

Instructions for Completing the Funding Approval and HOME Investment Partnerships Agreement, form HUD-40093

General Instructions: This Agreement is used for one of five purposes: 1) the initial Agreement between HUD and the Participating Jurisdiction (PJ) that obligates HOME formula funds; 2) the initial Agreement between HUD and the PJ/entity that obligates Community Housing Development Organization (CHDO) competitive reallocation funds; 3) the amendment to the Agreement that deobligates the amount of a PJ/entity's HOME funds previously obligated because of a reduction by HUD; 4) the amendment to the Agreement that deobligates the amount of a State's HOME funds previously obligated, in order to transfer that amount to a new jurisdiction to meet its minimum participation threshold; or 5) the amendment to the Agreement that reallocates to a State the amount of HOME funds declined by a city/urban county.

For all initial Agreements (purposes #1 and #2), make **five** copies of this Agreement (HUD-40093) and have them signed as originals by the appropriate HUD official, who is usually the Community Planning and Development (CPD) Director in the Field Office. One copy should be held by the Field Office for informational purposes. Three copies should be sent to the jurisdiction (or entity) for signature. The jurisdiction (or entity) should sign all copies and keep one for its records and return two signed as originals to the HUD Field Office. The HUD Field Office should send one copy to the CFO National Accounting Center for recording the contract. Send one copy to Headquarters, OAHP, Attn: Director, Financial and Information Services Division via fax (202-708-1744) or pouch mail (Room 7164). Headquarters will ensure that the correct grant amount and date of obligation are entered in the Integrated Disbursement and Information System, which will obviate changes to commitment, CHDO reservation and expenditure deadlines. Keep one copy for the Field Office files.

For amendments to the Agreement that deobligate funds because of a reduction by HUD (purpose #3), after notification from the Headquarters' Office of Affordable Housing (OAHP) to proceed, make **four** copies of this Agreement (HUD-40093) and have them signed as originals by the appropriate HUD official, who is usually the CPD Director in the Field Office. **It is not necessary to have the jurisdiction sign the form.** The Field Office should send one copy to the jurisdiction (or entity) for its records. Send one copy to the CFO National Accounting Center to initiate the deobligation. Send one copy to Headquarters, OAHP, Attn: Director, Financial and Information Services Division via fax (202-708-1744) or pouch mail (Room 7164) so that Headquarters can track the deobligation. Keep one copy for the Field Office files.

For amendments to the Agreement that deobligate the amount of a State's HOME funds in order to transfer that amount to a new jurisdiction to meet its minimum participation threshold (purpose #4) or that reallocate to a State the amount of HOME funds declined by a city/urban county (purpose #5), make **five** copies of this Agreement (HUD-40093) and have them signed as originals by the appropriate HUD official, who is usually the CPD Director in the Field Office. One copy should be held by the Field Office for informational purposes. Four copies should be sent to the jurisdiction (or entity) for signature. The jurisdiction should sign all copies and keep one for its records and return three signed as originals to the HUD Field Office. The HUD Field Office should send one copy to the CFO National Accounting Center for initiating the deobligation or reallocation.

Send one copy to Headquarters, OAHP, Attn: Director, Financial and Information Services Division via fax (202-708-1744) or pouch mail (Room 7164) so that Headquarters can track the deobligation or reallocation. Keep one copy for the Field Office files.

In addition, form HUD-40093-A, Attachment A to the Funding Approval and HOME Investment Partnerships Agreement, must be attached and sent to Headquarters, OAHP, Attn: Director, Financial and Information Services Division via fax (202-708-1744) or pouch mail (Room 7164) for purposes #4 and #5, as follows:

- The State is transferring HOME funds to a new Jurisdiction to enable a new Jurisdiction to meet its minimum participation threshold amount; or
- The City/Urban County is declining HOME funds.

1. Participant Name and Address. Enter the participating jurisdiction's (or entity's) name and address as shown in Item 4 of Standard Form 424.

2. Participant Number. Enter the applicable participant number assigned by the HUD Field Office for the PJ/entity that corresponds to the fiscal year source of funds for this transaction.

3. Tax Identification Number. Enter the Tax (Employer) Identification Number (TIN) shown in Item 6 of Standard Form 424. For jurisdictions (or entities) that are already participating in the HOME Program, this must be the TIN associated with the jurisdiction (or entity) for the HOME Program.

4. No Longer Used.

5. Appropriation Number. Enter the Appropriation Number from the HUD-185.1 sub-assigning funds for the Fiscal Year source of funds for this transaction.

6. No Longer Used. Note: This item, formally Funding Approval Number, has been replaced by item 19, below.

7. Fiscal Year. Indicate the fiscal year (yyyy) source of funds for this transaction. Only funds from this fiscal year are to be included in this transaction. (A separate form must be completed for each FY's funds.)

8. Previous Obligation. Enter the total amount of funds that have been previously obligated for this participant for this FY source of funds.

a. Formula Funds. Enter the total amount of formula funds previously obligated to the participant. If this is the funding approval form for the participant's initial allocation for the fiscal year, the amount will be "0". If this is a funding approval form for reallocating or deobligating funds, enter the amount from line 10a of the previously submitted form HUD-40093 for the FY identified under item 7.

b. Community Housing Development Organization (CHDO) Competitive Reallocation. Enter the amount of funds previously obligated to the PJ/entity by competition for CHDOs. If this is a funding approval form for reallocating or deobligating funds previously allocated by competition for CHDOs, enter the amount from line 10b of the previously submitted form HUD-40093 for the FY identified under item 7.

9. Current Transaction. Enter the total amount of funds for this action. Indicate a deobligation either by placing parentheses around the amount deobligated or a minus sign before the amount de-obligated.

a. Formula Funds. Of the amount indicated under item 9, indicate the amount that is for formula funds. If this is a formula fund deobligation, show the distribution of that amount of funds under line 9a.1 CHDO funds and/or line 9a.2 non-CHDO funds.

1. CHDO. Of the amount indicated under item 9a, indicate the amount that are CHDO funds. If none, enter "0". Note: If this is a CHDO competitive reallocation, enter the amount in 9b.

2. Non-CHDO. Of the amount indicated under item 9a, indicate the amount that are Non-CHDO funds. If none, enter "0".

b. CHDO Competitive Reallocation or Deobligation. Of the amount indicated on line 9, indicate the amount that is reallocated or deobligated from funds previously reallocated by CHDO competition.

Note: CHDO set-aside funds that are recaptured by HUD are available for reallocation if, within 24 months after the last day of the month in which HUD notifies the PJ of HUD's execution of the HOME Investment Partnerships Agreement (Congressional release date), at least 15 percent of the PJ's allocation is not reserved for CHDOs.

10. Revised Obligation. Enter the total amount of funds available to the jurisdiction (or entity) after this transaction (Item 8 plus/minus Item 9).

a. Formula Funds. Enter the total amount of formula funds available to the participating jurisdiction after this transaction (item 8a plus/minus item 9a).

b. CHDO Competitive Reallocation. Enter the total amount of funds available to the PJ/entity as a competitive reallocation for CHDOs after this transaction (item 8b plus/minus item 9b).

11. Special Conditions. If applicable, check the box and attach any special conditions that are part of the Agreement.

12. Date of Obligation. The date of obligation is the Congressional release date. The Congressional release date **must** be the date of the letter notifying the PJ (or entity) of the initial award of funds for the FY identified under item 7. This field is **not** required if the Agreement is being amended for a deobligation because of a reduction by HUD (purpose #3).

13. Name and Title of HUD Official. Enter the name and title of the HUD official who is authorized to sign the Agreement on behalf of HUD. This is usually the Field Office CPD Director.

14. Signature of HUD Official. The HUD official signs the Agreement here.

15. Date. Enter the date the HUD official signed the form. In the case of initial agreements, this date must be the same date as the date of obligation (item 12).

16. For the Participating Jurisdiction/Entity (Name and Title of Authorized Office). Enter the name and title of the official authorized to sign on behalf of the participating jurisdiction/entity. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD (purpose #3).

17. Signature of PJ/Entity Official. The PJ/entity official signs the Agreement here. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD (purpose #3).

18. Date. Enter the date the PJ/Entity official signs the Agreement. This is not required if the Agreement is being amended for a deobligation because of a reduction by HUD (purpose #3). If this is for an initial Agreement, the date must be prior to the date of obligation (item 12) and the date the HUD official signs the form (item 15).

19. Type of Agreement. Check either Initial Agreement (purpose #1 or #2) or Amendment # (purpose # 3, #4 or #5). If an amendment, indicate the amendment number.