



OREGON HOUSING *and*
COMMUNITY SERVICES

**Preserved Manufactured
Housing Park – Disaster Recovery
Program Guidelines**

May 19, 2023

Version History and Version Policy

The version history of the policy guidelines is tracked in the table below, with notes for each change. The dates of each publication are also tracked in the table.

The State will publish a new version after making substantive changes that reflect a policy change. The updated policy manual will be assigned a new primary version number such as 2.0, 3.0, etc.

After making non-substantial changes, such as minor wording and editing or clarification of existing policy that do not affect the interpretation or applicability of the policy, the State will publish a version of the document with a sequential number increase behind the primary version number such as 2.1, 2.2, etc.

Amendments made to policy may go into effect on the date of the revision or may be applied retroactively, depending on the applicant pipeline and status of applicants in the program intake and recovery process. Whether a policy will be applied proactively or retroactively will be detailed in the version history below and/or within the relevant program sections.

Change Log:

Version	Change Description	Effective Date
1.0	Preserved Manufactured Housing Parks – Disaster Recovery (PMHP-DR) Program Guidelines DRAFT for Feedback	
1.1	Preserved Manufactured Housing Park – Disaster Recovery (PMHP-DR) Program Guidelines	12/23/22



1.2	<p>1. Updated to address accessibility requirements including common areas</p> <p>2. Updated to incorporate the two-step process for matching families to an MHU</p> <p style="padding-left: 40px;">a. Eligible for the program based on assistance requirements</p> <p style="padding-left: 40px;">b. Eligible for the MHU in a specific park based on park rules and space lease agreement</p> <p>3. Updated 2023 Area Median Income Limits, by County</p>	5/19/23

CONTENTS

Version History and Version Policy	i
Definitions	1
Purpose of Program Guidelines	1
2. Program Overview and Purpose	2
2.1 Program Principles	3
2.1.1 Expectations.....	3
2.1.2 Communications	3
2.1.3 Wildfire Focus and Equitable Disbursement of Funds.....	4
3. Section I: Initial Lease-Up Requirements.....	4
3.1 Eligible Activity.....	4
3.1.1 Homeownership in a Preserved Park Incentive.....	4

3.2 Program Outreach and Engagement	4
3.3 Eligible Expenses.....	4
3.4 Construction Standards	5
3.4.1 Manufactured Home HUD Certification	5
3.4.2 MHU Elevation	6
3.4.3 MHU Fire Hardening	7
3.4.4 MHU Energy Efficiency.....	7
3.4.5 Accessibility	7
3.5 Program Eligibility	9
3.5.1 Eligible Participants.....	9
3.5.2 Recovery Status	10
3.5.3 Homeowner.....	11
3.5.4 Additional Requirements.....	11
3.5.5 Matching Applicant to Unit	11
3.6 Income Guidelines	11
3.7 Awards.....	12
3.7.1 Program Maximum Award.....	12
3.7.2 Duplication of Benefits (DOB).....	12
3.8 Documentation Requirements.....	14
3.8.1 All Participants	14
3.9 Household Demographic Reporting	16
4. General Program Requirements.....	16
4.1 Records Requirements	16
4.2 Confidentiality	17
Protecting Personally Identifiable Information (PII).....	17
4.3 Service Termination or Denial of Assistance.....	17
4.3.1 Service Termination Documentation.....	17
4.3.2 Denial Documentation	18
4.4 Grievance and Appeals Process	18
4.4.1 Grievances.....	18
4.4.2 Informal complaints are verbal complaints.	18
4.4.3 Appeals	18

4.4.4 Clarification of what may or may not be appealed..... 18

4.5 Nondiscrimination and Civil Rights..... 18

4.5.1 Civil Rights Laws 21

4.5.2 Limited English Proficiency 21

4.6 Fair Housing 21

4.7 Conflict of Interest..... 22

5. Section II: Ongoing Park Operations..... 22

5.1 Applicable Statutes & Lease Agreement..... 22

5.2 Park Registration & Landlord Training 23

5.3 Park Rules and Regulations..... 23

5.3.1 Park Rules and Regulations..... 23

5.3.2 Space Leases 23

5.4 Landlord and Tenant..... 24

5.6 Maintenance and Operations 24

5.6.1 Plan 24

5.6.2 Funding Stream 24

5.7 Affordability 25

6. Closeout and Compliance 25

6.1 Closeout of Initial Lease-up 25

6.2 Compliance 25

APPENDIX A..... 26

Definitions

MHU: For the purposes of this document, manufactured or modular unit or any other unit approved through a Park Owner's/Developer's agreement with OHCS.

MH: Manufactured Home, does not include any other housing unit type.

Park Owners: When related to preserved manufactured housing parks, park owners include resident-owned cooperatives, nonprofit organizations, housing authorities and local governments.

Preserved Manufactured Housing Parks (PMHP): Manufactured housing parks that receive state or other funding that requires the park to be restricted as affordable through a regulatory agreement.

Preserved Manufactured Housing Parks – Disaster Recovery (PMHP-DR): 2020 wildfire-impacted manufactured housing parks that receive state funding for redevelopment (including infrastructure and/or housing units), require a preference be given to 2020 wildfire-impacted households during initial lease-up, and have affordability restrictions through a regulatory agreement.

1. Purpose of Program Guidelines

This document provides the programmatic standards, requirements and best practices for the Preserved Manufactured Housing Parks – Disaster Recovery (PMHP-DR) program. The intended users of this document include Oregon Housing and Community Services (OHCS) staff, Park Owners (nonprofit, housing authority or resident cooperatives) and Community Action Agencies (CAAs) responsible for their respective initial lease-up activities. Upon completion of initial lease-up, Park Owners are responsible for ongoing management of the park.

The guidelines include fundamental direction for screening applicants and connecting them with an installed MHU in a PMHP-DR project during initial lease-up, as well as guidance for ongoing management of the preserved park. Park Owners and CAAs working together will have some flexibility to carry out activities that meet their unique needs, within the parameters of these guidelines. These guidelines only apply to PMHP-DR projects that have been redeveloped with OHCS support

These guidelines are divided into two sections – Section I covers eligibility requirements and the screening process for initial lease-up and is intended to be used by the CAA conducting eligibility determinations in collaboration with the Park Owner. Section II covers guidance for ongoing park operations and responsibilities expected of Park Owners.

2. Program Overview and Purpose

Since the 2020 wildfires, the State has been providing and continues to provide funding and services to help individuals, families, and communities recover and rebuild their homes and lives. The State made funds available through legislation and using general fund dollars. The PMHP-DR program is funded by the state and administered by OHCS.

Entire parks, including infrastructure and homes, were destroyed by the wildfires and many were severely damaged. The program will contribute to the overall recovery by helping fill vacancies in PMHP-DR projects with impacted individuals/families who lost their home as a result of the disaster as outlined below. Specific requirements for each type of applicant are in 3.5 Program Eligibility:

- For previous residents who are returning to their preserved park, incomes should be at or below 80% area median income (AMI), however, an exception request may be submitted by the respective CAA to OHCS for returning applicants up to 120% AMI. If any returning residents were previous renters, not homeowners, an exception request can be submitted to help them become homeowners.
- For MHU owners who lived in a wildfire-impacted manufactured housing park and have a verified loss from the wildfires, income is restricted to 80% AMI or below. Previous RV owners with a verified loss may be allowed through an exception request.
- Once the CDBG-DR Homeowner Assistance and Reconstruction Program (HARP) and Homeownership Opportunities Program (HOP) are launched, eligible applicants from those programs may be matched with remaining available homes.

The program leverages the Wildfire Recovery and Resilience Account (WRRRA) program currently being carried out by Community Action Agencies (CAAs). The CAAs and their partners have been working with and continue to work with disaster impacted individuals and families to recover and find permanent housing solutions. Park Owners and CAAs must work together to ensure the applicant is eligible to receive assistance and can meet the preserved park's lease and rules. Prior to initial lease-up, while project development and eligibility screening activities are underway, Park Owners, CAAs and OHCS DRR staff will be expected to participate in regularly scheduled project status meetings to discuss questions, concerns, and project status. Park Owners and CAAs are encouraged to first raise any issues or concerns with activities carried out under these Program Guidelines at the regular status meetings so they can be discussed in a collaborative and transparent manner. If concerns are not resolved at status meetings, Park Owners and CAAs may reach out to OHCS DRR staff directly.

2.1 Program Principles

2.1.1 Expectations

- **Housing comes first.** Help participants obtain safe, secure, and permanent housing as quickly as possible, and understand, eliminate, and/or compensate immediate barriers to obtain and maintain housing.
 - Proactively support program participants through Housing Navigators, including coordinating with other organizations and service providers. This includes incorporating individualized, culturally-specific, and client-driven supports recognizing individuals are unique.
 - Strive to offer or connect participants with a range of treatment and support services that are voluntary, individualized, culturally appropriate, and portable as the participant works toward meeting their permanent housing solution.
- **Choice and respect.** Administer a participant-centric program that empowers individual decisions around housing or services and encourages responsibility for those decisions.
- **Transparency and data-driven decision making.** Share challenges and potential solutions with other organizations supporting participants to improve program administration and provide regular status reports to OHCS.
- **Equity above all.** Carry out the program in a way that promotes equitable outcomes, including the distribution of assistance. Provide the right level of financial or housing support to get participants into permanent housing, with the services they need, while preserving limited resources to serve as many participants as possible.

2.1.2 Communications

Communicating with those who have experienced or are experiencing trauma requires a mindful approach that supports processing throughout the program without further traumatizing the participants. Key principles for providing assistance that are trauma-informed include the following:

1. **Listen with empathy.** When working with participants, actively listen so that participants feel safe and respected. Join the conversation without judgment and as an ally in the broader work. While you may not share the same life experiences, it is critical to offer humility and compassion.
2. **Guide with compassion.** Help participants understand how they will be supported and identify their needs. Reassure them that this program is here to help.
3. **One size doesn't fit all.** Housing Navigators or Case Managers appreciate that each participant's needs are different and work with them to meet those needs.
4. **Use Disaster Neutral Language.** Those impacted by disaster are commonly referred to as survivors, victims, applicants, or other terminology that may re-

surface the trauma of the disaster event. Refer to those served through this program as "participants" rather than survivors.

2.1.3 Wildfire Focus and Equitable Disbursement of Funds

Community Action Agencies (CAAs) have been and continue to be partners with OHCS in ensuring wildfire impacted individuals and families are prioritized for recovery assistance. Park Owners must partner with their local CAA to determine eligibility of applicants and match them to an available unit. By leveraging the work that the CAAs have already invested in will help ensure that the assistance is fair and equitable to all.

3. Section I: Initial Lease-Up Requirements

This section is intended as guidance for Community Action Agencies that are conducting eligibility reviews and award determinations on behalf of Park Owners at initial lease-up in a PMHP-DR project.

3.1 Eligible Activity

3.1.1 Homeownership in a Preserved Park Incentive

The incentive will be in the form of an MHU installed in a preserved park for program participants. CAAs and Park Owners will work together to match participants with installed units with the CAAs being responsible for identifying the households and Park Owners being responsible for communicating the availability of units. They have some flexibility in how they are matched, as long as the process does not conflict with the prioritization requirements in 3.5.1.1 Prioritization of Applicants and meets the requirements in the Preserved Park's Space Lease agreement and Park Rules .

3.2 Program Outreach and Engagement

Park Owners will be expected to engage with CAAs to conduct outreach and engagement. The plan must follow OHCS's Language Access Plan that can be found on the ReOregon website in [English](#) and in [Spanish](#) and design the outreach and engagement to be culturally appropriate.

3.3 Eligible Expenses

Park Owners who have not yet ordered MHUs with funding support from OHCS are expected to work with OHCS to determine the number of units needed for their park.

The purchase of any additional units needed must follow the construction standards by unit type provided by OHCS and funding guidelines as outlined in individual PMHP-DR project IGAs/grant and loan agreements between OHCS and each Park Owner. At the same time, there must be a balance between the size of the unit being replaced, the appropriate size for the individual pad and the needs of the households in the pool of wildfire-impacted applicants going through the eligibility process with the CAAs.

Any exceptions to the MHU purchase standards must be submitted in writing by the Park Owner to OHCS for review and response as long as the exception does not conflict with the Park Owner's agreement with OHCS.

Park Owners who have OHCS-funded manufactured or modular homes on order or already installed may bypass 3.4 Construction Standards for initial lease-up, but must apply the standards for any future purchases to fill vacant spaces.

3.4 Construction Standards

The construction standards for MHUs are outlined below as applicable. OHCS may provide additional required specifications for bulk-ordered homes with OHCS funding.

3.4.1 Manufactured Home HUD Certification

3.4.1.1 MH HUD Tag

The MH must have a HUD Certification Label (also called a [HUD Tag](#)) affixed to the home. An example of the label –



3.4.1.2 MH Data Plate

The [Data Plate](#) should be located in a kitchen cabinet, an electrical panel, or a bedroom closet. The Data Plate has maps of the United States to inform the owner of the Wind Zone, Snow Load, and Roof Load of the home; the Data Plate will contain the following information:

- The name and address of the manufacturing plant in which the manufactured home was manufactured.
- The serial number and model designation of the unit, and the date the unit was manufactured.
- The applicable statement: This manufactured home is designed to comply with the Federal Manufactured Home Construction and Safety Standards in force at the time of manufacture; or This manufactured home has been substantially completed in accordance with an approved design and has been inspected (except for the components specifically identified in the instructions for

completion on-site) in accordance with the Federal Manufactured Home Construction and Safety Standards and the requirements of the Department of Housing and Urban Development (HUD) in effect on the date of manufacture.

- The applicable statement: This manufactured home IS designed to accommodate the additional loads imposed by the attachment of an attached accessory building or structure in accordance with the manufacturer installation instructions. The additional loads are in accordance with the design load(s) identified on this Data Plate; or This manufactured home IS NOT designed to accommodate the additional loads imposed by the attachment of an attached accessory building or structure in accordance with the manufacturer installation instructions.
- A list of the certification label(s) number(s) that are affixed to each transportable manufactured section under § 3280.8.
- A list of major factory-installed equipment, including the manufacturer's name and the model designation of each appliance.
- Reference to the roof load zone and wind load zone for which the home is designed and duplicates of the maps as set forth in § 3280.305(c). This information may be combined with the heating/cooling certificate and insulation zone map required by §§ 3280.510 and 3280.511.
- The Wind Zone Map on the Data Plate shall also contain the statement: This home has not been designed for the higher wind pressures and anchoring provisions required for ocean/coastal areas and should not be located within 1500' of the coastline in Wind Zones II and III, unless the home and its anchoring and foundation system have been designed for the increased requirements specified for Exposure D in ANSI/ASCE 7-88.
- The statement: This home has_ has not_ (appropriate blank to be checked by manufacturer) been equipped with storm shutters or other protective coverings for windows and exterior door openings. For homes designed to be located in Wind Zones II and III, which have not been provided with shutters or equivalent covering devices, it is strongly recommended that the home be made ready to be equipped with these devices in accordance with the method recommended in the manufacturers printed instructions.
- The statement: Design Approval by, followed by the name of the agency that approved the design.
- The statement: The manufacturer certifies this home is compliant with the Title VI, Toxic Substances Control Act.

3.4.2 MHU Elevation

All structures, defined at 44 CFR 59.1, designed principally for residential use and located in the 1% annual chance (or 100-year) floodplain as defined at 24 CFR 55.2(b)(10), must be elevated with the lowest floor, including the basement, at least 2 feet above the 1% annual chance floodplain elevation (base flood elevation).

3.4.3 MHU Fire Hardening

All structures must meet state and local wildfire mitigation requirements. Park Owners are encouraged to include all reasonable mitigation measures. Costs to comply with disaster mitigation local, state, and/or federal requirements (e.g., fire hardening) are eligible.

3.4.4 MHU Energy Efficiency

Manufactured Housing units must meet Energy Star and the following energy efficiency standards, which are consistent with the Oregon Department of Energy's [Energy Efficient Wildfire Rebuilding Incentive program](#):

- The Northwest Energy Efficient Manufactured Home Program (NEEM), including NEEM 1.1 and NEEM 2.0 specifications, or the equivalent.
- All appliances will be Energy Star qualified.
- Heat pumps must have efficiency rating of at least 9.0 HSPF, SEER of 14.

Costs to comply with energy efficiency local, state, and/or federal requirements are eligible.

3.4.5 Accessibility

3.4.5.1 MHU Accessibility

Section 504 of the Rehabilitation Act requires that in new construction and substantial alterations at least 5% of the housing units are accessible to people with mobility impairments and at least 2% of the housing units are accessible to people with vision or hearing impairments. By adopting this standard, the State will help increase the availability of accessible housing to meet the current and future needs of older adults and people living with disabilities. This will increase opportunities for households to age in place and build in increased community resiliency for individuals with disabilities. Structures must meet Americans with Disabilities [Act](#) and [accessibility](#) requirements.

As a standard practice, all units shall be designed, to the greatest extent practicable, with the following specifications:

- An open and accessible floor plan layout with wheelchair access throughout the home.
- Bathroom areas will be large and open, providing wheelchair radius access to toilet, bath/shower, sink, and linen hooks.
- All bathrooms will have toilet and bath/shower handrails (grab bars).
- Exterior doors will have a width of at least 36 inches and should be unobstructed.
- Interior passage doors will have a clear opening width of at least 32 inches.

- Vinyl flooring

If needed, additional modifications will be made to the unit, including:

- Countertop height adjustments
- Kneehole access to counters
- Additional handrails around the inside of the home
- Upfront control electric range
- ADA elongated raised commode
- Adjusted sink height
- Levered spigots
- ADA roll-in shower with grab bar

Additional accommodations for the visual and/or hearing impaired include the following:

- Wall contrasting electrical trim-out
- 60-watt equivalent minimum LED or Compact Fluorescent lightbulbs
- Interconnected smoke and carbon monoxide detectors with visual (strobe), speech, high decibel alarm
- Single handled faucets
- Additional lighting, as needed

The Program requires adherence to the Visitability standards as referenced in Oregon Administrative Regulations Chapter 813 Division 310 to the greatest extent possible. In some instances, the project may be unable to comply with particular elements of the standards, and in these instances the applicant must demonstrate to the Program that these elements are disallowed by the local regulating authority, that an equivalent level of accessibility and usability has been provided through alternative means as determined by the Program, or that the incorporation of these elements is infeasible due to site restrictions or other similar reason.

Assistance for accessibility improvements for disabled applicants or household members may be requested by the applicant, disabled household member, or a family member or legal representative of a disabled family member. These components may be included with appropriate documentation.

3.4.5.2 Common Areas Accessibility

Public and common use areas must be accessible, and they must be on an accessible route. Public and common use areas include:

- Rental and management offices
- Model units
- Mailbox kiosks
- Swimming pools
- Tennis courts
- Clubhouses
- Garbage dumpsters
- Playgrounds

Areas for parking must have at least one accessible space close to common areas.

3.5 Program Eligibility

This section provides guidance for a CAA to certify eligibility of an applicant and work with Park Owners to match an eligible participant with an available installed MHU in a preserved park for initial lease-up. There are two steps that must be taken to ensure the applicant is placed in the right unit. The first step is determining eligibility for assistance and the second step is determining that there is an appropriate unit for the applicant.

3.5.1 Eligible Participants

To meet initial lease-up requirements, CAAs and Park Owners must ensure that at least 60% of incoming residents are at or below 80% AML.

3.5.1.1 Prioritization of Applicants

Through Phase I, the first priority is to offer assistance to current and former residents, who have a verified MH or RV loss whether as an owner or renter (with an approved exception request) in the respective preserved manufactured housing park and have not achieved a safe, suitable, affordable, and permanent housing solution. If a previous renter is interested in home ownership, they will be referred to the Homeownership Opportunities Program (HOP) for eligibility determination. Park Owners/CAAs shall conduct outreach and make every effort to locate the previous residents and invite them to apply before moving on to other applicants.

Phase II will be opened for other impacted households who owned and lost their manufactured home, who wish to live in a preserved manufactured housing park, and who have not yet achieved safe, suitable, affordable, and permanent housing. Park Owners/CAAs may choose, but are not required, to run Phase II through a lottery process. During the initial park lease-up, Park Owners must work with their local CAA to

prioritize the applications. Once the park has been leased up, moving forward, the Park Owner will work directly with potential incoming residents as homes become available upon resale.

After Phase II is complete, any remaining available homes should be designated for Homeowner Assistance and Reconstruction Program (HARP) and Homeownership Opportunities Program (HOP) participants under CDBG-DR in Phase III. Those programs will be managed under a separate process and policy guidelines and OHCS will provide guidance as to the timing of HARP and HOP launch.

3.5.1.2 Phased Approach

Park Owners must work with CAAs to set reasonable time periods to assist participants in each phase, before moving on to the next phase. The time periods must ensure sufficient time for outreach and applicant processing.

	Eligible Applicants	Income Requirements	Recovery Status
Phase I	Impacted residents returning to the same preserved park that is being redeveloped.	80% area median income, with an exception process for returning residents above 80% AMI, up to 120% AMI	Replacement home has not yet been ordered or purchased & safe, permanent housing has not been achieved.
Phase II	Disaster-impacted MH owners interested in living in a preserved park. Previous RV owners may be considered with an exception.	At or below 80% area median income.	Replacement home has not yet been ordered or purchased & safe, suitable and affordable permanent housing has not been achieved.

3.5.2 Recovery Status

Because the program matches participants to newly placed homes in preserved parks, the program is limited to participants who have not started their housing recovery

and/or have not moved to their permanent housing, which includes those who are in a housing situation that is unsustainable for their household due to financial, size, location, accessibility, health and safety, or other similar reasons. CAA's will work with applicants to validate/verify their current displacement from a permanent housing solution.

3.5.3 Homeowner

- Must have been the owner-occupant of the disaster damaged property in an impacted manufactured housing park at the time of the disaster and
- The damaged property must have been the applicant's primary residence at the time of the disaster.

3.5.4 Additional Requirements

Upon future resale, the manufactured or modular home must be sold in place and may not be moved out of the park where it was originally installed.

3.5.5 Matching Applicant to Unit

Once a CAA has determined that the applicant is eligible, the Park Owner is notified. The Park Owner will use their vacant units, park rules and lease agreement to determine if the applicant is a match and can become a member of the preserved park.

When there are more applicants than available units, Park Owners may choose, but are not required, to conduct a lottery as part of the selection process. Any selection process must follow fair housing requirements.

3.6 Income Guidelines

At initial lease-up Park Owners must ensure that 60% of the residents are at or below 80% area median income. In order to collect accurate information on incoming residents, income must be verified and documented within individual applicant files. CAAs may calculate income based on HUD's Part 5 Adjusted Income (also known as Section 8 defined annual income) or IRS 1040 Adjusted Gross Income (AGI) methodology, as allowable per 24 CFR 570. OHCS will provide a sample AGI form for Park Owners to use when calculating income. CAAs and Park Owners are not required to use the OHCS provided forms if they have other compliant processes that do not conflict with program guidelines.

Specific requirements for income requirements for each phase can be found in Section 3.5.1 above, including information on the exception request process.

80% Area Median Income Limits, By Impacted County, Adjusted for Household Size (CDBG 2023)

Impacted County	1-Person	2-Person	3-Person	4-Person	5-Person	6-Person	7-Person	8-Person
Clackamas	\$63,150	\$72,200	\$81,200	\$90,200	\$97,450	\$104,650	\$111,850	
Douglas	\$42,600	\$48,650	\$54,750	\$60,800	\$65,700	\$70,550	\$75,400	
Jackson	\$45,300	\$51,800	\$58,250	\$64,700	\$69,900	\$75,100	\$80,250	
Klamath	\$42,600	\$48,650	\$54,750	\$60,800	\$65,700	\$70,550	\$75,400	
Lane	\$47,250	\$54,000	\$60,750	\$67,450	\$72,850	\$78,250	\$83,650	
Lincoln	\$42,600	\$48,650	\$54,750	\$60,800	\$65,700	\$70,550	\$75,400	
Linn	\$44,550	\$50,900	\$57,250	\$63,600	\$68,700	\$73,800	\$78,900	
Marion	\$46,900	\$53,600	\$60,300	\$66,950	\$72,350	\$77,700	\$83,050	

Source: HUD Low-and-Moderate Income data. This table will be updated annually on HUD's effective found at <https://www.hudexchange.info/resource/5334/cdbg-income-limits/>

3.7 Awards

3.7.1 Program Maximum Award

For OHCS-funded preserved manufactured housing parks, the OHCS will prioritize bulk purchases of manufactured and modular homes that will be installed in the preserved park and made available to qualified applicants. The home for which the applicant is eligible to receive will be based on the household size or the comparable size of the damaged home. The Community Action Agency working with Park Owners will be expected to screen and match eligible participants to available homes. Park Owners or OHCS-approved designee will transfer ownership and title of the home to the eligible applicant through a grant agreement that outlines the terms of the award. Any funds that would normally qualify as a duplication of benefits that an eligible applicant has to contribute towards the replacement home will be collected by the CAA on behalf of OHCS if the applicant is approved.

3.7.2 Duplication of Benefits (DOB)

CAAs will perform a duplication of benefits review on applicants. A duplication of benefits occurs when multiple funding sources are used to meet a specific disaster

recovery need. A duplication of benefits review will ensure that assistance is given for the unmet need of the applicant. CAAs are encouraged to use their DOB process that is currently being used for Wildfire Recovery and Resilience Account (WRRRA) program as a foundation for this program, including guidance related to the FEMA MHU Temporary Housing Incentive and Permanent Safe Housing Incentive process to structure awards.

Common sources of DOB may include repair/replacement funding from Federal Emergency Management Agency (FEMA), Small Business Administration (SBA) loans, OHCS Manufactured Home Replacement Loan Program, homeowners/fire or flood insurance payouts, settlement proceeds, assistance from nonprofit, and other Oregon disaster recovery programs.

3.7.2.1 Process Overview

To perform the DOB review the following information must be collected and included in each participant file:

1. Identify the total need – what are the participant's eligible costs?
2. Identify all potentially duplicative sources
 - a. DOB summary performed – this information can be requested directly from the participant's assigned case manager point of contact and should serve as the starting point for the DOB review performed
 - b. Additional information or documentation on other assistance received from local funding, private non-profits, state funding, or other federal funding sources – this information will need to be collected from the participant and/or authorized for release by the participant through a Release of Information
3. Determination of whether the assistance that the participant received from other sources are duplicative with the PMHP-DR award. Assistance provided for a different purpose is not considered to be duplicative. Also, certain types of assistance, like private loans, income and personal savings or retirement are not duplicative.
 - a. Different purpose: If assistance was provided by FEMA for temporary housing, but the applicant is matched with a new, replacement home, then the PMHP-DR assistance does not duplicate the FEMA assistance, because they were provided for a different purpose. Similarly, if the FEMA award was made for housing repairs, but PMHP-DR funds are provided for incentives, then the FEMA assistance is provided for a different purpose.
 - b. Private loans, income, and personal savings: these sources are not considered to be “assistance” and therefore are not duplicative with

assistance provided under PMHP-DR. However, PMHP-DR funds cannot be used to reimburse or pay for costs incurred prior to application. If participants used private loans, income, personal savings, or other similar funding to pay for recovery costs prior to applying for PMHP-DR funds, then PMHP-DR funds cannot be used to refinance or replenish those funding sources.

4. Determination of final DOB amount – after the non-duplicative sources are deducted, determine the amount that is considered to be duplicative with the PMHP-DR award. This is the amount that should be considered in the final award determination.
5. Calculate award, by deducting duplicative.

NOTE: If there are any questions about whether a source of assistance is considered duplicative with their PMHP-DR award, they should reach out to OHCS for technical assistance

An example of the DOB process is provided below:

DOB Process	Example	Explanation
1. Identify Applicant's Total Need	\$70,000	\$70,000 MHU Incentive for safe, affordable and permanent housing
2. Identify All Potentially Duplicative Assistance	\$10,000	\$10,000 FEMA Housing Assistance
3. Deduct Assistance Determined to be Duplicative (this excludes the amount that was provided for a different purpose or is determined to be Non-Duplicative)	\$0	\$10,000 FEMA Housing Assistance – is not duplicative because it was used for temporary housing/shelter which is a different purpose; therefore, do not include as duplicative assistance
4. Maximum Eligible Award	\$70,000	= item 1 less item 3
5. Program Cap*	\$80,000	*See OHCS funding guidance
6. Approved Award	\$70,000	The amount approved is the lesser of item 4 or item 5.

3.8 Documentation Requirements

3.8.1 All Participants

All participant program files should contain the following information:

- Participant identity, supported through one of the following:
 - Driver's license
 - State-issued identification card
 - Passport, passport card, or consular identification cards (matricula consular)
 - Student identification card
 - Military identification card
 - Birth certificate
 - Social Security Card
 - CAAs may propose additional documentation
- Ownership documentation
 - Title from the [Oregon Manufactured Home Ownership Document System](#)
 - Instructions on how to use the system can be found here - [mhods-processing.pdf \(oregon.gov\)](#)
 - Title found in land records for the manufactured home
 - Notarized bill of sale which provides ownership of the manufactured home
 - 2020 tax record for the manufactured home
 - Lease agreement from prior to the disaster with manufactured housing park owner or landowner
 - If applicant is unable to produce any of the above documents, an exception request should be submitted to OHCS for review
- Current address
- Participant household income information
- Participant household demographic information (race, ethnicity, female head of household)
- Applicable documentation for demonstrating each of the following eligibility requirement:
 - Verified Wildfire Impact
 - Total Loss of Primary Residence
 - Recovery Status
- Eligibility determination, to include reason(s) for approval or denial
- Award calculation
 - Demonstration the award was made per respective park's policies and procedures
 - Duplication of benefits review, as part of the award calculation
- Grant/Loan agreement or other participation agreement
- Financial disbursement(s), including amounts, dates, and documentation supporting eligible uses of funds
- Additional Award Requirements, as applicable
- Case file and applicant processing notes

- Documentation of support services provided in addition to financial assistance

Additional documentation requirements are listed below for each type of assistance awarded to a participant.

3.9 Household Demographic Reporting

CAAs will collect information on the number of individuals living in the household. This information will be used to help place impacted households in housing that accommodates their household size, generally following Housing Quality Standards, which provides that the dwelling unit must have at least one bedroom or living/sleeping room for every two persons. Other than very young children, children of opposite sex, may not be required to occupy the same bedroom or living/sleeping room.

CAAs will collect demographic information for each applicant for reporting purposes only. Information collected includes income, age, female head of household, and self-identification of gender, race, and ethnicity.

4. General Program Requirements

4.1 Records Requirements

CAAs and Park Owners are required to permit OHCS, state officials, the federal government, and the duly authorized representatives of such entities access to, and the right to copy, all program client and fiscal records for such purposes as research, data collection, evaluations, monitoring, and auditing. At the sole discretion of OHCS, access to records shall include the removing of records from the CAA and/or Park Owners' office.

CAAs shall retain all program records pertinent to client services under PMHP-DR in a manner consistent with the requirements of state and federal law. This includes, but is not limited to, those requirements listed in Administrative Rule, Operations Manual and Special Schedules. Find the OHCS Special Schedule at the Oregon State Archives: (https://sos.oregon.gov/archives/Pages/state_admin_schedules.aspx)

Find the State Agency General Records Retention Schedules at the Oregon State Archives: (https://sos.oregon.gov/archives/Pages/records_retention_schedule.aspx).

CAAs and Park Owners shall retain and keep accessible all such fiscal and program records, client records, digital and electronic records, books, documents, papers, plans, and writings for a minimum of (6) six years, or such longer period as may be required by applicable law, whichever date is later. Applicable law includes the following final payment and termination of PMHP-DR funding, or until the conclusion of any audit, controversy, or litigation arising out of, or related to the program.

4.2 Confidentiality

CAAs must have policies and procedures to securely and confidentially maintain all applicant information and records. Confidential records include applications, records, files, and communications relating to participants for, and clients of funded services.

Electronic collection of client information requires procedures for ensuring confidentiality including:

- Computer terminals must be located in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible for client records;
- Computer monitors must be cleared (or a screen saver activated) immediately after accessing a client record;
- Computer terminals must be on a “locked” mode or turned off if the terminal is unattended; and
- Access to personally identifiable information in third-party systems.

Protecting Personally Identifiable Information (PII)

PII is protected by federal laws (Privacy Act of 1974, as amended) and will be collected for the purpose of determining program eligibility, providing assistance/service, data collection, reporting and monitoring.

PII will be shared with OHCS as is necessary to carry out the intent of an assistance or service program for the benefit of the person applying for such assistance or service and may be disclosed to OHCS without written authorization.

Clients may also be asked to sign a Release of Information; however, refusal to sign such authorization cannot be the basis for denying program services to otherwise eligible clients. Client refusal to sign a Release of Information does not negate the inclusion of personally identifiable information in secure reporting to OHCS. OHCS will de-identify client demographic data for the purposes of reporting. CAAs must document in the client file that this privacy notification was provided to the client either verbally or in writing. For all other purposes of collecting personally identifiable information, CAAs must follow state and federal laws for the collection, use and sharing of client information.

4.3 Service Termination or Denial of Assistance

4.3.1 Service Termination Documentation

CAAs must document case management, monitoring process, and reasons for service termination. The respective park's policies and procedures must describe the process for service termination.

4.3.2 Denial Documentation

CAAs must document eligibility process and reasons for denial. The respective park's policies and procedures must describe the process for denial including the appeal process.

4.4 Grievance and Appeals Process

4.4.1 Grievances

CAAs shall provide a written response to each formal complaint within 15 working days of receipt of the complaint or will document why additional time for a response is needed.

Formal complaints are written statements of grievance, including email, comments posted on the CAA's website, and handwritten complaints. CAAs shall detail the process and contact information (through the website and email address) for submitting complaints within program guidelines, application documents, and on their website. CAAs shall maintain a tracker for collecting and categorizing complaints through resolution.

4.4.2 Informal complaints are verbal complaints.

CAAs will attempt to resolve informal complaints; however, they are not subject to the written response process described above.

4.4.3 Appeals

CAAs shall include written appeals processes within their policies and procedures. The appeals processes will include, but are not limited to the following:

The process for submitting, tracking, and resolving a written appeal to CAAs to include whether an appeals committee will be established to review and/or rule on appeals.

The documentation required when submitting an appeal.

The timelines for reviewing and providing a response to the appeal.

4.4.4 Clarification of what may or may not be appealed.

In general, policies that have been approved and adopted within park policies and procedures may not be appealed. OHCS and CAAs do not have the authority to grant an appeal to a regulatory or statutory requirement.

4.5 Nondiscrimination and Civil Rights

PMHP-DR prohibits discrimination because of race, color, national origin, religion, sex (including gender, gender identity, sexual orientation, and sexual harassment), familial status, and disability.

- Title VI of the Civil Rights Act of 1964: This act provides that no person shall be excluded from participation, denied program benefits, or subject to discrimination based on race, color, and/or national origin under any program or activity receiving federal financial assistance
- Title VII of the Civil Rights Act of 1968 (The Fair Housing Act): This act prohibits discrimination in housing on the basis of race, color, religion, sex and/or national origin. This law also requires actions which affirmatively promote fair housing.
- Restoration Act of 1987: This act restores the broad scope of coverage and clarifies the application of the Civil Rights Act of 1964. It also specifies that an institution which receives federal financial assistance is prohibited from discriminating on the basis of race, color, national origin, religion, sex, Disability or age in a program or activity which does not directly benefit from such assistance.
- Section 109 of Title 1 of the Housing and Community Development Act of 1974 [42 U.S.C. 53091]: This Section of Title 1 provides that no person shall be excluded from participation (including employment), denied program benefits, or subject to discrimination on the basis of race, color, national origin, or sex under any program or activity funded in whole or in part under Title 1 of the Act.
- The Fair Housing Amendment Act of 1988: This act amended the original Fair Housing Act to provide for the protection of families with children and people with disabilities, strengthen punishment for acts of housing discrimination, expand the Justice Department jurisdiction to bring suit on behalf of victims in federal district courts, and create an exemption to the provisions barring discrimination on the basis of familial status for those housing developments that qualify as housing for persons age 55 or older.
- Section 504 of the Rehabilitation Act of 1973: It is unlawful to discriminate based on Disability in federally assisted programs. This Section provides that no otherwise qualified individual shall, solely by reason of his or her Disability, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving federal funding assistance. Section 504 also contains design and construction accessibility provisions for multi-family dwellings developed or substantially rehabilitated for first occupancy on or after March 13, 1991
- The Housing for Older Persons Act of 1995 CHOPA: Retained the requirement that the housing facilities must have one person who is 55 years of age or older

living in at least 80% of its occupied units. The act also retained the requirement that housing facilities publish and follow policies and procedures that demonstrate intent to be housing for persons 55 or older.

- The Age Discrimination Act of 1975: This act provides that no person shall be excluded from participation, denied program benefits, or subject to discrimination on the basis of age under any program or activity receiving federal funding assistance. Effective January 1987, the age cap of 70 was deleted from the laws. Federal law preempts any State law currently in effect on the same topic.
- The Americans with Disabilities Act of 1990 (ADA): This act modifies and expands the Rehabilitation Act of 1973 to prohibit discrimination against a qualified individual with a Disability in employment and public accommodations. The ADA requires that an individual with a physical or mental impairment who is otherwise qualified to perform the essential functions of a job, with or without reasonable accommodation, be afforded equal employment opportunity in all phases of employment.
- Executive Order 11063: This executive order provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in housing and related facilities provided with federal assistance and lending practices with respect to residential property when such practices are connected with loans insured or guaranteed by the federal government.
- Executive Order 11259: This executive order provides that the administration of all federal programs and activities relating to housing and urban development be carried out in a manner to further housing opportunities throughout the United States.
- Executive Order 11246: This executive order applies to all federally assisted construction contracts and subcontracts. It provides that no person shall be discriminated against on the basis of race.
- The Equal Employment Opportunity Act: This act empowers the Equal Employment Opportunity Commission (EEOC) to bring civil action in federal court against private sector employers after the EEOC has investigated the charge, found probable cause of discrimination, and failed to obtain a conciliation agreement acceptable to the EEOC. It also brings federal, state, and local governments under the Civil Rights Act of 1964.

- The Immigration Reform and Control Act (IRCA) of 1986: Under IRCA, employers may hire only persons who may legally work in the U.S., i.e., citizens and nationals of the U.S. and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9).
- The Uniform Guidelines on Employee Selection Procedures adopted by the Equal Employment Opportunity Commission in 1978: This manual applies to employee selection procedures in the areas of hiring, retention, promotion, transfer, demotion, dismissal and referral. It is designed to assist employers, labor organizations, employment agencies, licensing and certification boards in complying with the requirements of federal laws prohibiting discriminatory employment.
- The Vietnam Era Veteran's Readjustment Act of 1974 (revised Jobs for Veterans Act of 2002): This act was passed to ensure equal employment opportunity for qualified disabled veterans and veterans of the Vietnam War. Affirmative action is required in the hiring and promotion of veterans.

4.5.1 Civil Rights Laws

These civil rights laws include obligations such as taking reasonable steps to ensure that barriers are removed for meaningful access to programs and activities for persons with disabilities, historically marginalized populations, vulnerable populations, and persons with limited English proficiency.

4.5.2 Limited English Proficiency

CAAs will provide interpretation and translation services upon request in addition to following OHCS' [Language Access Plan](#).

4.6 Fair Housing

CAAs and Park Owners are required to comply with The Fair Housing Act that requires all grantees, subgrantees, subrecipients, and/or developers to certify that no person was excluded from participation in, denied the benefit of, or subjected to discrimination in any housing program or activity because of their age, race, color, creed, religion, familial status, national origin, sexual orientation, military status, sex, disability, or marital status.

To affirmatively further fair housing this program will utilize a customized Racial Equity Analysis Tool (REAT) and Equity Lab to assist in targeting vulnerable populations and populations that have historically been underserved. The program will follow the Language Access Plan (LAP) and meet people where they are at to help with applying

for assistance. For example, having housing navigators with iPads throughout the most impacted and distressed communities can remove a barrier to a household in need that has limited transportation.

As outlined in their individual subrecipient agreements, CAAs will be required to report on demographic information, as well as outreach and other efforts undertaken to reduce barriers to participants to OHCS through monthly/quarterly performance reports

4.7 Conflict of Interest

CAAs must have a conflict of interest policy and must have policies and procedures to demonstrate compliance. In general, conflicts of interest occur when one's private interest and public duties overlap, resulting in a real or perceived lack of independence or impartiality. Common situations include:

- Elected officials voting on awarding of funds to organizations where a family member is on the staff or where the elected official is on the CAA's board;
- Executive directors of CAAs entering into contracts with companies they are affiliated through employment of, or ownership by, themselves or their relatives;
- CAAs or staff who have relatives who may benefit from the activities; and
- Failure to notify OHCS about conflicts of interest, or late and or incomplete requests for exceptions.

The existence of a conflict of interest does not necessarily mean that any individual acted improperly or illegally, but it does mean that, unless properly handled and addressed, he or she could end up being in violation of state rules. Therefore, all such cases must be identified and resolved by eliminating the conflict or obtaining a written exception.

5. Section II: Ongoing Park Operations

The section provides guidance to Park Owners for ongoing management and operations of PMHP-DR projects, but is not all-inclusive. Additional guidance on park operations will be found in project-specific financing documents (e.g. loan documents, grant agreements, regulatory agreements, etc.) negotiated between Park Owners and OHCS.

5.1 Applicable Statutes & Lease Agreement

Park owners of PMHP-DR projects will be expected to enter into lease agreements with tenants that establish certain affordability covenants as outlined in their individual regulatory agreement with OHCS. In addition, the park is expected to operate in compliance with ORS 90.505 to ORS 90.850.

5.2 Park Registration & Landlord Training

The PMHP-DR supported parks must meet registration requirements as stated in Oregon Revised Statute 90.732 (1).

Park Owner(s) shall be responsible for registering their park and paying the fee.

Oregon law requires for-profit, nonprofit and housing authority manufactured housing park owners to complete four hours of continuing education related to park management every two years. OHCS' Manufactured and Marina Communities Resource Center (MMCRC) offers [continuing education classes](#) at least once every six months.

5.3 Park Rules and Regulations

5.3.1 Park Rules and Regulations

Park owners must develop community rules and regulations that describe expectations, responsibilities, dispute resolution process and reasonable behavior guidelines that apply to homeowners, visitors and owner(s) of the respective park. Park owners must establish policies and procedures for maintenance and operations of their park as well as include efforts that can be made to prevent homeowners from becoming unhoused. Park owners are encouraged to reach out to existing nonprofit park owners and/or Oregon-based park owner trade associations to gather information on best practices, access template documents and stay up-to-date on Oregon laws pertaining to manufactured housing parks. A list of relevant organizations will be listed in Appendix A, at the end of these guidelines, as reference.

At a minimum, the park rules and regulations must address the following items:

- Occupancy
- Rent Payment and Communication
- Livability Standards
- Damages
- Vehicles
- Guests
- Animals
- Community Spaces
- Landscape Maintenance

5.3.2 Space Leases

Park Owners will provide residents with a space lease, as well as guidance on how to sell their MHU and the park approval process for buyers/incoming residents. The space lease must outline requirements for park residents to carry homeowner's insurance and, if applicable, flood insurance. Park Owners shall provide the Space Lease and Park Rules to OHCS for review and approval before initial lease-up. After initial lease-up, Park Owners shall ensure that the Space Lease and Park Rules remain consistent with these guidelines.

5.3.3 Property Management

Park Owners will be required to provide property management. The PMHP-DR program will defer to primary lender requirements and/or Park Owner preferences regarding onsite or off-site property management.

5.4 Landlord and Tenant

Park owners must follow and comply with [Oregon's Residential Landlord and Tenant Act](#). Parks must not have any policies or procedures in their community rules and park managing documents that conflict with the Act.

Tenants shall be informed of their rights and provided information including, but not limited to:

- [Community Alliance of Tenants \(oregoncat.org\)](http://oregoncat.org)
- [Renters | Fair Housing Council of Oregon \(fhco.org\)](http://fhco.org)
- [Oregon Legal Services](#)
- [Housing Counseling Agencies](#)
- [Oregon State Tenants Association](#)
- [Manufactured and Marina Communities Resource Center](#)

5.6 Maintenance and Operations

5.6.1 Plan

Park Owners will submit a plan to OHCS outlining the responsibilities of park owners, their representatives and homeowners. The approved plan will be included in the respective park's policies and procedures.

5.6.2 Funding Stream

As a condition of funding, Park Owners must submit income and expense projections demonstrating the ability to maintain and operate the Preserved Park to OHCS for approval. Any amendments to income and expense projections must be submitted to OHCS for approval. OHCS will outline space rent limits in project-specific legal

agreement(s) that may contribute to the funding stream for maintenance and operations.

5.7 Affordability

After initial lease-up and upon turnover/resale, spaces that become available during the affordability period (defined in the project-specific legal agreement(s) between the Park Owner and OHCS) must be leased to new residents who are at or below 80% AMI. Park Owners are required to use OHCS' published income limits, which are published annually on OHCS' [website](#).

Park Owners should refer to applicable OHCS loan, grant and/or regulatory agreements for requirements on space rents and allowable annual rent increases.

6. Closeout and Compliance

6.1 Closeout of Initial Lease-up

Park Owners that have met the requirements for initial lease-up as required in their regulatory agreement with OHCS may transition to ongoing park operations.

6.2 Compliance

Compliance will be managed through other disaster recovery programs as required by the applicable program, park rules and regulations, agreements with OHCS and lease agreements.

APPENDIX A

- CASA of Oregon ([CASA](#))
- Manufactured Housing Communities of Oregon ([MHCO](#))
- Oregon Park Owners Alliance ([OPOA](#))
- Oregon Manufactured Housing Association ([OMHA](#))
- OHCS Manufactured and Marina Communities Resource Center ([MMCRC](#))
- St. Vincent de Paul of Lane County ([SVdP](#))