

ARKANSAS DEPARTMENT OF HUMAN SERVICES

DIVISION OF AGING AND ADULT SERVICES

POLICY TYPE	SUBJECT OF POLICY	POLICY NUMBER
AAA Functions	Multipurpose Senior Centers	210.00

POLICY STATEMENT

Area Agencies on Aging must establish systematic procedures for the award and administration of contracts for the acquisition, alteration, renovation, or construction of multipurpose senior centers. Procedures must include monitoring and evaluation of the contract.

PURPOSE

To ensure that multipurpose senior centers are provided in accordance with the Older Americans Act and federal and state requirements.

SCOPE

The policy applies to Title III B funded multipurpose senior centers throughout the state.

GENERAL AUTHORITY

Older Americans Act of 1965, as amended
45 CFR 1321
Architectural Barriers Act of 1968
Arkansas Act 691 of 1989

ARKANSAS DEPARTMENT OF HUMAN SVCS-DIVISION OF AGING & ADULT SERV		
SECTION OF MANUAL:		SUBJECT OF PROCEDURE:
PROCEDURE NUMBER: 210.00		CORRESPONDING POLICY:
ORIGINATING UNIT: Program Operations		EFFECTIVE DATE: 03/01/90

Revised: 09/30/91

SCOPE:

This procedure applies to all multipurpose senior centers funded by Title III B.

DEFINITIONS:

- I. Multipurpose Senior Center: A community or neighborhood facility for the organization and provision of a broad spectrum of services including health, social, nutritional and educational services; and a facility for recreational and group activities for older persons.
- II. Acquiring: Obtaining ownership of an existing facility in fee simple or by lease for 10 years or more for use as a multipurpose senior center.
- III. Altering/Renovating: Making modifications to an existing facility which are necessary for its effective use as a multipurpose senior center. This includes restoration, repair, or expansion which is not in excess of double the square footage of the original facility and all related physical improvements.
- IV. Constructing: Building a new facility, including the costs of land acquisition and architectural and Engineering fees, or making modifications to or in connection with an existing facility which are in excess of double the square footage of the original facility and all physical improvements.
- V. Fee Simple: Complete ownership without condition.

PROCEDURAL REQUIREMENTS:

- I. Funds may be awarded to a public or private non-profit organization for the purpose of acquiring, renovating, altering, equipping or staffing a facility which meets federal, state and local regulations and/or ordinances and is used as a multipurpose senior center.

- A. In making awards, the area agency must take into consideration:
1. the number of older individuals with low incomes residing in the area; and
 2. the number of older persons who have greatest economic or social need (with particular attention to low-income minority individuals).
- B. Special conditions for acquiring by purchase or constructing a facility.
1. The area agency must obtain the approval of DAAS before making an award for purchasing or constructing a facility.
 2. The area agency may make an award for purchasing or constructing a facility only if there are no suitable facilities available for rent or lease.
 3. The area agency must ensure that recipients of all future awards immediately file the following Notice of Record with the appropriate unit of local government upon purchase or completion of construction of the facility:

This is to serve as a notice to all potential sellers, purchasers, transferors and recipients of a transfer of the real property described below as to the Federal Government's reversionary interests as set forth in section 312 of the Older Americans Act of 1965, as amended, 42 U.S.C. 3030b, which have arisen as a result of (grantee's name) receipt and use of Department of Health and Human Services' grant funds in connection with the purchase or construction of said property. The property to which this notice is applicable is (address) and identified as Parcel (insert appropriate number(s)) in the books and records of (insert appropriate name of local unit of government's recording agency).

Said real property is also described as: (insert description provided in survey). Further information as to the Federal Government's interests referred to above can be obtained from: (name and address of Area Agency on Aging).

After the notice has been recorded, the grantee must provide the Director of the Area Agency on Aging with a copy.

4. The area agency will notify DAAS in writing of any change in status or any other action which could affect the Federal reversionary interest in a senior center.

II. MULTIPURPOSE SENIOR CENTER REQUIREMENTS:

- A. Center must comply with all applicable state and local health, fire, safety, building, zoning and sanitation laws, ordinances or codes.
- B. Center must install, in consultation with state or local fire authorities, an adequate number of smoke detectors in the senior center.
- C. Center must have a plan for assuring the safety of older persons in a natural disaster or other safety threatening situation.
- D. Center must comply with regulations relating to minimum standards of construction, particularly with the requirements of the Architectural Barriers Act of 1968 on plans and specifications for an award for acquiring, altering, renovating or constructing a multipurpose senior center facility.
- E. Center must comply with the requirements of the Davis-Bacon Act and other mandatory federal labor standards for alterations, renovations, or construction of a facility to be used as a multipurpose senior center.
- F. Center must meet the following length of use requirements.
 1. A facility acquired to be used as a multipurpose senior center must be used for that purpose for at least 10 years from the date of acquisition.
 2. A facility constructed to use as a multipurpose senior center must be used for that purpose for at least 20 years after completion of construction.

3. A facility which is altered or renovated using Older Americans Act Title III funds must be Used for the purpose for which the alteration and/or renovation was completed for at least five years.

G. Center must not be used and may not be intended to be used for sectarian instruction or as a place of religious worship.

III. RECAPTURE OF PAYMENTS:

A. For acquired or constructed facilities, the United States government is entitled to recapture a portion of Federal funds from the owner of a facility if within 10 years after acquisition or 20 years after completion of construction:

1. the owner of the facility is no longer a public or nonprofit private agency or organization; or
2. the facility is no longer used for multipurpose senior center activities.

B. The amount recovered under this policy will be that proportion of the current value of the facility equal to the proportion of Federal funds contributed to the original cost.

C. The current value of the facility is determined by an agreement between the owner of the facility and the Federal Government, or by an action of the Federal District court covering the location of the facility.

D. The area agency may under certain circumstances request a waiver of the repayment of funds. This written request should include an historical background of the senior center and a description of the nature of the circumstances that led to the waiver request. Information provided should include the total OAA funds awarded, an estimate of the total Federal share of the center's value when it ceased to be used for program purposes, and the date at which circumstances made a waiver advisable. The area agency must also provide assurances that the repayment amount being waived will be used for services or programs to benefit older persons.

If approved by the Director of DAAS, the request will be forwarded to AoA for a final decision.

If the area agency receives a written denial then procedures that are ordinarily used in an audit disallowance will be used to return recaptured funds.

IV. FUNDING AND USE REQUIREMENTS:

- A. Sufficient funds must be available to effectively use the facility as a multipurpose senior center.
- B. A multipurpose senior center program must be operated in the facility.
- C. In a facility that is shared with other age groups, funds received under this part may support only:
 - 1. That part of the facility used by older persons; or
 - 2. A proportionate share of the costs based on the extent of use of the facility by older persons.

V. CONTRACT REQUIREMENTS:

Contracts awarded for the acquisition, building, or renovation of multipurpose senior centers must contain at a minimum the following:

- A. Rationale for request showing need for the facility and benefits to elderly, especially those with the greatest economic or social need;
- B. Drawing of the original facility;
- C. Drawing of the proposed changes in the facility. A contract for expansion must be for an extension of the original facility;
- D. Expected life of the facility as a multipurpose center;
- E. Services to be offered in the facility;
- F. Correct percentage and type of match provided;
- G. Estimated budget summary;
- H. Narrative outlining a plan of action pertaining to the scope and detail of how the proposed work will be accomplished.

- VI. The Area Agency on Aging must monitor and evaluate contract provisions as specified above.
- VII. By December 31 each year the area agency will send a written report to DAAS regarding the status of all multipurpose senior centers covered by this policy.