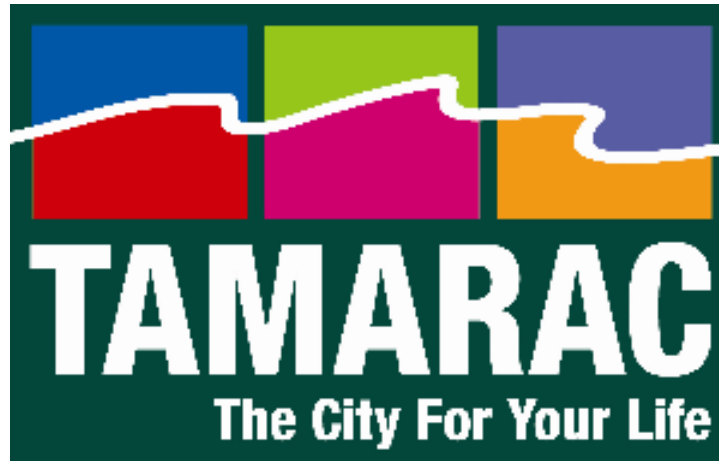


CITY OF TAMARAC



FY 2008-2009 Neighborhood Stabilization Program (NSP) Substantial Action Plan Amendment

through the

**U.S. Department of Housing and Urban Development
(HUD) under the Community Development Block Grant
(CDBG) Program**

**Prepared by:
City of Tamarac
Community Development department
Housing Division
7525 NW 88th Avenue
Tamarac, FL 33321
www.tamarac.org**

December 2008

TABLE OF CONTENTS

	<u>Page</u>
A. Areas of Greatest Need	4
B. Distribution and Uses of Funds	5
C. Definitions and Descriptions	6
D. Low Income Targeting	8
E. Acquisition & Relocation	9
F. Public Comment	9
G. NSP Information by Activity	10
H. Total Budget	13
I. Performance Measures	14
Certifications	15

NEIGHBORHOOD STABILIZATION PROGRAM (NSP) SUBSTANTIAL AMENDMENT

Jurisdiction: City of Tamarac, FL	NSP Contact Person: Angela Bauldree
Website: www.tamarac.org	Address: 7525 NW 88 Avenue Tamarac, FL 33321
	Telephone # (954) 597-3539
	Fax # (954) 597-3540
	Email: angelab@tamarac.org

This section will address the specific requirements set forth in:

Federal Register Part III – Department of Housing and Urban Development Notice of Allocations, Application Procedures, Regulatory Waivers Granted to and Alternative Requirements for Emergency Assistance for Redevelopment of Abandoned and Foreclosed Homes Grantees under the Housing and Economic Recovery Act, 2008; Notice

And

Public law 110-289 – July 30, 2008 Title III-Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes Section 2301

Additionally, any other requirements and regulations handed down by the Department of Housing and Urban Development (HUD) will also be adhered to.

The City of Tamarac was allocated \$4,772,218.00 from the Neighborhood Stabilization Program funded in September 2008. Below describes the City's plan to utilize these funds and addresses the substantial action plan amendment requirements of Section 2301 (c) (2) of Housing Economic Recovery Act, 2008 (HERA).

A. AREAS OF GREATEST NEED

Provide summary needs data identifying the geographic areas of greatest need in the grantee's jurisdiction.

Tamarac has approximately 1,400 properties in some state of foreclosure for any given month, consisting of 200-350 bank owned properties. Several factors were used when determining the areas of greatest need within the City's jurisdictional boundaries.

Two sources of data were used to determine areas of greatest need within the City. HUD Data reported an estimated foreclosure risk score by census tract as well as an 18 month predicted underlying problem of foreclose rate. With this information, the City determined that areas with a score of 10 or rate of 12% or higher where the same areas identified by the second data source so as to confirm the areas of greatest need.

The second source of data was Foreclosure Logic, a website that provides foreclosure data by area. With the data from this website, our GIS division was able to extract two important factors:

- % of bank owned foreclosed properties within each residential sub-division.
- % of total foreclosures (properties at any stage of foreclosure) within each residential sub-division.

To identify areas of greatest need, a threshold of 20% combined foreclosure rate within any given sub-division was set. This figure represents the percentage of foreclosures at any stage, and bank owned foreclosures that have reached 20% of the total units within the sub-division.

Aside from obvious key factors relating to the sub-prime mortgage crisis (interest only loans, balloon loans, adjustable rate loans (ARM), and other predatory loans) Tamarac sees other patterns affecting current foreclosure numbers.

One clear factor was that several of the sub-divisions within Tamarac that have higher rates of foreclosure than others are also the same ones that were severely affected during the 2005 hurricane season. These sub-divisions had homes damaged worse than those in other areas of the City. Additionally they may have endured increases in association fees, assessment fees and insurance hikes.

Another factor to the high percentage of foreclosures in certain sub-divisions was the popularity of condo conversions over the past two to three years. Developments converted at the height of the housing market are now having serious problems with re-sale in order to make up for the excessive costs incurred during the conversion.

Sub-divisions identified that exceed the 20% threshold are as follows:

Jasmine at Tamarac	57%
Cypress Walk	51%
Westwood Condominium	42%
Southgate Condominium	30%
Arbor Keys	28%
Heathgate	28%
Riverside	24%
PRD Subdivision	21%
<i>Shaker Village</i>	<i>19.2%</i>

B. DISTRIBUTION AND USES OF FUNDS

Provide a narrative describing how the distribution and uses of the grantee's NSP funds will meet the requirements of Section 2301 (c)(2) of HERA that funds be distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by the grantee as likely to face a significant rise in the rate of home foreclosures.

Distribution of funds to the identified areas of greatest need will be accomplished by prioritizing down payment/subsidy and rehabilitation assistance to those purchasing in areas of greatest need first as listed above in Section A.

25% of all funds allocated to Activity A(1) will be designated to the areas of greatest need as defined in Section A above. This distribution of funds and prioritization will be sure to address the areas of greatest need and have a greater effect on those areas identified. The data collected by both HUD and Foreclosure Logic addresses the three stipulated categories as well as other factors indicated above.

The City anticipates assisting approximately 70 households in the purchase and rehabilitation of foreclosed properties. 25% of funds will be distributed directly to those sub-divisions.

C. DEFINITIONS AND DESCRIPTIONS

Definition of “blighted structure” in context of state or local law.

1) **Blighted Structure:**

A structure is blighted when it exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health, safety, and public welfare.

Definition of “affordable rents”. Note: Grantees may use the definition they have adopted for their CDBG program but should review their existing definition to ensure compliance with NSP program-specific requirements such as continued affordability.

2) **Affordable Rents:**

Those requiring not more than 30 percent of an income cutoff defined in relation to Low-Moderate Area Median Income (AMI).

Tamarac is not implementing any rental activity with NSP funds.

Describe how the grantee will ensure continued affordability for NSP assisted housing.

3) **Continued Affordability**

Each activity will have a deferred loan component as follows to encourage residents to stay in their homes for an extensive affordability time period:

Financial Mechanism

Down Payment/Subsidy Assistance

30 Years Total

Years 1 – 5

Not Prorated

10% Shared Equity

Years 6 – 10

Not Prorated

5% Shared Equity

Years 11- 30

Prorated down 5% each year

Rehabilitation after Down Payment/Subsidy Assistance

15 Years Maximum

<\$15,000

5 Year Deferred Loan

Year 1 – 5

Prorated 20% per year
\$15,000 - \$40,000
10 Year Deferred Loan
Years 1 – 5
Not Prorated
Years 6 – 10
Prorated 20% per year
>\$40,000
15 Year Deferred Loan
Years 1 – 5
Not Prorated
Years 6 – 15
Prorated 10% per year

Describe housing rehabilitation standards that will apply to NSP assisted activities.

4) Housing Rehabilitation Standards

All housing rehabilitation work will follow Broward County Housing Standards, and Florida Building Code as well as City Code.

D. LOW INCOME TARGETING

Identify estimated amount of funds appropriated or otherwise made available under the NSP to be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50 percent of area median income: \$1,193,054.50

Specific appropriations to households whose income does not exceed 50% AMI will be implemented in two tiers:

1) Down Payment/Subsidy Assistance

A household whose income is below 50% AMI will be eligible to receive up to 70% of the purchase price in assistance funds.

That amount is estimated based on the average cost of a Tamarac property of \$164,000 to be approximately \$114,000 in down payment/subsidy.

2) Rehabilitation Assistance

A household whose income is below 50% AMI will be eligible to receive up to \$60,000 towards the rehabilitation of a foreclosed upon property purchased through the down payment/subsidy assistance activity.

This tier will be added to tier #1 on properties that require rehabilitation, some properties will not require rehabilitation work.

The Area Median Income chart for Broward County is as follows:

Florida

Miami-Fort Lauderdale-Miami Beach MSA

Fort Lauderdale HMFA

Family	1	2	3	4	5	6	7	8
25%	12,450	14,250	16,025	17,800	19,225	20,650	22,075	23,500
30%	14,950	17,100	19,200	21,350	23,050	24,750	26,450	28,200
35%	17,430	19,950	22,435	24,920	26,915	28,910	30,905	32,900
40%	19,920	22,800	25,640	28,480	30,760	33,040	35,320	37,600
45%	22,410	25,650	28,845	32,040	34,605	37,170	39,735	42,300
50%	24,900	28,500	32,050	35,600	38,450	41,300	44,150	47,000
60%	29,880	34,200	38,460	42,720	46,140	49,560	52,980	56,400
80%	39,850	45,550	51,250	56,950	61,500	66,050	70,600	75,150
Median:	64,000							
120%	59,760	68,400	76,920	85,440	92,280	99,120	105,960	112,800

E. ACQUISITION & RELOCATION

Indicate whether grantee intends to demolish or convert any low and moderate income dwelling units (i.e., <80% of area median income).

The city will not be undertaking any acquisition and relocation activities.

F. PUBLIC COMMENT

Provide a summary of public comments received to the proposed NSP Substantial Amendment.

Advertisement for 15-day review period on Action Plan 1 st Amendment – proposed NSP activities	November 9, 2008
Beginning of 15-day public review period	November 11, 2008
End of 15-day public review period	November 25, 2008
Public Hearing with City Commission for approval of NSP activities	November 26, 2008

Comments to be entered here, if received.

G. NSP INFORMATION BY ACTIVITY

1) **Activity Name:** **Financing Mechanism-Down Payment/Subsidy Assistance**

Activity Type: NSP Eligible Use CDBG Eligible Activity
Financing Mechanism 24 CFR 570.201(a)
Direct Homeownership Assistance

National Objective: Benefit to low-moderate income persons-housing activity.

Project Start Date: February 1, 2009

Project End Date: July 31, 2010

Encumbrances and approval of eligible households to be made within the eighteen month timeframe.

Responsible Organization: The City’s Housing Division will administer this activity in-house.

Location Description: Eligible applicants will be required to purchase foreclosed properties within Tamarac, and prioritization for those within the specified areas of greatest need (scattered site locations).

Activity Description: This activity is to assist first time homebuyers with the purchase of a foreclosed property. The financial assistance will be in the form of down payment assistance and subsidy assistance to bridge the gap between the first mortgage ability and purchase price. The front end mortgage ratio should not exceed 32% of a household’s income. An additional \$10,000 will be awarded to City of Tamarac employees, fire fighter, police officers, teachers, and nurses.

Total assistance amount is as follows:

50% AMI and below	Up to 70% Purchase Price	11 Units
51% - 80% AMI	Up to 40% Purchase Price	10 Units
81% - 102% AMI	Up to 10% Purchase Price	46 Units

Deferred Loan-30 Years Total

Years 1 – 5

Not Prorated

10% Shared Equity

Years 6 – 10

Not Prorated

5% Shared Equity

Years 11- 30

Prorated down 5% each year

Housing Counseling services will be contracted out to HUD approved Counseling agencies to meet the 8-hour required training for each homebuyer.

Additional real estate services may also be included in this activity to assist eligible homebuyers in locating foreclosed upon residential properties, as well as locating the seller or seller's agent.

The City may conduct Housing Seminars to homebuyers after the eligibility process to educate them on the program, home buying process, lending guidelines, rehabilitation options, and any other home buying related activities.

2) **Activity Name:** **Financing Mechanism-Down Payment / Subsidy / Rehabilitation Assistance**

<u>Activity Type:</u>	<u>NSP Eligible Use</u> Financing Mechanism	<u>CDBG Eligible Activity</u> 24 CFR 570.201(a) Direct Homeownership Assistance
------------------------------	--	---

National Objective: Benefit to low-moderate income persons-housing activity.

Project Start Date: February 1, 2009

Project End Date: July 31, 2010

Encumbrances and approval of eligible households to be made within the eighteen month timeframe.

Responsible Organization: The City's Housing Division will administer this activity in-house.

Location Description: Eligible applicants that have purchased foreclosed properties within Tamarac (scattered site locations).

Activity Description: This activity is to assist first time homebuyers with the purchasing of a foreclosed property which also requires rehabilitation. The financial assistance will be in the form of down payment assistance and subsidy assistance to bridge the gap between the first mortgage ability and purchase price followed by additional rehabilitation funds to bring the property up to current code/building standards. This property will be brought up to current building code standards, address any code deficiencies, as well as be equipped with energy star products.

H. TOTAL BUDGET

ELIGIBLE ACTIVITY			
A. Financing Mechanisms	< 50% AMI	51% AMI - 120% AMI	TOTAL
Financial Assistance to income eligible households for down payment/subsidy assistance.	\$715,000.00	\$875,000.00	\$1,590,000.00
Financial Assistance to income eligible households for down payment/subsidy assistance in areas of greatest need. (25%)	\$200,000.00	\$510,000.00	\$710,000.00
<i>Delivery of Services costs associated with activity to be factored into each household assistance.</i>			
Financial Assistance to income eligible households for down payment/subsidy with home rehabilitation assistance.	\$240,000.00	\$1,367,218.00	\$1,607,218.00
Financial Assistance to income eligible households for down payment/subsidy with home rehabilitation assistance in areas of greatest need. (25%)	\$60,000.00	\$430,000.00	\$490,000.00
<i>Delivery of Services costs associated with activity to be factored into each household assistance.</i>			
D. Demolition			
Demolition of blighted structures.		\$75,000.00	\$75,000.00
Program Administration			\$300,000.00
<i>25% of Allocation to 50% or below AMI requirement = 1,193,054.50</i>			
TOTAL	\$1,215,000.00	\$3,257,218.00	\$4,772,218.00

The program administration of the Neighborhood Stabilization Program will be handled in-house by the existing staff which is comprised of a full-time Housing Administrator and full-time Housing Coordinator and two additional full-time temporary positions that will be 100% dedicated to the NSP activities. The appropriate portion of salaries of the existing positions will be drawn based on the percentage of time spent on the NSP activities.

I. PERFORMANCE MEASURES

Activity Financing Mechanism-Down Payment/Subsidy Assistance

50% AMI and below	Up to 70% Purchase Price	11 Units
51% - 80% AMI	Up to 40% Purchase Price	10 Units
81% - 102% AMI	Up to 10% Purchase Price	46 Units

Activity Financing Mechanism-Down Payment / Subsidy / Rehabilitation Assistance

Total Number of units all income categories	35 Units
---	----------

Activity Demolition

Total Number of properties	5 Properties
----------------------------	--------------

REPORTING

NSP activities will be reported utilizing the DRGR system as required by the Department of Housing and Urban Development (HUD). Quarterly reports documenting number of units, households by income, expenditures, and other NSP/DRGR related information will be completed by the Housing Division.

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The City of Tamarac will affirmatively further fair housing. An analysis of impediments to fair housing choice within the jurisdiction has been conducted in the past, and an update was completed within the FY07 funding cycle. The jurisdiction will take appropriate actions to overcome the effects of the impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- The City of Tamarac will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- The City of Tamarac will or will continue to provide a drug-free workplace by:

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

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten (10) calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free work environment through the implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, 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 the awarding of any Federal contract, the making of any Federal grant, the making of

any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all sub-awards at all tiers (including subcontractors, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and The City of Tamarac possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, and all other funding sources are consistent with the strategic plan.

Section 3 -- The City of Tamarac will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Jeffrey L. Miller,
City Manager

Date

SPECIFIC CDBG CERTIFICATIONS

The City of Tamarac certifies that:

Citizen Participation -- The City of Tamarac is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- The City of Tamarac's consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- The City of Tamarac is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds - - The City of Tamarac has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, The City of Tamarac certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet 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, and other financial resources are not available;
2. **Overall Benefits.** The aggregate use of CDBG funds including Section 108 loan guaranteed during **program year(s) 2008/2009 (10/1/08 - 9/30/09)** (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** The City of Tamarac will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources,

an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low – and – moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay any proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

4. The City of Tamarac will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.
5. Use of funds in 18 months. The jurisdiction will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008 by using, as defined in the NSP Notice all of its funds within 18 months of receipt of the grant.
6. Use NSP funds \leq 120 of AMI. The jurisdiction will comply with the requirement that all use of the NSP funds made available to it will be used with respect to individuals and families whose income do not exceed 120 percent of the area median income.

Excessive Force -- The City of Tamarac has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in

non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination Laws - - The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2001d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- The City of Tamarac's notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR §570.608;

Compliance with Laws -- The City of Tamarac will comply with applicable laws.

Jeffrey L. Miller
City Manager

Date

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

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

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code)

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

The certification with regard to the drug-free workplace is required by 24 CFR part 4, Subpart F.

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

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

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

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

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