Complete Application Received: 9/20/12

Pre-application Meeting with ERO: \_\_\_\_\_ (Initials and Date)

Initial Level Of Review (from Pre-app. Meeting):  New  Continuation  Case-By-Case  
 EA  EA Short Form  CE  Exempt

**HCO:** Date Received: 9/21/12 HCO Staff Assigned: CHK

Property Appears to Be:  Eligible  Not Eligible

Site Inspection:  Yes  No

Compliance Is:  Complete  Incomplete

Comments: NA. Program review only

Approved By: Caroline H. Kellam Date: 9/21/12

Copy Sent to ERO: \_\_\_\_\_ (Initials and Date)

**ERO:** Date Received: 9/21/12 ERO Staff Assigned: CHK

FIRM Map #: 390210 - NA

Is Project in a Floodplain?  No  Yes,  Floodway  100 Year  500 Year

Is Project in a Coastal Barrier?  No  Yes,

Is Project in a Runway Protection Zone?  No  Yes,

If Flood Ad Needed: Date 'Early Notice' Ad: \_\_\_\_\_ Date 'Decision to Support' Ad: \_\_\_\_\_

Ad Expires On: \_\_\_\_\_ Ad Expires On: \_\_\_\_\_

Final Level Of Review Determination:  New  Continuation  Case-By-Case

\*\* EIS \*\*  EA  EA - Short Form  CE  Exempt

Other Depts. Contacted for Review: 1. \_\_\_\_\_ Report Rec'd.: \_\_\_\_\_ (Date)

2. \_\_\_\_\_ Report Rec'd.: \_\_\_\_\_ (Date)

For Continuation: Date of Last Review: \_\_\_\_\_ Date of Last Ad: \_\_\_\_\_

For EA: FONSI Ad Date: 10/30/12 Expires On: 10/30/12

NOI / RROF Ad Date: 10/15/12 Expires On: 10/30/12

Budget & Evaluation RROF Date: 9/26/12

For CE: CFR Section #: 9(6) NOI / RROF Ad Date: \_\_\_\_\_ Expires On: \_\_\_\_\_

Budget & Evaluation RROF Date: \_\_\_\_\_

For Ex: CFR Section #: 9(1+3+8+10) Advertisement NOT Required.

Review Completed By: Caroline H. Kellam Date: 12/19/12

Funds can be Released?:  Yes  No, see HUD release date below

Date of B&E HUD Request: 10/15/12 Date HUD Release Received: 11/5/12

Appropriate Form(s) Signed and Sent to B&E and/or Project Manager: Date: 12/19/12

# ENVIRONMENTAL REVIEW RECORD

## SHORT FORM - ENVIRONMENTAL ASSESSMENT

**PROJECT:** HUD 108 Loan Pool Program

**BUDGET YEAR:** 2012

**DEPARTMENT:** Community Development

**CONTACT:** Hackworth, Roy J.

**PHONE #:** 6119

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### PROJECT INFORMATION:

- Location / Description, city and neighborhood maps
- Objectives
- General Description

**Location:**

**Neighborhood:** Citywide

**Description:** The HUD 108 Loan Pool Program is a Community Development Block Grant (CDBG) program. It enables the funding of particularly large scale projects for which there would otherwise not be sufficient funding on an annual basis utilizing CDBG. As such, important and significant community and economic development projects can be implemented in the short term. The funds may be used to assess and acquire property, to remediate contamination, for exterior/interior demolition, for rehabilitation and new construction, for the conversion of use, and for pre-development efforts including but not limited to design work and planning. 2013 CDBG – DOLLAR AMOUNT is equal up to the 108 Program regulation limit.

21114 - Homeless to Homes 108 Loan Pool, 21115 - LIHTC Bridge Funding 108 Loan Pool, 21116 - Community Development 108 Loan Pool, 22225 - Economic Development 108 Loan Pool

PROJECT: HUD 108 Loan Pool Program

**SHORT FORM - ENVIRONMENTAL ASSESSMENT - CONTINUED**

COMPONENTS BY PHASE			PHASING AND FUNDING (in thousands of dollars)		
Type Of Funding	Funding #	Project #	TOTAL COST	COST	YEAR
CDBG	# 21114			\$37,000,000.00	2012

**SHORT FORM - ENVIRONMENTAL ASSESSMENT - CONTINUED  
STATUTORY CHECKLIST**

All activities of this project are:

- exempt from NEPA-procedures. **Yes**  
(If yes, do not complete this Statutory Checklist)
- categorically excluded from NEPA procedures. **Yes**  
(If yes, complete this Statutory Checklist)
- subject to an environmental assessment **No**  
(If yes, complete this Statutory Checklist and Environmental Assessment: ERR-3)
- Case-by-case. Each project proposed to receive funding will be reviewed **Yes**  
individually to ensure compliance with these statutory requirements.

Are there any activities of this project located in the Floodway or 100 year Flood Plain?

(If yes, please attach evidence of compliance with Chapter 1156 of Cincinnati Municipal Code: Flood Plain Management and/or completion of eight step review process per Executive Order 11988. )

FIRM#:

The activities of this project:

- Are listed on the National Register of Historic Places or **No-Not Eligible**  
potentially impact properties meeting the criteria for listing  
(**Historic Review Needed**)

Do the activities of this project require a noise assessment? **No**

Are there any man-made hazards created by or affecting the project? **No**

Are there any other activities of this project which are not in compliance with NEPA regulations not specified above as required pursuant to 24 CFR Part 58.35(a) or with other state or local statues? **No**

-- If yes, please specify:

**SHORT FORM - ENVIRONMENTAL ASSESSMENT - CONTINUED  
ENVIRONMENTAL ASSESSMENT**

<u>Impact Categories</u>	<u>Review Determination</u>	<u>Explanation / Documentation</u>
Land Development / Plans:	Not Applicable To This Project	
Land Development / Physical Factors:	Not Applicable To This Project	
Noise:	Not Applicable To This Project	
Air Quality:	Not Applicable To This Project	
Environmental Design / Historic:	Not Applicable To This Project	
Socio Economic:	Not Applicable To This Project	

**PROJECT:** HUD 108 Loan Pool Program

**SHORT FORM - ENVIRONMENTAL ASSESSMENT - CONTINUED  
ENVIRONMENTAL ASSESSMENT**

<u>Impact Categories</u>	<u>Review Determination</u>	<u>Explanation / Documentation</u>
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Community Facilities / Services:	Not Applicable To This Project	
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Natural Features:	Not Applicable To This Project	
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**FINDINGS / CONCLUSIONS:**

NA. Program review only - Tier 1

**ALTERNATIVES (INCLUDING NO-CHANGE) / MODIFICATIONS:**

**MITIGATION MEASURES NEEDED:**

PROJECT: HUD 108 Loan Pool Program

**SHORT FORM - ENVIRONMENTAL ASSESSMENT - CONTINUED**  
**ENVIRONMENTAL ASSESSMENT**

**ENVIRONMENTAL REVIEW SUMMARY:**

NA. Program review only - Tier 1

**ENVIRONMENTAL REVIEWER:**

*Caroline Kellam*

Caroline Kellam

12/19/12

Date

