

AGENCY: Maine Office of Community Affairs

CHAPTER NUMBER AND RULE TITLE: 08-001 C.M.R. Ch. 2, Rule Regarding Housing Opportunity Program Grants

TYPE OF RULE: Routine Technical

PROPOSAL FILING NUMBER: 2026-P056

BRIEF SUMMARY: The Office is proposing to repeal this rule. The Housing Opportunity Program, in September 2025, moved to the Maine Office of Community Affairs (MOCA) from the Department of Economic and Community Development. MOCA's programs are exempt from the Department of Administrative and Financial Services' statutes governing grants and contracts. 5 M.R.S. § 3205(2). Due to this exemption, the criteria listed in 08-001 CMR Ch. 2 is no longer applicable.

PUBLIC HEARING: None

COMMENT DEADLINE: April 1, 2026

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CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT: N/A

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 5 M.R.S. § 3241(4) (formerly 5 M.R.S. § 13056-J(4)); 5 M.R.S. § 3205(2)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (*if different*): N/A

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~~08 MAINE OFFICE OF COMMUNITY AFFAIRS~~

~~002 HOUSING OPPORTUNITY PROGRAM~~

~~Chapter 2: RULE REGARDING HOUSING OPPORTUNITY PROGRAM GRANTS
(formerly 19-100 C.M.R. Ch. 4)~~

~~**Summary:** This chapter outlines the procedures, criteria and program review requirements governing the Housing Opportunity Program Grants.~~

~~**Note:** This chapter incorporates by reference a Maine Department of Administrative and Financial Services rule. A copy of this rule may be obtained by contacting the Department of Administrative and Financial Services, Division of Procurement Services, 9 State House Station, Augusta, Maine 04333, (207) 624-7340.~~

~~SECTION 1. PURPOSE AND DEFINITIONS~~

~~A. Purpose~~

~~The Housing Opportunity Program provides grants to service providers and municipalities to encourage and support the development of additional housing units in Maine, including housing units that are affordable for low income and moderate income individuals and housing targeted to community workforce housing needs. The purpose of the rule is to define the criteria and proposal process for applications for grant funding.~~

~~B. Definitions~~

~~**Department.** “Department” means the Department of Economic and Community Development.~~

~~**Municipality.** “Municipality” means a city or a town, excluding all unorganized and deorganized townships, plantations, and towns that have delegated administration of land use controls to the Maine Land Use Planning Commission pursuant to 12 M.R.S. §682(1).~~

~~**Program.** “Program” means the Housing Opportunity Program.~~

~~**Service provider.** “Service provider” means regional planning organizations (councils of governments, regional planning commissions) and regional economic development organizations as referenced in Title 30-A, Chapter 119, county governments, non-profit organizations, academic institutions and cooperative extension programs, and for profit enterprises. Municipalities are also eligible to apply as a service provider. Municipalities and service providers will need to demonstrate experience and capacity.~~

~~SECTION 2. ELIGIBILITY~~

~~Municipalities and service providers are eligible to apply for grant funds as outlined below.~~

- ~~A. Municipalities are eligible to apply for grant funds to support (1) community housing planning services, including the creation or amendment of municipal ordinances and creation of housing development plans; and (2) community housing implementation services in support of a housing goal as defined in a comprehensive plan or other master planning effort.~~
- ~~B. Service providers are eligible to apply for grant funds to support municipal ordinance development, provide technical assistance, and encourage public participation and community engagement in their efforts to increase housing opportunities.~~

SECTION 3. APPLICATION PROCESS

- ~~A. The Department shall issue requests for proposals for grant applications from service providers and municipalities. All proposals will be reviewed by a grant selection committee and amounts, if any, will be awarded on the quality of the applicant's application. Criteria for the grant selection committee's evaluation of proposals consistent with this rule will be set forth in the request for applications. Award decisions may be appealed to the Director of the Bureau of General Services pursuant to 18-544 C.M.R. ch. 120, *Rules for Appeal of Contract and Grant Awards* (May 1, 1996).~~
- ~~B. Proposals must detail plans describing the tactics that will be used to support municipal ordinance development and planning services to increase housing opportunities. The Department may require proposals to include the following:

 - ~~1. Evidence of experience and technical expertise to perform the proposed work, or process and criteria to be used to obtain these services;~~
 - ~~2. A detailed scope of work identifying measurable outcomes that will be achieved as a result of receiving funds;~~
 - ~~3. Identification of target metrics describing how the applicant will measure performance;~~
 - ~~4. Evidence of adequate and committed sources of operating capital, such as previous fiscal year budget and expenses;~~
 - ~~5. A proposed budget for the funds and budget narrative outlining the use of funds;~~
 - ~~6. Evidence of sources and access to matching funds; and~~
 - ~~7. If using in-kind match, a description of the activity, including identity of personnel assigned to work on the in-kind project specific to this grant and the value of match.~~~~

SECTION 4. PROGRAM REVIEW

- ~~A. Department Responsibilities~~

~~By January 15, 2024, the Department shall submit a report to the joint standing committee of the Legislature having jurisdiction over economic development and housing matters. The report must include the following:~~

- ~~1. Recommendations for changes in the statutes to improve the program and its delivery of services to municipalities;~~
- ~~2. An accounting of the use of all program funds received and expended since the program's inception;~~
- ~~3. A summary of the status of any approved projects; and~~
- ~~4. A summary of the results of any completed projects.~~

~~B. Grantee Responsibilities~~

~~Grantees receiving grants under this program shall report to the Department with biannual reports. In reporting to the Department, grant recipients must include the following organizational performance and outcome measures for their programs:~~

- ~~1. An accounting of the use of all program funds received and expended;~~
- ~~2. Summary of activity;~~
- ~~3. Summary of expenses;~~
- ~~4. Budget breakdown;~~
- ~~5. Changes to original application/intended use of funds; and~~
- ~~6. Update on target metrics.~~

STATUTORY AUTHORITY:

~~P.L. 2021 ch. 635 Pt. U codified at 5 M.R.S. §13056 J(4)~~

EFFECTIVE DATE:

~~April 18, 2023 filing 2023-055~~

APAO ACCESSIBILITY CHECK: July 31, 2025

TRANSFER OF AUTHORITY TO ADMINISTER AND ENFORCE RULE: The authority to administer and enforce this rule (formerly 19-100 C.M.R. Ch. 4) was transferred to the Maine Office of Community Affairs on September 24, 2025 pursuant to PL 2025, c. 388.