FUND FOR RESTORATION OF MULTI-FAMILY HOUSING – THIRD TRANCHE
SCORING CRITERIA AND APPLICATION GUIDE

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CDBG OWNER CERTIFICATION

Please complete, execute and notarize the CDBG Third Tranche Owner Certification and submit in this section of your application.
COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY (CDBG-DR)

THIRD TRANCHE
OWNER CERTIFICATION

Date: ____________________________

<table>
<thead>
<tr>
<th>Property Name:</th>
<th>Total # of Units:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Address:</td>
<td>Total # of CDBG-Assisted Units:</td>
</tr>
</tbody>
</table>

CDBG National Objectives
Owner certifies that this project meets at least one of the national objectives as defined by 24 CFR 570.483. (Check all that apply)

- X Benefiting Low- and Moderate-Income Persons
- Preventing or Eliminating Slums or Blight
- Meeting Urgent Needs

Direct or Indirect Benefit
Owners are permitted to apply for funding for new construction or to rehabilitate units not damaged by the disaster if the activity clearly addresses a disaster-related impact. Please check one.

________ Owner certifies that the project is located within one of the 9 most impacted counties

OR

________ If the project is located outside of the 9 most impacted counties, Owner certifies that the project addresses a direct or indirect impact from the disaster in counties declared by the President to have been impacted by the disaster. **PLEASE ATTACH TO THIS CERTIFICATION AN EXPLANATION OF HOW SUPERSTORM SANDY IMPACTED THE RENTAL POPULATION IN THE COUNTY IN WHICH THE PROJECT IS LOCATED AND WHY FRM-THIRD ROUND FUNDS ARE NEEDED FOR THE PROJECT TO SERVE SANDY IMPACTED RENTERS IN THE MARKET AREA.**

Check applicable county:

<table>
<thead>
<tr>
<th>Nine Most Impacted Counties</th>
<th>Remaining Counties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlantic</td>
<td>Missouri</td>
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<tr>
<td>Bergen</td>
<td>Monmouth</td>
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<tr>
<td>Cape May</td>
<td>Ocean</td>
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<tr>
<td>Essex</td>
<td>Union</td>
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<td>Hudson</td>
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<td>Burlington</td>
<td>Morris</td>
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<td>Camden</td>
<td>Passaic</td>
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<td>Cumberland</td>
<td>Salem</td>
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<tr>
<td>Gloucester</td>
<td>Somerset</td>
</tr>
<tr>
<td>Hunterdon</td>
<td>Sussex</td>
</tr>
<tr>
<td>Mercer</td>
<td>Warren</td>
</tr>
</tbody>
</table>
**Priority for Displaced Sandy Victims**

Owner certifies the project will comply with the Housing Resource Center registration requirements as well as granting a priority for Low and Moderate Income applicants who were displaced and/or experienced major or severe damage from Superstorm Sandy based on either FEMA registration (or other evidence of damage, impact or displacement) during the first 3 months of lease-up.

**Term of Affordability**

Owner acknowledges that the term of affordability will be the greater of: 15-year affordability or the length of affordability and/or extended use period required by any non-FRM source of funding used in the project by deed restriction.

**Duplication of Benefits**

Owner certifies that the project will comply with all regulations regarding Duplication of Benefits as defined by Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act at 42 U.S.C. 5155, 24 CFR 570 and Federal Register Notice 76 FR 71060.

Federal law prohibits any person, business concern or other entity from receiving federal funds for any part of such loss as to which he has received financing assistance under any other program or from insurance or any other source (such as FEMA, SBA, Insurance proceeds, other federal funds such as HOME, CDBG, local/state government funds, private or non-profit relief assistance and housing trust funds) where the assistance amount exceeds the need for a particular recovery purpose.

List amount and source for ALL financial assistance the project has received:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
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</tbody>
</table>

Total Sources: $ _________________________

Total Development Cost: $ _________________________

**Eligible Uses**

Owner certifies that funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in the aftermath of Superstorm Sandy, pursuant to the Stafford Act.

Owner further certifies that no funds have been allocated for or will be utilized for “second homes”, as defined in IRS Publication 936.

**FEMA Base Flood Elevation Maps**

Owner certifies that they will elevate new construction and substantially improved structures one foot higher than the latest Federal Emergency Management Agency (FEMA) issued base flood elevation, as stipulated in the Federal Register Volume 78, Number 76 (Friday, April 19, 2013).
Owner Compliance
Owner agrees to abide by any and all federal, state, and municipal laws, codes, ordinances, rules and regulations applicable to the Project, whether presently existing or hereafter promulgated, including without limitation environmental laws, building codes, land use, and zoning codes. Owner agrees to comply with all Program requirements, HUD regulations and the provisions of 24 CFR Part 570, as amended from time to time, and all federal regulations and policies issued pursuant to these regulations.

Federal Cross-Cutting Requirements:
Owner certifies that the project will comply with the following federal requirements:

Fair Housing Act (42 U.S.C. 3601-19) and implementing regulations at 24 CFR Part 100 and the regulations at 24 CFR Part 107 (Equal Opportunity in Housing)


The Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146 “Nondiscrimination on the Basis of Age in HUD Programs or Activities Receiving Federal Financial Assistance.”

Affirmative Marketing  Owner must create and comply with the affirmative fair housing marketing plan.

Section 109 of Title I of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 CFR Part §570.602),

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8 “Nondiscrimination Based on Handicap in Federally Assisted Programs and Activities of the Department of Housing and Urban Development.”

Title II of the Americans with Disabilities Act of 1990

Housing for Older Persons Act of 1995 (HOPA)

National Environmental Policy Act (NEPA) and Related Laws 24 CFR Part 58.6, including ongoing requirements related to any required mitigation for the project resulting from the NEPA review and clearance, and flood insurance as required by the National Flood Insurance Reform Act of 1994, if applicable.


Davis-Bacon Prevailing Wages 24 CFR Section 570.603, and the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. §276(a) to (a-7)

Contract Work Hours and Safety Standards Act  40 U.S.C. 3141 et seq. Mechanics and Labors are paid wages of not less than one and one-half times their basic wage rates for all hours in excess of forty in a work week.

2 CFR Part 2424 “Non-procurement Debarment and Suspension” subpart C of 2 CFR Part 180, as required by 2 CFR Part 2424.


Minority and Women-Owned Business Enterprises 24 CFR Part 85.36(e) requires Owner to take all necessary affirmative steps to assure that minority firms, women’s business enterprises, and labor surplus area firms are used when possible.

Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) as amended, and implementing regulations at 24 CFR part 135. Section 3 requirements apply to all individual properties assisted with these funds, regardless of the actual amount spent on each individual unit/property.

Displacement, Relocation, Acquisition and Replacement of Housing Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (49 CFR Part 24) and Section 104(d) of the Housing and Community Project Act of 1974 as amended.

Recordkeeping requirements 24 C.F.R. 570.490 Project Activity Records, including supporting documentation such as Housing and Beneficiary Records and Labor standards records (Section 3, CWHSSA, and Davis Bacon), shall be retained for at least five years from closeout of the grant to the state.

State Compliance Requirements

State Uniform Housing Affordability Control, N.J.A.C. 5:80, requirements on bedroom distribution shall control.

LEP Marketing All FRM – Third Round-funded housing shall be marketed in English and the major foreign languages spoken in the county in which the project is located, as indicated in the Chart below.

### Major Foreign Languages Spoken in Nine Most Affected Counties

<table>
<thead>
<tr>
<th>County</th>
<th>Top Non-English Languages Spoken</th>
<th>Estimated LEP Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlantic County</td>
<td>Spanish, Vietnamese, Chinese</td>
<td>15,800</td>
</tr>
<tr>
<td>Bergen County</td>
<td>Spanish</td>
<td>42,290</td>
</tr>
<tr>
<td>Cape May County</td>
<td>Spanish</td>
<td>2,209</td>
</tr>
<tr>
<td>Essex County</td>
<td>Spanish, Portuguese, French Creole</td>
<td>90,500</td>
</tr>
<tr>
<td>Hudson County</td>
<td>Spanish, Arabic, Tagalog</td>
<td>105,400</td>
</tr>
<tr>
<td>Middlesex County</td>
<td>Spanish</td>
<td>51,200</td>
</tr>
<tr>
<td>Monmouth County</td>
<td>Spanish, Portuguese, Chinese</td>
<td>21,350</td>
</tr>
<tr>
<td>Ocean County</td>
<td>Spanish</td>
<td>15,400</td>
</tr>
<tr>
<td>Union County</td>
<td>Spanish, Portuguese, French Creole</td>
<td>90,400</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>515,800</td>
</tr>
</tbody>
</table>
CERTIFICATION

I, _______________________________________, hereby represent and state that the foregoing information, and all information submitted for the purpose of applying for Community Development Block Grant-Disaster Recovery funds (CDBG-DR), is true and complete. I acknowledge that the New Jersey Housing and Mortgage Finance Agency is relying on said information and thereby acknowledge that the undersigned entity is under a continuing obligation, from the date of this Certification through the completion of the Project, to notify NJHMFA in writing of any changes to the information contained in this certification and in the application. Under penalty of perjury, I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am and/or the undersigned entity is subject to criminal prosecution under the law, and disqualification from future participation awards of CDBG-DR funds in New Jersey.

Sworn and subscribed to before the undersigned Notary Public on the date appearing below:

By: _______________________________________

Witness/Attest (Secretary) Authorized Representative/President of Corporation

Print Name and Title

ACKNOWLEDGMENT

CORPORATIONS

I CERTIFY that on __________________________________________, ___________, ______________________________________________________ personally came before me, and acknowledged under oath, to my satisfaction, that he/she is the Secretary of ____________________________, the Corporation named in the within Instrument; that ___________________________________________________ is the President of said Corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper resolution of the Board of Directors of the said Corporation and said Instrument is signed and delivered by said President as and for the voluntary act and deed of said Corporation, in the presence of deponent, who thereupon subscribed his/her name thereto as attesting witness.

LIMITED PARTNERSHIPS

I CERTIFY that on __________________________________________, ___________, ___________________________________________________ personally came before me, and acknowledged under oath, to my satisfaction, that (a) he/she is the president of ____________________________, the general partner of ____________________________, the Limited Partnership named in this document; (b) he/she was authorized to execute this document on behalf of the partnership and; (c) this document was signed and delivered by him/her as the voluntary act of the general partner and the limited partnership.
LIMITED LIABILITY COMPANIES/PARTNERSHIPS

I CERTIFY that on ______________________, ______________, _____________________ personally came before me, and acknowledged under oath, to my satisfaction, that (a) he/she is the president of ____________________________________________, the voting member of ____________________________, the Limited Liability Company/Partnership ("LLC/LLP") named in this document; (b) he/she was authorized to execute this document on behalf of the LLC/LLP and; (c) this document was signed and delivered by him/her as the voluntary act of the voting member and the LLC/LLP.

SWORN TO AND SUBSCRIBED before me this ________ day of ______________________.

__________________________________________
A Notary Public of __________________________
My Commission Expires on: ____________________
FRM THIRD TRANCHE SELF SCORE

Please submit the FRM Third Tranche self score in this section.
TOTAL DEVELOPMENT COST CAPS

Please note the Cost Cap Limits (per unit) for projects requesting CDBG-DR subsidy.

- 4 residential floors or less: $275,000
- 5 or 6 residential floors: $302,500
- 7 residential floors and above: $330,000

Permitted Exclusions:

- Capitalized permanent reserves and escrows
- Non-basis eligible off-site improvements
- Deferred developer fee, if any
EQUITABLE DISTRIBUTION

Please note the following conditions stipulated in the Voluntary Compliance Agreement (VCA):

1. The following counties shall receive the minimum percentages of the aggregate FRM funding available.
   - Monmouth and Ocean Counties – 52%
   - Atlantic County – 20%

2. AT LEAST 60% of all FRM funds shall be awarded to projects outside TUMs

3. AT LEAST 60% of the FRM funds awarded outside TUMs shall be for families with children without preference or restriction

4. NO MORE than 20% of the available funds shall be awarded to projects outside of the nine most-impacted counties.

Municipal Limits:

- 1-100,000 people in the municipality – No more than 3 FRM awards
- 100,001-200,000 – No more than 4 awards
- 200,001+ - No more than 5 awards

Exceptions

1) Atlantic City – No more than 7 awards

2) Projects that meet the following criteria are not subject to municipal limits:
   - Family (non-age restricted) project;
   - Located outside of a TUM;
   - Located in Monmouth, Ocean or Atlantic County; and
   - Located in a municipality that sustained major or severe renter damage based on the attached “Major and Severe Renter Damage by Municipality” chart of physically border a town, or multiple towns, that appear on the aforementioned chart
1. SANDY DAMAGE

Projects in, or adjacent to, a municipality that sustained major or severe renter damage based on the “Major and Severe Renter Damage by Municipality” chart, shall receive up to 22 points according to the following scale:

- Red municipalities: 22 points
- Orange municipalities: 18 points
- Yellow municipalities: 14 points
- Green municipalities: 10 points
- Blue municipalities: 6 points

If the municipality where a project is located physically borders a municipality that appears on the attached chart, then that project scores the higher of (i) half of the points allotted for the highest scoring physically bordering municipality, or (ii) its own points if the project location town appears in the attached chart. A waterway between towns would not impact an application's eligibility for points.

Submit in this section a map (or other evidence) as substantiation for the points below.

Please complete the following:

1. Project is located in __________________________, which is awarded _______ points on the Major and Severe Renter Damage by Municipality chart.

   OR

2. Project is located adjacent to __________________________, which is awarded ½ of _______ points on the Major and Severe Renter Damage by Municipality chart.

- Please note that projects may be eligible for higher points based on adjacency to a municipality with direct damage, rather than the municipality in which it is located.
2. IMPACT OF PRIOR CDBG-DR FUNDING THROUGH FRM

Up to 20 points are available in this section.

Please complete the following:

Project is located in ______________________________ County for ___________ points.

• 20 points shall be awarded to projects located within Ocean County
• 16 points shall be awarded to projects located in Atlantic County or Monmouth Counties
• 12 points shall be awarded to projects in Hudson, Bergen or Cape May Counties
• 9 points shall be awarded to projects located in Union County
• 3 points shall be awarded to projects located in Salem, Camden or Middlesex Counties
• 0 points shall be awarded projects located in all other counties
3. HOUSING TYPE

Up to 10 points shall be awarded for the following housing types:

- _________ Family (non-age restricted) housing outside of TUMs within a coastal community: 10 points
- _________ Family housing within TUMs and a coastal community: 8 points
- _________ Family housing outside of TUMs: 5 points
- _________ Family housing within TUMs: 3 points

OR

0 points shall be awarded for Senior housing. Please select one of the following options.

- _________ At least 80% of the units in the building will be occupied by at least one person 55 years or older
- _________ ALL the residents of the project will be 62 or older

Project is located in ________________________________ (municipality).
4. **SUPPORTIVE HOUSING - 10 points**

By checking this section, the applicant pledges to rent 5 units or 5 percent of the total project units, whichever is greater, to individuals with special needs and meet the criteria of N.J.A.C. 5:80-33.12(c)14.

Submit in this section the following documentation:

i. A supportive housing population needs analysis;

ii. A supportive housing marketing plan. The plan must identify the organizations that will be used for referrals and evidence, such as a letter of support, must be provided attesting that such organizations have experience serving the target population and can be a source for referrals. For example, if the target population is homeless individuals or homeless families, a resolution indicating that referrals will be provided or a letter of support from the local/county Continuum of Care (CoC) is recommended;

iii. Evidence of the supportive housing development, management and/or supportive services experience of the owner entity, property management entity and/or social service provider who will be providing the property management and/or supportive services to the residents;

iv. Sources of funding and a social services plan that includes a detailed description of the scope of services to be provided to the individuals with special needs. If the social service provider is partnering with other community services, that relationship must be substantiated with executed letters of agreement detailing services to be provided and term thereof;

v. An executed supportive services agreement between the supportive services provider and the owner entity; and

vi. Evidence of receipt of rental assistance or operating subsidy commitment(s) for special needs populations below 30 percent of area median income and/or evidence that the supportive housing units are affordable to the target population.
5. PROVISION OF SOCIAL SERVICES

Up to 6 points shall be awarded per social service (2 points each).

Applicants who propose to offer social services in their project for the term of at least the compliance period shall submit the following in this section:

a. Completed Social Services Summary Worksheet (one per service) which summarizes those points more fully described in the firm agreement required below;

b. Evidence of funding sources or documentation of how or by whom the services will be paid, as well as documentation of how the costs of the services were determined;

c. Evidence of experience of the service provider for both provision of social services and fulfillment of prior private or governmental contracts;

d. Firm agreements with service providers for the services; and

e. Evidence of availability, appropriateness, accessibility and affordability to tenants.

OR

_____ Applicant agrees to participate in the Services for Independent Living (SIL) program. (Senior projects only)

NOTE: Services provided free of charge to all residents/seniors of a county or municipality based solely on residency status shall not qualify for points in this category.
SOCIAL SERVICES SUMMARY

This chart is to be completed by the applicant and will NOT be construed as part of the actual commitment letter between the applicant and social service provider. Please complete one chart for each social service proposed.

<table>
<thead>
<tr>
<th>SOCIAL SERVICE</th>
</tr>
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<tbody>
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</table>

<table>
<thead>
<tr>
<th>SUMMARY DESCRIPTION of SOCIAL SERVICE</th>
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<tbody>
<tr>
<td>(a full description of the social service should be recited in your executed agreement) (attach your executed agreement and any applicable licenses).</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>EXECUTED AGREEMENTS (attached hereto)</th>
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<tbody>
<tr>
<td>Term of Agreement: ____________________</td>
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<table>
<thead>
<tr>
<th>SOCIAL SERVICE PROVIDER</th>
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</table>

<table>
<thead>
<tr>
<th>REFERENCES (attached hereto)</th>
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<tbody>
<tr>
<td>1: ____________________________</td>
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<tr>
<td>2: ____________________________</td>
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</table>

<table>
<thead>
<tr>
<th>FUNDING SOURCES</th>
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<tbody>
<tr>
<td>1: Source: ____________________________</td>
</tr>
<tr>
<td>Amount: $__________</td>
</tr>
<tr>
<td>Term: ________________</td>
</tr>
<tr>
<td>ONE-TIME or PERIODIC (circle)</td>
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<td>2: Source: ____________________________</td>
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<tr>
<td>Amount: $__________</td>
</tr>
<tr>
<td>Term: ________________</td>
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<tr>
<td>ONE-TIME or PERIODIC (circle)</td>
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<table>
<thead>
<tr>
<th>TENANT AFFORDABILITY (describe)</th>
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<table>
<thead>
<tr>
<th>TENANT ACCESSIBILITY (describe)</th>
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6. LEVERAGE

Up to 10 points shall be awarded based on the following sliding scale. Applicants may value the LIHTCs using a tax credit equity pricing between $0.93 and $1.00 (if applicable). For purposes of this category, Total Development Cost ("TDC") is defined as the cost to complete the development of the project:

- Less than 5% of Total Development Cost (TDC) from non-CDBG-DR funds: 0 points
- 5%-20% of TDC from non-CDBG-DR funds: 2 points
- 20.01% - 40% of TDC from non-CDBG-DR funds: 4 points
- 40.01% - 60% of TDC from non-CDBG-DR funds: 6 points
- 60.01% - 80% of TDC from non-CDBG-DR funds: 8 points
- 80.01%+ of TDC from non-CDBG-DR funds: 10 points

Complete the following:

\[
\frac{\text{Non-CDBG-DR funds}}{\text{Total Development Costs}} = \frac{\% \text{ of TDC from non-CDBG-DR funds}}{\text{(should match the breakdown/Form 10)}}
\]
7. COST PER UNIT

- CDBG-DR request is $40,000 or less per CDBG-DR eligible unit = 9 points
- CDBG-DR request of $40,001 - $80,000 per CDBG-DR eligible unit = 6 points
- CDBG-DR request of $80,001 - $120,000 per CDBG-DR eligible unit = 3 points
- CBBG-DR request exceeding $120,000 per CDBG-DR eligible unit = 0 points

Complete the following:

______________ CDBG-DR request / ____________ # of CDBG-DR eligible units

= 

______________ amount of CDBG-DR per unit
8. **HIGHER OPPORTUNITY AREAS**

Up to 9 points will be awarded in this section (3 points each)

a. **Public Transportation** – The project must be fully located within a ½ mile of public transportation and the proximity shall be confirmed in the project’s market analysis.

b. **Proficient School District** – School districts that met the requirement of 66% proficient or advanced proficient on the NJ ASK 4 standardized test in both math and language arts during either the most current data available (2014) or the preceding year (2013) will be eligible for 3 points. Please contact the Tax Credit Division at 609-278-7629 for a list of eligible school districts.

c. **Submit evidence** that the average annual employment for the municipality totals at least 95% of the housing units in the municipality during either most current data available (2013) or the preceding year (2012) based on the New Jersey Department of Labor Quarterly Census of Employment and Wages, Municipal Reports by Sector found at [http://lwd.dol.state.nj.us/labor/lpa/employ/qcew/qcew_index.html](http://lwd.dol.state.nj.us/labor/lpa/employ/qcew/qcew_index.html) and the American Community Survey (2013 or 2012) five-year estimates, Table B25001 (Housing Units) found at: [http://factfinder2.census.gov/](http://factfinder2.census.gov/)
d. **Mixed income projects** with a minimum 20% affordability component and minimum 40% market rate component.
9. **TIEBREAKER**

In the event of a tie score based on the Selection Criteria, FRM – Third Round funds shall be awarded to the Applicant requesting the least amount of CDBG-DR funds per CDBG-DR eligible unit.

Complete the following:

\[
\text{_________________ CDBG-DR request} \div \text{___________ } \# \text{ of CDBG-DR eligible units}
\]

= 

\[
\text{_________________ amount of CDBG-DR per unit}
\]