



**HOME Investment Partnership
Construction Standards**

**City of Joliet, Neighborhood Services Division
150 W Jefferson Street
Joliet, IL**

HOME Construction Standards:

All projects built and/or supported with Joliet HOME funds must be constructed and maintained in full compliance with the following statutory and regulatory requirements:

- All Applicable State of Illinois Building Codes
- All Applicable City of Joliet Building Codes
- All Applicable Historic Building requirements (including the Secretary of the Interior's Standards for Rehabilitation)
http://www.nps.gov/hps/tps/standguide/rehab/rehab_standards.html
- HUD Environmental Review Requirements
- All Applicable Hazardous Materials Requirements
- All Applicable Floodplain management Requirements
- Energy: Current International Energy Conservation Code (IECC)
- Accessibility: ANSI standard - ANSI A117.1-1980 for accessibility by disabled residents as it applies to "Federally Assisted"
<http://www.wbdg.org/ccb/ASTAND/handi.pdf> & <http://www.access-board.gov/ufas/ufas-html/ufas.htm>
- HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing
http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/lbp/hudguidelines

On a case-by-case basis, deviations from the minimum requirements of this standard may be permitted with approval of the City of Joliet and the appropriate authorizing agency.

The exact distinctions will vary depending on the item referenced and specific approaches will need to be addressed in the individual structure's specifications.

Individual Standards by Category:

In addition to complying with all the standards listed above, additional standards specific to City of Joliet HOME funding apply. Those requirements are detailed in the following pages and are split between **Repair Standards** and **Replacement/New Construction Standards**.

- **Minimum Construction Standard:** All units that receive HOME funding will minimally meet this standard (along with any applicable building code mentioned in this document), regardless of the extent of work being done.
- **Repair Standard:** Only applies when repairing that particular component or system in place. It might include replacement of individual parts or pieces of a system.
- **Replacement/New Construction Standard:** Only applies when doing new construction or replacing that particular component/system entirely.

Health & Safety

Contaminants

Minimum Construction Standard

- The use of pesticides, herbicides, poisons and any other toxic materials during construction is prohibited. All existing occupants of addressed buildings will be encouraged to dispose of pesticides, herbicides, poisons and any other toxic materials in their possession properly.

Repair Standard

- N/A

Replacement/New Construction Standard

- All installed replacement materials will meet the following standards to minimize the presence of Volatile Organic Compounds (VOC) and Formaldehyde:
- All paints and primers must meet the most recent Green Seal GS-11 Environmental Standard. http://www.greenseal.org/portals/0/documents/standards/gs-11/gs-11_paints_and_coatings_standard.pdf. Here are the VOC limits per GS-11 as of 5/2013:

Product Type	VOC level (in g/L)
Flat Topcoat	50
Non-Flat Topcoat	100
Primer or Undercoat	100
Floor Paint	100
Anti-Corrosive Coating	250
Reflective Wall Coating	50
Reflective roof Coating	100

- Adhesives must comply with Rule 1168 of the South Coast Air Quality Management District. <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1168.pdf?sfvrsn=4>
- – The following are the current limits for Architectural Applications. See the www.aqmd.gov web site for limits in “Specialty Applications” such as contact adhesives and PVC welding.

Architectural Applications	Current VOC Limit
Indoor Carpet Adhesives	50
Carpet Pad Adhesives	50
Outdoor Carpet Adhesives	150
Wood Flooring Adhesive	100
Rubber Floor Adhesives	60
Subfloor Adhesives	50
Ceramic Tile Adhesives	65
VCT and Asphalt Tile Adhesives	50
Dry Wall and Panel Adhesives	50
Cove Base Adhesives	50
Multipurpose Construction Adhesives	70
Structural Glazing Adhesives	100
Single Ply Roof Membrane Adhesives	250
VOC Limit*, Less Water and Less Exempt Compounds in Grams per Liter	

- All caulks and sealants, including floor finishes, must comply with regulation 8, rule 51, of the Bay Area Air Quality Management District (BAAQMD).
<http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Rules%20and%20Regs/reg%2008/rg0851.ashx?la=en>
- All particleboard components will meet ANSI A208.1 for formaldehyde emission limits, or all exposed particleboard edges will be sealed with a low-VOC sealant or have a factory-applied, low-VOC sealant prior to installation. All MDF edges will meet ANSI A208.2 for formaldehyde emission limits, or all exposed MDF edges will be sealed with a low-VOC sealant or have a factory-applied, low-VOC sealant prior to installation.

Lead Based Paint (LBP)

Minimum Construction Standard

- For all houses constructed prior to 1978, all work must be in compliance with the State of Illinois LEAD POISONING PREVENTION ACT and ILLINOIS LEAD POISONING PREVENTION CODE
<http://www.lead-safe-illinois.org/uploads/documents/benchbook-3-illinois-laws-with-summary.pdf>.
- Along with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821- 846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at part 35, subparts A, B, J, K, M and R of this title.

Level of Assistance in Property Hazard Reduction Requirements

Level of Assistance in Property	Hazard Reduction Requirements	Summary of Requirements
Assistance of more than \$5,000 per unit up to and including \$25,000 per unit	Interim controls.	Interim controls means a set of measures designed to reduce temporarily human exposure or likely exposure to lead-based paint hazards. Once work is completed a passing an IL Dept of Health LEAD SAFE CERTIFICATE must be realized for the exterior, common spaces, and all assisted units. Interim controls include, but are not limited to, repairs, painting, temporary containment, specialized cleaning, clearance, ongoing lead-based paint maintenance activities, and the establishment and operation of management and resident education programs.
Assistance of more than \$25,000 per unit	Abatement of lead based Paint hazards.	Abatement means any set of measures designed to permanently eliminate lead-based paint or lead based paint hazards (see definition of "permanent") on the exterior, common spaces, and all assisted units. Once work is completed a passing an IL Dept of Health Lead Free Certificate must be realized for the exterior, common spaces, and all assisted units. Abatement includes: (1) The removal of lead-based paint and dust lead hazards, the permanent enclosure or encapsulation of lead-based paint, the replacement of components or fixtures painted with lead-based paint, and the removal or permanent covering of soil-lead hazards; and (2) All preparation, cleanup, disposal, and post abatement clearance testing activities associated with such measures

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Lead Paint shall not be used during construction.
- When removing lead hazards the minimum construction standards above apply.

Asbestos

Minimum Construction Standard

- Non-friable intact Asbestos materials that are not creating a hazard such as cementitious exterior wall shingles may be left intact and covered/painted if appropriate.
- Asbestos-resilient floor tiles shall be labeled as such and covered with underlayment and new resilient flooring.
- All friable Asbestos materials must be replaced with non-hazardous materials.
- Contractors licensed for Asbestos removal are required for any Asbestos treatments and contractors must follow the Commercial and Public Building Asbestos Abatement Act Regulations:
<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1331&ChapAct=225%C2%A0ILCS%C2%A0207/&ChapterID=24&ChapterName=PROFESSIONS+AND+OCCUPATIONS&ActName=Commercial+and+Public+Building+Asbestos+Abatement+Act>.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Friable asbestos components such as boiler or pipe insulation, badly deteriorated cementitious shingles or deteriorated flooring will be removed and, if necessary, replaced with non-hazardous materials.
- Asbestos shall not be used during construction.

Radon

Minimum Construction Standard

- Radon controls will be instituted per the EPA guidance in their Consumer's Guide to Radon Reduction. [Http://www.epa.gov/radon/pubs/consguid.html](http://www.epa.gov/radon/pubs/consguid.html).

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Mold

Minimum Construction Standard

- Any presence of mold must be addressed per the National Center for Healthy Housing protocol “Creating a Healthy Home.”
http://www.nchh.org/Portals/0/Contents/FloodCleanupGuide_screen_.pdf

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- All carpeting, drywall or other gypsum-based wall coverings or any other non-structural components with mold present will be removed and replaced. The National Center for Healthy Housing protocol “Creating a Healthy Home” will be followed for remediation of structural components.

Fire Safety - Egress

Minimum Construction Standard

- All housing units must meet the required means of egress and be in compliance with all other applicable fire safety and building codes.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Egress windows are required in all new sleeping and living areas unless other secondary means of escape requirements are met. The minimum dimensions for egress window clear openings are 20” wide by 24” tall, with a clear opening of 5.0 square feet for 1st floor bedrooms and 5.7 square feet for 2nd floor and above. No bedrooms should be created in attics or basements unless IRC Code egress requirements are met.

Fire and CO Alarms

Minimum Construction Standard

- Fire and smoke, carbon monoxide and security systems must be in compliance with all applicable local/state fire codes and standards.

Repair Standard

- If the system is in compliance with local codes but is not in operable condition, the system shall be repaired to operating condition.

Replacement/New Construction Standard

- All structures will have hardwired carbon monoxide and smoke detectors, regardless of the number of units.

Site

Grading

Minimum Construction Standard

- All grading adjacent to the building will slope away from the building at a pitch of at least 1 inch per foot to insure proper drainage.
- All bare earth will be covered either with pavement, sod, or plantings.

Repair Standard

- See pavement minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Outbuildings

Minimum Construction Standard

- All structures must be structurally sound, with lead hazards stabilized.

Repair Standard

- All unsafe structures on the property will be repaired or removed (if not a historically significant structure).
- Detached garages shall have operable garage door and lockable doors/windows (if present).

Replacement/New Construction Standard

- No outbuilding replacement is permitted in this program.

Fencing

Minimum Construction Standard

- Fencing is not required.
- Existing fencing shall be brought to good repair and/or demolished (if not historically significant)

Repair Standard

- Fencing in bad condition shall either repaired in kind.
- Lead safe work practices must be followed for any fencing repairs when applicable.

Replacement/New Construction Standard

- Wholesale replacement of deteriorated fencing is discouraged and should only be undertaken if the budget permits.
- If new fencing is to be installed, a "Boundary Survey" is required.

- Vinyl or composite fencing is not appropriate for historic properties.

Paving and Walkways

Minimum Construction Standard

- Safe and even paving shall exist on essential pathways to exterior doors and on driveways.

Repair Standard

- Essential paving with minor defects will be repaired to match.
- Tripping hazards greater than 3/4" must be repaired and addressed.
- Non-essential, highly deteriorated paving, such as sidewalks that are unnecessary must be removed and appropriately landscaped.

Replacement/New Construction Standard

- Un-repairable essential walks and driveways will be replaced with concrete and/or asphalt per City Ordinance. If feasible, permeable paving when financially feasible is allowed.

Trees and Shrubbery

Minimum Construction Standard

- Trees and/or shrubbery are not required, but are encouraged when financially feasible.

Repair Standard

- Trees/shrubs that are dead, dying, or hazardous will be trimmed or removed.
- Removal will include cutting close to the ground, grinding of the stump to 12 inches below the finished grade, installation of topsoil and re-seeding.
- Removal of "significant trees" must be approved in advance by the City Forester.

Replacement/New Construction Standard

- Replacement trees and shrubs are permitted and must be selected from the City's list of local, drought-resistant and non-invasive plant materials.
- Trees shall be located a sufficient distance from foundations, sidewalls, walkways, driveways, patios and sidewalks in order to avoid future damage from root growth and branches brushing against the structure. Setbacks from structures should typically exceed half of the canopy diameter of a full-grown example of the species.
- In placement of trees, attention should be paid to shading the house.
- Trees, Plants: Nursery grown; healthy, well branched, and free from scars, injurious diseases, and insects. Plants shall be balled and burlapped or container grown. Species and size identified in Plant Schedule provided for each new construction project, grown in climatic conditions similar to those in locality of the Work.

Lawn/Ground Coverings

Minimum Construction Standard

- Lawns are required. Seed mixture:
 - 50% Ryegrass
 - 30% Fine Fescue
 - 20% Kentucky Bluegrass

Repair Standard

- Bare sections of lawn will be reseeded. See minimum construction standards.

Replacement/New Construction Standard

- Wholesale replacement of lawn grasses is not allowed, over-seeding is permitted. See minimum construction standards.
- New construction: Sod, ASPA Field grown; cultivated grass sod; with strong fibrous root system.

Exterior Building Surfaces

Exterior Historic Requirements

Minimum Construction Standard

- Any modifications to a structure that is (or could potentially be) deemed historically significant by the State Historic Preservation Office (SHPO) must have their modifications reviewed by the SHPO (usually completed during the environmental review process).
- All modifications must be in compliance with the Secretary of Interior Standards (if the property is deemed historically significant).
- All modifications must be completed in compliance with 36 CFR PART 800, where applicable.
- Any contributing structures in a local historic district must have any proposed modifications reviewed and approved by the governing commission/committee and comply with their requirements.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Exterior Cladding

Minimum Construction Standard

- All structures must have siding and trim that is intact and weatherproof.
- All exterior wood components (with the exception of cedar shingled walls) will have a minimum of one continuous coat of paint.
- Exterior painted surfaces shall not have any deteriorated paint (including chalking, chipping, and peeling paint).

Repair Standard

- Buildings designated as historic will have existing wood siding repaired in kind.
- New exterior wood must blend with existing and will be spot-primed and top-coated in a lead-safe manner.

Replacement/New Construction Standard

- Buildings not designated as historic or overlay districts or prohibited by zoning, may have siding replaced with vinyl siding to match the existing configuration.
- Buildings will comply with the masonry requirement.
- Soffit material will be vented/perforated aluminum.

- Buildings designated as historic will have existing wood siding repaired in kind. New exterior wood must blend with existing and will be spot-primed and top-coated in a lead-safe manner.

Exterior Porches & Coverings

Minimum Construction Standard

- Exterior porches and/or entry coverings are not required, but are encouraged when financially feasible.

Repair Standard

- Unsafe and/or damaged porches shall be repaired or demolished (if not historically significant).
- When repairing a porch, all wood porch components will be repaired with readily available materials. Repairs will be structurally sound, with smooth and even decking surfaces.
- Deteriorated wood structural components will be replaced with preservative-treated wood.

Replacement/New Construction Standard

- Porches on buildings designated as historically significant will be rebuilt to conform to the Secretary of Interior Standards and local historic district guidelines.
- Exterior Porches on non-historic porches will be replaced with 5/4" preservative-treated decking.
- Replaced railings will meet code.
- Replaced wood structural components will be preservative-treated.

Exterior Railings

Minimum Construction Standard

- Handrails will be present on one side of all interior and exterior steps or stairways with more than two risers and around porches or platforms over 30" above the adjacent ground level.
- Handrails must be structurally sound and meet all applicable building codes.
- Railings must be 42 inches in height.

Repair Standard

- On structures that are historically significant railing repairs shall conform to the Secretary of Interior Standards and local historic district guidelines.

Replacement/New Construction Standard

- See minimum construction standard.
- On structures that are historically significant new installations of railings shall conform to the Secretary of Interior Standards and local historic district guidelines.

Exterior Steps and Decks

Minimum Construction Standard

- Decks are not required, but allowed.
- Exterior steps are required to any elevated porch, deck, or entryway.
- Stair risers and treads must minimally meet code.
- Steps, stairways, and porch decks will be structurally sound, reasonably level, with smooth and even surfaces.
- On structures that are historically significant exterior steps and decks shall conform to the Secretary of Interior Standards and local historic district guidelines.

Repair Standard

- Existing unsafe and/or damaged porches shall be repaired or demolished (if not historically significant).

Replacement/New Construction Standard

- In non-historic structures wood decking may be replaced with 5/4" X 6" preservative-treated material and new steps will be constructed from nominal 2" preservative-treated wood, or 3/4" clear T & G fir, primed on all 6 sides before installation.

Exterior House Numbers and Mailboxes

Minimum Construction Standard

- All houses will have 4" house numbers clearly displayed near the front door, and a standard size mailbox, preferably wall-hung at the entrance. "Rural Style" mailboxes are not permitted unless required by the USPS and local Home Owners Association.
- On structures that are historically significant house numbers and mailboxes shall conform to the Secretary of Interior Standards and local historic district guidelines.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Foundations & Structure

Firewalls

Minimum Construction Standard

- All Frame party walls must be safe, structurally sound, and in good repair.

Repair Standard

- Frame party walls must be repaired if there are any cracks, plaster deterioration, and/or other structural deficiencies.
- All repaired sections must be covered with 5/8" type X gypsum, then glued and screwed to structure, following with a 3 coat finish.

Replacement/New Construction Standard

- When frame walls and floors adjoining other dwellings are gutted, new wall finish installations will conform to local building code requirements for fire ratings and all other applicable requirements.

Foundations

Minimum Construction Standard

- Foundations will be structurally sound, reasonably level, free from movement, and in compliance with all applicable state and local codes.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Structural Walls

Minimum Construction Standard

- Structural framing and masonry will be structurally sound, free from movement, from visible deterioration, rot, or serious termite damage, and be adequately sized for current loads.
- Depending on the scope of the project a structural engineer's report may be required. Prior to rehab, all sagging floor joists or rafters will be visually inspected, and significant structural damage and its cause will be corrected.
- Structural framing and masonry must be in compliance with all applicable state and local codes.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- All exterior walls that are part of the building envelope (the air barrier and thermal barrier separating the conditioned space from the non-conditioned space) will be insulated to meet the current International Energy Conservation Code and sheathed to meet the building code.

Additions

Minimum Construction Standard

- New additions are acceptable only when it is deemed necessary for:
 - For marketing and livability reasons, It is necessary to add additional bedroom space, or
 - To bring a unit in compliance with a state and/or local building code.
- Any new addition must be in compliance with all local and state building codes.
- Plans must be submitted to the City Building Official for review and approval prior to bidding. All standards listed in this document apply to the new addition.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Windows and Doors

Interior Doors

Minimum Construction Standard

- Safe and operable doors with privacy lock sets must be in place in the entryway to all bedrooms and bathrooms.
- All doors and door frames in structures built before 1978 must have sufficient spacing to prevent doorjamb friction and chalking/peeling paint. All work must be in compliance with the State of Illinois LEAD POISONING PREVENTION ACT and ILLINOIS LEAD POISONING PREVENTION CODE
<http://www.lead-safe-illinois.org/uploads/documents/benchbook-3-illinois-laws-with-summary.pdf>

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Hollow-core, pressed-wood product consistent with the style of existing doors are acceptable including a privacy lock set on bedrooms and bathrooms, and a passage lockset on closets.

Exterior Doors

Minimum Construction Standard

- All exterior entryways must have a solid, weather-stripped door that operates smoothly
- The entry door to each apartment must include a peep site, a dead bolt, and an entrance lock set.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Locks will be installed on all exterior doors keyed to match.

Windows

Minimum Construction Standard

- All windows will operate, remain in an open position when placed there, lock when closed and the open section will be covered with a screen.
- Placement of windows (existing or new) will meet all applicable local and state building codes.
- All windows and window frames in structures built before 1978 must be in compliance with the State of Illinois LEAD POISONING PREVENTION ACT and ILLINOIS LEAD POISONING PREVENTION CODE

<http://www.lead-safe-illinois.org/uploads/documents/benchbook-3-illinois-laws-with-summary.pdf>

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Windows shall meet ENERGY STAR standard for this geographic region.
http://www.energystar.gov/index.cfm?c=windows_doors.pr_anat_window
- Windows will be vinyl except when the structure is historically significant and/or is in a historic district (then those window guidelines would apply).
- Vinyl windows shall be American Architectural Manufacturers Association (AAMA) certified per the most recent version of their NAFS/North American Fenestration Standard/Specification for windows, doors, and skylights, currently the AAMA/WDMA/CSA 101/I.S.2/A440-11
- All windows and window frames in structures built before 1978 must be in compliance with the State of Illinois LEAD POISONING PREVENTION ACT and ILLINOIS LEAD POISONING PREVENTION CODE
<http://www.lead-safe-illinois.org/uploads/documents/benchbook-3-illinois-laws-with-summary.pdf>

Basement Windows

Minimum Construction Standard

- All windows will operate, remain in an open position when placed there, lock when closed and the open section will be covered with a screen.
- A minimum of 2 basement windows on opposite sides of the building must be operable for ventilation.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Windows shall meet ENERGY STAR standard for this geographic region.
http://www.energystar.gov/index.cfm?c=windows_doors.pr_anat_window
- All windows and window frames in structures built before 1978 must be in compliance with the State of Illinois LEAD POISONING PREVENTION ACT and ILLINOIS LEAD POISONING PREVENTION CODE
<http://www.lead-safe-illinois.org/uploads/documents/benchbook-3-illinois-laws-with-summary.pdf>
- If using glass block, a minimum of 2 glass block windows on opposite sides of the building must have operable and lockable center vents.

Roofing

Flat and Low-Slope Roofing

Minimum Construction Standard

- Structures must have roofing that is structurally sound, leak-free, and meet all applicable local and state building codes.

Repair Standard

- Built up roofing may be re-coated and flashing and accessories repaired if a full roof replacement is unnecessary.

Replacement/New Construction Standard

- EPDM will be installed for roof replacements.

Pitched Roofs

Minimum Construction Standard

- Structures must have roofing that is structurally sound, leak-free, and meet all applicable local and state building codes.
- No more than 2 layers of roofing total are permitted once work is completed.

Repair Standard

- Missing and leaking shingles and flashing will be repaired on otherwise functional roofs.
- Slate, metal and tile roofs will be repaired when possible. Antennae will be removed.

Replacement/New Construction Standard

- Fiberglass, asphalt, 3-tab, class A shingles with a prorated 30-year warranty with a continuous ridge vent will be installed over 15-lb. felt with new drip edge on all edges.
- Ice and water shield shall be installed at the eaves.

Gutters and Downspouts

Minimum Construction Standard

- Gutters and downspouts must collect storm water from all lower roof edges.
- Gutters and downspouts must be in good repair, leak free, and meet all applicable local and state building codes.
- Downspouts must move all storm water away from the building and prevent water from entering the structure.
- Concrete splash blocks will be installed to move water away from the foundation.

Repair Standard

- In addition to positive drainage away from the building, outlets will be a minimum of 3 feet away from the foundation whenever there is a history of water problems and property line allows.

Replacement/New Construction Standard

- Gutters and downspouts must be aluminum and seamless.
- In addition to positive drainage away from the building, outlets will be a minimum of 3 feet away from the foundation whenever there is a history of water problems and property line allows.

Insulation and Ventilation

Infiltration

Minimum Construction Standard

- Any residential structure where wall surfaces are not gutted must have a diagnostic Blower Door Test before construction begins to identify the locations of air leakage. Specifications and work plans must take into account these leaks. The scope of work is encouraged to include measures designed for a reduction of air infiltration. A target of 50% infiltration reduction is recommended. Smoke Testing is encouraged during a Blower Door Test to locate specific air infiltration points. Seal/ Caulk all air leakage points. Reference: Energy Star's Guide to Sealing: http://www.energystar.gov/ia/partners/publications/pubdocs/DIY_Guide_May_2008.pdf?785f-3b07

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Insulation

Minimum Construction Standard

- Insulation shall be dense packed to meet R-20 or 13+5¹ Standards, with any gaps filled.
- Insulation shall be placed on all exterior walls and in compliance with any applicable local/state building codes.

Repair Standard

- Repairs to an existing building, building system or portion thereof shall conform to the current International Energy Conservation Code.
- Analysis for insulation settling should be conducted to assess insulation gaps in walls.

Replacement/New Construction Standard

- Insulation shall be dense packed to meet R-20 or 13+5 Standards, with any gaps filled.
- The envelopes of any residential structure will have a continuous air barrier and a continuous thermal barrier that is in contact with the air barrier. Attic insulation shall be a minimum of R-49 with soffit baffles installed when there are soffit vents to maintain ventilation at the eaves.

¹ First value is cavity insulation, second is continuous insulation or insulated siding, so "13+5" means R-13 cavity insulation plus R-5 continuous insulation or insulated siding. If structural sheathing covers 40 percent or less of the exterior, continuous insulation R-value shall be permitted to be reduced by no more than R-3 in the locations where structural sheathing is used – to maintain a consistent total sheathing thickness.

- All exterior walls opened in the course of renovations shall be insulated to the maximum R value applicable.
- As an alternative to insulating floors over crawl spaces, crawl space walls shall be permitted to be insulated when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to the finished grade level and then vertically and/or horizontally for at least an additional 24 inches (610 mm). Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder in accordance with the International Building Code or International Residential Code, as applicable. All joints of the vapor retarder shall overlap by 6 inches (153 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (153 mm) up the stem wall and shall be attached to the stem wall. Crawl space walls shall be insulated a minimum R-15.

Whole House Ventilation

Minimum Construction Standard

- Whole house ventilation shall meet all applicable state and local building codes.
- All homes shall meet the most recent ASHRAE 62.2 standard.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Kitchen Ventilation

Minimum Construction Standard

- Kitchen Ventilation shall meet local and state building codes.

Repair Standard

- If the renovation is addressing the kitchen space, ducting for an exterior vented range hood is required. This unit must operate at a minimum 120 CFM.

Replacement/New Construction Standard

- All kitchens must have mechanical ventilation operating at a maximum of 20 Sones and producing a minimum of 150 CFM after accounting for ducting losses.
- All ductwork will be heavy gauge galvanized metal, air tight with mastic-sealed seams (no duct tape). It is preferred that mechanical ventilation exit at sidewalls or roof and not at the soffit to minimize the potential for ice damming. Recirculating range hoods are not permitted.

Roof Ventilation

Minimum Construction Standard

- Roof Ventilation shall meet local and state building codes.

Repair Standard

- 1 square foot of free venting must be supplied for every 150 square feet of area directly under the roof if there is no soffit venting.
- 1 square foot of free venting for the 1 to 300 ratio, should be utilized.

Replacement/New Construction Standard

- 1 square foot of free venting must be supplied for every 150 square feet of area directly under the roof if there is no soffit venting.
- 1 square foot of free venting must be supplied for every 300 SF of area directly under the roof if 20% of the venting is through soffit vents and if the living space ceiling directly below the roof has a rating of one perm or less.
- 1 perm is achievable with a coating of Vapor Barrier paint.
- Whenever feasible, a combination of ridge vents, soffit vents and the one perm-rated ceiling required for the 1 to 300 ratio, should be utilized.

Interior Standards

Interior Walls and Ceilings

Minimum Construction Standard

- Interior and un-keyed plaster will be repaired to match the surrounding surfaces.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Standard Gypsum Board: 1/2 inch thick, maximum available length in place.
- When necessary plaster will be replaced by 1/2" gypsum board. Fire-rated assemblies will be specified on a project-by-project basis as required by local codes and must be approved in advance by the City of Joliet.

Flooring

Minimum Construction Standard

- Every room shall have a floor that is level and free of holes, cracks, and safety hazards.
- Bathroom, kitchen and other water-susceptible floor areas will be covered with water-resistant flooring that is free from tears.

Repair Standard

- Damaged wood and/or tile floors will be repaired.
- If there is deteriorated carpet installed over hardwood floors, the carpet should be removed and the hardwood refinished whenever feasible. Carpet is to be avoided.
- Basement floors will be continuous concrete at least 4" thick if being replaced, or in new installations, or at the location of patches.

Replacement/New Construction Standard

- Floors shall be replaced with non-luxury flooring that has a minimum life expectancy of 10 years.
- When using resilient sheet goods or vinyl composite tile, it must be over plywood underlayment with the sheet/tile meeting ASTM F1303 Type 1, Grade 2 minimum standards with a minimum wear layer of 10 mil
- Non Kitchen/Bath type rooms with existing wood flooring will be maintained as wood floors and refinished when appropriate.
- Nylon Carpet and rebond type cushion installed in accordance with Carpet and Rug Institute CRI 105 - Standard for Installation of Residential Carpet.
- New basement slabs will be at least 4" thick and have a 6-mil vapor barrier.

Closets

Minimum Construction Standard

- Closets shall meet local and state building code requirements.

Repair Standard

- Existing closets with a minimum depth of 2 feet will be maintained in good repair and have a shelf and clothes rod.

Replacement/New Construction Standard

- Shelf and clothes hanger from Rubbermaid FreeSlide Model, White epoxy coated steel, 12 inch depth or approved equal.
- New closets may be created if there is a significant lack of storage space and the budget permits.
- New closets will have a depth of 2 feet and include a shelf, clothes rod and a light fixture that meets the NEC, switched at the entrance to the closet.

Kitchen Cabinets and Countertops

Minimum Construction Standard

- Every dwelling unit shall have one kitchen that will meet local and state building code requirements.

Repair Standard

- Kitchens must have a minimum of 10 lineal feet of countertop with corresponding base cabinets and wall cabinets.
- Countertops will be made from a smooth, cleanable, waterproof and durable material. Postformed plastic laminate countertop is acceptable.
- Shelving may be used in lieu of wall cabinets. Corners in countertop designs are permitted if factory assembled.
- Existing cabinets with hardwood doors and face frames may be repaired if in good condition.
- All cabinets will be sound and cleanable.

Replacement/New Construction Standard

- Minimum standards for work within this section shall be in conformity with the Standards of Millwork Industry as adopted by the Architectural Woodwork Institute (AWI).
- Kitchens will have a minimum of 10 lineal feet of countertop with corresponding base cabinets and wall cabinets, and space for a dishwasher.
- CABINET MATERIALS:
 - Exposed Materials:
 - Veneered construction of Red Oak, Maple or Natural Birch.

- Adjacent exposed faces shall be similar in color, grain, figure, and natural character markings.
 - Solid Wood construction of Red Oak, Maple or Birch
 - Lumber grade: AWI Grade II, free of defects, selected for compatible grain and color.
 - Plywood: Hardwood plywood complying with HPVA HP – 1 face veneer of species indicated with Grade A faces and Grade C backs of same species as faces.
 - Edge banding: Exposed edges with minimum 1/8 inch (3 mm) thick, solid-wood edging of same species as face veneer.
 - Vinyl-Faced Fiberboard: Medium-density fiberboard complying with ANSI A208.2, milled to required shapes, with a thermoformed vinyl overlay applied in a vacuum or membrane press.
 - Thermoset Decorative Overlay: Medium-density particleboard complying with ANSI A208-1, Grade M-2; with surface of thermally fused, melamine-impregnated decorative paper complying with ANSI/NEMA LD 3-2005.
 - Provide PVC edge banding complying with ANSI/NEMA LD 3-2005 on components with exposed or semi-exposed surfaces.
- Semi-exposed Materials: Unless otherwise noted, provide the following:
 - Plywood: Hardwood plywood complying with HPVA HP-1 with Grade C faces stained to be compatible with exposed surfaces and Grade 3 backs of Birch species, with clear finish.
 - Plywood: Hardwood plywood complying with HPVA HP-1 with Grade C faces stained to be compatible with exposed surfaces and an embossed, natural birch or maple vinyl film adhesively bonded to the plywood.
 - Provide vinyl film on both sides of shelves, dividers, and other components with two semi-exposed surfaces and semi-exposed edges.
- Concealed Materials: Comply with the following:
 - Plywood: Any hardwood or softwood species, with no defects affecting strength or utility.
 - Particleboard: ANSI A208.1, Grade M-2.
- New kitchen cabinets will be hardwood doors/face frames or meet ANSI A208.1 and A208.2 standard for formaldehyde content of particleboard and MDF, or have exposed edges of particleboard and MDF sealed to prevent the out-gassing of formaldehyde.
- Countertops will be made from a smooth, cleanable, waterproof and durable material. Postformed plastic laminate countertop is acceptable.
- Corners in countertop designs are permitted if factory assembled.
- A drawer base (minimum 12”) will be included in new cabinetry.

Electric

Exterior Lighting

Minimum Construction Standard

- All exterior lights and switches will be operable, safe, and in compliance with local/state building codes.
- All incandescent light bulbs must be replaced with energy efficient light bulbs.

Repair Standard

- Each entry shall have a light that illuminates the doorway and the approach to the doorway such as a sidewalk or stairs.
- The switch shall be located immediately inside the door on the strike side of the door.

Replacement/New Construction Standard

- Each entry shall have a light that illuminates the doorway and the approach to the doorway such as a sidewalk or stairs.
- The switch shall be located immediately inside the door on the strike side of the door.
- All new light fixtures will be ENERGY STAR labeled.

Ground Fault Interrupter Circuits

Minimum Construction Standard

- All electrical outlets will be operable, safe, and in compliance with local/state building codes.
- All Ground Fault Interrupter Circuits shall be in good working order and located whenever there is an outlet within 6' of sink or other water receptacle.
- Non-functioning and/or non-existent GFCIs will be replaced.
- Exterior, garage and basement receptacles will be GFCI protected.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Passage Lighting

Minimum Construction Standard

- All lights and switches in hallways, stairs and other passages will be operable and safe.
- Existing fixtures with incandescent lamp fittings will have minimum 7W CFL replacement lamps installed.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- All lights and switches in hallways, stairs and other passages will be operable and safe and controlled by a 3-way switch using concealed wiring.
- Attics, basements and crawl spaces must have utility fixtures.
- All new light fixtures will be ENERGY STAR labeled.
- 75% of lamps in permanent fixtures or 75% of the permanent fixtures will be high efficacy electrical lighting sources

Kitchen Electric Distribution

Minimum Construction Standard

- All electrical outlets will be operable, safe, grounded, and in compliance with local/state building codes.
- All Ground Fault Interrupter Circuits shall be in good working order and located whenever there is an outlet within 6' of sink or other water receptacle.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Permanently installed or proposed stoves, refrigerators, freezers, dishwashers and disposals, washers and dryers will have separate circuits sized according to N.E.C. Two separate 20-amp counter circuits are required with each kitchen area.

Interior Electric Distribution

Minimum Construction Standard

- All electrical outlets will be operable, safe, grounded, and in compliance with local/state building codes.
- Exposed knob and tube will be replaced.
- Every room will have a minimum of two duplex receptacles, placed on separate walls and one light fixture or receptacle switched at each room entrance.
- All receptacles will be grounded.
- All switch, receptacle, and junction boxes will have appropriate cover plates.
- Wiring will be free from hazard, and all circuits will be properly protected at the panel.
- Floor receptacles will be removed and a metal cover plate installed.
- There must be one electrical receptacle at the service panel.

- Basements will have a minimum of 1 keyless bare bulb fixture switched at the top of the stairs.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- When a room's wall finishes are removed, it will be rewired to the latest version of the National Electric Code.

Service and Panel

Minimum Construction Standard

- Distribution panels must be operable, safe, and in compliance with local/state building codes.
- Distribution panels will have a main disconnect, at least 10 circuit-breaker-protected circuits, a 100-amp minimum capacity and be adequate to safely supply existing and proposed devices.
- Exposed knob and tube must be replaced.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Distribution panel must be a 200-amp service with a main disconnect panel containing at least 20 circuit breaker positions.

Plumbing System

Drain, Waste, Vent Lines

Minimum Construction Standard

- Waste and vent lines must function without losing the trap seal.
- Waste and vent lines must be free of cracks and leaks and be in compliance with all applicable local and state building codes.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- When walls are removed exposing vent and waste lines those lines will be reworked to the current mechanical code.

Plumbing Fixtures

Minimum Construction Standard

- All fixtures and faucets will have working, drip-free components.
- Fixture placement must meet local/state building code, and have the following in each dwelling unit:
 - At least one bathroom with a sink, toilet, and shower.
 - A kitchen with a sink
- All toilets with greater than a 1.6 GPF rating will be replaced with a maximum 1.3 GPF model.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- New fixtures will be Water Saver certified.
- In the bathroom, the following shall be minimally used:
 - Floor mounted close-coupled closet combination with regular rim; Vitreous china; with fittings and Color-matched trip lever flushing valve; Low-consumption (1.6 gpf); (12") rough-in; siphon action bowl with direct-fed jet, Fully glazed 2" Trapway; Pilot Valve Water Control; 2" flapper flush valve; Sanitary bar on bowl; 2 color matched bolt caps; white, bone, or linen color as selected.
 - Lavatory: Chrome plated spout, water economy aerator with maximum 2.0 gpm flow, ADA compliant, single lever handle.
 - Tub/Shower: Concealed supply with pressure balanced mixing valves, bent shower arm and ball joint shower head with maximum 2.5 gpm flow; chrome plated; diverter spout; round flange; ADA compliant, single lever handleSingle outlet metal faucets

- Fiberglass tubs with surrounds
- Kitchen sink: 20 gauge thick, Type 304 stainless steel, self-rimming with undercoating, 3-1/2 inch crumb cup and chromed brass drain, ledge back drilled for trim.
- Kitchen: Chrome plated brass supply with swing spout, water economy aerator with maximum 2.2 gpm flow, ADA compliant single lever handle and retractable spray

Water Heaters

Minimum Construction Standard

- Each housing unit will have a working water heater, preferably powered by gas.
- An existing gas fired water heater may be kept if it is in good working condition and is less than 3 years old with a minimum capacity of 40 gallons (if not a tank less water heater).
- It is recommended that all electric water heaters will be replaced with a gas-fired model if a gas service is available and venting is available.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- All units will have either tankless or a minimum 40-gallon, gas-fired water heater with a 6-year warranty installed to the mechanical code.
- High efficiency power-vented or sealed combustion tank or tankless water heaters are preferred for their efficiency and combustion safety.

Water Supply

Minimum Construction Standard

- All fixtures must be leak-free and deliver sufficient cold and hot water.
- The main shut off valve must be operable and completely stop the flow of water to the house.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Lead and galvanized pipe that is part of the water service or the distribution system will be replaced with copper. All fixtures will have brass shut off valves.
- One freeze-protected exterior hose bib is required.
- A master shut off valve is recommended for each dwelling unit, if a multi-unit structure.
- Hot water piping must be insulated to R-3 (with exceptions).

HVAC

Chimney Repair

Minimum Construction Standard

- When chimneys must be used for combustion ventilation, they will be in good repair or relined. Brick chimneys will have mortar in good condition.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- The creation of new flues is not recommended in this program.
- The use of high efficiency closed combustion appliances is recommended to avoid the need for new flues.
- Replacement furnace flues, when required, will be metal double- or triple-walled as recommended by the furnace manufacturer.

Distribution System

Minimum Construction Standard

- Duct work and radiator piping will be well supported, insulated in unconditioned space and adequate to maintain 68 F measured 36" off the floor when the outside temperature is the average yearly minimum, in all habitable and essential rooms.
- Duct work and radiator piping will be meet local and state building codes.
- All duct work will be insulated to R-7, sealed at all seams with mastic (not tape).

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- See minimum construction standard.

Heating System

Minimum Construction Standard

- Heating systems shall be safe, secure, in good working order, and meet local/state code.
- Existing heating systems must be inspected and serviced to operate in a safe manner.
- Resistance electric heating systems are encouraged to be removed and replaced with systems as described below in the **Replacement/New Construction Standard**, whenever feasible. Piping for hydronic systems will be insulated.
- Ductwork in unconditioned spaces will be sealed for leaks and insulated to R-7.

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- Gas-fired heating plants will be rated at > 92% AFUE or better.
- Adjustable Room Thermostat: 5-2 programmable, low voltage, to control burner operation, compressor and condenser fan and supply fan to maintain temperature setting. Include system selector switch (heat-off-cool) and fan control switch (auto-on).
- When electric resistance heating systems are replaced, soffits for ductwork must be provided.
- Piping for hydronic systems will be insulated.
- Ductwork in unconditioned spaces will be sealed for leaks and insulated to R-8.

Appliances

Kitchen Appliances

Minimum Construction Standard

- All units will have a safe, clean, and operable:
 - Range
 - Refrigerator

Repair Standard

- See minimum construction standard.

Replacement/New Construction Standard

- All new appliances will be ENERGY STAR-labeled.
- Dishwashers are allowed if feasible.

§92.251 Property Standards

For new construction and rehabilitation, the 2013 Rule requires a higher degree of oversight by the PJ. It imposes requirements for the PJ to review and approve construction-related documents prior to construction, and to monitor construction progress.

New Construction Projects

§92.251(a)(1) requires new construction projects to meet State and local codes, ordinances, and zoning requirements. In the absence of an applicable State or local code for new construction, HOME-assisted projects must meet the International Code Council's (ICC's) International Residential Code or International Building Code, whichever is applicable to the type of housing being developed.

§92.251(a)(2) incorporates or specifies additional standards:

Accessibility requirements as applicable, in accordance with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and the Fair Housing Act. These requirements are not new.

Disaster mitigation standards, in accordance with State and local requirements or as established by HUD, where they are needed to mitigate the risk of potential disasters (such as earthquakes, hurricanes, flooding, and wildfires). This is a new requirement.

§92.251(a)(iv) and (v) adds requirements for PJs to improve project oversight for new construction. PJs must:

- Review and approve written cost estimates, construction contracts, and construction documents.
- Conduct construction progress and final inspections to ensure that work is done in accordance with the applicable codes, the construction contract, and construction documents.

Rehabilitation Projects

Written Rehabilitation Standards

§92.251(b)(1) requires PJs to establish and comply with written rehabilitation standards. The pre-2013 Rule required a written rehabilitation standard, but provided minimal regulatory guidance about what this standard needs to address. The 2013 Rule provides specificity about what elements are required in the PJ's rehabilitation standards.

The rehabilitation standards must be of sufficient detail to determine the minimal level of work required and the methods and materials for rehabilitation work (either by referring to applicable codes or standards or establishing requirements that exceed the minimum code requirements).

The rehabilitation standards must address the following (the new requirements are so noted):

Health and safety. The rehabilitation standard must specify the life threatening deficiencies that must be addressed immediately if a housing unit is occupied. [NEW]

Major systems for rental housing. The PJ must require an estimate of the remaining useful life of major systems. [Major systems include structural support, roofing, cladding, and weatherproofing (e.g., windows, doors, siding, gutters), plumbing, electrical and heating, ventilation, and air conditioning.] This must be done with a capital needs assessment for projects with 26 or more units (see last bullet below). If the remaining useful life is less than the affordability period, the PJ must require replacement reserve deposits to ensure that the

project's major systems and physical needs can be adequately maintained and addressed throughout the affordability period. [NEW]

Major systems, for homeownership housing. The PJ must require that upon project completion, major systems must have a useful life of at least five years. [NEW]

Lead-based paint requirements, in accordance with 24 CFR part 35.

Accessibility requirements as applicable, in accordance with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and the Fair Housing Act.

Disaster mitigation standards, in accordance with State and local requirements or as established by HUD, where they are needed to mitigate the risk of potential disasters (such as earthquakes, hurricanes, flooding, and wildfires). [NEW]

State and local codes, ordinances, and zoning requirements. In the absence of a State or local building code that applies to rehabilitation, the PJ must use the International Existing Building Code of the ICC. (This is not a new requirement, but the applicable code, absent State and local codes, has been updated.)

Uniform Physical Condition Standards (UPCS), in accordance with 24 CFR 5.703. UPCS is an inspection protocol that is used to evaluate the condition of housing. PJs must use this inspection protocol to establish minimum property condition standards for rehabilitation standards. Note, in general UPCS includes a more comprehensive list of inspectable items and areas than Housing Quality Standards, which applied to rehabilitation in the absence of State and local codes in the pre-2013 Rule. [NEW]

Note: HUD will issue additional guidance on this requirement. This guidance will establish which critical deficiencies (based on the list of inspectable items and areas of UPCS) must be corrected as a minimum requirement for each type of rehabilitation — rental, homebuyer, and homeowner housing — and, therefore, must be included in the PJ's rehabilitation standards.

Capital needs assessment for multifamily rental housing with 26 or more units, will be done to ensure that the PJ determines all work that will be performed and identifies and addresses long-term physical needs of the project. [NEW]

For additional information on how written rehabilitation standards differ from property standards, see HOMEfires Vol. 3, No. 1, January 2001, which is posted on HUD's website at <http://www.hud.gov/offices/cpd/affordablehousing/library/homefires/volumes/vol3no1.cfm>. Construction Documents and Work Write-ups

§92.251(b)(2) requires PJs to review and approve work write-ups (i.e., plans and specifications) and written cost estimates. The PJ must determine that the work write-up or plans are in compliance with the PJ's written rehabilitation standards and that costs are reasonable. This provision clarifies this requirement. While these steps were not explicitly required in the pre-2013 Rule, compliance with the existing requirements already necessitated these kinds of review and approval.

Frequency of Inspections

§92.251(b)(3) explicitly requires the PJ to conduct: (1) an initial property inspection to determine deficiencies that must be addressed, (2) progress inspections to monitor construction progress, and (3) a final inspection to ensure that work is done in accordance with the project's approved work write-up or plans. For these inspections, a PJ can either use qualified in-house staff or

secure a qualified third party that is independent of the developer. This is a new requirement. HUD plans to provide additional training and guidance in this area.

Acquisition of Standard Housing Property Standards

When HOME funds are used to purchase existing rental housing, such housing must be in good condition or it must be rehabilitated to ensure that the housing is in standard condition at the time of project completion. In the pre-2013 Rule, for acquisition of property (without rehabilitation) HOME required that housing to be acquired in standard condition, must meet State and local housing property standards or codes, or in their absence, Housing Quality Standards. §92.251(c) of the 2013 Rule revises property standards for housing in standard condition that is acquired using HOME funds.

Newly Constructed or Recently Rehabilitated Housing

§92.251(c)(1) requires that housing that has been newly constructed or rehabilitated within one year of the date of commitment of HOME funds meet the applicable property standards

[§92.251(a) for new construction and §92.251(b) for rehabilitation]. If the property does not meet the applicable standard, it cannot be acquired unless it is rehabilitated to meet the rehabilitation standards at §92.251(b). PJs must document this compliance based on a review of approved building plans and certificates of occupancy and a property inspection that is conducted no earlier than 90 days before the commitment of HOME funds. This provision differs somewhat from the pre-2013 Rule in which housing that was acquired (without rehabilitation) with HOME funds needed to meet State and local codes, or in their absence, Housing Quality Standards. However, documentation of compliance with these property standards was not prescribed, and inspections were not required.

All Other Existing Housing – Rental

For all other housing (that is, housing that is not recently rehabilitated or newly constructed) that will be acquired (without rehabilitation) for rental housing, the property must meet the applicable standard for rehabilitation at §92.251(b). The PJ must document compliance based upon a current inspection that is conducted no earlier than 90 days before the date of commitment of HOME assistance, in accordance with the PJ's inspection procedures. If the property does not meet these standards, it cannot be acquired with HOME funds unless it is rehabilitated to meet this standard.

All Other Existing Housing - Homeownership (Downpayment) Assistance

The 2013 Rule states that the PJ must establish standards to ensure that existing housing that is acquired for homeownership (e.g., downpayment assistance) is decent, safe, sanitary, and in good repair. At a minimum, the standards must provide that the housing meets all applicable State and local housing quality standards and code requirements. In addition, the housing must be free of any deficiencies identified by HUD in the UPCS (pursuant to 24 CFR 5.705) based on the inspectable items and inspected areas in HUD-determined physical inspection procedures. If the housing does not meet these standards, the housing must be rehabilitated to meet the standards or it cannot be acquired with HOME funds. Note, HUD will issue guidance that specifies which components of UPCS will apply.

Tenant-Based Rental Assistance Property Standards

§92.251(d) requires that units occupied by households receiving HOME TBRA must meet the Housing Quality Standards at 24 CFR 982.401. This is not a new requirement.

Suggested Next Steps for PJs

HUD plans to issue guidance regarding how to incorporate UPCS into the property standards for rehabilitation and acquisition. Until guidance is issued, PJs can begin to update their property standards for new construction by reviewing their applicable State or local property standards for each housing activity type. If there are no State and/or local codes, update the required property standard for new construction to the applicable ICC, or IRC codes. Develop or review and amend procedures related to inspecting properties to ensure compliance with property standards.

For new construction and rehabilitation, procedures must include:

- An initial property inspection to determine the extent of work to be completed, for rehabilitation projects
- PJ review and approval of project plans (work write-ups) and cost estimates
- Construction progress and final inspections to ensure that work is done in accordance with the applicable codes, the construction contract, and construction documents.
- Develop inspection checklists for new construction that reflect the applicable property standards to ensure consistency in implementation among staff and inspectors.
- Train staff and program partners in the new construction property standard requirements and the inspection procedures. Identify how staff qualifications will be determined for review and approval of construction documents, as well as inspection work.
- Incorporate these new requirements in the written agreements with State recipients; subrecipients; and project owners, developers, and sponsors, as required by §92.504(c).
- Incorporate these requirements in monitoring checklists to ensure that compliance is verified during project monitoring reviews.

See §92.251(d) (below) and §92.504(d) related to project completion inspections and ongoing property inspections for additional guidance in these areas.

Look for additional guidance from HUD on property standards for rehabilitation and acquisition, and update and revise policies and procedures as additional guidance is provided.

Effective Date

January 24, 2015 (The new property standards apply to projects to which funds are committed on or after this date, which is 18 months after publication of the Final Rule.)

Ongoing Property Standards during the Period of Affordability

The 2013 Rule revises the property standard requirements for rental housing during the period of affordability. The new §92.251(f) establishes several new requirements related to ongoing property standards and inspection procedures.

Ongoing Property Standards

The 2013 Rule, at §92.251(f)(1), requires PJs to establish ongoing property standards for rental housing that will apply throughout the affordability period. The PJ's ongoing property standards must be in sufficient detail to establish the basis for a uniform inspection of projects. At a minimum, these standards must ensure that the housing is maintained as decent, safe, and sanitary housing in good repair.

The PJ's ongoing property standards, at a minimum, must state that:

- Properties must be maintained to meet all applicable State and local codes, if available. This is not a new requirement. However, the 2013 Rule has replaced Housing Quality Standards with UCPS as the standard in the absence of State or local codes (as discussed above under property standards).
- Housing must be free of all health and safety defects and the PJ must identify life-threatening deficiencies that the owner must correct immediately. [NEW]

- Housing must meet the lead-based paint requirements in 24 CFR part 35.
- Procedures

The PJ is required to establish procedures for inspection and implementation of these requirements. These requirements are all new:

- The PJ must have procedures in place to ensure that the property owner addresses deficiencies in a timely manner.
- The PJ must establish written inspection standards that include detailed inspection checklists, a description of how and by whom inspections will be carried out, and procedures for training and certifying inspectors.
- The PJ must conduct periodic property inspections in accordance with §92.504(d). The PJ's inspection procedures must state how frequently each property will be inspected, consistent with §92.504(d) and, for TBRA units, §92.209. The requirement for a periodic inspection is not new, but the minimum required inspection schedule has been amended; every TBRA units must be inspected annually, and every HOME-assisted rental project must be inspected at least once every three years during the affordability period. [See §92.504(d) for a more detailed discussion of these inspection requirements.]

Suggested Next Steps for PJs

Ascertain which State or local property codes apply to HOME-assisted rental housing during its affordability period. In the absence of State or local codes, follow the existing regulation until HUD issues guidance on how to implement UPCS for ongoing property standards.

See §92.504(d) related to project completion inspections and ongoing property inspections. Look for additional guidance in this area from HUD and update and revise policies and procedures as additional guidance is provided.

Effective Date

§92.251 is effective as of January 24, 2015, and applies to projects to which HOME funds are committed after this date (which is 18 months after publication of the Final Rule). The changes to §92.504(d) related to property inspections, such as frequency of inspections and sampling, are effective July 24, 2014 (12 months after publication of the Final Rule). For existing HOME-assisted rental projects and for projects to which funds are committed before the Effective Date of the new ongoing property standards, the inspections should be based on the standards that were in effect at the time the HOME funds were committed. (In other words, the new ongoing property inspection requirements must be implemented by July 24, 2014 but until the new property standards in §92.251 are in effect on January 24, 2015, PJs will use their existing property standards.)

§ 92.251 Property standards.

(a)

(1) Housing that is constructed or rehabilitated with HOME funds must meet all applicable local codes, rehabilitation standards, ordinances, and zoning ordinances at the time of project completion, except as provided in paragraph (b) of this section. The participating jurisdiction must have written standards for rehabilitation that ensure that HOME-assisted housing is decent, safe, and sanitary. In the absence of a local code for new construction or rehabilitation, HOME-assisted new construction or rehabilitation must meet, as applicable, one of three model codes: Uniform Building Code (ICBO), National Building Code (BOCA), Standard (Southern) Building Code (SBCCI); or the Council of American Building Officials (CABO) one or two family code; or the Minimum Property Standards (MPS) in 24 CFR 200.925 or 200.926. To avoid duplicative inspections when FHA financing is involved in a HOME-assisted property, a

participating jurisdiction may rely on a Minimum Property Standards (MPS) inspection performed by a qualified person. Newly constructed housing must meet the current edition of the Model Energy Code published by the Council of American Building Officials.

(2) All other HOME-assisted housing (e.g., acquisition) must meet all applicable State and local housing quality standards and code requirements and if there are no such standards or code requirements, the housing must meet the housing quality standards in 24 CFR 982.401.

(3) The housing must meet the accessibility requirements at 24 CFR part 8, which implements Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and covered multifamily dwellings, as defined at 24 CFR 100.201, must also meet the design and construction requirements at 24 CFR 100.205, which implement the Fair Housing Act (42 U.S.C. 3601-3619).

(4) Construction of all manufactured housing must meet the Manufactured Home Construction and Safety Standards established in 24 CFR part 3280. These standards pre-empt State and local codes covering the same aspects of performance for such housing. Participating jurisdictions providing HOME assistance to install manufactured housing units must comply with applicable State and local laws or codes. In the absence of such laws or codes, the participating jurisdiction must comply with the manufacturer's written instructions for installation of manufactured housing units. Manufactured housing that is rehabilitated using HOME funds must meet the requirements set out in paragraph (a)(1) of this section.

(b)

The following requirements apply to housing for homeownership that is to be rehabilitated after transfer of the ownership interest:

(1) Before the transfer of the homeownership interest, the participating jurisdiction must:

- (i) Inspect the housing for any defects that pose a danger to health; and
- (ii) Notify the prospective purchaser of the work needed to cure the defects and the time by which defects must be cured and applicable property standards met.

(2) The housing must be free from all noted health and safety defects before occupancy and not later than 6 months after the transfer.

(3) The housing must meet the property standards in paragraph (a)(1) of this section not later than 2 years after transfer of the ownership interest.

(c)

An owner of rental housing assisted with HOME funds must maintain the housing in compliance with all applicable State and local housing quality standards and code requirements and if there are no such standards or code requirements, the housing must meet the housing quality standards in 24 CFR 982.401.

(d)

All housing occupied by tenants receiving HOME tenant-based rental assistance must meet the housing quality standards in 24 CFR 982.401.