



**OKLAHOMA HOUSING FINANCE AGENCY
HOME Investment Partnerships Program (HOME)**

WRITTEN NEW CONSTRUCTION STANDARDS

**100 N.W. 63rd St., Suite 200
P.O. Box 26720
Oklahoma City, OK 73126-0720**

§ 92.251 Property standards.

(a) *New construction projects.*

(1) ***State and local codes, ordinances, and zoning requirements.*** Housing that is newly constructed with HOME funds must meet all applicable State and local codes, ordinances, and zoning requirements. HOME-assisted new construction projects must meet State or local residential and building codes, as applicable or, in the absence of a State or local building code, the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council. The housing must meet the applicable requirements upon project completion.

(2) ***HUD requirements.*** All new construction projects must also meet the requirements described in this paragraph:

(i) ***Accessibility.*** The housing must meet the accessibility requirements of [24 CFR part 8](#), which implements Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](#)), and Titles II and III of the Americans with Disabilities Act ([42 U.S.C. 12131-12189](#)) implemented at [28 CFR parts 35](#) and [36](#), as applicable. Covered multifamily dwellings, as defined at [24 CFR 100.201](#), must also meet the design and construction requirements at [24 CFR 100.205](#), which implements the Fair Housing Act ([42 U.S.C. 3601-3619](#)).

(ii) [Reserved]

(iii) ***Disaster mitigation.*** Where relevant, the housing must be constructed to mitigate the impact of potential disasters (e.g., earthquakes, hurricanes, flooding, and wildfires), in accordance with State and local codes, ordinances, or other State and local requirements, or such other requirements as HUD may establish.

(iv) ***Written cost estimates, construction contracts and construction documents.*** The participating jurisdiction must ensure the construction contract(s) and construction documents describe the work to be undertaken in adequate detail so that inspections can be conducted. The participating jurisdiction must review and approve written cost estimates for construction and determining that costs are reasonable.

(v) ***Construction progress inspections.*** The participating jurisdiction must conduct progress and final inspections of construction to ensure that work is done in accordance with the applicable codes, the construction contract, and construction documents.

(vi) ***Broadband infrastructure.*** For new commitments made after January 19, 2017 for a new construction housing project of a building with more than 4 rental units, the construction must include installation of broadband infrastructure, as this term is defined in [24 CFR 5.100](#), except where the participating jurisdiction determines and, in accordance with [§ 92.508\(a\)\(3\)\(iv\)](#), documents the determination that:

(A) The location of the new construction makes installation of broadband infrastructure infeasible; or

(B) The cost of installing the infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden.