

Elm Street Facade Improvement Program Application

The undersigned applicant has an interest in participating in the City of Bradford Elm Street Facade Improvement Program. This Application is an expression of willingness on behalf of the Applicant to undertake renovations in accordance with the City of Bradford Elm Street Facade Improvement Program Guidelines. The Applicant is aware that the Office of Economic and Community Development (OECD) may have to obtain information concerning property ownership, payment of taxes and city utilities, income and credit history in order to determine eligibility for the Program. Applications will be reviewed by the Elm Street Design Committee, who will recommend to the OECD that the application be further processed for program eligibility. Should the Applicant meet program eligibility requirements, the OECD will approve the application for funding by the City of Bradford. The Applicant and the City of Bradford will enter into a Grant Agreement, which outlines the responsibilities of both parties in meeting the obligations of the Elm Street Facade Improvement Program.

Address of Property _____

Applicant is the: _____ Homeowner _____ Landlord _____ Business Owner
_____ Tenant

Property Owner's Name _____

Property Owner's Address _____

Property Owner's Phone Number(s) _____

Property Owner's Email Address _____

Estimated Total Project Cost: \$ _____

Anticipated Date of Project Commencement: _____

Anticipated Date of Project Completion: _____

DESCRIPTION OF PROJECT (Please attach a photo of the property.)

Applicant's Signature _____

Date _____

Elm Street Design Committee Approval _____ OECD

Approval _____

AGREEMENT

1. Definitions. When the following words are capitalized in this Application, Agreement and the accompanying Elm Street Facade Improvement Program Guidelines, which are attached hereto as Exhibit A, they shall have the meaning described below.

(1) "OECD" – City of Bradford's Office of Economic and Community Development representing the City of Bradford.

(3) "ESN" – City of Bradford Elm Street Neighborhood

(4) "ESN-FIP" - The City of Bradford Elm Street Facade Improvement Program, funded through a state-funded grant program.

(5) "Committee" – City of Bradford Elm Street Neighborhood Design Committee, who will be responsible for reviewing each facade improvement application and will make a recommendation to the OECD for funding.

(6) "Property Owner" - The owner of property, including: (1) solely residential property owned by a single family; (2) solely commercial property; (3) mixed residential/commercial property; (4) rental property; and (5) property owned by a not-for-profit organization, for which a Grant is requested from the ESN through submission of an Application and execution of this Agreement

(7) "Elm Street Manager" - The person designated by the OECD to work with all Property Owners seeking grants to determine the feasibility of a proposed Project, review Applications, conduct pre-work meetings with Property Owners and selected Contractors, determine a respective Property Owner's Match, and request Project status updates as necessary

(8) "Contractor" - The person or entity hired by the Property Owner to complete the Project on the Property Owner's behalf

(9) "Project" - A planned undertaking submitted by the Property Owner that furthers the objectives of the ESN-FIP

(10) "Match" – The amount of funding calculated by the Elm Street Manager to be used as the payment made by the Property Owner, which will be applied towards the total cost of the Project.

(11) "Grant" - Disbursable monetary aid approved by the OECD for the Property Owner's Project.

(12) "Grant Letter" - The notification sent by the OECD to the Property Owner that the Property Owner's Application and Project have been approved. The Property Owner's Project must be completed within ninety days from the date of the Grant Letter and Notice to Proceed.

(13) "Disbursement" - The actual payout of the Grant by the OECD upon completion of the Project within the allotted time and a presentation of an invoice representing the work completed by either the Property Owner or the Contractor and inspected and approved by the OECD.

(14) "Applicable Law" - all applicable zoning, urban renewal, historic preservation and other laws and regulations of all governmental entities having jurisdiction over the Property Owner, the Project, and the Property Owner's property, or otherwise.

2. Terms. By executing this Agreement, the Property Owner acknowledges that he or she has read and fully understands, and agrees to be bound by all of the terms of the Agreement and the accompanying Facade Improvement Program Guidelines attached hereto as Exhibit A and incorporated herein by reference in connection with the Property Owner's Application.

3. Duty to Inform. All information contained in this Application is true and correct as of the date hereof, and the Property Owner's proposed Project satisfies all of the criteria set forth herein. Should any information contained herein subsequently become untrue or incorrect, the Property Owner shall promptly inform the OECD in writing, with specificity, as to that item or those items of information which are no longer true and correct and explaining the state of facts giving rise to such change.

4. Purpose. Any Grant made to the Property Owner pursuant to a Grant Letter shall be used solely for the purposes approved by the Committee and OECD in issuing the Grant Letter.

5. Applicable Law. The Property Owner's Project, as set forth in this Application (and any attachments hereto) shall comply with Applicable Law. The Property Owner acknowledges and agrees that the determination by the OECD to award a Grant to the Property Owner for his or her Project shall not constitute any judgment by, or opinion of, the OECD and/or City that the Property Owner's Project complies with Applicable Law. To the contrary, by submitting an Application, Property Owner specifically acknowledges that the OECD and committee have no responsibility whatsoever to ensure that any Project complies with Applicable Law, and the Property Owner acknowledges and agrees that it is the sole responsibility of the Property Owner to ensure that his or her Project complies with Applicable Law. The Property Owner shall not rely, nor be entitled to rely, upon any approval, Grant, determination, inspection, or representation of the OECD and/or the Committee regarding the Project's compliance with Applicable Law. The Property Owner shall not be entitled to any Grant in connection with a Project that does not comply with Applicable Law.

6. Non-Discrimination. The Property Owner and his or her Project shall not be discriminated against in any manner on the basis of race, creed, marital status, color, sex, age, religion, national origin or sexual preference, or physical handicap, as required by the laws of the United States and the Commonwealth of Pennsylvania.

7. Disbursement of Grant Funds. The City of Bradford has approved the payment of \$_____ in facade improvement grant funding to the Property Owner to undertake facade improvements identified in the attached Scope of Work (Exhibit C). No Grant Disbursement will be made unless the Property Owner's Project has been approved by the OECD through a Grant Letter, the Property Owner has secured the applicable Match for the Project, the Project has been completed within the allotted time, and the Property Owner submits to the OECD all original receipts showing payment in full for all Project work or materials installed. The undertaking of the Project itself, including, but not limited to, the hiring of a contractor to complete the Project within the allotted time period, the workmanship of the Project remains the sole responsibility of the Property Owner. The Property Owner hereby releases and waives any right whatsoever to bring against the OECD and the Committee any claim, cause of action, suit or other civil action that is in whole or in part based in connection with the Project, or if the OECD rescinds the Grant Letter for the reasons contained in this Agreement, or otherwise.

8. Indemnity. The Property Owner shall indemnify, defend, and hold the OECD and the Committee harmless from and against any expense, loss, interest, lien, claim, encumbrance,

damage, attorneys' fees and expenses of every kind and nature which the OECD and the Committee may suffer, expend or incur or by reason or in consequence of any action(s) brought, for any reason, by either the Property Owner or any contractor which the Property Owner retains to complete the Project.

In witness whereof, and intending to be legally bound hereby, the undersigned Property Owner executes this Application and Agreement as of the date set forth below:

Property Owner

Date:_____

Print Name

EXHIBIT A

The City of Bradford has facade improvement grants available to qualified property owners in the Elm Street Neighborhood (see attached map). This program is designed to encourage property owners to rehabilitate the facades of their homes and properties as a part of the Elm Street Neighborhood revitalization effort. Facade improvements must improve the exterior physical appearance of the structure.

ELIGIBLE ACTIVITIES

- Cleaning, repair and/or painting of building exteriors;
- Installation of vinyl siding, if existing siding is in too poor condition to paint;
- Replacement of deteriorated windows and doors, sashes, sills and framing;
- Replacement or repair of porches, columns/supports, steps, railings and front sidewalk entrances;
- Repointing of brick or repairing cornices;
- Installation of appropriate entrance lighting;
- Removal or repair of awnings;
- Installation or improving gutter and downspout systems in conjunction with other facade improvements made to the property;
- Restoration of architectural details and removal of elements covering any such architectural details.
- Installation of new awning and/or signage on commercial building.

The design committee may recommend other facade projects not identified above, as it deems necessary to improve the overall appearance and viability of the structure. Extensive homeowner exterior repairs will be referred to the City's housing rehabilitation program. The following provides the guidelines required in order to apply for Elm Street grant program assistance:

FACADE IMPROVEMENT PROGRAM REQUIREMENTS

1. Applications will be accepted on a first come, first served basis. Applications must be fully completed by the homeowner or property owner prior to consideration by the design committee. The tenant or business owner must have signed approval of the building owner. A waiting list of applicants is kept according to the date of first contact with the Elm Street Manager and the City's Office of Economic and Community Development (OECD). Applications will be accepted on a rolling basis and processed dependent upon the availability of funding for the facade program. Upon selection, the application will be processed, first to determine ownership, status of taxes and utilities and income eligibility.
2. All properties to receive facade grant assistance must be located within the boundaries of the Elm Street Neighborhood project area (see attached map). No applications will be taken for properties located outside the project area.

3. The grant applicant must hold title to the property. All taxes and city utilities must be current prior to the application being processed. The property owner must provide evidence of insurance coverage on the property.
4. The work must comply with City of Bradford codes and applicant must obtain all required permits. The applicant is responsible for the payment of all permit fees to the City of Bradford and will not receive the grant until all fees are paid. Contactors hired should be from the OECD's list of recommended contractors. If you choose to use a contractor not on the list; proof of insurance and list of references must be provided as part of the bid.
5. Eligible recipients and the types of assistance to be provided include:
 - The total cost for the project must be at least \$500.00. A facade grant of up to \$5,000 is available for improvements. Should the homeowner's income fall below 115% of the median income (see attached income limits), the homeowner will be required to pay a 10% local match. The City will provide additional grant funds through the Core Communities Program for the 10% local match. For property owners that fall between 80 & 115% , the city may consider granting Core Community money on a case-by-case basis for those experiencing hardship due to medical or other reasons.
 - Homeowners with incomes above 115% of the median income, landlords, and commercial building owners will be required to match the grant dollar for dollar and may receive a maximum grant of \$5,000 for the facade improvement work. The City will also make available a low interest loan to qualified applicants for payment of the required match.
 - To maximize participation, each property owner may submit only one application per year. No applicant may receive more than \$10,000 in facade improvement grant funds during the length of the program. However, owner-occupied properties that require more extensive rehabilitation work may qualify for grant or loan funding under the City's housing rehabilitation program.
6. The City of Bradford will not discriminate against the applicant in any manner on the basis of race, creed, marital status, color, sex, age, religion, national origin, sexual preference or physical handicap, as required by the laws of the United States and the Commonwealth of Pennsylvania.
7. **Any project exceeding \$25,000 will be subject to State Prevailing Wage.**

APPLICATION PROCESSING

1. Applications must include a description of the work to be performed on the home along with digital photos of the property along with color paint chips of the proposed work and the types of materials to be used. The City of Bradford strongly encourages that all facade improvement work be performed by qualified

contractors and will assist the homeowner with preparing a scope of work in order to obtain quotes for the work. The property owner must obtain at least two quotations for the facade work. **Please note that any project started prior to approval by the OECD will not be eligible for a facade improvement grant.**

The applications will be reviewed on a case-by-case basis by the design committee and in some cases be referred to a design professional for review and suggestions. Once the design committee approves the application, it will be recommended by the Elm Street Manager to OECD staff for financial processing.

2. The OECD staff will review the application and verify income, credit history (if applicable-applicant(s) must have minimum credit score of 620), property ownership and record of utility and tax payments to qualify the applicant. All facade applications approved by the OECD will be recommended to City Council for approval. Upon City Council approval, the property owner will enter into a Facade Improvement Grant Agreement with the City of Bradford, which outlines the terms and requirements of the Facade Improvement Program. A contract for the facade work will be executed between the property owner and the contractor. Additionally, the property owner will be asked to execute a Note and Mortgage for any borrowed matching funding for all projects funded through city grant programs.

FACADE IMPROVEMENT CONSTRUCTION AND PAYMENT PROCESS

1. Upon execution of the required legal documents, the property owner and contractor will be issued a Notice to Proceed with the facade work. The property owner will be given ninety days to complete the project. Should the property owner experience problems (weather, contractor issues, etc), the property owner must immediately notify the OECD and request an extension of time to complete the project. The OECD will review the request and based upon the merits of the request, will either grant or deny the request for an extension of time.
2. Upon completion of the facade work, the Elm Street Manager and the OECD's housing rehabilitation staff will inspect the work for appropriateness. Upon their inspection and approval, payment will be made to the homeowner and contractor. Payments will be made only after the work is completed and in place (no payment will be made for materials until they are installed and the project is completed). **Funds will only be disbursed for "bricks and mortar."** The OECD will not be held liable for completed projects deemed unsatisfactory by the applicant. Any disputes will be handled by the applicant and selected contractor.
3. The property owner must continue to own the property for a five-year period after the work is completed so as not to benefit financially from the facade grant. The OECD may elect to file either a mortgage or municipal lien against the property to secure its interest in the improvement of the property to insure that the use of the grant funds are not abused by the property owner. Should the property owner sell the property during the five-year period, the obligation to repay the Grant shall be forgiven at a rate of 20% per year on each anniversary date over the five-year period.

Exhibit B

**CITY OF BRADORD- ELM STREET NEIGHBORHOOD
FACADE IMPROVEMENT PROGRAM SAMPLE SCENARIO**

Below 80% of Median Income: (Maximum grant funds available \$15,000):

Project Cost	\$8,000
Elm Street Facade Grant (Maximum Grant-\$5,000)	5,000
Core Communities Grant-Includes 10% local match (Maximum Grant-\$10,000)	\$3,000

A mortgage may be filed on the property and will be forgiven over a five-year period at the rate of 20% per year.

Between 80% and 115% of Median Income: (Maximum grant funds available \$5,500):

Project Cost	\$8,000
Elm Street Facade Grant	\$5,000
Core Communities Grant (10% Required Match)	\$ 500
Homeowner Responsibility (3% Loan Available To qualified applicants)	\$2,500

The city may consider providing additional Core Communities grant funds on a case-by-case basis to homeowners experiencing financial hardship due to medical or other reasons.

A mortgage will be filed on the property if homeowner applies and receives a loan through the City of Bradford.

Landlords/Commercial/Above 115% of Median Income: (Maximum grant-50% of project cost up to \$5,000):

Project Cost	\$8,000
Elm Street Facade Grant (50% of project cost)	\$4,000
Property Owner Responsibility (5% Loan Available To qualified applicants)	\$4,000

A mortgage will be filed on the property if homeowner applies and receives a loan through the City of Bradford.

HOUSEHOLD INCOME LIMITS

INCOME LIMITS BY NUMBER OF PERSONS PER HOUSEHOLD - March 2007

Income Classification	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
50% MEDIAN INCOME	\$17,700	\$20,250	\$22,750	\$25,300	\$27,300	\$29,350	\$31,350	\$33,400
80% MEDIAN INCOME	\$28,350	\$32,400	\$36,450	\$40,500	\$43,750	\$47,000	\$50,200	\$53,450
115% MEDIAN INCOME	\$40,710	\$46,575	\$52,325	\$58,190	\$62,790	\$67,505	\$72,105	\$76,820

Exhibit C

SCOPE OF WORK
TO BE DEVELOPED BY HOMEOWNER AND OECD

