

EXHIBIT 4.15 COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) CHECKLIST

The information contained in this application/checklist refers to the definition of a CHDO of the HOME Investment Partnerships Program (HOME) Rule (24 CFR 92.2). For urban areas, the term “community” may be a neighborhood or neighborhoods, city, county, or metropolitan area. For rural areas, “community” is defined as a neighborhood or neighborhoods, town, village, county, or multi-county area (but not the entire State).

OC Housing and Community Development requires all information be completed and documentation provided for certification for the following:

Legal Status

1. The nonprofit organization is organized under State or local laws, as evidenced by:
☐ Charter: Citation _____, **OR**
☐ Articles of Incorporation: Citation _____
2. No part of its net earnings inuring to the benefit of any member, founder, contributor, or individual, as evidenced by:
☐ Charter: Citation _____, **OR**
☐ Articles of Incorporation: Citation _____
3. Attached a tax exemption ruling from the Internal Revenue Service (IRS) under Section 501 (c)(3) or (4) of the Internal Revenue Code of 1986, as evidenced by:
☐ A 501 (c)(3) or (4) Certificate from the IRS; **AND**
☐ does not include a public body (including the participating jurisdiction).
☐ Provide an IRS tax-exempt letter dated no more than 12 months prior, or a Certificate of Status provided by the Secretary of State, Business Programs Division. Online Certificates of Status can be found at <https://www.sos.ca.gov/business-programs/business-entities/information-requests/> (which may take as long as 24 days).
4. Has among its purposes the provision of decent housing that is affordable to low- and moderate-income persons, as evidenced by a statement in the organization's:
☐ Charter: Citation _____
☐ Articles of Incorporation: Citation _____
☐ By-laws: Citation _____, **OR**
☐ Resolutions

Capacity

1. Has standards of financial accountability that conforms to 2 CFR 200.302, 'Financial Management' and 2 CFR 200.303, 'Internal Controls' as evidenced by:
☐ Notarized statement by the president or chief financial officer of the organization, **OR**
☐ A certification from a certified Public Accountant
2. Has a demonstrated capacity for carrying out housing projects assisted with HOME funds, as evidenced by:
☐ Resumes and/or statements that describe the experience of key staff members who have successfully completed projects similar to those to be assisted with HOME funds, **OR**

- ☐ Contract(s) with consultant firms or individuals who have housing experience similar to projects to be assisted with HOME funds and a plan to train appropriate key staff of the organization
3. Has a history of serving the community within which housing to be assisted with HOME funds is to be located, as evidenced by:
- ☐ A statement that documents at least one year of experience in serving the community, **OR**
- ☐ For newly created organizations formed by local churches, service organizations or neighborhood organizations, a statement that documents that its parent organization has at least one year of experience in serving the community

Organizational Structure

1. Number of seats on the governing board: _____
2. Maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income neighborhoods, other low-income community residents, or elected representative of low-income neighborhood organizations.
- a. This is evidenced by the organization's:
- ☐ Charter: Citation _____
- ☐ Articles of Incorporation: Citation _____, **OR**
- ☐ By-laws: Citation _____
- b. On a separate page, please provide the following information for every current Board member who meets this qualification:

Board Member Name: _____
This board member is a(n):
<input type="checkbox"/> Resident of a Low-Income Neighborhood
Street Address _____
State, City, Zip _____
<u>OR</u>
<input type="checkbox"/> Low-Income Community Resident
Household Size _____
Household Annual Gross Income \$ _____ (Please maintain verification in your records of meeting income requirements.)
<u>OR</u>
<input type="checkbox"/> Elected Representative of a Low-Income Neighborhood Organization
Organization: _____
Date Elected: _____ Date Term Expires: _____

3. Provides a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, siting, development, and management of affordable housing projects, as evidenced by:
- ☐ The organization's By-Laws: Citation _____
- ☐ Resolutions, **OR**
- ☐ A written statement of operating procedures approved by the governing body.

Relationship With Other Entities/Organizations

1. Is the CHDO applicant chartered by a State or Local Government?

☐ No. If no, proceed to question 2.

☐ Yes. If yes, please answer the following:

- a. A CHDO may be chartered by a State or local government with the following restrictions: (1) the State or local government may not appoint more than one-third of the membership of the organization's governing body; (2) the board members appointed by the State or local government may not appoint the remaining two-thirds of the board members; and (3) no more than one-third of the board members are public officials or employees of the participating jurisdiction, as evidenced by the organization's:

☐ Charter: Citation_____

☐ Articles of Incorporation: Citation_____, **OR**

☐ By-laws: Citation_____

2. Is the CHDO sponsored or created by a For-Profit Entity?

☐ No. If no, proceed to question 3.

☐ Yes. If yes, please answer the following:

- a. The CHDO is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization, as evidenced by:

☐ the organization's By-Laws, **OR**

☐ a Memorandum of Understanding (MOU)

- b. The CHDO may be sponsored or created by a for-profit entity, however:

- i. the for-profit may not be an entity whose primary purpose is the development or management of housing, such as a builder, developer, or real estate management firm as evidenced the organization's:

☐ Charter: Citation_____

☐ Articles of Incorporation: Citation_____, **OR**

☐ By-laws: Citation_____

AND

- ii. the for-profit may not appoint more than one-third of the membership of the CHDO's governing body. Board members appointed by the for-profit may not appoint the remaining two-thirds of the board members, as evidenced by the CHDO's:

☐ Charter: Citation_____

☐ Articles of Incorporation: Citation_____, **OR**

☐ By-laws: Citation_____

AND

- iii. the CHDO is free to contract for goods and services from vendors of its own choosing, as evidenced by the CHDO's:

☐ Charter: Citation_____

☐ Articles of Incorporation: Citation_____, **OR**

☐ By-laws: Citation_____

3. Is the CHDO sponsored or created by a Religious Organization?

☐ No. If no, proceed to Required Documentation section.

☐ Yes. If yes, please answer the following:

a. The CHDO is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization, as evidenced by:

- ☐ the organization's By-Laws, **OR**
☐ a Memorandum of Understanding (MOU)

B. The religious organization may not appoint more than one-third of the membership of the CHDO's governing body and board members appointed by the religious organization may not appoint the remaining two-thirds of the board members, as evidenced by the CHDO's:

- ☐ Charter: Citation _____
☐ Articles of Incorporation: Citation _____, **OR**
☐ By-laws: Citation _____

4. Required Documentation

The following documentation must be attached to this checklist:

Attached Documentation	Check
Copy of By-laws	<input type="checkbox"/>
Copy of Charter and/or Articles of Incorporation	<input type="checkbox"/>
Copy of IRS tax-exempt letter dated no more than 12 months prior, or a Certificate of Status provided by the Secretary of State, Business Programs Division.	<input type="checkbox"/>
List of Governing Board Members	<input type="checkbox"/>
Evidence that organization's purpose includes providing decent housing that is affordable to low- and moderate-income persons	<input type="checkbox"/>
Evidence of compliance with 'Financial Management' and 'Internal Controls'	<input type="checkbox"/>
Evidence of capacity for carrying out activities assisted with HOME funds	<input type="checkbox"/>
Evidence of history of serving the community	<input type="checkbox"/>
Evidence that 1/3 of Governing Board Members meet low-income requirement	<input type="checkbox"/>
CHDO Board Member Certification Form	<input type="checkbox"/>

=====

 Name of Non-Profit Organization

 Name of Authorized Official

 Title

 Signature of Authorized Official

 Date



OC Housing & Community Development • 1501 E. St. Andrew Place, Santa Ana, CA 92705 • 714-480-2700

**Community Housing Development Organization (CHDO)
Board Member Certification Form**

Each CHDO board member must complete a form certifying that they meet the CHDO board member eligibility criteria.

Name:	
Principal Residence Street Address:	
City/State/Zip:	
Home Phone Number:	Email Address:

I certify that I am one of the following (please select only one):

- ☐ 1. **I am a low-Income resident of the community.** Low-income resident must have a household income at or below the 80% of the area median household income for the area in which he or she lives, according to HUD. (Community can mean neighborhood, the city, county, or metropolitan area)*
- ☐ 2. **I am a resident of a low-income neighborhood.** A low-income neighborhood is an area where 51% or more of the households in that Census tract have incomes at or below 80% of the area median household Income, as defined by HUD. (This does not mean that you must be a low-income person only that your residence is in a low-income neighborhood.)
- ☐ 3. **I am an elected representative of a low-Income neighborhood organization.** (A low-income neighborhood organization is an organization composed primarily of residents of a low-income neighborhood. Examples of such organizations are: block groups, town watch organizations, civic associations, neighborhood church groups, etc.)
The Name of this organization is: _____
Attached to this designation form is evidence of election (appointment) by the low-income members of the organization.
- ☐ 4. **I am a representative of the public sector. I am a/an:**
- ☐ Elected public official
- ☐ Appointed public official
- ☐ A public/government employee of a public agency or department
- ☐ Appointed by a public official to serve on this CHDO
- ☐ 5. **I am a representative appointed by the for-profit entity which created or sponsored this CHDO.**
- ☐ 6. **Other.** _____

* If you are designated as a Low-Income member, please complete and attach a "Certification of Annual Income" to this Member Designation Form.

I agree to notify the CHDO board if my representation status as a CHDO board member should change during my tenure on the board. I certify that the information provided above is correct as of the date indicated below:

Board Member Signature

Date