


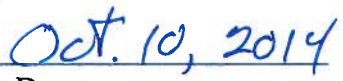


**U.S. Department of Housing and Urban Development**

**General Section to the Fiscal Year 2015 NOFAs for Discretionary Programs**

FR-5900-N-01

  
\_\_\_\_\_  
Helen R. Kanovsky  
Acting Deputy Secretary

  
\_\_\_\_\_  
Date

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**[Docket No. FR-5900-N-01]**

**General Section to HUD's Fiscal Year 2015 Notices of Funding Availability (NOFAs) for Discretionary Programs**

**OVERVIEW INFORMATION**

**A. Federal Agency Name:** United States Department of Housing and Urban Development (HUD), Office of the Secretary.

**B. Funding Opportunity Title:** General Section to HUD's Fiscal Year (FY) 2015 Notices of Funding Availability (NOFA)s for Discretionary Programs.

**C. Announcement Type:** Initial announcement of the general requirements that apply to all HUD competitive federal financial assistance NOFAs for discretionary funds for FY 2015.

**D. Funding Opportunity Number:** FR-5900-N-01. Office of Management and Budget (OMB) Approval Number is provided for each information collection.

**E. Catalog of Federal Domestic Assistance (CFDA) Number:** A CFDA number is provided in each HUD Program NOFA.

**F. Dates:** Each FY 2015 Program NOFA will specify the applicable deadline date. These dates will also be found in Section IV Application and Submission Information, subpart D of the program NOFA.

**G. Additional Overview Information:** The FY 2015 General Section contains multiple material changes from prior years. To increase your chance of success, please be sure to read this announcement fully and carefully.

**FULL TEXT OF ANNOUNCEMENT**

**I. FUNDING OPPORTUNITY DESCRIPTION**

**A. Requirements.** The General Section describes the requirements that are applicable to all HUD FY 2015 Program NOFAs. The General Section also provides information on HUD's priorities and strategic goals. Each Program NOFA will describe additional applicable procedures and requirements, including a description of the eligible applicants, eligible activities,

threshold requirements, cross-program requirements such as nondiscrimination, environmental protection, and any additional program requirements or limitations. To adequately address all of the application requirements for any program, please carefully read and respond to both this General Section and any applicable Program NOFA.

**1. HUD's Strategic Goals and NOFA Priorities.** HUD NOFAs for competitive funding are among the primary means by which HUD accomplishes its Strategic Goals and Priorities. A copy of [HUD's Strategic Plan for 2014 – 2018](#) is available online. Initiatives designated as priorities for HUD's FY2015 NOFAs are:

1. Promote health and housing stability of vulnerable populations,
2. Promote economic development and economic resilience,
3. Affirmatively furthering fair housing, and
4. Increase the health and safety of homes and embed comprehensive energy efficiency and healthy housing criteria across HUD programs.

Appendix A, located at the end of this document, explains the above NOFA priorities in further detail and outlines what applicants must show in their applications in order to achieve them.

**2. Participative Planning and Implementation.** Many HUD programs include requirements for broad public participation in planning and implementation of funded activities. HUD encourages all applicants to HUD's competitive programs to ensure, where applicable, public decision making and meaningful participation throughout the visioning, development, and implementation of funded projects, by residents of affected areas and especially communities traditionally marginalized from planning processes. In seeking public participation, applicants and grantees must ensure that all communications are provided in a manner that is effective for persons with hearing, visual, and other communications-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973 and, as applicable, the Americans with Disabilities Act. In addition Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and Executive Order 13166 require that grantees take responsible steps to ensure meaningful access to services, programs, and activities by persons with Limited English Proficiency (LEP persons).

## **B. Authority.**

HUD's authority for making funding available for FY 2015 programs is identified in each Program NOFA, and will include citations to relevant authorizing statutes and regulations.

## **II. AWARD INFORMATION**

**A. Funding Available.** Each Program NOFA will identify the estimated amount of funds available in FY 2015 based on current appropriations, plus any available funds carried over from previous FYs or recaptured funds. A Program NOFA may be issued in advance of appropriations and, if so, will be subject to the availability of funding. If issued in advance of appropriations, the Program NOFA will not provide a total dollar amount for funds available. However it may indicate the approximate size of grant awards to be made in order to aid potential applicants in preparing their application submissions.

## **III. ELIGIBILITY INFORMATION**

**A. Eligible Applicants.** All applicants must have valid, active Registration in the [System for Award Management](#) (SAM) prior to submission of applications for financial assistance, as required in the Code of Federal Regulations (CFR) at 2 CFR 25.200 and 24 CFR Part 5 Subpart K. Read [Section IV.C](#) in this General Section for additional details on DUNS and SAM registration. Each Program NOFA will describe additional eligibility requirements for applicants.

HUD does not provide direct services or products to individuals through its formula-based programs or its competitive Program NOFA process. Individuals seeking financial assistance should refer to [www.Benefits.gov](http://www.Benefits.gov).

**B. Cost Sharing or Matching.** Each Program NOFA will describe the cost sharing, matching or fund leveraging requirements, if applicable. If requirements exist, references in this section of the program NOFA will guide applicants to the applicable portions of Section IV Application and Submission Information.

**C. Other Requirements and Procedures Applicable to All Programs.** Unless otherwise specified in a Program NOFA, the requirements below apply to all FY 2015 programs. See also Section VI Award Administration Information, part B.

**1. Statutory and Regulatory Requirements.** To be eligible for funding under a FY 2015 Program NOFA, applicants must meet all applicable statutory and regulatory requirements for

the program under which they seek funding. Program regulations may be obtained from the program contact identified in each Program NOFA, or obtained from the annual edition of the CFR, available at [www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR](http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR). Each Program NOFA will provide instructions on how HUD will address proposed activities that are ineligible for funding.

**2. Threshold Requirements.** Applicants who fail to meet any of the following threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated. Each Program NOFA may specify threshold requirements in addition to those listed in this General Section.

a. **Timely Submission of Applications.** Applications submitted after the deadline stated within the Program NOFA and that do not meet the requirements of the grace period policy will be marked late. Late applications are deemed ineligible and will not be considered for funding. See also Section IV Application and Submission Information, part D.

b. **Resolution of Civil Rights Matters.** Outstanding civil rights matters must be resolved prior to the application deadline.

(1) Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (a) – (e) that have not been resolved to HUD’s satisfaction before or on the application deadline date are ineligible for funding.

(a) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status;

(b) Status as a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance pursuant to 42 U.S.C. 3614(a);

(c) Status as a defendant in any other lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community

Development Act of 1974, Title II of the Americans with Disabilities Act, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;

(d) Receipt of a letter of findings identifying systemic noncompliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; or Title II of the Americans with Disabilities Act; or

(e) Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

(2) HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date are sufficient to resolve the matter. Examples of actions that may be considered sufficient to resolve the matter include, but are not limited to:

(a) Current compliance with a voluntary compliance agreement signed by all the parties;

(b) Current compliance with a HUD-approved conciliation agreement signed by all the parties;

(c) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;

(d) Current compliance with a consent order or consent decree; or

(e) Current compliance with a final judicial ruling or administrative ruling or decision.

**3. Compliance with Nondiscrimination and Related Requirements.** Unless otherwise specified, the following nondiscrimination provisions and other requirements apply to all Program NOFAs. Please read the corresponding requirements in each Program NOFA carefully as there are some variations in requirements among HUD's programs.

a. **Compliance with Fair Housing and Civil Rights Laws.** With the exception of federally recognized Indian tribes and their instrumentalities, applicants and their prospective

subrecipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II and Title III of the Americans with Disabilities Act of 1990; and Section 109 of the Housing and Community Development Act of 1974.

(1) Applicants, and their prospective subrecipients, who are conducting programs or activities with funds received under a Program NOFA in a state or local jurisdiction that has passed a law prohibiting discrimination in housing based upon sexual orientation or gender identity, or a law prohibiting discrimination in housing based on lawful source of income, must comply with the law(s) of the state or locality in which the program activities are conducted.

(2) Federally recognized Indian tribe or Tribally Designated Housing Entity (TDHE) applicants must comply with the nondiscrimination provisions enumerated in the applicable program regulations. Each Program NOFA shall specify the applicable civil rights requirements for Indian tribes or TDHEs when they are listed as eligible applicants under the Program NOFA.

b. Affirmatively Furthering Fair Housing. Section 808(e)(5) of the Fair Housing Act requires HUD to affirmatively further the purposes of the Fair Housing Act in its housing and urban development programs. Accordingly, HUD requires recipients of funds, including those awarded and announced under HUD's FY 2015 Program NOFAs that are not specifically exempted, to take affirmative steps to further fair housing. See Section VI of this General Section, below, for more details.

Unless otherwise specified in the Program NOFA, an applicant must discuss how it is going to carry out the proposed activities in a manner that affirmatively furthers fair housing in complete compliance with Section 808(e)(5) of the Fair Housing Act.

Federally recognized Indian tribes are not subject to the requirement to affirmatively further fair housing in their use of certain HUD funds. Other tribal entities may also be exempt. Refer to the Program NOFAs for more information on exemptions.

c. Economic Opportunities for Low- and Very Low-income Persons (Section 3). Certain programs require recipients of assistance to comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u (Economic Opportunities for Low- and

Very Low-Income Persons in Connection with Assisted Projects), and the HUD regulations at 24 CFR part 135. Section 3 requires recipients to ensure, to the greatest extent feasible, that training, employment, contracting and other economic opportunities will be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low-and very low-income persons in the area in which the project is located.

To implement 24 CFR 135.9(a) of the Department's Section 3 rules, program NOFAs for which Section 3 is applicable shall, where not otherwise precluded by statute, include information regarding how Section 3 activities will be considered in rating the application, the evaluation criteria to be utilized, and the rating points to be assigned. Applicants subject to this requirement shall describe in their applications their plans to train and employ Section 3 residents and contract with Section 3 business concerns in furtherance of the proposed activities. Applicants for funding under programs covered by Section 3 shall, by signing the application, certify compliance.

Recipients of covered funding are required to comply with the requirements of 24 CFR Part 135, particularly subpart B-Economic Opportunities for Section 3 residents and Section 3 Business Concerns, and Subpart E-Reporting and Recordkeeping. HUD encourages recipients to consult the national Section 3 Business Registry. Applicants and grant recipients can search the database to find local Section 3 businesses that put a priority on hiring public housing or low-income residents. To learn more about HUD's Section 3 Business Registry or to search for a Section 3 business, visit: [www.hud.gov/sec3biz](http://www.hud.gov/sec3biz). Additional information on the requirements of Section 3 can be found at: <http://www.hud.gov/offices/fheo/section3/section3.cfm>. Program NOFAs to which Section 3 applies will have additional information here.

d. Improving Access to Services for Persons with Limited English Proficiency (LEP). Executive Order 13166 seeks to improve access to federally assisted programs and activities for individuals who, as a result of national origin, are limited in their English proficiency. Applicants obtaining federal financial assistance from HUD shall take reasonable steps to ensure meaningful access to their programs and activities to LEP individuals. As an aid to recipients, HUD published Final Guidance to Federal Financial Assistance Recipients: Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (LEP Guidance) in the



Federal Register on January 22, 2007 (72 FR 2732). For assistance and information regarding LEP obligations, go to [www.lep.gov/guidance/HUD\\_guidance\\_Jan07.pdf](http://www.lep.gov/guidance/HUD_guidance_Jan07.pdf) . For more information on LEP, please visit <http://www.hud.gov/offices/fheo/lep.xml> .

e. Accessible Technology. Section 508 of the Rehabilitation Act (Section 508) requires HUD to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allow persons with disabilities to access and use information and data on a comparable basis as is made available to and used by those without disabilities. Section 508 covers, but is not limited to, computers (hardware, software, word processing, email, and Internet sites), fax machines, copiers and telephones. Among other things, Section 508 requires that EIT allow individuals with disabilities who are federal employees or members of the public seeking information or services from a federal agency to have access to and use of information and data on a comparable basis as that made available to employees and members of the public without disabilities unless an undue burden would result to the federal department or agency. Where an undue burden exists to the federal department or agency, alternative means may be used to allow an individual with disabilities use of the information and data. Section 508 does not require that information services be provided at any location other than a location at which the information services are generally provided. HUD encourages its funding recipients to adopt the goals and objectives of Section 508 by ensuring, whenever EIT is used, that persons with disabilities have access to and use of the information and data made available through the EIT on a basis comparable as is made available to and used by persons without disabilities. This does not affect recipients' required compliance with Section 504 of the Rehabilitation Act and, where applicable, the Americans with Disabilities Act. Applicants and recipients seeking further information on accessible technology are directed to [www.section508.gov](http://www.section508.gov).

**4. Other Requirements.** Evidence of the following issues may prevent an award from ultimately being granted to otherwise successful applicants.

a. Outstanding Delinquent Federal Debts. It is HUD policy, consistent with the purposes and intent of 31 U.S.C. 3720B and 28 U.S.C. 3201(e), that applicants with outstanding delinquent federal debt will not be eligible to receive an award of funds, unless:

(1) A negotiated repayment schedule is established and the repayment schedule is not delinquent, or

(2) Other arrangements satisfactory to HUD are made prior to the award of funds by HUD. If satisfactory arrangements cannot be completed within 90 days of notification of selection, HUD will not make an award of funds to the applicant, and instead offer the award to the next eligible applicant. HUD may act earlier than the above stated 90 days to ensure, in HUD's determination, that the funds can be obligated in a timely manner. Applicants selected for funding, or awarded funds, must report any changes in status of current agreements covering federal debt. HUD may withhold funding, terminate an award, or seek other remedies from a grantee if a previously agreed-upon payment schedule has not been followed or a new agreement with the federal agency to which the debt is owed has not been signed.

b. Pre-Award Accounting System Survey. HUD will not award or disburse funds to applicants that do not have a financial management system that meets federal standards. HUD may arrange for a pre-award survey of any such financial management system for applicants selected for award who have not previously received federal financial assistance, where HUD Program officials have reason to question whether a financial management system meets federal financial management standards, or for applicants considered high risk based upon past performance or financial management findings.

c. Debarments and/or Suspensions. In accordance with 2 CFR part 2424, no award of federal funds may be made to debarred or suspended applicants, or those proposed to be debarred or suspended from doing business with the Federal Government.

d. False Statements. A false statement in an application is grounds for denial or termination of an award and possible punishment, as provided in 18 U.S.C. 1001.

e. Do Not Pay Website Review. As part of the Improper Payments Elimination and Recovery Improvement Act (IPERIA) of 2012, in making funding determinations HUD will look up applicant information on the Federal website <http://www.donotpay.treas.gov/>. The Do Not Pay Portal is intended to prevent improper payments and can be used by HUD to ensure that applicants that receive funding do not owe funds to the federal government; are not on the Excluded Parties List System (EPLS); the List of Excluded Individuals/Entities List (LEIE); the Social Security Administration (SSA) Death Master File (DMF); or other federal databases that would provide adverse information regarding the applicant. HUD reserves the right to:

(1) Deny funding, or in the case of a renewal or continuing award, consider suspension or termination of an award immediately for cause,

(2) Require the removal of any key individual from association with management or implementation of the award, and

(3) Make appropriate provisions or revisions with respect to the method of payment or financial reporting requirements.

f. **Conducting Business in Accordance with Ethical Standards/Code of Conduct.** Applicants are required to develop and maintain a written code of conduct in accordance with 2 CFR 200.112 and 200.318. Codes of conduct must prohibit real and apparent conflicts of interest that may arise among officers, employees, or agents; prohibit the solicitation and acceptance of gifts or gratuities by officers, employees, or agents for their personal benefit in excess of minimal value; and outline administrative and disciplinary actions available to remedy violations of such standards.

Pursuant to applicable Federal and HUD regulations, applicants must disclose in writing any potential conflict of interest and all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award.

Before entering into an agreement with HUD, applicants selected to receive funding under a Program NOFA must submit an up-to-date copy of their code of conduct. Applicants with codes already on file with HUD do not need to resubmit a new code unless the information on file has changed. New or updated submissions must be dated and signed by the Executive Director, or Chair, or equivalent official, of the governing body of the organization. Applicants must also describe the methods to be used to ensure that all officers, employees, and agents are aware of and have agreed to adhere to the code of conduct.

g. **Conflict of Interest of Consultants or Technical Experts Assisting HUD.** Consultants and technical experts who assist HUD in rating and ranking applications for funding under published FY 2015 Program NOFAs are subject to 18 U.S.C. 208, the federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, consultants and technical experts who have assisted or plan to assist applicants with preparing applications for FY 2015 Program NOFAs may not serve

on a selection panel and may not serve as a technical advisor to HUD. Anyone involved in rating and ranking FY 2015 Program NOFA applications, including departmental staff, experts and consultants must avoid conflicts of interest or the appearance of such conflicts. These individuals must also disclose to HUD's Office of General Counsel Ethics Law Division the following information, if applicable:

(1) How the selection or non-selection of any applicant under a FY 2015 Program NOFA will affect the individual's financial interests, as provided in 18 U.S.C. 208, or

(2) How the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502.

The consultant or technical expert assisting HUD must disclose this information before participating in any matter regarding an FY 2015 program NOFA. Applicants with questions regarding these provisions or concerning a conflict of interest, please call the Office of General Counsel, Ethics Law Division, at (202) 708-3815 (this is not a toll-free number). The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service's teletype service at 1-800-877-8339.

h. Prohibition Against Lobbying Activities. Applicants are subject to the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR part 87, which prohibit recipients of federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, loan, or cooperative agreement. In addition, applicants must disclose, using Standard Form LLL (SFLLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts. Federally-recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally-recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement. Applicants must submit the SFLLL if they have used or intend to use non-federal funds for lobbying activities.

i. Consistency with the Consolidated Plan and Analysis of Impediments to Fair Housing Choice. Certain competitive Programs require applications to contain a certification of

consistency with a HUD-approved Consolidated Plan. This certification means that the proposed activities are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan. The Consolidated Plan also includes the jurisdiction's certification to affirmatively further fair housing which means, among other requirements, that the jurisdiction has conducted an Analysis of Impediments to Fair Housing Choice (AI). If a program NOFA requires a certification of consistency with the Consolidated Plan and the applicant fails to provide the certification, and such failure is not cured as a technical deficiency, HUD will not fund the application. Please refer to the Program NOFAs for detailed guidance on compliance with this requirement.

#### **IV. APPLICATION AND SUBMISSION INFORMATION**

##### **A. Obtaining an Application Package.**

**1. Electronic Application.** Applicants must download both the Application Instruction and the Application Package from Grants.gov. To ensure that the correct Application Package and Application Instructions are used, applicants must verify that the CFDA Number and CFDA Description on the first page of the Application Package, as well as the Opportunity Title, and the Funding Opportunity Number match the Program and NOFA to which they are applying. Applications will only be considered for the competition indicated on the submission.

Instructions for downloading, completing, submitting, and tracking grant application packages are available at Grants.gov. Applicants submitting more than one application under a funding opportunity must download and submit a separate application package for each application. Refer to Grants.gov for download information and Adobe software and system compatibility information.

The Application Package contains the Adobe forms created by Grants.gov. The Application Instruction download contains official copies of the General Section and Program NOFA, and forms necessary for a complete application. The Application Instruction may include Microsoft Word, Microsoft Excel and additional Adobe Portable Document Format documents.

**2. Paper Application.** Applicants demonstrating good cause including but not limited to a lack of available Internet access in the geographic area in which their business offices are located may

request a waiver of the electronic submission requirement. Each Program NOFA will include instructions on how to request a waiver and receive a paper copy of the application materials.

**3. Waiver of Electronic Submission Requirements.** Applicants seeking a waiver of the electronic submission requirements must request a waiver in accordance with 24 CFR 5.1005. The Program NOFA provides information as to whom and where to submit the request for a waiver. HUD's regulations allow for a waiver of the electronic submission requirements for good cause. If a waiver is granted, the response from the applicable program office will include instructions on how many copies of the paper application must be submitted, as well as how and where to submit each copy.

Applicants that are granted a waiver of the electronic submission requirements will not be given additional time to submit their applications. The deadline date for application submission will remain the date posted in the Program NOFA. For this reason, applicants that cannot submit their applications electronically and must seek a waiver of the electronic grant submission requirements must submit a waiver request to the program office designated in the Program NOFA so that it is received at least 15 days before the application deadline. To expedite the receipt and review of such requests, a Program NOFA may allow applicants to email their requests to the program contact listed in the Program NOFA. If the Department does not have sufficient time to process the waiver request, a waiver will not be granted. Paper applications received without a currently approved waiver from the Program Office that issued the NOFA and/or after the established deadline date will not be considered.

**PLEASE NOTE:** These instructions are not applicable to Continuum of Care applicants. The Continuum of Care application is submitted through HUD's e-snaps system and not Grants.gov. Continuum of Care applicants will find submission instructions for the e-snaps system via the Continuum of Care NOFA.

**B. Content and Form of Application Submission.** Unless an applicant received a waiver for good cause, applications must be submitted electronically via Grants.gov. Applicants must pay particular attention to and follow all instructions establishing formatting requirements in the General Section and the Program NOFA. These may include, e.g., limitations on pages, font sizes and typeface, margins, paper size, number of copies, and sequence or assembly requirements.

**1. Electronic Grant Application Forms and Instructions.** Each Program NOFA will identify all of the required forms and other required information for submission. Applicants must thoroughly read and carefully follow the application submission requirements published in each Program NOFA for which they are submitting an application.

a. Submission of Narrative Statements, Third-Party Letters, Certifications, and Program-Specific Forms. Some Program NOFAs may require the submission of additional documentation, such as third-party letters, certifications, or program narrative statements. This section discusses how applicants should electronically submit additional documentation.

(1) Narrative Statements to the Factors for Award. If narrative statements are required, applicants must submit them in an electronic format to HUD. Acceptable formats are Microsoft Word, Microsoft Excel, and portable document formats compatible with Adobe Reader. If HUD receives a file in an electronic format other than those specified in this section or that is not compatible with HUD's software, an attempt will be made to contact the applicant to allow for the defect to be cured. Applicants who either cannot be contacted, or fail to cure the defect within 24 hours, will not have their narrative document(s) reviewed. Electronic documents can be attached to the application package.

(2) Third-Party Letters, Certifications Requiring Signatures, and Other Documentation. Applicants may be required to submit third-party documentation such as letters of commitment establishing matching or leveraged funds, documentation of section 501(c)(3) status or incorporation papers, documents that support the need for the program, memorandums of understanding (MOUs), non-savable PDF forms, or other program-required documentation. If required to submit supporting documentation, applicants may either scan and attach the documentation to their electronic application package or submit them via fax.

**NOTE:** HUD intends to eliminate this use of facsimile (Fax) technology in FY2016. In preparation, this General Section to HUD's 2015 NOFAs offers applicants a new option to use email for those documents where fax is currently allowed. While HUD will continue to accept faxes in FY2015, please note this coming change and plan accordingly.

If supporting documents are submitted by fax, applicants must use the HUD-96011 Fax Transmittal Form located in the Application Package as the cover page. If third parties will

submit supporting documents by fax, applicants must provide them with a copy of the form HUD-96011 that came with the application. If applicants or any other party submit documents for this application and do not use the form HUD-96011 that came with the application as the fax cover page, the documents will not be matched to the application. Consequently, the documents will not be considered when the application is evaluated. Send faxes to the toll-free number 1-800-HUD-1010. Applicants may also use (215) 825-8798 (this is not a toll-free number). If the fax machine automatically creates a cover page, please turn this feature off before faxing information to HUD. Faxes that cannot be matched to an application will not be considered in the review process.

**PLEASE NOTE:** HUD will not accept entire applications sent by email or fax and will disqualify applications submitted entirely in that manner.

b. Amending a Validated Application. Before the submission deadline, applicants who choose to amend an application that has been validated by Grants.gov have several options:

- (1) an applicant may email the new or revised supporting materials to [ApplicationSupport@hud.gov](mailto:ApplicationSupport@hud.gov); or
- (2) an applicant may fax the additional supporting documents using the form HUD-96011.
- (3) an applicant may resubmit a revised application to Grants.gov containing the new or changed material;

Whichever option is used, all materials must be received by the applicable deadline.

When submitting additional supporting documentation via email, the applicant must enter “Supporting Documentation” plus the Grants.gov application tracking number in the subject line of the email. (e.g., Subject: Technical Cure - GRANT12345678). If this information is not included, HUD will not be able to match the response to the application under review and the application may therefore be rejected due to the deficiency.

When submitting additional supporting documentation by fax, the applicant must enter the document name in the box labeled “Name of Document Submitting” in form HUD96011. When submitting a fax, applicants must follow the fax requirements found elsewhere in this notice. If the fax transmittal form from the last application submitted is not the cover page to the



applicant's fax transmission HUD will treat applications not be able to match the response to the application under review and the application may therefore be rejected due to the deficiency.

When resubmitting an application that was previously validated by Grants.gov, all documents faxed in support of the original submission must either be attached to the Grants.gov resubmission or faxed again using the form HUD-96011. If faxing, you must fax the materials, including materials faxed by a third party, after the resubmitted application has been validated by Grants.gov. All faxed materials must be received by the applicable deadline.

## **2. Technical Assistance Resources.**

a. Grants.gov Customer Support. Grants.gov provides customer support information on its website at [www.grants.gov/contactus/contactus.jsp](http://www.grants.gov/contactus/contactus.jsp). Applicants can receive customer support from Grants.gov by calling 1-800-518-GRANTS (this is a toll-free number) or by sending an email to [support@grants.gov](mailto:support@grants.gov). The customer support center is open 24 hours a day, seven days per week, except federal holidays. The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service's teletype service at 1-800-877-8339.

(1) Registering with Grants.gov. In order to submit applications electronically through Grants.gov, applicants must register with Grants.gov to provide and obtain certain identifying information, including providing names of authorized individuals and entities within the applicant organization.

(2) Registration Instructions. Registration for Grants.gov is a multi-step process. The registration process can take approximately 2 to 4 weeks or longer to complete if there are data issues to be resolved. Applicants that do not have a valid registration will not be able to submit an application through Grants.gov. Complete registration instructions and guidance are provided on the [Grants.gov](http://Grants.gov) website.

b. HUD's Website. The following can be found at [www.hud.gov](http://www.hud.gov):

(1) NOFA Webcasts. HUD frequently provides technical assistance and training on the programs announced through its NOFAs. The NOFA webcasts are interactive and allow potential applicants to obtain a better understanding of the threshold, program and application submission requirements for funding. Participation in this training opportunity is free and can be

accessed via HUD's website. The NOFA webcast schedule, and links to archived webcasts, can be found at [www.hud.gov/webcasts/index.cfm](http://www.hud.gov/webcasts/index.cfm).

(2) HUD's Freedom of Information Act (FOIA) Page. HUD's FOIA page ([portal.hud.gov/hudportal/HUD?src=/Programoffices/administration/foia/highscore](http://portal.hud.gov/hudportal/HUD?src=/Programoffices/administration/foia/highscore)) summarizes the highest scoring applications from previous grant competitions.

### **C. System for Award Management (SAM) and Dun and Bradstreet Universal Numbering System (DUNS) Number.**

**1. SAM Registration Requirement.** Applicants must be registered with SAM before submitting their application. In addition, applicants must continue to maintain an active SAM registration with current information at all times during which they have an active Federal award or an application or plan under consideration by HUD.

**2. DUNS Number Requirement.** Applicants must provide a valid DUNS number in their application. DUNS numbers may be obtained for free at <http://fedgov.dnb.com/webform>.

### **D. Submission Dates and Times.**

**1. Application Deadlines and Grace Period Information.** Applicants must submit their application electronically via Grants.gov unless they have received a waiver from HUD allowing for a paper submission.

a. **Electronic Application Deadline.** The application deadline for receipt of applications via Grants.gov is 11:59:59 p.m. Eastern Time on the date identified in the published Program NOFA. Applications must be "received" by Grants.gov by the deadline in order to meet the Program NOFA deadline. An application is "received" when Grant.gov provides a confirmation of receipt and an application tracking number. Only when the upload is complete is the application date and time stamped by the Grants.gov system. A submission attempt that does not result in confirmation of successful submission and an application tracking number is not received by Grants.gov.

After an application has been received, it must still be validated by Grants.gov. During this process, the application may be "validated" or "rejected with errors." To know whether a specific application was rejected with errors and the reason(s) why, applicants must login to Grants.gov, select "Applicants" from the top navigation, and select "Track my application" from the

dropdown list. If the status is “rejected with errors,” applicants have the option to correct the error(s) and resubmit the application before the Grace Period ends. If an application was “rejected with errors” and is not corrected before the grace period ends, HUD will not review the application. If the application is “validated” it will be forwarded to HUD by Grants.gov. A complete description of processing steps after submitting an on-time application to Grants.gov can be obtained through the guidance provided on the Grants.gov website.

HUD recommends that applicants submit their applications at least 48 hours before the deadline. A submission attempt less than 48 hours before the deadline may not allow enough time to research the reason for the problem and resolve the issue. Similarly, HUD recommends that applicants submit their applications during regular business hours. Submitting an application when HUD is closed or on federal holidays does not enable HUD staff to provide assistance or contact Grants.gov on behalf of applicants.

**PLEASE NOTE:** HUD may extend the application deadline for any program in the following circumstances:

(1) The Grants.gov system is down and not available to applicants for at least 24 hours immediately prior to the deadline date, or the system is down for 24 hours or longer and impacts the ability of applicants to cure a submission deficiency within the grace period; or

(2) There is a presidentially-declared disaster in the applicant’s area.

In the event of either or both of these events, HUD will publish a notice extending the deadline for the affected applicants.

**PLEASE NOTE:** Busy servers, slow processing or large file sizes are not valid circumstances to extend the deadline dates or the grace period.

b. **Deadline for Submission of Paper Applications.** If HUD waives the electronic submission requirement, the notification of waiver will include the submission deadline date and time, and instructions on how many copies of the paper application must be submitted, as well as how and where to submit them.

**2. Grace Period.** If an application is received by Grants.gov before the deadline, but is rejected with errors, applicants have a grace period of 24 hours beyond the application deadline to submit a corrected application that is received and validated by Grants.gov. Please contact the

Grants.gov Customer Support Center for assistance. The date and time stamp on the Grants.gov system will determine the application submission time. The grace period ends at 11:59:59 p.m. Eastern Time, 24 hours after the deadline date published in the Program NOFA. Any application submitted during the grace period that does not meet the criteria above will not be considered for funding. There is no grace period for paper applications.

**3. Late Applications.** An application received after the Program NOFA deadline date that does not meet the requirements of the grace period policy will be marked late, and will not be considered for funding.

HUD will not consider supporting information submitted by email or fax that is received after the applicable deadline date except as provided below in Section V(B)(3), Corrections to Deficient Applications. Please take into account the transmission time required for faxing documents related to an application.

**E. Intergovernmental Review.** Executive Order 12372, Intergovernmental Review of Federal Programs, was issued to foster intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of federal financial assistance and direct development. The Executive Order allows each state to designate an entity to perform a state review function; however, not all states participate. Applicants interested in determining if their state has designated a State Point of Contact (SPOC), may go to [http://www.whitehouse.gov/omb/grants\\_spoc/](http://www.whitehouse.gov/omb/grants_spoc/). States not listed on the website have chosen not to participate in the intergovernmental review process and, therefore, do not have a SPOC. Applicants with a SPOC are advised to contact the SPOC to see if it is interested in reviewing applications before they are submitted to HUD. Allow ample time for this review when developing and submitting your application. Applicants that do not have a SPOC can submit their application directly to HUD using Grants.gov. Not all programs require this review. Each Program NOFA will indicate if the program is subject to the Executive Order. HUD implementing regulations are published at 24 CFR part 52.

**F. Funding Restrictions.** The Program NOFA will describe any funding restrictions.

**G. Other Submission Requirements.**

**1. Submit via Grants.gov.** Applicants must submit their application electronically via Grants.gov unless they have received a waiver from HUD allowing for a paper submission. See Sections IV.A.3 and IV.D.1, above for detailed instructions.

**2. Discrepancies between the NOFA on Grants.gov and Other Documents.** The Program NOFA posted at the Grants.gov website is the official document HUD uses to solicit applications. Applicants are advised to review their application submission against the requirements in the posted Program NOFA. If there is a discrepancy between the Program NOFA posted on Grants.gov and other information provided in any other copy or version or supporting documentation, the posted Program NOFA located at [www.Grants.gov](http://www.Grants.gov) prevails. If discrepancies are found, please notify HUD immediately by calling the program contact listed in the Program NOFA. Individuals who are deaf or hard of hearing, or who have speech disabilities, may use the Federal Relay Service's teletype service at 1-800-877-8339. HUD will post any corrections or changes to a Program NOFA on the Grants.gov website. Applicants who enroll an email address at the application download page will receive an e-mail alert from Grants.gov in the event the opportunity is changed.

**3. Application Certifications and Assurances.** Applicants signing the SF424 cover page either through electronic submission or in paper copy submission (for those granted a waiver) affirm that the certifications and assurances associated with the application are material representations of the facts upon which HUD will rely when making an award to the applicant. If it is later determined that the signatory to the application submission knowingly made a false certification or assurance or did not have the authority to make a legally binding commitment for the applicant, the applicant may be subject to criminal prosecution, and HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to federally-recognized Indian tribes, and those applicable to applicants other than federally-recognized Indian tribes. All program-specific certifications and assurances are included in the program Instructions Download on Grants.gov.

## **V. APPLICATION REVIEW INFORMATION**

### **A. Criteria.**

**1. Factors Used to Evaluate and Rate Applications.** HUD has established the following five standard factors for awarding funds for most of its FY 2015 Program NOFAs. When providing information to HUD in response to Rating Factor 1, do not include Social Security numbers on any documents submitted for consideration.

The points awarded for the rating factors total 100 for each NOFA, and may include a maximum of 4 points for applications that advance HUD's NOFA priorities in participating programs.

Additionally, up to 2 bonus points may be awarded for activities supporting Preferred Sustainability Status Communities or Promise Zones. Applications must receive the minimum fundable score before NOFA priorities points or bonus points are credited.

**Factor 1:** Capacity of the Applicant and Relevant Organizational Staff

**Factor 2:** Need/Extent of the Problem

**Factor 3:** Soundness of Approach

**Factor 4:** Leveraging Resources

**Factor 5:** Achieving Results and Program Evaluation

Detailed instructions for responding to each of the five rating factors and the maximum points HUD will award for each rating factor are provided in the Program NOFA. Each Program NOFA will also specify the applicable NOFA priorities. For a specific funding opportunity, HUD may modify these factors to take into account explicit program needs or statutory or regulatory limitations. Applicants must carefully read the factors for award described in the Program NOFA to which they are responding.

a. **Bonus Points.** Applicants are advised to review the Program NOFA for which they intend to apply to determine the availability of Preferred Sustainability Status Communities or Promise Zone bonus points. In no case will an applicant receive credit for more than one of the two types of bonus (maximum 2 points).

(1) **Preferred Sustainability Status Communities Bonus Points.** HUD will award 2 bonus points to applicants working with communities that have received Preferred Sustainability Status under HUD's Sustainable Communities Regional Planning Grant Program and/or HUD's Challenge Grant Program, and those certified under HUD's Notice of Preferred Sustainability Status Certification, hereafter referred to as the Preferred Sustainability Status Communities.

To receive bonus points, applicants must submit form HUD-2995, Certification of Consistency with Sustainable Communities Planning and Implementation, signed by the designated Preferred Sustainability Status Community point of contact. Designated PSS Communities Points of Contacts can be found on HUD's website at [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/grants/nofa11/psscontacts](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/nofa11/psscontacts).

(2) Promise Zones Bonus Points. As a participant in the Administration's Promise Zone Initiative, HUD is collaborating with the Department of Education, the Department of Justice, and the Department of Agriculture to ensure that federal programs and resources support efforts to turn around 20 of the highest poverty urban, rural and tribal communities across the country. Applicants that submit form HUD-50153, Certification of Consistency with Promise Zone Goals and Implementation, signed by the authorized official for the designated Promise Zone supporting the application will receive 2 bonus points as described above. To view the list of designated Promise Zones and lead organizations please go to <https://www.hudexchange.info/promise-zones/promise-zones-designees/>.

## **B. Reviews and Selection Process.**

**1. Threshold, Eligibility Review.** Only applications that meet all threshold requirements established in a Program NOFA will be evaluated. Only applications that meet all eligibility requirements established in a Program NOFA will be eligible to receive an award of funds from HUD.

### **2. Additional Evaluation Criteria.**

a. **Past Performance.** In evaluating applications for funding HUD will take into account an applicant's past performance in managing funds, including, but not limited to: the ability to account for funds appropriately; the timely use of funds received from HUD or other federal, state, or local programs; the timely submission and quality of reports submitted to HUD; meeting program requirements; meeting performance targets as established in Logic Models or other performance evaluation tools approved as part of the grant agreement; the timelines for completion of activities and receipt of promised matching or leveraged funds; and the number of persons to be served or targeted for assistance. Before making a Federal award, HUD is required

by 31 U.S.C. 3321 and 41 U.S.C. 2313 note to review information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), Dun and Bradstreet, and “Do Not Pay.” HUD may consider other public sources such as newspapers, Inspector General or Government Accountability Office reports or findings, or hotline or other complaints that have been proven to have merit. In evaluating past performance, HUD may deduct points from the rating score or establish threshold levels as specified under the Factors for Award in the Program NOFAs. Each Program NOFA will specify how past performance will be rated.

b. Evidence-Based Decision-Making. HUD will give funding priority to those who demonstrate effective use of evidence in identifying or selecting the practices, strategies or programs proposed in the application, where practicable. All grantees must agree to cooperate in HUD-funded research and evaluation studies.

c. Integrity. HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD’s files, the federal Do Not Pay portal, public information and information received during HUD’s Name Check Review process. If this integrity evaluation results in an adverse finding, HUD reserves the right to take any of the remedies provided in Section III.C.4.e, Do Not Pay website Review.

d. Environmental Justice. HUD may consider environmental justice in evaluating applications. Under Executive Order 12898, each federal agency is directed to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations (See [www.epa.gov/fedrgstr/eo/eo12898.pdf](http://www.epa.gov/fedrgstr/eo/eo12898.pdf)). Program NOFAs will specify how environmental justice will be evaluated, where applicable.

**3. Corrections to Deficient Applications.** Except as provided by the electronic submission grace period described in this notice, HUD may not consider any unsolicited information that applicants may want to provide after the application deadline. (Refer to 24 CFR part 4, subpart B.) In addition, HUD may not seek clarification of items or responses that improve the substantive quality of an applicant’s response to any rating factors or which correct deficiencies which are in whole or part of a rating factor, including items that impact bonus points. HUD may



contact the applicant to clarify other items in its application. In order not to unreasonably exclude applications from being rated and ranked in situations where there are curable deficiencies, HUD will notify applicants of each technical deficiency and will do so on a uniform basis.

If HUD finds a curable deficiency in an application, HUD will notify the applicant by email describing the clarification or technical deficiency. HUD will send an email to the person designated in item 8F of the SF424 and to the person listed as the authorized representative in item 21 of the SF424. Both email notifications will be sent from HUD with confirmation of delivery receipt requested. The email notifications will be the official notification of the need to cure a technical deficiency. It is the responsibility of applicants to provide accurate email addresses for receipt of these notifications and to monitor their email accounts to determine whether a cure letter has been received. The applicant must carefully review the request for cure of a technical deficiency and must provide the response in accordance with the instructions contained in the deficiency notification.

Clarifications or corrections of technical deficiencies must be received by HUD within the time limits specified in the notification. In no case shall the time allowed to correct deficiencies exceed 14 calendar days or be less than 48 hours from the date of the email notification. The start of the cure period will be the date stamp on the email HUD sends to the applicant. If the deficiency cure deadline date falls on a Saturday, Sunday, federal holiday, or other day when HUD's Headquarters offices in Washington, DC, are closed, then the applicant's correction must be received on the next day that is not a Saturday, Sunday, or federal holiday, or other day when the HUD's Headquarters offices in Washington, DC, are closed.

Curable deficiency items may be submitted via email addressed to **ApplicationSupport@hud.gov** or using the fax number, 800-HUD-1010 or (215) 825-8798 (this is not a toll-free number) and form HUD96011.

When submitting technical deficiency cure items via email, the applicant must enter "Technical Cure" plus the Grants.gov application tracking number in the subject line of the email (e.g., Subject: Technical Cure - GRANT 123456). If this information is not included, HUD will not be able to match the response to the application under review and the application may therefore be rejected due to the deficiency.

When submitting technical deficiency cure items by fax, the applicant must enter “TC” plus the document name in the box labeled “Name of Document Submitting” in form HUD96011. When submitting a fax, applicants must follow the fax requirements found elsewhere in this notice. If the fax transmittal form from the last application submitted is not the cover page to the applicant’s response HUD will not be able to match the response to the application under review and the application may therefore be rejected due to the deficiency.

Corrections to a paper application should be sent in accordance with and to the address indicated in the notification of deficiency. HUD will treat a paper application submitted in accordance with a waiver of electronic application that contains the wrong DUNS number as having a technical deficiency. Failure to correct the deficiency and meet the requirement to have a DUNS number and active registration in SAM will render the application ineligible for funding.

**4. Rating Panels.** To review and rate applications, HUD will establish panels. Rating panels may include persons not employed by HUD in addition to HUD employees. Non-employees may be included to obtain particular expertise and outside points of view, such as views from other federal agencies. Persons brought in to review applications are subject to conflict-of-interest provisions. In addition, reviewers using HUD’s information technology (IT) systems may be subject to an IT security check.

**5. Rating.** HUD will evaluate and rate all applications for funding that meet the threshold requirements of the General Section and the applicable Program NOFA.

**6. Ranking.** HUD will rank applicants within each program and only against those applying for the same program funding. Where there are set-asides within a program competition, applicants will compete only against those in the same set-aside competition.

**7. Selection for Funding.** HUD will only select for funding among applications that receive or exceed the minimum fundable score specified in the Program NOFA.

**C. Anticipated Announcement and Award Dates.** The Program NOFA will provide the applicable information regarding this subject.

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. Award Notices.**

**5. Selection.** Following the evaluation process HUD will notify successful applicants of their selection for funding. HUD will also notify all other applicants that they have not been chosen for award. Notifications will be sent by email, delivery receipt requested, to the person designated as the person to be contacted on matters involving the application in item 8F of the SF424 and to the person listed as authorized representative in item 21 of the SF424.

**6. Negotiation.** After HUD has rated and ranked all applications and made selections, a selected applicant may be required to participate in negotiations to determine the specific terms of the funding agreement and budget. In cases where HUD cannot successfully conclude negotiations with a selected applicant in a timely manner, or a selected applicant fails to provide requested information, an award will not be made to that applicant. In such an instance, HUD may offer an award to, and proceed in negotiations with, the next highest-ranking applicant.

**7. Adjustments to Funding.** To ensure the fair distribution of funds and enable the purposes or requirements of a specific program to be met, HUD reserves the right to fund less than the full amount requested in an application.

a. HUD will not fund any portion of an application that:

(1) Is not eligible for funding under applicable statutory or regulatory requirements;

(2) Does not meet the requirements of this notice; or

(3) Is duplicative of other funded programs or activities from prior year awards or other selected applicants. Only the eligible portions of an application (excluding duplicative portions) may be funded.

b. If funds are available after funding the highest-ranking application, HUD may fund all or part of the next highest-ranking fundable application. If an applicant turns down an award offer, or if HUD and an applicant do not successfully complete grant negotiations for whatever reason, HUD may make an offer of funding to the next highest-ranking application.

c. If funds remain after all selections have been made, remaining funds may be made available within the current FY for other competitions within the program area, or be held over for future competitions, or be used as otherwise provided by authorizing statute or appropriation.

d. If, subsequent to announcement of awards made under the FY 2015 NOFA, additional funds become available either through the FY 2015 appropriations, a supplemental appropriation or

recapture of funds, HUD reserves the right to use the additional funding to provide additional funding to a FY 2015 applicant that was denied the requested amount of funds due to insufficient funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

e. A Program NOFA may have other requirements. Please review the Program NOFA carefully.

**8. Performance and Compliance Actions of Funding Recipients.** An evaluation process will be part of HUD's ongoing management of each funded award. Applicants are, by this sentence, made aware that HUD will expect grantees to fulfill performance promises made as part of their application. HUD will measure and address the performance and compliance actions of grantees in accordance with the applicable standards and sanctions of the respective program.

**9. Debriefing.** For a period of at least 120 days, beginning 30 days after the awards for a Program NOFA are publicly announced, HUD will provide to a requesting applicant a debriefing related to its application. A request for debriefing must be made in writing or by email by the authorized official whose signature appears on the SF424 or by his or her successor in office, and be submitted to the person or organization identified as the contact under the section entitled Agency Contact(s) in the Program NOFA. Information provided during a debriefing will include, at a minimum, the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which assistance was provided or denied.

**10. Funding Errors.** In the event HUD commits an error that when corrected would result in selection of an applicant during the funding round of a Program NOFA, HUD may select that applicant for funding, subject to the availability of funds.

**B. Administrative and National Policy Requirements.** See also Section III: Eligibility Information, part C.

**1. Ensuring the Participation of Small Disadvantaged Businesses, and Women-Owned Businesses.** HUD is committed to ensuring that small businesses, small disadvantaged businesses, and women-owned businesses participate fully in the direct contracting and contracting opportunities generated by HUD's financial assistance. State, local, and Indian tribal governments are required by 24 CFR 85.36(e) to take all necessary affirmative steps in

contracting for the purchase of goods or services to assure that minority firms, women-owned business enterprises, and labor surplus area firms are used whenever possible or as specified in the Program NOFAs. Nonprofit recipients of assistance (grantees and subgrantees) are required by 24 CFR 84.44(b) to make positive efforts to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible.

**2. Equal Access to HUD-assisted or HUD-insured Housing.** HUD is committed to ensuring that its housing programs are open to all eligible individuals and families regardless of sexual orientation, gender identity or marital status. HUD funding recipients and subrecipients must comply with 24 CFR 5.105(a)(2) in connection with determining eligibility for housing assisted with HUD funds or subject to an FHA-insured mortgage, and in connection with making such housing available. This includes making eligibility determinations and making housing available regardless of actual or perceived sexual orientation, gender identity, or marital status, and prohibiting inquiries about sexual orientation or gender identity for the purpose of making eligibility determinations or making housing available. Applicants are encouraged to become familiar with these requirements, HUD's definitions of sexual orientation and gender identity at 24 CFR 5.100, clarifications to HUD's definition of family at 24 CFR 5.403, and other regulatory changes made through HUD's Equal Access Rule, published in the Federal Register at 77 FR 5662 (Feb. 3, 2012).

**3. Equal Protection for Faith-based and Community Organizations.** Executive Order 13279, "Equal Protection of the Laws for Faith-based and Community Organizations," and Executive Order 13559, "Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Partnerships." Faith-based organizations are eligible to participate in HUD's programs and activities on the same basis as any other organization. HUD's regulation on the equal participation of faith-based organizations, consistent with Executive Order 13279, is at 24 CFR 5.109. Additionally, several HUD programs, particularly programs administered by the Office of Community Planning and Development, are subject to program-specific rules. The rule at 24 CFR 5.109 provides, among other things, that religious organizations may not engage in inherently religious activities as part of a HUD-funded program or activity; a religious organization that participates in a HUD-funded program or activity may retain its independence and continue to carry out its mission; and an organization that receives direct federal funds from HUD is not permitted to discriminate against a program beneficiary or

prospective program beneficiary on the basis of religion or religious belief in providing program assistance. Executive Order 13559 amended Executive Order 13279 to require additional protections for program beneficiaries. HUD is preparing a proposed rule that will amend its current regulations at 24 CFR 5.109 and elsewhere to implement the provisions of E.O. 13559 in accordance with the process set out in OMB Memorandum M-13-19. However, some program-specific rules have been amended to reflect the new provisions of E.O. 13559. Recipients and subrecipients of funds subject to those amended rules must comply with the new regulatory provisions.

**4. Real Property Acquisition and Relocation.** Except as otherwise provided by federal statute, HUD-assisted programs or projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA) (42 U.S.C. 4601-4655), and the government-wide implementing regulations issued by the Federal Highway Administration at 49 CFR part 24. The Uniform Act applies to acquisitions of real property and displacements resulting from the acquisition, rehabilitation, or demolition of real property for Federal or federally-assisted programs or projects. With certain limited exceptions, real property acquisitions for programs or projects that receive federal financial assistance from HUD must comply with 49 CFR part 24, subpart B.

To be exempt from the URA's acquisition requirements, real property acquisitions conducted without the threat or use of eminent domain, commonly referred to as "voluntary acquisitions," must satisfy the applicable requirements of 49 CFR 24.101(b)(1) through (5). Records demonstrating compliance with these requirements must be maintained by the recipient. The URA's relocation requirements remain applicable to any tenant who is displaced by an acquisition that meets the requirements of 49 CFR 24.101(b) (1) through (5).

The relocation requirements of the Uniform Act, and its implementing regulations at 49 CFR part 24, cover any person who moves permanently from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD assistance. While there are no URA statutory provisions for "temporary relocation", the URA regulations recognize that there are circumstances where a person will not be permanently displaced but may need to be moved from a project for a short period of time. Appendix A of the URA regulation (49 CFR 24.2(a)(9)(ii)(D)) explains that any

tenant who has been temporarily relocated for a period beyond one year must be contacted by the displacing agency and offered URA permanent relocation assistance. Some HUD program regulations provide additional protections for temporarily relocated tenants. Before planning their project, applicants must review the regulations for the programs for which they are applying. Generally, the URA does not apply to displacements resulting from the demolition or disposition of public housing covered by Section 18 of the United States Housing Act of 1937. Individual Program NOFAs may have additional relocation guidance and requirements.

Additional resources and guidance pertaining to real property acquisition and relocation for HUD-funded programs and projects are available on HUD's Real Estate Acquisition and Relocation website at [www.hud.gov/relocation](http://www.hud.gov/relocation). Applicable laws and regulations, policy and guidance, publications, training resources, and a listing of HUD contacts are also available for applicants who have questions or are in need of assistance.

**5. Procurement of Recovered Materials.** State agencies and agencies of a political subdivision of a state that are using assistance under a Program NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act. In accordance with Section 6002, these agencies and persons must procure items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired in the preceding fiscal year exceeded \$10,000; must procure solid waste management services in a manner that maximizes energy and resource recovery; and must have established an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. Please refer to [www.epa.gov/osw/consERVE/tools/cpg/pdf/rcra-6002.pdf](http://www.epa.gov/osw/consERVE/tools/cpg/pdf/rcra-6002.pdf) for complete text and requirements of Section 6002.

**6. Participation in a HUD-Sponsored Program Evaluation.** As a condition of the receipt of financial assistance under a Program NOFA, all successful applicants will be required to cooperate with all HUD staff, contractors, or designated grantees performing research or evaluation studies funded by HUD.

**7. Environmental Requirements.** Recipients and participants, including public or private nonprofit or for-profit entities, or any of their contractors, under a HUD-funded program that assists in physical development activities or property acquisition are generally prohibited from acquiring, rehabilitating, converting, demolishing, leasing, repairing, or constructing property, or committing or expending HUD or other funds for these types of program activities, until one of the following has occurred:

- a. HUD has completed an environmental review in accordance with 24 CFR part 50; or
- b. For programs subject to 24 CFR part 58, HUD has approved a recipient's Request for Release of Funds (form HUD7015.15) following a responsible entity's completion of an environmental review. The applicant must consult the Program NOFA to determine the procedures for, timing of, and any modifications or exclusions from environmental review under a particular program.

**8. OMB Administrative Requirements and Cost Principles.** Unless excepted under 24 CFR chapters I through IX, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, set forth in 2 CFR part 200, shall apply to Federal Awards made by the Department of Housing and Urban Development to non-Federal entities.

**9. Drug-Free Workplace.** Applicants awarded funds from HUD are subject to 2 CFR part 2429, which implements the Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.), as amended, and required to provide a drug-free workplace. Compliance with this requirement means that the applicant will:

- a. Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant's workplace and such activities are prohibited. The statement must specify the actions that will be taken against employees for violation of this prohibition. The statement must also notify employees that, as a condition of employment under the federal award, they are required to abide by the terms of the statement and that each employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction.
- b. Establish an ongoing drug-free awareness program to inform employees about:



- (1) The dangers of drug abuse in the workplace;
- (2) The applicant's policy of maintaining a drug-free workplace;
- (3) Available drug counseling, rehabilitation, or employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Notify HUD and other federal agencies providing funding in writing within 10 calendar days after receiving notice from an employee of a drug abuse conviction or otherwise receiving actual notice of a drug abuse conviction. The notification must be provided in writing to HUD's Office of Strategic Planning and Management, Grants Management Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington DC 20410-3000, along with the following information:

- (1) The program title and award number for each HUD award covered;
- (2) The HUD staff contact name, telephone and fax numbers;
- (3) A grantee contact name, telephone and fax numbers; and
- (4) The convicted employee's position and title.

d. Require that each employee engaged in the performance of the federally funded award be given a copy of the drug-free workplace statement required in item (a) above and notify the employee that one of the following actions will be taken against the employee within 30 calendar days of receiving notice of any drug abuse conviction:

- (1) Institution of a personnel action against the employee, up to and including termination consistent with requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; or
- (2) Imposition of a requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

e. Identify to the agency making the award all known workplaces under the award. The workplace identification must include the actual address of buildings or other sites where work under the award will take place. The applicant must also inform the agency of any workplace

changes during the performance of the award. The identification of the workplaces must occur either:

(1) At the time of application or upon award; or

(2) In documents the applicant keeps on file in its offices during performance of the award, in which case the applicant must make the information available for inspection upon request by the agency.

**10. Safeguarding Resident/Client Files.** In maintaining resident and client files, funding recipients shall comply with the Privacy Act of 1974 (Privacy Act), the agency rules and regulations issued under the Privacy Act, and observe state and local laws concerning the disclosure of records that pertain to individuals. Further, recipients are required to comply with the Privacy Act in the design, development, or operation of any system of records on individuals and take reasonable measures to ensure that resident and client files are safeguarded, including when reviewing, printing, or copying client files.

**11. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L.109-282) (Transparency Act), as amended.** Prime Grant Awardee Reporting. Prime recipients of HUD's financial assistance are required to report certain subawards in the Federal Funding Accountability and Transparency Act Subaward System (FSRS) website located at [www.fsrs.gov](http://www.fsrs.gov) or its successor system for all prime awards listed on the FSRS website. Prime financial assistance awardees receiving funds directly from HUD are required to report subawards and executive compensation information both for the prime award and subaward recipients, including awards made as pass-through awards or awards to vendors. For reportable subawards, if executive compensation reporting is required and subaward recipients' executive compensation is reported through the SAM system, the prime recipient is not required to report this information. The reporting of award and subaward information is in accordance with the requirements of the Transparency Act, as amended by section 6202 of Public Law 110-252, and by section 3 of Public Law 113-101.

**12. Eminent Domain.** Section 409 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (Pub. L. 112-55, Div. C, Title II), prohibits the use of funds to support any federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Section 409 provides that

public use shall not be construed to include economic development that primarily benefits private entities. Use of funds for mass transit, railroad, airport, seaport, or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118), shall be considered a public use for purposes of Section 409. Applicants for FY 2015 assistance under the programs governed by this General Section may be subject to this restriction if it is incorporated in HUD's FY 2015 appropriation. A notice will be published indicating if this provision applies subsequent to the passage of HUD's FY 2015 appropriation.

**13. Physical Accessibility.** Note that all meetings must be held and services provided in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, successful applicants must give priority to alternative methods of product or information delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with HUD's implementing regulations for section 503 of the Rehabilitation Act of 1973 (29 U.S.C. §794) at 24 CFR part 8. In addition, all notices of and communications during all training sessions and public meetings shall be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities or provide other means of accommodation for persons with disabilities consistent with section 504 of the Rehabilitation Act of 1973 and HUD's section 504 regulations. See CFR section 8.6.

### **C. Reporting.**

**1. Reporting Requirements and Frequency of Reporting.** The Program NOFA will specify the reporting requirements, including content and method of data collection, as well as the frequency for reporting to HUD. HUD will require grantees to submit performance reports in accordance with federal OMB guidance and the instructions for the program.

**2. Race and Ethnicity Data Reporting Form.** HUD requires grantees that provide HUD-funded program benefits to individuals or families to report data on the race and ethnicity of

those individuals receiving such benefits. Grantees that provide benefits to individuals during the period of performance, whether directly through subrecipients or contractors, must report the data using the Race and Ethnic Data Reporting Form found on Grants.gov. The form is a data collection based on the standards published by OMB on August 13, 2002. The Program NOFA will identify applicable reporting requirements related to each program.

## **VII. AGENCY CONTACT(S)**

Questions regarding this notice are to be directed to the Office of Strategic Planning and Management, Grants Management Division, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington, DC 20410-3000, telephone number (202) 708-0667. This is not a toll-free number. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at 1-800-877-8339.

## **VIII. OTHER INFORMATION**

**A. Paperwork Reduction Act Statement.** The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Each Program NOFA will identify its applicable OMB control number.

**B. Environmental Impact.** A Finding of No Significant Impact (FONSI) with respect to the environment for this notice is available for public inspection on HUD's Funds Available page. If applicable, program NOFAs will include similar information. Program NOFAs will publish applicable environmental requirements in Section VI.B of the Program NOFA.

The posting of the FONSI to HUD's website is part of HUD's Open Government efforts to make it easier for the public to access information.

**C. Executive Orders and Congressional Intent.** Executive Order 13132 prohibits, to the extent practicable and permitted by law, an agency from promulgating policies that have federalism implications and either impose substantial direct compliance costs on state and local governments and are not required by statute, or preempt state law, unless the relevant requirements of Section 6 of the executive order are met. This notice does not have federalism

implications and does not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the executive order.

**D. Section 102 of the HUD Reform Act.** Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) (42 U.S.C. 3545) and the regulations codified at 24 CFR part 4, subpart A, contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992, HUD published a notice that also provides information on the implementation of Section 102 (57 FR 1942). The documentation, public access, and disclosure requirements of Section 102 apply to assistance awarded under NOFAs published as described below.

**1. Documentation, Public Access, and Disclosure Requirements.** HUD will ensure that documentation and other information regarding each application submitted pursuant to a FY 2015 NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the FOIA and HUD's implementing regulations at 24 CFR part 15.

**2. Form HUD2880, "Applicant/Recipient Disclosure/Update Report".** HUD will also make available to the public for a period of 5 years all applicant disclosure reports (form HUD 2880) submitted in connection with a FY 2015 NOFA. Updated reports (also reported on form HUD 2880) will be made available along with the applicant disclosure reports, but in no case for a period of less than 3 years. All reports will be made available in accordance with the FOIA and HUD's implementing regulations. HUD has also developed an instructional webcast on this form for applicants/grantees. The webcast is found at [media.gss.hud.gov:8080/WC/2011/02/11/HUDForm2880.wmv](http://media.gss.hud.gov:8080/WC/2011/02/11/HUDForm2880.wmv).

**3. Publication of Recipients of Funding.** HUD's regulations at 24 CFR part 4 provide that HUD will publish a notice in the Federal Register to notify the public of all funding decisions made by HUD to provide:

a. Assistance subject to Section 102(a) of the HUD Reform Act; and

b. Assistance provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) noncompetitive basis.

**E. Section 103 of the HUD Reform Act.** Section 103 of the HUD Reform Act, codified at 24 CFR part 4, subpart B, applies to this funding competition until the announcement of selection of successful applicants. HUD's employees involved in the review of applications and in the making of funding decisions are prohibited by the regulations from providing advance information to any person (other than an authorized HUD employee) concerning funding decisions or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance must confine their inquiries to the subject areas HUD's employees are permitted to answer under 24 CFR part 4.

Applicants who have ethics-related questions may contact HUD's Ethics Law Division at 202-708-3815 (this is not a toll-free number). Persons with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at 1-800-877-8339.

**IX. APPENDIX A**

The following appendix explains the NOFA priorities in greater detail and outlines what applicants must show in order to satisfy the various requirements. Note that applicants must receive the minimum fundable score before NOFA priorities points can be credited.

<p><b>Applicability</b></p>	<p><b>CRITERIA FOR “PROMOTE HEALTH AND HOUSING STABILITY OF VULNERABLE POPULATIONS”</b></p> <ul style="list-style-type: none"> <li>• <i>Health Care Assessment and Assistance</i></li> <li>• <i>Targeting High-Need Clients for Health Services</i></li> <li>• <i>Partnerships with health care organizations</i></li> </ul>
<p><b>ALL TYPES AND AS SPECIFIED IN INDIVIDUAL PROGRAM NOFA</b></p>	<p>Applicants may receive one point for demonstrating any one of the following, with a maximum of two points awarded for this priority overall. To receive the points for this priority, applicants will be expected to identify the target population(s) to be served, the baseline from which improvements are to be measured, the anticipated outcome, and the related measurements to be used to gauge the positive change. During the course of the award, the grantee will be expected to report progress in meeting the expected goals.</p> <p><b>A. Health Care Assessment and Assistance (1 point):</b> Demonstrated processes in place to assess the health insurance status of people who are touched by the relevant HUD housing-related program, and for those who can benefit from Medicaid expansion or subsidized health insurance, to direct them to the online health insurance marketplace, HHS’ toll-free number, or local health insurance navigators; To receive the points for this NOFA priority, applicants will be expected to identify the target population(s) to be served, the baseline from which improvements are to be measured, the anticipated outcome, and the related measurements to be used to gauge the positive change.</p> <p><b>B. Targeting High-Need Clients (1 point):</b> Demonstrated processes in</p>

	<p>place to target and prioritize the most vulnerable people or people who are high utilizers of health and human services systems.</p> <p><b>C. Partnerships with Health Care Organizations (1 point):</b> Provide evidence of partnerships with community health centers or other health care providers to assess health care needs and connect people to care and health-related supports; Applicants must submit letters, partnership agreements or memoranda of understanding from partnership organizations evidencing specific roles, responsibilities and commitments addressing improved coordination and information sharing. Such partner documents should be submitted on the partner organization’s letterhead and be signed by an official who is able to make commitments on the part of the organization by individuals authorized to obligate the organization(s) submitting them.</p> <p>In addition, applicants will be asked to identify measures of success for selected strategies, such as, but not limited to, the following outputs:</p> <p>(1) Health insurance enrollments: Identify increases in the number of assisted individuals with health insurance.</p> <p>(2) Health services: For on-site health services and programs, increases in the number of visits or participation rates in programs.</p>
<b>Applicability</b>	<p><b>CRITERIA FOR “PROMOTE ECONOMIC DEVELOPMENT AND ECONOMIC RESILIENCE”</b></p> <ul style="list-style-type: none"> <li>• <i>Create Jobs for low-income residents</i></li> <li>• <i>Proximity to Amenities/Reducing Transportation Costs</i></li> </ul>
<b>CAPITAL INVESTMENT, PLANNING, AND</b>	<p>Applicants may receive one point for demonstrating one of the following, with a maximum of two points awarded for this priority overall.</p> <p><b>A. Community Economic Development (1 point):</b> To receive 1 point under this objective, applicants must show how their proposed grant</p>



<p><b>RESEARCH NOFAS OR AS SPECIFIED IN INDIVIDUAL PROGRAM NOFA</b></p>	<p>activities will build infrastructure within the target community to support 1) job creation for low income people, at-risk youth and/or transition-age youth; 2) business opportunities for small and/or disadvantaged businesses; and/or 3) create a flow of investment of private or other public capital into a) small and disadvantaged businesses or b) nonprofit activities serving low income people, at-risk youth and/or transition-age youth; and/or 4) any combination of the above. Applicants must provide substantive description of each activity and specific, measureable targets of economic development impact, with a narrative supporting the estimate. For programs already subject to the requirements of Section 3 (see paragraph VI.B.2) applicants must clearly explain how the proposed activities exceed the requirements of Section 3 to “ensure that employment and other economic opportunities generated by HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and local laws and regulations, be directed to low- and very low-income persons.” (24 CFR 135.1)</p> <p><b>B. Reducing Transportation Costs / Proximity to Amenities/ (1 point):</b> To receive 1 point under this objective, applicants must demonstrate that proposed activities will be conducted and projects sited at locations that will help households reduce their transportation costs. Applicants should demonstrate this through evidence that such sites are within easy walking distance of other important services and amenities such as grocery stores, social services, cultural facilities, parks, recreation and other amenities and/or served by conveniently located public transportation with frequent service. Applicants must provide evidence that the proposed activities meet the following criterion:</p> <p>Sites located in metropolitan areas (per 42 U.S.C. § 5302(a)(3)) must be within one-half mile of amenities that are appropriate to the served population. Nonmetropolitan sites must be within one mile of amenities that are appropriate to the served population. Applicants must provide a</p>
---------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>map identifying the applicable amenities. Points will be awarded to project sites within easy walking distance of at least 2 of the following categories of amenities:</p> <ul style="list-style-type: none"> <li>a. Grocery Store such as a supermarket or other store that sells produce and meat products;</li> <li>b. Social Services Facilities such as a licensed adult or senior care, hospital, medical clinic or social service organization that offers services to residents;</li> <li>c. Neighborhood-serving Amenities such as an apparel store, convenience store, pharmacy, bank, hair care, dry cleaner, or restaurant;</li> <li>d. Recreational Facilities such as a community or senior center, gym, health club, or entertainment venue; and</li> <li>e. Civic Facilities such as a government office that serves the public on-site, an educational facility providing adult education classes, place of worship, police or fire station, post office, public library, or public park.</li> <li>f. Educational Facilities such as primary and secondary schools, community colleges, and universities.</li> </ul> <p>Alternatively, applicants may also receive this point by demonstrating through publicly-available information that the proposed site is served by reliable and accessible public transportation through door-to-door shuttle/van service and/or a transit stop(s) within one-half mile which provides access to at least 2 of the above listed amenities.</p>
<p><b>COUNSELING AND SERVICE COORDINATION NOFAS OR AS</b></p>	<p>Applicants may receive one point for demonstrating any one of the following, with a maximum of two points awarded for this priority overall.</p> <p><b>A. Job Readiness for Low-income Residents, At-Risk Youth and/or Transition-Age Youth.</b> To receive 1 point for this objective, applicants</p>

<p><b>SPECIFIED IN INDIVIDUAL PROGRAM NOFA</b></p>	<p>must provide evidence of a curriculum and services plan designed to increase beneficiaries’ job-readiness, and link participants with employers. Renewal or returning applicants must provide evidence of positive program outcomes, e.g., participants who got a job or improved their employment status (increased income or benefits).</p> <p><b>B. Reducing Transportation Costs / Tailored Services Plan and Curriculum.</b> To receive 1 point for this objective, applicants must provide evidence of a site-specific services plan with a supporting site-specific curriculum designed to help clients consider transportation costs and access to amenities as part of housing and employment location decisions. (For either document, if it is publicly accessible on the Web, provide just the Web address rather than attaching it.) Applicants must identify the baseline from which improvements are to be measured, and measurements to be used to gauge the improvements. Renewal or returning applicants must provide evidence of outcome improvements from their previous program, e.g., the percentage of participants who show transportation costs reduced from the baseline of that program.</p> <p><b>C. Proximity to Amenities/Reducing Transportation Costs.</b> To receive 1 point for this objective, applicants must provide evidence that HUD-funded counseling or services are provided within easy walking distance of other important services and amenities such as grocery stores, social services, cultural facilities, parks, recreation and other amenities and/or served by conveniently located public transportation with frequent service. Sites located in metropolitan areas (per 42 U.S.C. § 5302(a)(3)) must be within one-half mile of amenities that are appropriate to the served population. Nonmetropolitan sites must be within one mile of amenities that are appropriate to the served population. Applicants must provide a map identifying the applicable amenities. Points will be awarded to project sites within easy walking distance of at least 2 of the following categories of amenities:</p>
----------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"><li>a. Grocery Store such as a supermarket or other store that sells produce and meat products;</li><li>b. Social Services Facilities such as a licensed adult or senior care, hospital, medical clinic or social service organization that offers services to residents;</li><li>c. Neighborhood-serving Amenities such as an apparel store, convenience store, pharmacy, bank, hair care, dry cleaner, or restaurant;</li><li>d. Recreational Facilities such as a community or senior center, gym, health club, or entertainment venue; and</li><li>e. Civic Facilities such as a government office that serves the public on-site, an educational facility providing adult education classes, place of worship, police or fire station, post office, public library, or public park.</li><li>f. Educational Facilities such as primary and secondary schools, community colleges, and universities.</li></ul>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>Applicability</b></p>	<p><b>CRITERIA FOR “AFFIRMATIVELY FURTHERING FAIR HOUSING”</b></p> <ul style="list-style-type: none"> <li>• Provide Housing for range of incomes/family sizes</li> <li>• Provide Mobility Counseling</li> <li>• Follow Location criteria (e.g., build affordable housing in non-minority or Racially/Ethnically Concentrated Areas of Poverty concentrated areas)</li> <li>• Train Staff in identifying discriminatory conduct and policies, assisting program applicants and beneficiaries in obtaining equal access to HUD programs, and providing geographic and economic mobility services</li> <li>• Provide outreach to marginalized populations</li> <li>• Partnerships with Fair Housing Organizations, Allied State and local agencies, or community-based organizations representative of populations affected by HUD projects.</li> </ul>
<p><b>CAPITAL INVESTMENT</b></p>	<p>Applicants may receive one point for demonstrating any one of the following, with a maximum of 2 points awarded for this priority overall.</p> <p><b>A. Rehabilitation or Redevelopment:</b></p> <p>(a) Applicants may earn 1 point for demonstrating that the rehabilitated or redeveloped project will include housing for a range of incomes and a range of family sizes that is proportional to the regional need, based on Census data and other generally accepted data sources. Applicants must include the specific plans for such housing, including the total number of units affordable for each income group, by bedroom size; and,</p> <p>(b) Applicants may earn 1 point by presenting a plan for providing mobility counseling to each family that will be permanently displaced (for example, relocation of more than 1 year) by the redevelopment/rehabilitation activities, and, for each such family,</p>

	<p>identifying at least one option for comparable housing opportunity that is located in an area that is not minority-concentrated or poverty-concentrated and has access to community assets, such as public transportation, employment opportunities, and, education.</p> <p><b>B. New Construction:</b> Applicants may earn 2 points for demonstrating that the new affordable housing construction is located in a high opportunity area that is or will be served by public transportation that is not also in an area of minority concentration or poverty concentration. For the purpose of this requirement, an area of minority concentration is defined as a Census tract or other defined geographic area in which the percentage of residents who are racial or ethnic minorities is at least 20 percentage points higher than the percentage of minority residents in the metropolitan statistical area (MSA) (or jurisdiction not in a MSA) as a whole. In MSAs (or jurisdictions not in MSAs) in which the majority of residents are racial or ethnic minorities, HUD will consider and rely on all relevant information to determine whether the neighborhood proposed for replacement housing will lead to the creation of more inclusive and integrated housing in opportunity-rich neighborhoods. For the purpose of this requirement, an area of poverty concentration is defined as census tract where the poverty rate is 20 percent or greater and, by demonstrating that the newly-constructed project will include housing in a range of family sizes that is proportional to the regional need, based on Census data and other generally accepted data sources.</p>
<p><b>PLANNING NOFA</b></p>	<p>Applicants may receive one point for demonstrating any one of the following, with a maximum of 2 points awarded for this priority overall.</p> <p><b>A. Addressing Impediments to Fair Housing (1 point):</b> Applicants may earn 1 point by demonstrating that a primary goal of its planning activities will be addressing one or more impediments that contribute to patterns of residential segregations as identified in the jurisdiction’s or region’s Analysis of Impediments of Fair Housing Choice; and,</p>

	<p><b>B. Participative Planning and Implementation (1 point):</b> Applicants may earn 1 NOFA priority point by identifying the steps that the applicant will take that will ensure that traditionally marginalized populations (such as racial and ethnic minorities and persons with disabilities) will be able to meaningfully participate in the planning process. To earn this point, the applicant must identify the specific populations that it will include, identify community organizations that represent these populations, and describe how these populations will be included in the planning process. For capital investment projects, grantees should commit to and demonstrate plans to employ low-income and very low-income persons and/or utilize Section 3 businesses at levels beyond those required by Section 3.</p>
<p><b>COUNSELING NOFA</b></p>	<p>Applicants may receive one point for demonstrating any one of the following, with a maximum of 2 points awarded for this priority overall.</p> <p><b>A. Staff Training (1 point):</b> Applicants may earn 1 point by demonstrating that they will train their staff on fair housing and civil rights laws, that they have a method of providing their clients with information about their fair housing rights, and that they have established a mechanism for referring potential fair housing violations to HUD, state or local fair housing agencies, or private fair housing groups. For example, an applicant may meet this requirement by demonstrating that it has entered into a memorandum of understanding with a fair housing enforcement agency that will provide them with fair housing training and informational materials and accept referrals of potential fair housing complaints; and,</p> <p><b>B. Mobility Counseling (1 point):</b> Applicants may earn 1 point by describing how they will provide clients with mobility counseling and what information applicants will furnish to clients that will enhance their housing choice outside of areas of minority and poverty concentration.</p>
<p><b>TECHNICAL ASSISTANCE</b></p>	<p>Applicants may receive one point for demonstrating the following, with a maximum of 2 points awarded for this priority overall.</p>

**NOFA**

**A. Capacity to Provide TA in Civil Rights and Fair Housing Law:**

Applicants may earn 1 point for demonstrating the applicant’s capacity (including, but not limited to, staff expertise or prior organizational experience offering civil rights and fair housing technical assistance) to provide, and plan to incorporate, technical assistance on civil rights and fair housing so that clients are better prepared to comply with the civil rights and fair housing laws applicable to the program. For example, if TA is being provided to homeless shelters, applicants should be able to articulate to a client that an admissions policy that excludes individuals from shelters based on actual or perceived sexual orientation or gender identity is impermissible; and,

**B. Partnerships with Fair Housing and Community-based**

**Organizations:** Applicants may earn 1 point for partnering with any of the organizations listed below whose service area includes the area in which grant funds will be used, or for partnering with a community-based organization that is representative of the population affected by the project.

- *Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs);*
- *Agencies of State or local governments, public or private not-for-profit organizations or institutions, and other public or private entities that are representing groups of persons protected under Title VIII of the Civil Rights Act of 1968 or formulating or carrying out programs to prevent or eliminate discriminatory housing practices; and,*
- *Agencies that participate in the Fair Housing Assistance Program (FHAP).*

In order to earn the point, applicants shall submit a memorandum of understanding (MOU) between the applicant and the organization, or, a letter of commitment from the organization, which details the nature of the partnership, including but not limited to, the timeframe for the partnership



	<p>and the activities that each organization will undertake.</p> <p>The nature and extent of the partnership is flexible and will vary depending on the specific funding opportunity. At a minimum, however, the MOU or letter of commitment must describe at least one way that the civil rights or fair housing organization will make a substantial contribution to the grant activities to help ensure that they are carried out in a manner that affirmatively furthers fair housing.</p>
<b>Applicability</b>	<p><b>CRITERIA FOR “INCREASE ENERGY EFFICIENCY AND THE HEALTH AND SAFETY OF HOMES”</b></p> <ul style="list-style-type: none"> <li>• <i>HUD/DOE Better Buildings Challenge</i></li> <li>• <i>Green Building Standard</i></li> <li>• <i>Renewable Energy</i></li> <li>• <i>Comprehensive assessments of homes for rehab, health and energy deficiencies</i></li> </ul>
<p><b>CAPITAL INVESTMENT NOFA AND PLANNING NOFA OR AS SPECIFIED IN INDIVIDUAL PROGRAM NOFA</b></p>	<p>Applicants may receive, within the maximum of 2 points awarded for this priority overall, 1 point for meeting criterion A or criterion B, or both, and 1 point for meeting criterion C. Within criterion B, applicants may receive the point by fulfilling either B.1 or B.2, or both.</p> <p><b>A. Better Buildings Challenge (1 point):</b> The applicant certifies that it is an existing HUD/DOE Better Buildings Challenge Partner. Participating in the Better Buildings Challenge requires a commitment to reduce portfolio-wide energy consumption by 20 percent over 10 years. To receive the point, the applicant must submit an executed copy of their Partnership Agreement, and must provide a link to their Better Buildings Challenge profile page at <a href="http://www.energy.gov/better-buildings">www.energy.gov/better-buildings</a>, showing that they have developed a Showcase Project as well as begun to track annual energy consumption across their portfolio, both requirements of the Better Buildings Challenge.</p>

**B. Green Building or Renewable Energy (1 point):**

**1. Green Building Standard:** The applicant commits to pursue a comprehensive, industry-recognized green building standard and certification for green building, such as the Enterprise Green Communities Criteria; the ICC 700 National Green Building Standard; LEED ND, LEED-H, LEED-H Midrise, LEED-NC, or one of a number of regionally-recognized green building standards such Earthcraft House, Earthcraft Multifamily, Earth Advantage New Homes, Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole building label), or other industry-recognized green building standard in HUD’s sole discretion. Additionally, the applicant must later submit a certification of completion, and provide evidence that the green building standard has been achieved.

**AND/OR**

**2. Renewable Energy:** The applicant certifies that the proposed project will incorporate renewable energy technologies such as on-site Solar Photovoltaic (PV) or Solar Thermal Electric, as well as Landfill Gas, Wind Energy, Biomass, Geothermal Electric, Combined Heat and Power, Municipal Solid Waste, Small Hydroelectric, Fuel Cells using Renewable Fuels in any federally assisted property receiving funds through this NOFA.

**C: Comprehensive assessments of and interventions in homes for rehabilitation, health and energy deficiencies (1 point):** The applicant must identify specific projects and activities that will *comprehensively* assess housing units for rehabilitation, health and energy deficiencies and coordinate interventions across multiple disciplines, and address the risks based on the comprehensive assessment. Specific measures of success or performance for this priority include the number of housing units rehabilitated in a comprehensive approach where housing rehabilitation and energy efficiency are coordinated with such intervention measures as

lead hazard control, allergen reduction, mold and moisture remediation; or other measures designed to result in decrease in symptom days, emergency treatment or inpatient hospital stays for asthmatic residents; decrease in numbers of safety related injuries taking place in the home; decrease in number of homes with residents who smoke or increase in the number of multifamily properties (privately owned unassisted or HUD-assisted housing, or public housing) where smoking is prohibited on the property; any other measurable outcome that demonstrates the positive health impact of comprehensive housing assessments, home/health focused education, integrated pest management techniques or other health related property improvements and/or property management practices. Applicants must include a description of how outcomes through this process will be measured including resident health, residential energy usage and access to job training/job opportunities for low income residents.

Applicants should demonstrate how their programs will coordinate housing services across the housing, health and energy disciplines including the use of common assessment tools, cross training of staff in multiple competencies, standardization of intake forms and processes. For more information on mitigating housing-related health hazards, applicants should review HUD's Healthy Homes Strategic Plan, [www.hud.gov/offices/lead/library/hhi/hh\\_strategic\\_plan.pdf](http://www.hud.gov/offices/lead/library/hhi/hh_strategic_plan.pdf), and the CDC- HUD Healthy Housing Reference Manual, [www.cdc.gov/nceh/publications/books/housing/housing.htm](http://www.cdc.gov/nceh/publications/books/housing/housing.htm), or [www.hud.gov/offices/lead/library/hhi/HealthyHousingReferenceManual.pdf](http://www.hud.gov/offices/lead/library/hhi/HealthyHousingReferenceManual.pdf).

Applicants are encouraged to coordinate the delivery of housing repair/rehabilitation with community, hospital or public health programs that utilize community health workers, *Promotores(as)*, health educators or other similar positions that assesses the indoor quality of home environments for conditions that may impact resident health, for example,

	<p>in the coordination of rehabilitation activities with programs that assess the home environments of asthmatic children for asthma triggers.</p>
<p><b>TECHNICAL ASSISTANCE NOFA OR AS SPECIFIED IN INDIVIDUAL PROGRAM NOFA</b></p>	<p>Applicants may receive, within the maximum of 2 points awarded for this priority overall, 1 point for meeting criterion A or criterion B, or both, and 1 point for meeting criterion C. Within criterion B, applicants may receive the point by fulfilling either B.1 or B.2, or both.</p> <p><b>A. Better Buildings Challenge (1 point):</b> The applicant demonstrates a high degree of technical expertise (through past performance or staff competencies) in assisting Better Buildings Challenge partners meet their energy efficiency goals under the HUD/DOE Better Buildings Challenge.</p> <p><b>B. Green Building or Renewable Energy (1 point):</b></p> <p><b>1. Green Building Standards:</b> The applicant demonstrates a high degree of expertise with one or more industry-recognized green building standards and certifications for green building, residential rehabilitation, including such programs such as the Enterprise Green Communities Criteria, the ICC 700 National Green Building Standard, LEED ND, LEED-H, LEED-H Midrise, LEED-NC; one of a number of regionally-recognized green building standards such Earthcraft House, Earthcraft Multifamily, Earth Advantage New Homes, Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole building label), or other industry-recognized green building standard in HUD’s sole discretion; and the HUD-CDC Healthy Housing Reference Manual <a href="http://www.cdc.gov/nceh/publications/books/housing/housing.htm">www.cdc.gov/nceh/publications/books/housing/housing.htm</a>, or <a href="http://www.hud.gov/offices/lead/library/hhi/HealthyHousingReferenceManual.pdf">www.hud.gov/offices/lead/library/hhi/HealthyHousingReferenceManual.pdf</a>.</p> <p><b>2. Renewable Energy:</b> The applicant demonstrates – through past performance and technical competencies – the ability to deliver successful financing and/or installation of on-site renewable energy technologies in federally-assisted properties. This includes Solar Photovoltaics and Solar</p>

Thermal, as well as Landfill Gas, Wind Energy, Biomass, Geothermal Electric, Combined Heat and Power, Municipal Solid Waste, Small Hydroelectric, Fuel Cells using Renewable Fuels).

**C: Comprehensive assessments of and interventions in homes for rehabilitation, health and energy deficiencies (1 point):** The applicant must demonstrate a high degree of technical expertise (through past performance or staff competencies) in, and commit to, encouraging and assisting technical assistance recipients to identify specific projects and activities that will *comprehensively* assess housing units for rehabilitation, health and energy deficiencies and coordinate interventions across multiple disciplines, and address the risks based on the comprehensive assessment. Health intervention measures include lead hazard control, allergen reduction, mold and moisture remediation; or other measures designed to result in decrease in symptom days, emergency treatment or inpatient hospital stays for asthmatic residents; decrease in numbers of safety related injuries taking place in the home; decrease in number of homes with residents who smoke or increase in the number of multifamily properties (privately owned unassisted or HUD-assisted housing, or public housing) where smoking is prohibited on the property; any other measurable outcome that demonstrates the positive health impact of comprehensive housing assessments, home/health focused education, integrated pest management techniques or other health related property improvements and/or property management practices. Applicants must include a description of how outcomes through this process will be measured including effectiveness measures of training, outreach, and reviews and recommendations regarding of technical assistance recipient procedures and documentation, in improving resident health, residential energy usage and access to job training/job opportunities for low income residents. Specific measures of success or performance for this priority include the percentage of technical assistance recipients that receive assistance that

successfully achieves those outcomes.

Applicants should demonstrate how their programs will help technical assistance recipients coordinate housing services across the housing, health and energy disciplines, including the use of common assessment tools, cross training of staff in multiple competencies, standardization of intake forms and processes. For more information on mitigating housing-related health hazards, applicants should review HUD's Healthy Homes Strategic Plan, [www.hud.gov/offices/lead/library/hhi/hh\\_strategic\\_plan.pdf](http://www.hud.gov/offices/lead/library/hhi/hh_strategic_plan.pdf), and the CDC-HUD Healthy Housing Reference Manual [www.cdc.gov/nceh/publications/books/housing/housing.htm](http://www.cdc.gov/nceh/publications/books/housing/housing.htm), or [www.hud.gov/offices/lead/library/hhi/HealthyHousingReferenceManual.pdf](http://www.hud.gov/offices/lead/library/hhi/HealthyHousingReferenceManual.pdf).

Applicants should encourage technical assistance recipients to coordinate the delivery of housing repair/rehabilitation with community, hospital or public health programs that utilize community health workers, *Promotores(as)*, health educators or other similar positions that assesses the indoor quality of home environments for conditions that may impact resident health, for example, in the coordination of rehabilitation activities with programs that assess the home environments of asthmatic children for asthma triggers.