

tenants and leases may not be terminated by the landlord unless the tenant fails to substantially comply with the lease.

- Funds that are provided for operation and maintenance projects shall be distributed in the form of reimbursable grants.
- Projects may use a portion of the award toward administrative costs; however, administrative costs must be specifically identified and reduction in administrative costs will be considered in the ultimate determination of the award.
- The Committee and BOCC reserve the right to negotiate additional terms and conditions of the award.

I. Reporting Requirements

Successful applicants will provide quarterly reports to the Committee and a final report detailing their use of funds in a format determined by the Committee.

J. Geographic Equity

The intent is to ensure that all areas of Kittitas County receive appropriate levels of funding based on local affordable housing needs.

K. Annual Review

These Guidelines will be reviewed annually by the Review Committee.

L. Recipient Default

If it is discovered that a recipient of funding has misappropriated or misused funds, this matter will be forwarded to the Kittitas County Prosecutor's Office for action.

M. Grievance Process

An applicant who feels aggrieved in the grant application and award process may ask the Homeless and Affordable Housing Committee to review the matter for a further or revised decision. The Committee may hear the grievance by allowing the applicant to present both written and oral testimony to the Committee. After review and decision by the Committee, the applicant may appeal to the Board of Kittitas County Commissioners under procedures established in the Administrative Procedure Act, chapter 34.05 RCW.

N. Sale and Change of Use

~~Similar to terms found at RCW 43.83D.120, Kittitas County has adopted an ordinance in Kittitas County Code (KCC) Chapter 2.81 concerning management of county property that may be applied in circumstances addressing sale and change of use of projects financed in whole or in part with county SHB 2060 affordable housing surcharge funds. Ordinance 2.81.090(15) provides that where County property has been conveyed without auction to a~~

~~bona fide nonprofit organization, such conveyance shall be for the purpose of improvement and utilization in perpetuity to further a recognized county purpose, in exchange for the promise to continually operate services benefiting the public on the site, with appropriate restrictions and covenants relating to timing of improvements, disposition of revenue, accessibility by the general public, nondiscrimination, compliance with laws, removal of liens, and reversion of title.~~

~~Consistent the intent of this provision~~ In order to protect the interests of the county and its people, and in furtherance of the health, safety and welfare of the community, it is the policy of Kittitas County that any projects funded with 2060 funds must, pursuant to RCW 43.185.070(3)(f), serve the original target group or income level for a period of at least twenty-five (25) years.

If the recipient of 2060 funds fails to meet the objectives and requirements of the low-income housing law and fails to serve the low-income housing community in accord with the intent and requirements of RCW 36.22.178 and RCW 43.185.070(3)(f) for at least a period of twenty-five years, ~~then any new real property acquisition acquired with 2060 funds shall revert to the county, along with all facilities constructed thereon. the money provided by the County shall be repaid to the County with interest at the maximum legal rate in existence at the time the grant funds are paid to the Recipient.~~ Upon application to the Review Committee, and upon approval by the Board of Kittitas County Commissioners, new housing projects shall have this restriction placed on the deed. At the end of twenty-five years, the restriction may be removed.

Any deviation from this procedure may be addressed only with the specific approval of the Board of Kittitas County Commissioners. ~~in a process similar to that outlined in KCC 2.81.090(15) upon sale approval by the Board of Kittitas County Commissioners.~~

O. Project Monitoring

The Board of County Commissioners, assisted by the Committee, shall monitor all projects for compliance with the funding terms and conditions in the contracts(s). Project monitoring shall be concluded no less than annually.