

**Allegany County Industrial Development Agency**

**2023 Microenterprise Assistance Program**

**Application Review Criteria**

The Harrison Studio will provide a summary of each grant application and business plan which will include a ranking on the following criteria:

**Viable Business Concept**

- Is the business description clear?
- Does the business understand and present their competitive advantage?
- Is there a valid market opportunity?
- Does the business demonstrate a clear knowledge of target audience, market trends, and competition?
- Does the owner have the necessary experience and/or demonstrate the ability to develop/expand their business?

**Community Impact**

- Will the business add to (and not directly compete with) the existing business mix in the community?
- Will the business create new, on-location jobs?
- Will the business or service attract a significant number of visitors to the community?
- Are the planned hours of operation appropriate and sufficient?

**Project Readiness**

- How is the thoroughness and quality of the application and business plan?
- Does the business have a suitable location in Allegany County?
- Does the business plan show adequate funding and plan for long-term sustainability?
- Does the plan present a feasible timeline for startup?
- Has the business owner completed an entrepreneurial training course?

**Financial Feasibility**

- Are project costs reasonable and have they been appropriately documented?
- Are other sources of funds identified and committed?
- Have grant funds been substituted for non-federal funds?
- Is the project financially feasible?
- Is there a reasonable return on equity?
- Does the plan allow for a pro rata disbursement of CDBG funds?

# County of Allegany Microenterprise Assistance Program

## GRANT APPLICATION FORM

### PART 1. APPLICANT INFORMATION

Name of Applicant: \_\_\_\_\_  Corporation Year \_\_\_\_\_ State \_\_\_\_\_

Business Address: \_\_\_\_\_  Partnership Year \_\_\_\_\_ State \_\_\_\_\_

\_\_\_\_\_  L.L.C. Year \_\_\_\_\_ State \_\_\_\_\_

Contact Person: \_\_\_\_\_  L.L.P. Year \_\_\_\_\_ State \_\_\_\_\_

Federal ID #: \_\_\_\_\_  Sole Proprietorship Year \_\_\_\_\_

Telephone: (    ) \_\_\_\_\_ Cell: (    ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

\_\_\_\_\_

Company Attorney: _____	Accountant: _____
Firm Name: _____	Firm Name: _____
Address: _____	Address: _____
_____	_____
Telephone: _____	Telephone: _____

Ownership (Shareholders / Partners) interest	%	Company Officers	Position

(attach additional listing as necessary)

- Is the company delinquent in the payment of any state or municipal property taxes? Yes No
- Is the company delinquent in the payment of any income tax obligation? Yes No
- Is the company delinquent in the payment of any loans? Yes No
- Is the company currently in default on any of its loans? Yes No
- Are there currently any unsatisfied judgments against the company? Yes No
- Are there currently any unsatisfied judgments against any of the company's principals? Yes No
- Has the company ever filed for bankruptcy? Yes No
- Have any of the company's principals ever personally filed for bankruptcy or in any way sought protection from creditors? Yes No
- Has the company received any assistance under any COVID-19 relief program (such as the Paycheck Protection Program or Economic Injury Disaster Loans)? If yes, please provide information about the amount and use of funding received below. Yes No

If the answer to any of the questions above is "Yes," please provide additional comments in the space below and on additional pages if necessary.

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## PART 2. PROJECT INFORMATION

Summary Project Description: \_\_\_\_\_

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### Project Costs

Property Acquisition	\$ _____
New Construction	\$ _____
Renovation	\$ _____
Machinery / Equipment	\$ _____
Furnishings / Fixtures	\$ _____
Fees / Soft Costs	\$ _____
Inventory	\$ _____
Working Capital	\$ _____
_____	\$ _____
_____	\$ _____
<b>Total</b>	<b>\$ _____</b>

### Sources of Funds

Bank	\$ _____
Micro Grant	\$ _____
Equity / Cash	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>Total</b>	<b>\$ _____</b>

**PART 3. EMPLOYMENT**

**Current Employment:** Complete the following table for all employment of the business as the date of this application. Do not include temporary employees, subcontracted labor, or positions filled by contracted labor through an agency.

Job Category	# of Full-Time Positions	# of Part-Time Positions	Average Part-Time Hours Per Week
<b>Totals</b>			

**Projected Employment:** Complete the table below for all new employment positions expected to be created within two (2) years of the date of this application, assuming that Chemung County grant funding is made available for the project described in this application. Do not consider projected turnover of employees.

Specific Job Title	# Full-Time	# Part-Time	Average Part-Time Hours Per Week	Salary / Wage (average or range)	Requisite Skills, Education or Experience (indicate if training is provided by the company)
<b>Totals</b>					

(attach additional listing as necessary)

## PART 4. BUSINESS PLAN

Please attach a Business Plan for the Company which should include, at a minimum, the following:

1. **Company Description:** a narrative describing the Company's history, current or planned operations, products and/or services currently sold and/or planned, the Company's management and structure (including resumes for key management and employees), and current and projected employment (including number of employees, job titles, whether full-time or part-time, and skills, education and training required.)
2. **Market Analysis and Strategies:** a narrative describing the Company's market analysis and marketing strategy, including a description of customer demand, information regarding the Company's competitors and the Company's competitive advantages/disadvantages, sales projections, and the Company's plan for marketing its products/services.
3. **Project Description and Budget:** information regarding the budget required for the proposed business start-up or expansion activities including a detailed description of the activities and associated costs, identification of the nature of the cost estimates, and information regarding the amount and status of commitment for each funding source.
4. **Financial Information:** historical financial information (financial statements, tax returns), if available, and financial projections including a profit and loss statement, balance sheet and monthly cash flow statement.

Please include any other material that may serve to document the information provided with this application or that would assist in the consideration of this application.

**PART 5. DECLARATIONS**

I (we) attest that to the best of my (our) knowledge and belief, the information contained in the foregoing application is correct and true. I (we) am (are) aware that the filing of a false instrument in connection with this application may constitute an attempt to defraud Allegany County, New York and Allegany County Industrial Development Agency. and may be a felony under the laws of the State of New York. I (we) agree to abide by the provisions of all applicable local, state and federal laws pertaining to falsification of any item contained herein or fraudulent misrepresentation of my (our) business.

I (we) further authorize Allegany County Industrial Development Agency to order credit reports and/or other information on my (our) personal financial background and on the financial background of the company seeking financial assistance.

I (we) acknowledge that this application is not a legally binding document for purposes of receiving grant monies. This grant request may be withdrawn at any time prior to a formal closing of the grant, subject to the terms and conditions of any written grant commitment offered by Allegany County Industrial Development Agency. However, this application is being submitted in good faith as a request for grant funds.

If Applicant is a sole proprietorship or partnership, sign below:

If Applicant is a corporation, L.L.C., or L.L.P., sign below:

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name of Corporation or Company

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Authorized Signature Date

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Printed Name and Title Date

Business Owners (Signatures required):

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

*No person in the United States shall, on the ground of race, color, creed, religion or national origin or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any project assisted with Community Development Block Grant Funds.*

ACKNOWLEDGMENT OF SIGNATORY(IES)

State of New York            )  
  )ss  
County of Allegany         )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_\_\_ before me, the undersigned, a Notary Public in and for said state, personally appeared \_\_\_\_\_ to me known or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature of Notary Public

Grant Applicant:  
Office or Capacity of signatory(ies):  
Notary Stamp:

ACKNOWLEDGMENT OF SIGNATORY(IES)

State of New York            )  
  )ss  
County of Allegany         )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_\_\_ before me, the undersigned, a Notary Public in and for said state, personally appeared \_\_\_\_\_ to me known or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Signature of Notary Public

Grant Applicant:  
Office or Capacity of signatory(ies):  
Notary Stamp:

**County of Allegany Microenterprise Assistance Program**  
**as implemented by the**  
**Allegany County Industrial Development Agency**

**POLICY GUIDELINES AND OPERATING PLAN**

Implementing New York State Office of Community Renewal Grant #20ME517-22  
Awarded to the County of Allegany, New York on November 10, 2022  
Adopted \_\_\_\_\_, 2023

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

Section 1. GENERAL

1.1 Program Overview. The County of Allegany, New York (the "County") has received a \$300,000 grant (#20ME517-22) of Community Development Block Grant ("CDBG") funding (the "Grant") from the New York Housing Trust Fund Corporation as administered by the New York State Office of Community Renewal (the "OCR") through its Microenterprise Program for the purpose of implementing the County of Allegany Microenterprise Grant Program (the "Program"). The County and the Allegany County Industrial Development Agency ("ACIDA") have entered into an agreement (the "Subrecipient Agreement") whereby the ACIDA will use the OCR grant funds to implement the Program. For the purposes of this Policy Guidelines and Operating Plan, the Program is defined as the following activities that are further detailed in the Subrecipient Agreement:

- (a) Entrepreneurship training;
- (b) Cash grants to microenterprises using OCR grant funds;
- (c) Program delivery using OCR funds including grant application underwriting; and
- (d) OCR grant administration.

1.2 Policy Guidelines and Operating Plan. This Policy Guidelines and Operating Plan (the "Plan") is adopted by the Board of Directors of the ACIDA (the "Board") and is intended to serve as the primary administrative document for the Program. Any changes to the Plan must also be adopted by the Board and must be consistent with the terms and conditions of the Subrecipient Agreement.

1.3 Objectives. The primary objectives of the Program are to assist in the establishment and expansion of microenterprise business activity within Allegany County, create employment opportunities for County residents, and preserve and expand the County's tax base.

1.4 Program Administration. ACIDA will have responsibility for administering and/or overseeing the administration of all aspects of the Program as set forth in the Subrecipient Agreement and as detailed herein.

1.5 ACIDA Program Committee. The ACIDA Board has established a Microenterprise Committee which is comprised of the members of the ACIDA Board (the "Committee") to oversee Program implementation activities. The Committee, in coordination with ACIDA staff and ACIDA contracted services, will be responsible for the following:

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

- (a) Review client applications;
- (b) Negotiate Program assistance to be offered to clients;
- (c) Make recommendations to the Board regarding the approval or declination of program applications; and
- (d) Provide guidance and recommendations to ACIDA staff regarding general Program operations.

1.6 Form of Assistance. Assistance to clients using OCR grant funding may only be in the form of capital grants to microenterprises and such other activities as the OCR may approve for Program funding. Technical assistance and other business support activities may be provided from other funding sources at the discretion of the Board.

## Section 2. ELIGIBILITY REQUIREMENTS

### 2.1 Eligible Program Participants.

- (a) Eligible Program participants must be an existing or to-be-formed microenterprise, which is defined as a commercial enterprise having five or fewer employees, one or more of whom own the enterprise. Microenterprise status with respect to ownership and the number of employees is determined at the time of the Program application. The form of the microenterprise may be a sole proprietorship, partnership, corporation, LLC, LLP, cooperative, or any other legal form of business. Not-for-profit corporations or similar nonprofit entities are not eligible Program participants.
- (b) The assisted microenterprise must either (i) be owned by a low- or moderate-income person or persons (as such term is defined by HUD), or (ii) the assisted business activity to be undertaken with assistance from the Program must directly result in the creation of employment positions consistent with the low- and moderate-income benefit provisions of the Federal regulations governing the CDBG program. Low-or-moderate income status will be determined based on income and family size, using the most current income limits adopted by HUD. The HUD income limits in effect for 2019 are attached hereto as Appendix A.

### 2.2 Eligible Activities.

- (a) The principal business activity to be assisted with Program funding must be located within Allegany County.

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

- (b) Program assistance may be provided for any business activity that meets the Program objectives.
- (c) For a microenterprise not owned by a low- or moderate-income person, the business activity to be undertaken with assistance from the Program must directly result in the creation of employment positions consistent with the low- and moderate-income benefit provisions of the Federal regulations governing the CDBG program.

2.3 Ineligible Activities. Activities that primarily consist of investing, speculation, or realty ownership held primarily for sale or investment; any activity which is illegal; and any activity which does not further the objectives of the Program will be ineligible for Program financing.

2.4 Eligible Uses of Program Funds.

- (a) Program grants may be used to fund fixed assets including machinery and equipment, personal property including furnishings and fixtures, current assets including inventory and receivables, operating expenses, and working capital. The use of Program funds must also be eligible pursuant to the Federal regulations governing the CDBG program.
- (b) Program grants may not be used to fund construction or construction-related costs of any kind including new construction, rehabilitation, renovations, leasehold improvements, demolition, or clearance activities.
- (c) All uses of funds shall be detailed in the ACIDA/Client grant agreement.

Section 3. PROGRAM STANDARDS

3.1 General. The existing or proposed microenterprise must present a reasonable likelihood for long-term commercial viability based on such factors as management, product, marketability, competition, and capitalization. Program clients must be of generally good character and credit standing and must not be in arrears in the payment of any real property taxes or other taxes or fees to the County or any municipality or municipal agency within Allegany County.

3.2 Employment. Where the microenterprise must result in the creation of employment opportunities to establish Program eligibility pursuant to Section 2.1, a minimum of 51% of those opportunities must be held by, or made available to, low- and moderate-income persons as defined by HUD. For the purposes of calculating employment opportunities, the following will apply:

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

- (a) Only permanent jobs will be counted; temporary and construction jobs will not be counted.
- (b) Jobs of 35 or more hours per week will be considered as one full-time job. Part-time permanent jobs of less than 35 hours per week will be converted to full-time equivalent jobs by dividing the number of part-time hours by 40.
- (c) Seasonal jobs will be considered to be permanent jobs if the duration of the working period is long enough to classify the job as the employee's principal occupation. The eligibility of seasonal jobs will be determined by ACIDA and will be subject to approval by OCR.
- (d) Projected employment must be reasonably expected to occur as a direct result of the expanded business activity, and such projection may in no instance extend beyond 24 months of the Grant approval date of November 9, 2024. Evidence of job creation will be required prior to disbursement of grant proceeds.

**3.3 Funding for Start-Up Business.** A minimum of 50% of Program grant funding must be provided to start-up businesses, defined by OCR as a business that has been in operation for less than 6 months prior to submitting an application for Program assistance.

**3.4 Program Funding Amount.** Consistent with Federal regulations governing the CDBG program, Program assistance must be no greater than the minimum amount necessary to implement the business activity. Applicants must therefore demonstrate that all other private and public sources of debt and equity have either been maximized or are inappropriate, unaffordable, or unavailable.

**3.5 Funding Match.** Grantees shall be required to provide a minimum of ten percent (10%) of the total cost of the Program-assisted project from cash proceeds of the grantee, such cash amount (i) to represent equity of the grantee or the grantee's owner(s) as determined by the ACIDA; (ii) to be invested by the grantee or lent to the grantee by an owner or owners of the grantee subject to terms and conditions acceptable to the ACIDA; and (iii) to be expended by the grantee for project costs. Such minimum equity amount shall be invested or lent to the grantee and expended for project costs prior to or concurrent with the disbursement of Program funds unless an alternative schedule is determined by the ACIDA to be appropriate and prudent. The equity requirement, including the schedule for investment, shall be detailed in the ACIDA/Client grant agreement.

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

3.6 Minimum Amount of Program Assistance. Program assistance will not be considered where the amount of such required assistance is less than ten thousand dollars (\$10,000.00).

3.7 Maximum Amount of Program Assistance. Program assistance provided to a single microenterprise or to any owner of a microenterprise may not exceed the aggregate amount of thirty-five thousand dollars (\$35,000).

Section 4. GRANT POLICIES

4.1 General. All terms and conditions for Program grants will be established by ACIDA based upon the credit analysis (as detailed at Section 5.3 herein) and the nature and extent of public benefit to result from the funding.

4.2 Program Grant Terms. The following terms and conditions shall apply to Program grants:

- (a) Program grants shall require no repayment except upon certain conditions of default as set forth in the ACIDA/Client grant agreement. The grant agreement shall include appropriate default provisions that address the grantee's failure to comply with the terms, conditions, or covenants of the agreement.
- (b) Security for the repayment of Program grants in the event of a default shall consist of a blanket lien on all assets of the business receiving grant funding unless ACIDA determines that additional or alternative security is appropriate or that no security will be required.
- (c) No Program grant disbursements may be made until the required minimum amount of owner equity has been invested or is being invested consistent with the schedule set forth in the grant agreement.
- (d) No Program grant disbursements may be made to a business that is required to create employment opportunities as a condition of receiving assistance until appropriate documentation of the minimum required employment creation has been received by ACIDA.
- (e) Program assistance may be provided only where one of the following conditions has been met: (i) the microenterprise owner or owners shall have successfully completed the business educational course designated by ACIDA or a similar program as determined to be acceptable by ACIDA and the OCR, or (ii) the microenterprise owner or owners shall have

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

provided to ACIDA documented business experience which ACIDA and the OCR have determined to be sufficient to establish Program eligibility.

**Section 5. APPLICATION PROCESSING**

**5.1 Program Applications.** Applications to receive Program grant assistance must include a business plan in a format acceptable to ACIDA and the OCR, the information required by the Program Application Form (attached hereto as Appendix B), and any additional information as may be reasonably requested by ACIDA.

**5.2 Application Fee.** No application fee will be required.

**5.3 Application Processing.** The processing of Program applications will be the joint responsibility of ACIDA, the Committee, and ACIDA's contracted underwriters (the "Underwriters") and will generally consist of the following:

- (a) Review of applications for completeness and procurement of appropriate additional information (ACIDA and Underwriters);
- (b) Review for Program eligibility criteria and eligibility pursuant to Federal CDBG regulations (ACIDA and Underwriters);
- (c) Notification to applicants that the application has been received and is complete, and an anticipated schedule for processing (ACIDA).
- (d) Determination of the commercial viability of the existing or proposed business and assessment of risk through the performance of a credit analysis (Underwriters);
- (e) Performance of an appropriateness review, if applicable, in conformance with HUD guidelines for businesses not owned by a low- or moderate-income person or persons (Underwriters);
- (f) The provision of a written report to the Committee detailing the credit analysis and the appropriateness review (if applicable), and providing recommendations regarding OCR grant funding including grant terms and conditions (Underwriters); and
- (g) Referral by the Committee to the Board with the Committee's recommendation for the approval or declination of the grant application and any associated terms and conditions (ACIDA).

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

Section 6. GRANT APPROVALS & POST-APPROVAL PROCESSING

6.1 Applicant Acceptance/Declination and Grant Approvals.

- (a) The Board shall have sole authority to approve Program funding for microenterprise grants. Such authority shall include the commitment to grant Program funds and to establish all associated terms and conditions.
- (b) Accepted applicants shall be promptly notified in writing by the ACIDA Executive Director (the "Executive Director") of their acceptance and the amount, terms, and conditions of any Program funding being offered. Such notification shall include the following as applicable:
  - (i) The amount of the grant approved and the expiration date of the commitment.
  - (ii) The approved use of the Program grant funds and applicable disbursement requirements.
  - (iii) The amount and requirements for funding the cash equity match.
  - (iv) Information regarding employment requirements if applicable.
  - (v) Requirements regarding business training (if not yet fulfilled).
  - (vi) Any other applicable grant conditions.
  - (vii) A listing and explanation of any fees to be charged and other Program costs that will be the responsibility of the grantee.
  - (viii) A listing of those conditions and requirements of the applicant that must be fulfilled prior to the closing and funding of grant funds.
  - (ix) Any other information that could reasonably be expected to influence the applicant's decision to accept the terms of the grant.
- (c) Applicants not accepted shall be promptly notified in writing.

6.2 Grant Closings. In coordination with ACIDA, the Underwriters shall have the responsibility to prepare all appropriate grant closing documents based upon the terms and conditions of the grant approval. Such documents shall generally include the following:

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

- (a) A grant agreement that includes a description of the grant terms, eligible uses of the funds, appropriate representations and warranties, the conditions of granting, affirmative and negative covenants - including compliance with applicable federal laws and regulations, requirements regarding employment creation and reporting if applicable, requirements for business training and/or procurement of technical assistance, default provisions, and any other provisions which may be appropriate.
- (b) Other appropriate documents as required by the terms and conditions of the grant approval.

6.3 Security. Consistent with Section 4.2(b) herein, the requirement for security will be at the discretion of ACIDA and will be included in the grant approval resolution approved by the Board.

6.4 OCR Grant Draws. Draws of OCR grant funds for disbursements to microenterprises will be the responsibility of the County in coordination with the Underwriters and ACIDA staff. ACIDA staff will provide draw requests, including appropriate cost documentation to sustain the draw, to the Underwriters. OCR funds drawn by the County for grants will be disbursed to ACIDA within three (3) business days of their receipt.

6.5 Grant Disbursements. The disbursement of grant proceeds shall be the responsibility of the Executive Director under the following general guidelines:

- (a) Subject to the grantee's compliance with the terms and conditions of the grant agreement, all documents evidencing and, if applicable, securing the grant, and other guidelines for disbursement as described in this Section 6.4, ACIDA may disburse grant proceeds upon the grantee's presentation of vouchers and other such evidence satisfactory to ACIDA that represent paid or accrued expenses of the grantee and which are eligible costs as determined by ACIDA.
- (b) Other debt or equity financing to be used in conjunction with the Program financing must, in the opinion of ACIDA, be firmly committed for such use. Evidence of the commitment(s) must be submitted by the grantee.
- (c) ACIDA will, in consultation with the Underwriters, determine an appropriate draw schedule for Program grant funding based on such factors as the magnitude of risk assumed by the Program, the nature of the activities being financed, the draw schedule for the other financing, and applicable federal regulations for the use of CDBG funds. The manner and terms of the disbursement of the Program financing shall be determined by the Executive Director.

County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

Section 7. GRANT MANAGEMENT

7.1 Adjustment of Terms and Conditions. Requests by the grantee for adjustment of any of the terms and conditions of the grant will be reviewed by the President to determine whether the adjustment is in the best interests of the Program. Requests will be processed in accordance with the following:

- (a) Requests to increase the grant amount may only be approved by the Board.
- (b) Requests to adjust the use of the grant funds or revise any applicable security requirements may be approved by the Executive Director or by the Committee at the discretion of the Executive Director.
- (c) Requests for any other changes to the terms or conditions of the grant including, but not limited to such areas as reporting requirements, cost documentation, and maintenance of records may be approved by the Executive Director or by the Committee at the discretion of the Executive Director.

7.2 Grantee Monitoring. ACIDA shall be responsible for periodic monitoring of grantee progress, technical assistance needs, and compliance with all of the conditions and covenants of the grant agreement. Such responsibility shall include taking appropriate actions in the event of non-compliance, informing the Committee of any incidence of default under the terms and conditions of the grant, and providing file documentation as appropriate. ACIDA shall report to, and consult with, the County regarding any incidents of default or other issues that may affect grant eligibility or other OCR requirements.

7.3 OCR Reporting. Consistent with the Subrecipient Agreement, ACIDA shall be responsible for the procurement and compilation of required data and information regarding Program grants to microenterprises and shall make such information available to the County and the Underwriters. The County and the Underwriters will have joint responsibility for the submission of all required reports, data, and information to the OCR.

7.4 Other Grant Administration. The County, ACIDA, and the Underwriters shall be responsible for all other OCR grant management activities as detailed in the Subrecipient Agreement.

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County of Allegany Microenterprise Grant Program  
Policy Guidelines and Operating Plan

**Appendix A**

**2022 HUD Income Limits**

See attached