

**Exhibit J - STATEMENT OF ACTIVITIES – DRAFT FOR PUBLIC COMMENT**  
**Comments due by Wednesday, September 3, 2025, by emailing Brett Roberts at [broberts@berkshireplanning.org](mailto:broberts@berkshireplanning.org).**

The preapplication must include a statement of activities proposed by the applicant for its HPG program as appropriate to the type of assistance the applicant is proposing. The statement of activities must be published for public comment in a print or online newspaper and allow at least 15 days for public comment. The start of the 15-day period must occur no later than 16 days prior to the last day for acceptance of the preapplications by Rural Development, see § 1944.674. The statement of activities should include § 1944.676(b)(1) paragraphs (i) through (xvii):

- (i) A complete discussion of the type of and conditions for financial assistance for housing preservation, including whether the request for assistance is for a homeowner assistance program, a rental property assistance program, or a cooperative assistance program.**

Berkshire Regional Planning Commission's (BRPC) proposed Berkshire County Rural Housing Preservation Program (RHP Program) is a homeowner assistance program, designed to assist homeowners in the repair or rehabilitation of substandard homes, make repairs to maintain livability, and address code violations. The RHP Program will provide home repair and rehabilitation construction deferred payment, forgivable loans (DPL) for up to 27 very low- and low-income homeowners in the following towns: New Marlborough (population 1,528), Mount Washington (population 160), Otis (population 1,634), Florida (population 694), and Hinsdale (population 1,919), Massachusetts. The RHP Program is modeled on the best practices of similar programs operated in other Berkshire County and western Massachusetts communities, many of which have successfully completed Community Development Block Grant (CDBG) housing rehabilitation programs, and it utilizes many of the same policies and procedures.

RHP Program homeowner applicants must be income-eligible, per the most recent [Rural Development Single Family Housing Direct Loan Program Income Limits for Pittsfield, MA MSA, Berkshire County, MA \(part\)](#). BRPC will utilize a 'first come, first served' approach to *completed and approved, income-eligible* applicant households. As applicants are approved and deemed income-eligible, BRPC's Housing Rehabilitation Inspector will inspect the homes for the necessary repair and rehabilitation elements and develop work write-ups and bidding documents. All bids will be reviewed for cost reasonableness by BRPC's Housing Rehabilitation Specialist and the Housing Rehabilitation Program Manager.

In cases where applicants' homes were built prior to 1978, RHP Program staff will

consult with the homeowner and the local administrator of the MassHousing 'Get the Lead Out' program, to determine the feasibility of the homeowner to access assistance from that program to remediate lead paint hazards.

In addition, BRPC serves as the Berkshire County provider for the Massachusetts Home Modification Loan Program, which provides 0% interest loans up to \$50,000 to homeowners seeking to make accessibility improvements in homes where disabled individuals reside. Leveraging this resource in addition to CDBG funds when appropriate, where a member of the household is disabled and requires accessibility improvements, will enhance benefits to homeowners.

Funds will be provided as 0% interest, deferred payment, forgivable loans (DPLs). The DPL is made through a Promissory Note between the respective Town and the homeowner(s) and will be secured by a 15-year lien. These loans will be forgiven over a 15-year period provided the participant remains the owner of the property. Income-eligible homeowners will be required to have homeowners' insurance before any rehabilitation is performed.

**(ii) The process for selecting recipients for HPG assistance, determining housing preservation needs of the dwelling, performing the necessary work, and monitoring/inspecting work performed.**

This proposed Berkshire County Rural Housing Preservation Program (RHP Program) will provide rehabilitation funds for up to 27 homes, all of which will have been determined by Berkshire Regional Planning Commission's (BRPC) Housing Rehabilitation Program Manager to be occupied and owned by very low- and low-income households.

Participants will be selected by first-come, first serve based on completed applications with all required income documentation submitted. Special consideration is provided for the elderly, the disabled, and homes that pose threats to the health, safety, and well-being of the occupants. This will ensure that the selection process is open, fair, and meets the greatest need in the community.

**(iii) A description of the process for identifying potential environmental impacts in accordance with [§ 1944.672 of this subpart](#), and the provisions for compliance with Stipulation I, A-G of the PMOA (RD Instruction 2000–FF available in any Rural Development office) in accordance with [§ 1944.673 \(b\) of this subpart](#). With the exception of Stipulation I, D of the PMOA, this may be accomplished by adoption of Exhibit F–1 of this subpart (available in any**

**Rural Development office), or another process supplying similar information acceptable to Rural Development.**

An environmental review of each property will be completed prior to the bidding phase of any repair or rehabilitation projects to identify potential environmental impacts. This review includes an examination of location relative to wetlands and flood zones and the appropriate action required. It also includes consulting the Massachusetts Historical Commission and the local historical commissions as mandated under the *Programmatic Memorandum of Agreement between Rural Development, The National Conference of State Historic Preservation Officers, and the Advisory Council on Historic Preservation Regarding Implementation of the Housing Preservation Grant Program*. All environmental reviews will be coordinated with the processes required by funding sources leveraged through the proposed Berkshire County Rural Housing Preservation Program, specifically the Massachusetts Executive Office of Housing and Livable Communities as mandated by the Community Development Block Grant program requirements. A project specific environmental review will be placed on file before any bidding for repair or rehabilitation occurs.

**(iv) The development standard(s) the applicant will use for the housing preservation work; and, if not the Rural Development standards for existing dwellings, the evidence of its acceptance by the jurisdiction where the grant will be implemented.**

The proposed Berkshire County Rural Housing Preservation Program (RHP Program) will follow the USDA Rural Development standards for existing dwellings; Berkshire Regional Planning Commission's (BRPC) existing housing repair and rehabilitation programming follows a similar approach.

Additionally, BRPC supports the following Massachusetts Sustainable Development Principles: 1) Mixed Land Uses, 2) Compact Design, 3) Housing Choices, 4) Transportation Choices, 5) Livable Neighborhoods, 6) Equitable Growth, 8) Energy and Environmental Design, 9) Climate Resilient Design, 10) Regional Planning, 11) Predictable Permitting, and 12) Community Engagement. Principle 7, Open Space and Conservation, is not applicable to the proposed RHP Program. As the program involves repair or rehabilitation or improvements to existing, occupied structures and not new development, opportunities for Principles 4, 8 and 9 may be limited.

**Mixed Uses and Compact Design**

Through repair, rehabilitation, and reuse of existing owner-occupied structures, development in areas of existing buildout reduces pressure for new housing construction.

### **Equitable Growth and Livable Neighborhoods**

Equity will be advanced by providing basic, essential building code-oriented improvements to very low- and low-income households, reducing blighting conditions and generally increasing the quality of living conditions for residents.

### **Housing Choices**

The RHP Program cultivates affordably priced housing since all homes rehabilitated by this program will be required to remain affordable for the life of the loan.

### **Energy and Environmental Design**

In selected applications, housing rehabilitation will achieve energy conservation strategies using more energy-efficient building materials in roofing, insulation, and housing system upgrades. This will also include maintenance of housing materials which will reduce drinking water waste, protection of water quality through septic inspection and repair, and conservation of resources through rehabilitation instead of new construction.

### **Regional Planning**

The proposed RHP Program represents the culmination of a regional planning and implementation effort that included all 32 towns and cities in Berkshire County to meet their affordable housing needs and *remain* affordable for current residents and future generations. These needs were addressed in the [Sustainable Berkshires – Community Strategies for a Sustainable Future](#) plan prepared by Berkshire Regional Planning Commission (BRPC) and reaffirmed in BRPC-1Berkshire's [A Housing Vision for the Berkshires](#).

#### **(v) The time schedule for completing the program.**

- February 2026: Anticipated Start Date
- February – March 2026: Homeowner Eligibility and Project Selection
- March – April 2026: Project Environmental Review, Inspections, and Contractor Procurement
- April – October 2026: Construction Phase (continuous)
- October – November 2026: Final Inspections and Final Payments
- December 2026: Grant Close Out

This schedule reflects the milestones established in the Community Development Block Grant program timeline, which will be the leveraged funds used to complement USDA

Housing Preservation Grant funding. Quarterly financial and performance reports will be prepared and submitted to USDA.

(vi) **The staffing required to complete the program.**

Berkshire Regional Planning Commission (BRPC) will be responsible for implementation of Berkshire County Rural Housing Preservation Program along with the leveraged funding through the CDBG-funded Housing Rehabilitation Assistance Program, and related administrative and program delivery services.

The following staff will work under the general oversight and supervision of the BRPC Executive Director and Community Development Program Manager: Housing Rehabilitation Program Manager, CDBG Program Associates, Housing Rehabilitation Specialist, and Housing Rehabilitation Specialist. Administrative and Finance staff work under the general oversight of the BRPC Executive Director and Office Manager.

**The Housing Rehabilitation Program Manager** will be responsible for the overall implementation of the program. This will include:

- General oversight
- Supervise staff and approve timesheets
- Supervise verification of applicant eligibility based on USDA and CDBG program rules
- Final resolution of disputes between homeowners & contractors
- Oversee entry of quarterly reports, homeowner & contractor information to relevant funding agencies
- Final approval of all expenditures
- Forecast cash flow needs, coordinate claims & drawdowns
- Enter homeowner & contractor demographic data for the relevant funding agency

**Program Associates** (two full-time staff members) will be responsible for the initial contact and intake of applicant homeowners, preparing determination of income eligibility for the Program Manager's review, and facilitating closings loans and filing liens. Typical duties include:

- Promotes RHP Program to residents of the Towns
- Develops and maintains applicant waiting list
- Conducts initial contact with applicant; provides application assistance where needed
- Prepares applicant files and maintains all records pertaining to the applicant and any subsequent project

- Determine applicant income eligibility based on USDA and CDBG program requirements:
- Utilizing an income documentation method which requires third party verification of adjusted gross income over an six to eight-week period. Documentation will include:
  - (1) Pay stubs for the most recent 8-week period for every member of the household over 18 years of age.
  - (2) Pay stubs for the most recent 8-week period of Unemployment benefits
  - (3) Two months of bank statements
  - (4) Full-time students or unemployed household members must provide a notarized statement affirming this status.
  - (5) Self-employment income for all Household members who are 18 years of age and older will be documented by **certified** copies of the entire IRS Tax Return, (complete with Schedule C, Profit or Loss from Business or Profession).
  - (6) Other income will be documented as applicable by benefits statements for Public Assistance, VA benefits, Social Security benefits, SSI benefits disability and a periodic statement from each pension/investment income source stating the amount and frequency of benefits.
  - (7) Income documented as above will be extended for a 12-month period and compared to the published HUD income limits to identify low to moderate income persons.
- In determining eligibility, the Program Associate will also request and document the status of local property taxes and homeowner's Insurance
- Prepare contracts/and or agreements
- Work with Program Manager and HRS to prioritize projects
- Prepare and issue bid packages utilizing specifications provided by the HRS
- Assist homeowner with contractor selection through the bidding process
- Coordinate and attend all pre-bid walk-throughs
- Coordinate and attend all bid openings
- Prepare all RHP Program contracts
- Coordinate with Program Manager and homeowners on closings and filing of loans/liens
- Attend all pre-construction meetings with homeowners and contractors
- Set project work schedules, coordinate construction activity with homeowners and contractors
- Receive and track contractor invoices
- Coordinate progress/pay requests with inspections by Housing Rehab Specialist
- Obtain homeowner approval of contractor invoices

- Prepare for approval by Housing Rehabilitation Program Manager
- Report Housing Repair/Rehab Construction Account Transactions to relevant funding agencies
- Respond to and assist in resolving complaints and disputes between homeowners and contractors
- Coordinate final inspections with municipal Building Inspectors and HRS
- Prepare project close-out materials and file Loans/Liens w Registry of Deeds
- Prepare information for Program Manager's use in submitting Quarterly & Final Reports

The **Housing Rehabilitation Specialist (HRS)** position is currently filled by a full-time BRPC employee. Under the supervision of the Housing Rehabilitation Program Manager, and with the assistance of the Program Associate, the Housing Rehabilitation Specialist will provide substantial assistance to the Homeowners by coordinating inspections, preparing work write-ups and bid documents, contract documents, coordinating the selection process, reviewing work progress and, along with the homeowner, approving Contractor invoices. The Construction Contractors will be required to provide all permits.

The following is an overview of the HRS' duties:

- Conduct a thorough and comprehensive initial inspection of each property.
- Cite all code violations that must be corrected as a condition of a Homeowner's participating in the RHP Program and develop the work write-up addressing those code violations, as well as addressing all lead paint hazards, as determined by the report form the independent lead testing lab.
- Discuss the scope of the work with the Homeowner. The HRS is responsible for obtaining the homeowner's written approval of the FINAL work write-up.
- Develop a cost estimate consistent with the FINAL work write-up
- Conduct a pre-bid walk-through for contractors
- Evaluate bid summaries after the bid opening and making recommendations as to accept or reject bids
- Once a contractor has been selected, coordinate and participate in a pre-construction meeting between the homeowner and the contractor
- Inspect and monitor rehabilitation work regularly
- Respond to homeowner complaints and moderate any disagreements between the homeowner and the contractor.
- Review and approve construction invoices
- Obtain the homeowner's approval of payments

- As the project is nearing completion, conduct a punch-list walk-through of the project with the Homeowner, contractor and RHP Program Manager
- Perform the RHP Program's final inspection of the project, determine if the local building inspector has signed off on all permit conditions, ensure that the final lead inspection has been conducted, obtain the homeowner's approval of final payment, and provide the Certification of Completion for the project.

### **BRPC Financial Administrator**

The BRPC Financial Administrator will:

- Establish & maintain a segregated account for funds from relevant funding agencies
- Assist the Program Associate to enter all Construction Account transactions to the relevant funding agencies
- Prepare invoices for Construction Contractors' expenses for submittal and payment
- Prepare reports and ledgers for the Grant Administrator and Monitoring & Audits from the relevant funding agencies

### **Finance Office Assistant:**

- The Finance Office Assistant receives all requests for payment of expenses approved by the Grant Administrator
- Prepares payments to Contractors for final approval and endorsement by the BRPC Executive Director

**(vii) The estimated number of very low- and low-income minority and nonminority persons the grantee will assist with HPG funds; and, if a rental property or cooperative assistance program, the number of units and the term of restrictive covenants on their use for very low- and low-income.**

The estimated number of very low- and low-income persons that will be assisted through the proposed Berkshire County Rural Housing Preservation Program (RHP Program) is up to 59 persons in up to 27 homes, based on an average household size of 2.2 (U.S. Census Bureau. "HOUSEHOLDS AND FAMILIES." *American Community Survey, ACS 5-Year Estimates Subject Tables, Table S1101*, <https://data.census.gov/table/ACSST5Y2021.S1101?q=berkshire+county+households>. Accessed on 19 Aug 2025.)

**(viii) The geographical area(s) to be served by the HPG program.**

Berkshire Regional Planning Commission's (BRPC) proposed Berkshire County Rural Housing Preservation Program (RHP Program) will provide home repair rehabilitation construction deferred payment, forgivable loans (DPL) for up to 27 very low- and low-income homeowners in the following towns eligible under the U.S. Department of Agriculture's Housing Preservation Grant Program: New Marlborough (population 1,528), Mount Washington (population 160), Otis (population 1,634), Florida (population 694), and Hinsdale (population 1,919), Massachusetts.

**(ix) The annual estimated budget for the program period based on the financial needs to accomplish the objectives outlined in the proposal. The budget should include proposed direct and indirect administrative costs; such as personnel, fringe benefits, travel, equipment, supplies, contracts, and other cost categories, detailing those costs for which the grantee proposes to use the HPG grant separately from non-HPG resources, if any. The applicant budget should also include a schedule (with amounts) of how the applicant proposes to draw HPG grant funds, i.e., monthly, quarterly, lump sum for program activities, etc.**

Per the Notice of Funding Opportunity for the Section 533 Housing Preservation Grant (HPG) for Fiscal Year 2025, the anticipated award amounts may range between \$30,000 and \$100,000 but will be based on the state's allocation and number of eligible applicants. Massachusetts' total allocation is \$53,419 and Berkshire Regional Planning Commission cannot request more than half of that total. The majority of funds will be devoted to repair and rehabilitation of homes owned by eligible homeowners.

**(x) A copy of an indirect cost proposal when the applicant has another source of Federal funding in addition to the Rural Development HPG program.**

Berkshire Regional Planning Commission has an approved Indirect Cost Negotiation Agreement dated 7/10/25 for use on grants, contracts, and other agreements with the Federal Government that will be provided with the grant application.

**(xi) A brief description of the accounting system to be used.**

Fiscal oversight for the Berkshire County Rural Housing Preservation Program (RHP Program) will be provided by Berkshire Regional Planning Commission's Administrative Team through approvals of expenses submitted and approved through housing inspections before the disbursement of public funds:

- The Housing Rehabilitation Program Manager will review and approve payment invoices from Housing Rehabilitation Contractors. All the invoices will be tied to an inspection report confirming that the work has been completed.
- As additional fiscal control, members of the Administrative Team will review payment requests from all other contractors before processing expenses and payment requests in the Grant Management System (GMS).
- All requests for funds, and copies of approved grant-related invoices, will be included in a Drawdown Summary to be presented to the relevant Administrative Team member for review and approval.
- The BRPC Executive Director must provide final approval to pay invoices. All claims made to the grant will be subject to this process.

(xii) **The method of evaluation to be used by the applicant to determine the effectiveness of its program which encompasses the requirements for quarterly reports to Rural Development in accordance with [7 CFR 1944.683\(b\)](#) and the monitoring plan for rental properties and cooperatives (when applicable) according to [7 CFR 1944.689](#);**

The Berkshire County Rural Housing Preservation Program (RHP Program) will keep detailed records to comply with the Massachusetts Executive Office of Housing and Livable Communities' (EOHLC) CDBG program requirements and the USDA Rural Development Program's requirements. This will include quarterly reporting to both funding agencies with the following information related to the Program goal of rehabilitating up to 27 homes:

- Use of grant funds for administration and housing preservation activities.
- Unit Based Information based on when available, including:
  - Name, address, and income information of homeowners assisted
  - Total cost of rehabilitation along with the scope of work, bidding documents, and breakdown of funding package including HPG funds, CDBG funds, and any additional funds used to complete the project.
  - Type of assistance provided and proof of security instrument, if filed at time of reporting.
  - The completed and signed Environmental Review documents
- Combined total use of USDA HPG and other funds for replacement housing.
- List of any reasons why any RHP Program goals are not met.
- List of any problems, delays, and adverse conditions which may limit the overall effectiveness of USDA HPG funds

- When available, the final building inspection reports for each project.

On a quarterly basis, BRPC will document the number of RHP Program applications, accepted applications, inspections, repair/rehabilitation contracts, and repair/rehabilitation projects completed.

**(xiii) The source and estimated amount of other financial resources to be obtained and used by the applicant for both HPG activities and housing development and/or supporting activities.**

The Massachusetts Executive Office of Housing and Livable Communities (EOHLC) operates the Commonwealth's non-entitlement Community Development Block Grant (CDBG). We anticipate two grant awards for Berkshire County. One grant will cover Hinsdale and Florida for a total of \$950,000, and another grant will cover Mount Washington, New Marlborough, and Otis for a total of \$1,250,000. This brings the total estimated amount of other financial resources to be obtained and used to \$2,200,000.

**(xiv) The use of program income; if any, and the tracking system used for monitoring same.**

Little to no program income is expected to be produced based on the activities of this grant. Should any Berkshire County Rural Housing Preservation Program (RHP Program) income be generated from these grant activities, if awarded, those funds will be reported to USDA and will be directed back into future Housing Rehabilitation Programs administered by BRPC in rural Berkshire County. BRPC will collect and maintain records on all RHP Program income received, if applicable. BRPC intends to continue supporting housing rehabilitation programs in the future, which would be amplified by the use of any program income.

**(xv) The applicant's plan for disposition of any security instruments held by them as a result of its HPG activities in the event of its loss of legal status.**

Deferred Payment, Forgivable Loan (DPL) will be secured through a recorded real property lien, which will be recorded at the Registry of Deeds. The lien is forgiven after fifteen years, unless the property is sold or otherwise changes ownership. The lien will be constructed in such a way that notes if Berkshire Regional Planning Commission (BRPC) loses legal status or ceases to exist, the lien will be payable to the Town in which the home is located. This is not anticipated, as BRPC was established in 1966

pursuant to Massachusetts General Laws Chapter 40B and is legally authorized to receive and expend federal funds.

(xvi) **Any other information necessary to explain the proposed HPG program.**

(xvii) **The outreach efforts outlined in [7 CFR 1944.671\(b\)](#).**

Outreach and marketing will be achieved through press releases, public service announcements on the radio, posting on the Towns' websites, and posters at public locations locally, as well as direct door to door mailings. This effort will supplement outreach efforts to date that have recorded over 20 self-identified, pre-qualified income-eligible homeowners waiting for the proposed Berkshire County Rural Housing Preservation Program (RHP Program), and we anticipate that the continued outreach planned throughout the life of the RHP Program will generate additional interested parties. The towns identified in this regional grant program are not all contiguous but are in close proximity to one another and share regional characteristics.

A RHP Program brochure describing eligibility, qualifications, application procedures, property eligibility, construction priorities, the types of assistance, and the selection criteria have been developed and will be distributed at relevant Town Halls, community centers, and posted on the Town websites, as well as mailed to each household on the waiting list. Berkshire Regional Planning Commission is committed to reaching all eligible homeowners in the identified communities and will utilize our Language Access Plan to help ensure all are reached in their preferred language.