



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

Community Planning and Development

Self-Help Homeownership Opportunity Program (SHOP)

FR-6000-N-19

Application Due Date: 10/12/2016

Self-Help Homeownership Opportunity Program (SHOP)

FR-6000-N-19

TABLE OF CONTENTS

- I. [Funding Opportunity Description.](#)
- II. [Award Information.](#)
- III. [Eligibility Information.](#)
  - A. Eligible Applicants.
  - B. Cost Sharing or Matching.
  - C. Other.
- IV. [Application and Submission Information.](#)
  - A. Obtaining an Application Package.
  - B. Content and Form of Application Submission.
  - C. System for Award Management (SAM) and Dun and Bradstreet Universal Numbering System (DUNS) Number.
  - D. Application Submission Dates and Times.
  - E. Intergovernmental Review.
  - F. Funding Restrictions.
  - G. Other Submission Requirements.
- V. [Application Review Information.](#)
  - A. Criteria.
  - B. Review and Selection Process.
  - C. Anticipated Announcement and Award Dates.
- VI. [Award Administration Information.](#)
  - A. Award Notices.
  - B. Administrative, National and Departmental Policy Requirements.
  - C. Reporting.
- VII. [Agency Contact\(s\).](#)
- VIII. [Other Information.](#)
- IX. [Appendix.](#)

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

**Program Office:** Community Planning and Development  
**Funding Opportunity Title:** Self-Help Homeownership Opportunity Program (SHOP)  
**Announcement Type:** Initial  
**Funding Opportunity Number:** FR-6000-N-19  
**Primary CFDA Number:** 14.247  
**Due Date for Applications:** 10/12/2016

**For Further Information Contact:** Please direct questions regarding the specific program requirements of this Program Notice of Funding Availability (NOFA) to the agency contact identified in Section VII. Please direct general questions regarding the FY2016 NOFAs to the Office of Strategic Planning and Management, Grants Management Division, at AskGMO@hud.gov. Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Relay Service at 1-800-877-8339.

### **Additional Overview Information**

Incorporation of the General Section. HUD publishes a General Section each fiscal year that contains requirements for all applicants to HUD's various competitive grant programs, including this NOFA. Applications must meet all of the requirements of the General Section in addition to the requirements of this NOFA to be considered and potentially receive funding. The full title of the General Section is the General Section to HUD's Fiscal Year 2016 Notice[s] of Funding Availability for Discretionary Programs. Copies are available at [Grants.gov](http://Grants.gov) or HUD's [Funds Available](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail) page, [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/grants/fundsavail](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail).

1. Participative Planning and Implementation. 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).

2. OMB Approval Number(s): 2506-0157

This NOFA announces the availability of \$10,000,000 of FY2016 Self-Help Homeownership Opportunity Program (SHOP) grant funds.

SHOP funding is intended to facilitate and encourage innovative homeownership opportunities on a national and geographically-diverse basis. The program supports self-help housing programs that require a significant amount of sweat equity by the homebuyer toward the construction or rehabilitation of his or her home. Volunteer labor is also required.

Eligible applicants for SHOP funding include national and regional non-profit organizations and consortia with experience facilitating homeownership opportunities on a national, geographically-diverse basis through the provision of self-help homeownership housing programs. Applicants must propose to use a significant

amount of SHOP grant funds in at least two states and may award SHOP grant funds to local non-profit affiliate organizations to carry out the Grantee's SHOP program. These affiliate organizations must be located within the Grantee's service area. Individuals are not eligible to apply for SHOP grant funds.

SHOP grant funds must be used for land acquisition, infrastructure improvements, and for reasonable and necessary planning and administration costs (not to exceed 20 percent) with the maximum average SHOP investment for land acquisition and infrastructure not exceeding \$15,000 per SHOP unit. The construction or rehabilitation costs of each SHOP unit must be funded with other leveraged public and private funds. SHOP units must be decent, safe, and sanitary non-luxury dwellings that comply with state and local codes, ordinances, and zoning requirements, and with all other SHOP requirements, including but not limited to, the requirements for energy-efficiency, water conservation and accessibility. The SHOP units must be sold to homebuyers at prices below the prevailing market price.

## **I. Funding Opportunity Description.**

### **A. Program Description.**

#### **1. Purpose.**

HUD is making \$10,000,000 of FY2016 Self-Help Homeownership Opportunity Program (SHOP) grant funds available through this NOFA. Only national and regional non-profit organizations and consortia with experience facilitating innovative homeownership opportunities through the provision of self-help homeownership housing programs are eligible to apply. Applicants must propose to use a significant amount of SHOP grant funds in at least two states. Individuals are not eligible applicants for SHOP grant funds, consequently any applications received from individuals will not be reviewed by HUD.

Land acquisition, infrastructure improvements, and reasonable and necessary planning and administration costs (not to exceed 20 percent) are the only eligible uses for SHOP grant funds. The average SHOP expenditure for the combined costs of land acquisition and infrastructure improvements cannot exceed \$15,000 per SHOP unit. Successful applicants must leverage other public and private funds to pay for the construction or rehabilitation costs of each SHOP unit.

SHOP units must be decent, safe, and sanitary non-luxury dwellings that comply with state and local codes, ordinances, and zoning requirements, and with all other SHOP requirements. The SHOP units must be sold to homebuyers at prices below the prevailing market price.

Homebuyers must be low-income and must contribute a significant amount of sweat equity towards the development of the SHOP units. A homebuyer's sweat equity contribution cannot be mortgaged or otherwise restricted upon future sale of the SHOP unit. Volunteer labor is also required.

SHOP Grantees may award SHOP grant funds to local non-profit affiliate organizations to carry out the Grantee's SHOP program. These affiliate organizations must be located within the Grantee's service area.

#### **2. Changes from Previous NOFA.**

The FY 2016 SHOP NOFA includes changes including but not limited to the following:

- Due to a new statutory provision in the Housing Opportunity through Modernization Act (P.L.-114-201 signed July 29, 2016), all applicants are strongly encouraged, but not required, to use ENERGY STAR-labeled appliances and products (when such ENERGY STAR appliances and products exist). You are strongly encouraged, but not required, to provide appropriate guidance to all SHOP homebuyers on the proper use and maintenance of the energy-saving appliances and products installed in their units.
- Applicants should report on the number of actual affiliates and anticipated affiliates in the SHOP Program Summary. Affiliates: Yes \_\_\_\_\_ No \_\_\_\_\_; if Yes, Number \_\_\_\_\_ Actual \_\_\_\_\_ Anticipated \_\_\_\_\_

- The applicant's Monitoring Plan must contain the elements listed in the SHOP Program Summary under Section IV.B.1.b.(1).

### **3. Definitions.**

- a. Eligibility Requirements – Eligibility requirements are those requirements that must be met for an application to be eligible for funding. Deficiencies in meeting an eligibility requirement may be categorized as either curable or non-curable.
- b. Threshold Requirement – Threshold requirements are a category of eligibility requirements. A threshold requirement is a requirement that must be met in order for an application to be reviewed. Threshold requirements are not curable.  
Threshold requirements are listed in Section III.C.1 of this Program NOFA.  
Applicants must ensure their application package addresses all threshold requirements. Please check your application carefully!
- c. Deficiency – Deficiencies are not the same as errors. Errors are never curable except as permitted under Section IV.D.4. Deficiencies are items of missing or omitted information within a submitted application. Deficiencies typically involve missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box, etc.). Depending on specific criteria, deficiencies may be either curable or non-curable.
- d. Curable Deficiency – A curable deficiency is a specific type of deficiency that applicants may correct with timely action. To be curable the deficiency must:
- Not be a threshold requirement;
  - Not influence how an applicant is ranked or scored versus other applicants; and
  - Be remedied within the time frame specified in the notice of deficiency.
- e. Non-Curable Deficiency – An applicant cannot correct a non-curable deficiency after the submission deadline. Non-curable deficiencies are deficiencies that if corrected would change an applicant's score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application's score and final determination.

### **B. Authority.**

SHOP is authorized by Section 11 of the Housing Opportunity Program Extension Act of 1996 (Public Law 104-120, as amended, 42 U.S.C. 12805 note). HUD's authority for making funding available under this NOFA is the Consolidated Appropriations Act, 2016, Public Law 114-113, approved December 18, 2015.

## **II. Award Information.**

### **A. Available Funds.**

HUD is making available approximately **\$10,000,000** through this NOFA for Self-Help Homeownership Opportunity Program (SHOP).

Additional funds may become available for award under this NOFA as a result of HUD's efforts to recapture unused funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the applicable funding restrictions described in the General Section and to those contained in this NOFA.

### **B. Number of Awards.**

HUD expects to make approximately 4 awards from the funds available under this NOFA.

### C. Minimum/Maximum Award Information.

**Estimated Total Funding:** \$10,000,000 is available to fund SHOP grant awards under the FY2016 SHOP NOFA.

**Minimum Award Amount:** HUD has not established a minimum award amount however; the Grantee must complete and convey a minimum of 30 units during the grant term with a maximum average SHOP investment for land acquisition and infrastructure improvements of \$15,000 per dwelling unit. Up to twenty percent of the total award amount may be used for reasonable and necessary planning and administration costs.

**Maximum Award Amount:** \$10,000,000.

|                          |                                 |
|--------------------------|---------------------------------|
| Estimated Total Funding: | \$10,000,000                    |
| Minimum Award Amount:    | \$450,000 Per Project Period    |
| Maximum Award Amount:    | \$10,000,000 Per Project Period |

### D. Period of Performance.

**Grant Term.** The Grantee must expend all SHOP grant funds within 24 months of the date that HUD makes the SHOP grant funds available for drawdown in the Grantee's line of credit. However, grant funds provided to a SHOP affiliate that develops five or more SHOP units must be expended within 36 months of the date that HUD makes the SHOP grant funds available for drawdown in the Grantee's line of credit. The Grantee's administrative costs directly related to the management and oversight of affiliates developing five or more SHOP units must also be expended within 36 months of the date the SHOP grant funds are made available in the Grantee's line of credit.

|                               |            |
|-------------------------------|------------|
| Estimated Project Start Date: | 02/15/2017 |
| Estimated Project End Date:   | 02/14/2019 |
| Length of Project Periods:    | Other      |
| Length of Project Periods     |            |
| Explanation of Other:         |            |

**Timely Performance.** The Grantee and its affiliates must develop and convey all proposed SHOP units within 36 months of the end of the applicable SHOP grant term. HUD may grant an extension to a Grantee's performance schedule only when justified by good cause. HUD will require corrective actions when a Grantee fails to satisfy its approved schedule. HUD will note any failure to perform as required under the award as poor performance which may negatively affect an applicant's future SHOP funding.

### E. Type of Funding Instrument.

|                          |       |
|--------------------------|-------|
| Funding Instrument Type: | Grant |
|--------------------------|-------|

### F. Supplementation.

Not Applicable.

## III. Eligibility Information.

### A. Eligible Applicants.

Others (see text field entitled "Additional Information on Eligibility" for clarification)

Additional Information on Eligibility:

Applicants must be a public or private non-profit organization, or a consortium of public or private non-profit organizations, as defined below, that have the capacity and experience to provide or facilitate self-help homeownership housing opportunities on a national or regional basis. Applicants must propose to undertake eligible SHOP activities directly and/or enter into a written agreement with one or more non-profit affiliate organizations to carry out eligible SHOP activities.

The term “you” as used in this NOFA refers to the SHOP applicant, including all consortium members. The term “consortium” refers to all consortium members. The term “Grantee” refers to a successful SHOP applicant, including all consortium members, that have been awarded SHOP grant funds under this NOFA. The term “affiliate” refers to an eligible non-profit organization that is an affiliate of a SHOP grantee.

## 1. Definitions

### a. Eligible SHOP Applicant

**(i) National Organization.** A national organization is a public or private non-profit organization that carries out self-help homeownership housing activities or funds affiliates that carry out self-help homeownership housing activities on a national scale.

**(ii) Regional Organization.** A regional organization is a public or private non-profit organization that carries out self-help homeownership housing activities or funds affiliates that carry out self-help homeownership housing activities on a regional scale. A regional area is a geographic area, such as the Southwest or Northeast that includes at least two states. The states in the region need not be contiguous, and the service area of the organization need not precisely conform to state boundaries.

**(iii) Consortium.** A consortium is two or more public or private non-profit organizations located in at least two states that enter into an agreement to submit a single application for SHOP grant funds to carry out self-help homeownership housing activities on a national or regional basis. Individual consortium members may carry out self-help homeownership housing activities or fund affiliates to carry out self-help homeownership housing activities. The consortium must designate one member as the lead entity to act on behalf of all consortium members. The lead entity must be responsible and accountable for the performance and compliance of all consortium members. If the consortium uses affiliates, each affiliate must be linked to an individual consortium member by a written agreement. The consortium must execute a new written agreement with each affiliate that is participating in the consortium's FY2016 SHOP program. The consortium cannot amend a prior written agreement.

### b. Affiliate Organization ("Affiliate")

Applicants may undertake eligible SHOP activities directly and/or enter into a written agreement with one or more non-profit, affiliate organizations to carry out the SHOP activities. If the applicant will use affiliate organizations, the affiliate must satisfy the following:

**(i) Type of Organization:** Your affiliates must be:

**(a) Subordinate Organization.** A local non-profit self-help homeownership housing organization that is a subordinate organization (i.e., chapter, local, post, or unit) of your central organization and covered by the group exemption issued to the central organization under section 501(c) (3) of the Internal Revenue Code; or

**(b) Organization with an Existing Relationship.** A local non-profit self-help homeownership housing organization with which you have an existing relationship (e.g., you have provided technical assistance, mentoring or funding to the local self-help homeownership housing organization); or

**(c) Organization with a Future Relationship.** A local non-profit self-help homeownership housing organization with which you do not have an existing relationship, but to which you

will provide technical assistance, mentoring or funding in accordance with your SHOP application.

**(ii) Service Area.** Your affiliate must be located within your service area.

**(iii) Written Agreement.** You must have a written agreement with each of your affiliates that incorporates the requirements of this NOFA. Your written agreement must describe the SHOP responsibilities of your affiliate. If you are a consortium, each of your affiliates must be linked to an individual consortium member by a written agreement. You must execute a new written agreement with each affiliate that is participating in your FY2016 SHOP program. You cannot amend a prior written agreement.

HUD does not award grants to individuals. HUD will also not evaluate applications from ineligible applicants.

As required in the Code of Federal Regulations (CFR) at 2 CFR 25.200 and 24 CFR Part 5 Subpart K, all applicants for financial assistance must have an active Data Universal Numbering System (DUNS) number (<http://fedgov.dnb.com/webform>) and have an active registration in the System for Award Management (SAM) ([www.sam.gov](http://www.sam.gov)) before submitting an application. Getting a DUNS number and completing SAM registration can take up to four weeks; therefore, applicants should start this process or check their status early.

See also Section IV.B for necessary form and content information.

## **B. Cost Sharing or Matching.**

This Program requires an applicant to leverage resources through cost sharing or matching as described below.

Generally, federal sources are not allowed to be used as cost share or match unless otherwise permitted by a program's authorizing statute.

There is no matching requirement for SHOP; however, the Grantee is required to leverage resources for the cost of construction and/or rehabilitation of self-help homeownership housing units assisted with SHOP grant funds, and for any other program costs that are not funded with SHOP grant funds. Refer to SHOP NOFA "Rating Factor 4: Leveraging Resources."

## **C. Other.**

All applicants must comply with the following requirements, which may determine whether your application is reviewed or make your application ineligible for funding. Eligibility criteria for this competition include:

All applicants must also refer to Section V.B. of the General Section for information on HUD-wide eligibility requirements.

Program specific eligibility criteria for this competition includes:

Grantees must carry out their SHOP program in accordance with Section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, and this NOFA. There are no program regulations.

### **1. 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. See also Section I.A.3 Definitions.

a. Timely Submission of Applications – Applications submitted after the deadline stated within this 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. 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.

#### **a. Application Threshold Requirements**

**(i). Timely Application Receipt.** You must submit a timely SHOP application. HUD will not consider an application that does not meet the timely application receipt requirements of this SHOP NOFA and the General Section. Refer to SHOP NOFA Section IV.D. "Application Submission Dates and Times."

**(ii). No Duplicate Submissions.** You must not propose to fund any affiliate or consortium member under your SHOP application that is also seeking FY2016 SHOP grant funds from another SHOP applicant. If an affiliate or consortium member applies for SHOP grant funds through more than one applicant, HUD will disqualify that affiliate or consortium member from receiving funding.

**(iii). Dun and Bradstreet Data Universal Numbering System (DUNS) and System for Award Management (SAM).** You must have a Dun and Bradstreet Universal Numbering System (DUNS) identifier and maintain active registration in the System for Award Management (SAM).

Detailed instructions for registration are located on the [Grants.gov](http://Grants.gov) web page. You may also go to [www.fedgov.dnb.com](http://www.fedgov.dnb.com) to apply or search for a DUNS identifier and to [www.sam.gov](http://www.sam.gov) for registration instructions for SAM.

**(iv). Certification of Consistency with the Consolidated Plan.** This requirement does not apply to the SHOP Program.

## **b. Applicant Threshold Requirements**

**(i). Eligible Applicant.** HUD may only award SHOP grant funds to organizations that meet all of the following criteria:

**(a) Non-profit Status** - An eligible public or private non-profit organization under Federal or state law;

**(b) Service Area** – A national or regional organization or consortia (see Section III.A. “Eligible SHOP Applicants” of this NOFA) that serves at least two states; and

**(c) Self-help Homeownership Housing Experience** - An organization experienced in providing or facilitating self-help homeownership housing opportunities as demonstrated by the successful completion of at least 30 self-help homeownership housing units in a national or regional area, consisting of at least two states, within the 24-month period preceding the submission of your SHOP application. This may include self-help homeownership housing units completed by one or more of your affiliates during this time period, provided these units were undertaken in accordance with a written agreement between you and your affiliate(s). For a dwelling to qualify as a self-help homeownership housing unit, a homebuyer – defined as the individual or individuals who own the completed unit - must have contributed a significant amount of sweat-equity toward the construction or rehabilitation of the unit as set forth in the SHOP NOFA Section III.C.4.c.(8) “Sweat Equity.”

**(ii). Consortium Agreement.** If you are a consortium, all consortium members must sign and date a written Consortium Agreement for the purpose of applying for SHOP grant funds and carrying out SHOP activities in compliance with this NOFA. This Consortium Agreement must designate a lead entity authorized to submit the SHOP application on behalf of all consortium members. The Consortium Agreement must also state that the lead entity will be accountable for the performance and compliance of the Consortium's SHOP program in accordance with all requirements of this NOFA, and that each consortium member is responsible and accountable for the performance and compliance of its affiliates.

If funded, each consortium member must enter into a separate written agreement with the lead entity. This agreement must include the requirements of the FY2016 SHOP Grant Agreement executed between HUD and the consortium, and set forth each consortium member’s responsibilities as described in your approved SHOP application. If the consortium uses affiliates, each affiliate must be linked to a consortium member that is responsible for the timely performance and SHOP compliance of that affiliate.

**(iii).Code of Conduct.** You must develop and maintain a written code of conduct as required by 2 CFR 200.112 and 200.318. Your Code 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 applicant's 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. Your Code of Conduct must be dated and signed by your Executive Director, or the Chair of the governing body of your organization. Refer to the General Section V.C.15 "Conducting Business in Accordance with Ethical Standards/Code of Conduct."

**(iv).Additional Requirements.** You must meet the additional threshold requirements set forth in the General Section, Section V.B, "Rules that affect applicants' eligibility to receive an award from HUD," including but not limited to the resolution of civil rights matters. If you are a consortium, each consortium member must meet these requirements.

## **2. Statutory and Regulatory Requirements.**

### **a. Compliance with Nondiscrimination and Related Requirements.**

### **Compliance with Fair Housing and Civil Rights Laws.**

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. Applicants, and their prospective subrecipients, who are conducting programs or activities within 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.

If you are awarded a SHOP grant, you (the "Grantee") and your affiliates must comply with all statutory and regulatory requirements applicable to SHOP cited in the General Section V.C.1. "Compliance with Non-Discrimination and Related Requirements"

### **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 that are not specifically exempted to take affirmative steps to further fair housing. 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.

You and your affiliates must take steps to affirmatively further fair housing by promoting fair housing rights and fair housing choice in housing programs funded by your SHOP grant. When you carry out self-help homeownership housing activities under your SHOP grant, you must adopt and follow affirmative marketing requirements and procedures. When your affiliates carry out self-help homeownership housing activities under your SHOP grant, you must require each affiliate to adopt and follow affirmative marketing requirements in accordance with your established procedures. You and your affiliates must also encourage racial and ethnic diversity in the selection of SHOP unit sites. If you will use a competitive process to select your affiliates, your selection criteria must consider how an affiliate's proposal will enhance racial and ethnic diversity. Refer to the General Section V.C.1.b. for more information on affirmatively furthering fair housing.

### **Economic Opportunities for Low-and Very Low-income Persons (Section 3).**

Recipients of assistance must 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. Applicants must 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 this program 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: [www.hud.gov/offices/fheo/section3/section3.cfm](http://www.hud.gov/offices/fheo/section3/section3.cfm). Program NOFAs to which Section 3 applies will have additional information here.

Refer to the regulations implementing Section 3 at 24 CFR part 135 and to the General Section V.C.1.c. for more information.

You will be required to submit annual Section 3 data using form HUD-60002 to HUD, Office of Fair Housing and Equal Opportunity, 451 Seventh Street, SW, Room 5232, Washington, DC 20410, Attn: Economic Opportunity Division.

**b. HUD Agency Wide or Federal Government Wide Requirements.**

(1) 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:

- (a) A negotiated repayment schedule is established and the repayment schedule is not delinquent, or
- (b) 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.

(2) 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.

(3) 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.

(4) 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.

(5) 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:

- (a) Deny funding, or in the case of a renewal or continuing award, consider suspension or termination of an award immediately for cause,
- (b) Require the removal of any key individual from association with management or implementation of the award, and
- (c) Make appropriate provisions or revisions with respect to the method of payment or financial reporting requirements.

(6) 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.

(7) 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 2016 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 2016 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 2016 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:

(a) How the selection or non-selection of any applicant under a FY 2016 Program NOFA will affect the individual’s financial interests, as provided in 18 U.S.C. 208, or

(b) 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 2016 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.

(8) 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.

(9) Consistency with the Consolidated Plan and Analysis of Impediments (AI)/Assessment of Fair Housing – 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 AI/Assessment of Fair Housing. If a program NOFA requires a certification of consistency with the Consolidated Plan and you fail to provide the certification, and you do not cure the omission as a technical deficiency, HUD will not fund the application.

Under HUD's regulations at 24 CFR 91.2(d), an applicant's PHA Plan must include a certification by the appropriate state or local official that the PHA Plan is consistent with the applicable Consolidated Plan for the jurisdiction in which the PHA is located and must describe the manner in which the applicable contents of the PHA Plan are consistent with the Consolidated Plan. To the extent that a proposal funded under this NOFA is addressed or should be addressed in the PHA Plan, it must be certified to be consistent with the Consolidated Plan.

### **3. Program Specific Requirements.**

**(1) Number of SHOP Units.** The SHOP statute requires the Grantee to "develop a specific and reasonable number of dwellings using the grant amounts, which number shall be established taking into consideration costs and economic conditions in the areas in which the dwellings will be developed, but in no case shall be less than 30." You must propose to complete and convey a minimum of 30 SHOP units. A "SHOP unit" means a self-help homeownership housing unit on land acquired with SHOP grant funds or for which infrastructure costs are paid with SHOP grant funds. The average SHOP grant expenditure for the combined costs of land acquisition and infrastructure improvements cannot exceed \$15,000 per homeownership unit.

**(2) Service Area.** You must propose to use a significant amount of SHOP grant funds in a national or regional service area consisting of at least two states.

**(3) Eligible Activities.** The SHOP statute requires that "amounts from grants..., including any recaptured amounts, shall be used only for eligible expenses in connection with developing new decent, safe, and sanitary, non-luxury dwellings." There are three categories of eligible SHOP activities. You must propose to use SHOP grant funds only for the cost of eligible SHOP activities. Eligible pre-agreement costs must be incurred on or after the publication date of this NOFA. You may carry out the eligible activities yourself or fund affiliates to carry out your eligible activities. Refer to

SHOP NOFA Section IV.F. "Funding Restrictions" for additional guidance on pre-agreement costs, ineligible costs and other restrictions.

**(a) Land Acquisition.** The acquisition of land (including financing and reasonable and customary closing costs) for the purpose of developing or rehabilitating SHOP units is an eligible activity.

(i) "Land" shall mean real property acquired by the Grantee or its affiliate pursuant to a deed or a lease with a term of 99 years or more; except that for Guam, the Northern Mariana Islands, the United States Virgin Islands, and American Samoa, the lease term shall be 40 years or more, and for Indian trust or restricted lands the lease term shall be 50 years or more. Upon request, HUD may approve other lease terms for good cause on a case by case basis.

(ii) If you or your affiliate use SHOP grant funds to acquire land with a building or other improvement affixed to it, you or your affiliate shall allocate a portion of the acquisition cost to the land and a portion of the acquisition cost to the building or other improvements for the purpose of determining which costs are eligible costs.

(iii) You or your affiliate must own the land acquired with SHOP grant funds through completion of the SHOP unit. HUD may grant an exception to the ownership requirement for units also assisted through the United States Department of Agriculture's (USDA) Mutual Self-Help Housing Technical Assistance grants when the potential homebuyer is receiving a USDA Section 502 Direct Loan.

The Grantee must submit to HUD a written request for an exception to the ownership requirement prior to the investment of any SHOP grant funds for land acquisition and/or infrastructure improvements.

(iv) On or after the date of this NOFA, you and your affiliate may expend non-grant funds to acquire land, including land acquired before completion of the environmental review process. You may use SHOP grant funds to reimburse these costs after your SHOP Grant Agreement has been executed and the required environmental review process has been successfully completed. However, these costs are reimbursable only when identified as pre-agreement costs in your SHOP application. Refer to SHOP NOFA Section IV.F. “Funding Restrictions.”

**(b) Infrastructure Improvements.** The installation, extension, construction, rehabilitation, or other improvement of utilities and other infrastructure (including the removal of environmental hazards) in support of the development or rehabilitation of SHOP units are eligible activities. Eligible infrastructure improvement activities include the cost of utility and hook-up fees. Eligible infrastructure improvement activities exclude financing and closing costs.

(i) You or your affiliate must own the land on which infrastructure improvements are undertaken through completion of the SHOP unit. HUD may grant an exception to the ownership requirement for units also assisted through the United States Department of Agriculture's (USDA) Mutual Self-Help Housing Technical Assistance grants when the potential homebuyer is receiving a USDA Section 502 Direct Loan. The Grantee must submit to HUD a written request for an exception to the ownership requirement prior to the investment of any SHOP grant funds for land acquisition and/or infrastructure improvements.

(ii) You or your affiliate must not incur infrastructure improvement costs before the required environmental review process has been successfully completed.

**(c) Planning and Administration.** The reasonable and necessary cost of the planning and administration of your SHOP grant program and activities, including the reasonable and necessary planning and administration costs of your affiliates, is an eligible activity. Eligible administrative costs include staff and overhead costs of implementing your SHOP grant program and activities; costs of providing information to the public about your SHOP grant program and activities; costs of providing civil rights and fair housing training to your local affiliates; and any expenses involved in affirmatively furthering fair housing.

The indirect costs (such as rent and utilities) of you and your affiliates in carrying out your SHOP grant program and activities are also eligible. You must charge indirect costs in accordance with 2 CFR part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.”

You cannot use SHOP grant funds for planning and administration expenses that are not related to your SHOP grant program and activities. Eligible planning and administration costs cannot exceed 20 percent of your SHOP grant.

**(4) Eligible Forms of Ownership.** “Homeownership,” “ownership,” and “own” mean fee simple title or a 99-year renewable lease, or an equivalent form of ownership approved by HUD. In Guam, the Northern Mariana Islands, the United States Virgin Islands, and American Samoa, the definition includes renewable leases of 40 years or more. For Indian Trust or restricted lands, the definition includes renewable leases of 50 years or more. Ownership may be subject to mortgages, deeds of trust, or other liens or instruments securing the debt on the property as allowable under State law.

**(5) Property Standards.** The SHOP statute requires that funds be used for quality “decent, safe and sanitary non-luxury dwellings” that “comply with local building safety codes and standards.” You must ensure that all SHOP units developed by you and your affiliates are inspected and comply with all SHOP standards, including but not limited to the following:

**(a) State and Local Building Codes and Standards.** You must ensure that you and your affiliates inspect for and comply with all applicable state and local codes, ordinances, and zoning requirements.



**(b) Energy Efficiency.** You are strongly encouraged, but not required, to meet the standard for ENERGY STAR Certified New Homes (single-family homes and low-rise multifamily properties up to three stories), or for ENERGY STAR Multifamily High Rise (four or more stories). Incorporating energy-efficiency measures in the design, construction, and/or rehabilitation of self-help units will reduce the energy cost burden on low-income homebuyers, and improve the sustainability and longevity of the units. All applicants are strongly encouraged, but not required, to use ENERGY STAR-labeled appliances and products (when such ENERGY STAR appliances and products exist). You are strongly encouraged, but not required, to provide appropriate guidance to all SHOP homebuyers on the proper use and maintenance of the energy-saving appliances and products installed in their units. Information about ENERGY STAR can be found at <http://www.energystar.gov>.

**(c) Water Conservation.** You must incorporate specific water conservation measures in the construction and/or rehabilitation of the SHOP units developed by you and your affiliates. All water-usage products installed or replaced in SHOP units, including toilets, showers and faucets, must bear the “WaterSense” label when such WaterSense products exist. You must provide guidance to all SHOP homebuyers on the proper use and maintenance of the water conservation products installed in their units. WaterSense is a water conservation program sponsored by the U.S. Environmental Protection Agency (EPA). Information about WaterSense products can be found at [http://www.epa.gov/water\\_sense/](http://www.epa.gov/water_sense/).

**(d) Accessibility for Qualified Individuals with Disabilities.** You and your affiliates must comply with Section 504 of the Rehabilitation Act of 1973 and HUD’s implementing regulations at 24 CFR part 8 concerning accessibility for qualified individuals with disabilities. Your SHOP units must be newly constructed or rehabilitated to be accessible upon request of the homebuyer in accordance with 24 CFR 8.29.

**(6) Homebuyer Income Eligibility.** The SHOP statute requires that funds benefit “low-income families and individuals who otherwise would be unable to afford to purchase a dwelling.” Eligible homebuyer households are low-income individuals and families whose annual incomes do not exceed 80 percent of the median income for the area, as established by HUD with adjustments for household size. You must use one of the following definitions of “annual income” to determine whether a homebuyer is income-eligible. You must have procedures to clearly document that assisted homebuyers are income-eligible.

**(a) Annual Income** as defined at 24 CFR 5.609; or

**(b) Adjusted Gross Income** as defined for purposes of reporting under the IRS Form 1040 series for individual Federal annual income tax purposes; or

**(c) Grantee Definition.** You may adopt your own definition of “annual income” to determine whether a homebuyer is income-eligible. This definition must be included in your SHOP Program Design and Scope of Work and approved by HUD.

**(7) Housing Counseling.** If you or your affiliates provide pre- and/or post-purchase housing counseling, you must establish minimum housing counseling standards for the format, duration, and content of the training. You must also establish minimum qualification standards for the counselors delivering the training.

**(8) Sweat Equity.** The SHOP statute requires that self-help homeownership housing opportunities be provided “under which the homeowner contributes a significant amount of sweat equity toward the construction of the new dwelling.”

**(a) Minimum Sweat Equity Contribution.** You must require each SHOP homebuyer, including those with disabilities, to contribute a minimum number of sweat equity hours toward the construction or rehabilitation of the homebuyer’s SHOP unit and/or the homes of other homebuyers participating in the self-help homeownership housing program administered by you or your affiliates. If the homebuyer is one individual, the homebuyer must contribute a minimum of 50 hours of sweat equity. If the homebuyer is more



than one individual, the homebuyer must contribute a minimum of 100 hours of sweat equity. Sweat equity includes home construction training, but excludes homebuyer counseling and home maintenance training.

You must permit reasonable accommodations for persons with disabilities in order for them to meet these hourly requirements. For example, homebuyers with disabilities may work on less physical tasks or administrative tasks, or use volunteers to provide the required sweat equity. If a homebuyer with disabilities uses volunteers, the homebuyer with disabilities must enter into a written three-party agreement with the affiliate or the Grantee (if the Grantee directly administers the program) and the volunteer working on behalf of the homebuyer.

You may not make exceptions to these requirements, except that HUD may approve a request to allow volunteers to provide the required sweat equity for a homebuyer who becomes unable to complete his/her sweat equity requirement due to military deployment.

**(b) Value of Sweat Equity Contribution.** You must establish a fair and reasonable method for valuing a homebuyer's sweat equity contribution that provides, at a minimum, an average hourly rate or equivalent value of \$1000 per 100 hours of sweat equity for multi-person households, or \$500 per 50 hours of sweat equity for individual member households. The full value of the homebuyer's sweat equity contribution must count as an equity contribution towards the purchase of the homebuyer's SHOP unit through either a reduction in the unit's sale price, or as a credit towards the unit's contract sale price. The homebuyer's sweat equity contribution cannot be mortgaged or otherwise restricted upon the future sale of the homebuyer's SHOP unit. Refer to SHOP NOFA Section III.C.4.c.(11). "Mortgages and Other Loans" for additional guidance.

**(9) Homebuyer Financial Contribution.** The SHOP statute requires that dwellings developed in connection with SHOP assistance be provided to "families and persons who are unable to afford to purchase a dwelling." You and your affiliates cannot require the homebuyer to make any upfront financial contribution towards the purchase of the homebuyer's SHOP unit, other than cash contributed for a down payment, and reasonable and customary closing costs.

**(10) Sale Price.** The SHOP statute requires that dwellings constructed in connection with SHOP assistance be made "available at prices below the prevailing market prices." You must sell each SHOP unit below the appraised value of the property. Lenders may charge reasonable and customary closing costs for the area in which the unit is located. The amount of the SHOP unit mortgage or loan may include these closing costs, but the amount of closing costs must be separately identified and not included in the sale price. Refer to SHOP NOFA Section III.C.4.c.(11) "Mortgages and Other Loans" for additional guidance.

**(11) Mortgages and Other Loans.** The homebuyer's sweat equity contribution cannot be mortgaged or otherwise restricted upon the future sale of the SHOP unit. To make the cost of homeownership transparent to individual homebuyers, at or before closing you must provide each homebuyer with unit-specific information on the cost and carrying charges for the homebuyer's SHOP unit similar to information required on the HUD-1 "Settlement Charges." The following examples demonstrate compliance with the SHOP restrictions on mortgages:

**(a) Sale Price Reduction.** The SHOP unit sale price is reduced by the value of the homebuyer's sweat equity contribution. On the date of sale, the total amount of all mortgages and other loans for the purchase of the SHOP unit does not exceed the SHOP unit's reduced sale price plus reasonable and customary closing costs.

**(b) Homebuyer Credit.** The value of the homebuyer's sweat equity contribution is treated as a credit towards the SHOP unit sale price. On the date of sale, the total amount of all mortgages and other loans for the purchase of the SHOP unit does not exceed the SHOP unit's sale price plus reasonable and customary closing costs minus the credit for the homebuyer's sweat equity contribution.

**(12) Volunteer Labor.** The SHOP statute requires that activities to develop SHOP-assisted self-help homeownership housing "involve community participation in which volunteers assist in the

construction or rehabilitation of dwellings.” Your SHOP Program Design must include volunteer labor. Volunteer labor is work performed by an individual without promise, expectation, or compensation for the work rendered. Volunteer labor may be professional or non-professional labor performed by community members, other volunteers, or household members who are not homebuyers.

**(13. Leveraged Resources.** The SHOP statute requires that SHOP grantees use their SHOP grants to “leverage other sources of funding, including private or other public funds,” to complete construction or rehabilitation of their SHOP units. You and your affiliates must obtain commitments of resources (or have the capacity to obtain commitments) necessary to develop the number of SHOP units proposed.

#### **4. Criteria for Beneficiaries.**

This program has eligibility criteria for beneficiaries.

a. Eligible SHOP homebuyer households are low-income individuals and families whose annual incomes does not exceed 80 percent of the median income for the area, as established by HUD with adjustments for household size.

### **IV. Application and Submission Information.**

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

An electronic copy of the Application Package and Application Instructions for this NOFA can be downloaded from Grants.gov at <http://www.grants.gov/applicants/apply-for-grants.html>. Except for Continuum of Care applications, or unless an applicant received a waiver for good cause, all applications must be submitted electronically via Grants.gov. The Continuum of Care application is submitted through HUD’s e-snaps system.

An applicant demonstrating good cause may request a waiver from the requirement for electronic submission. For example, a lack of available Internet access in the geographic area in which the applicant’s business offices are located. Applicants that cannot submit their applications electronically and must seek a waiver of the electronic grant submission requirements must submit a waiver request so that the request is received at least 15 days before the application deadline. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFA. To request a waiver and receive a paper copy of the application materials, you should contact:

Jackie L. Williams, Ph.D.

Phone: (202) 708-2290 or 1-877-787-2526

Email: [jackie.williams@hud.gov](mailto:jackie.williams@hud.gov)

Director

Office of Rural Housing and Economic Development

U.S. Department of H.U.D.

451 Seventh Street S.W.

Room 7240

Washington, DC 20410

**1.General Section Submission Requirements.** You must meet all submission requirements and instructions described in the **General Section**. Refer to General Section VI. "HUD NOFA Guidance for Applicants" for detailed submission instructions, including methods and deadlines for submission.

**2.Waiver of the Electronic Submission Requirement.** You must submit your application electronically via Grants.gov or request a waiver of the electronic application submission requirement from HUD. If HUD grants you a waiver, your paper application must be received at HUD Headquarters by the application deadline date. Refer to the **General Section VI.A.2.** “Obtaining a Waiver to the Electronic Submissions Requirement..” If HUD does not grant you a waiver, you must follow the instructions for electronic

application submission. You must submit your waiver request, including your justification, in writing using e-mail or fax. You must submit your waiver request no later than 15 days prior to the application deadline date. Waiver requests must be submitted to: SHOP Program, Application Waiver Request, Office of Rural Housing and Economic Development by e-mail: jackie.williams@hud.gov.. If HUD grants you a waiver, you must submit your paper application in accordance with the requirements stated in HUD’s waiver approval.

**3.Paper Applications.** A paper application will not be accepted from an applicant that has not been granted a waiver of the electronic application submission requirement. If HUD has granted you a waiver, your paper application must be received by HUD on or before the application deadline date.

**4.Facsimiles and Videos.** HUD will not accept an entire application sent by facsimile (fax). However, third-party documents or other materials sent by facsimile in compliance with the requirements for facsimile transmission contained in the General Section VI.B.9. are permitted. All facsimile transmissions must be received by the deadline date and time. Videos cannot be submitted via the Grants.gov system and will not be accepted as a separate submission. Any video submitted as part of an application will not be viewed.

**B. Content and Form of Application Submission.**

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 downloaded from Grants.gov, as well as the Funding 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 in box 11, 12, and 13 on the SF-424 submitted in the application.

**1. Content**

Forms for your package include the forms outlined below:

| Forms / Assurances / Certifications  | Submission Requirement | Notes / Description   |
|--|------------------------|---|
| SF424 Application for Federal Financial Assistance   |                        | Your organization's nine-digit ZIP code must be included in Box 8d. |
| SF424 Supplemental Survey on Ensuring Equal Opportunity for Applicants (Faith Based EEO Survey, SF 424 SUPP) |                        |   |
| HUD 424 CB Grant Application Detailed Budget   |                        |   |
| HUD 424 CBW Grant Application Detailed Budget Worksheet  |                        |   |

|   |  |  |
|---|--|--|
| Attachment to HUD 424 CBW (Identification of Federal Program Sources and Amounts)                 |  |  |
| SF LLL Disclosure of Lobbying Activities  |  | Submit as applicable.  |
| HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report | HUD will provide instructions to grantees on how the form is to be submitted.  | HUD will provide instructions to grantees on how the form is to be submitted.  |
| Acknowledgment of Application Receipt (HUD2993), if applicable                                    | This form is applicable only to applications submitted on paper, following receipt of a waiver of electronic submission. | This form is not required but is available for applicants who want confirmation that their hard-copy application was received by HUD. The form must be submitted with the application, in accordance with the application submission instructions included in the waiver of electronic submission. |
| HUD 96011 Third Party Documentation Facsimile Transmittal   |  | HUD will not be able to match faxes to your application if your application does not contain this form and each fax does not use the HUD 96011 cover page.   |

Additionally, your complete application must include the following narratives and non-form attachments.

You must meet all the requirements for application submission and receipt that are described in Section VI of the General Section - "HUD NOFA Guidance for Applicants". All of the information needed to apply for a SHOP grant is contained in this NOFA, and the application and instructions download found at Grants.gov. If there is a discrepancy between the information posted on Grants .gov and any material published by HUD on its website or other information provided in paper copy, the information posted on Grants.gov prevails.

**a. Applicant Eligibility (no page limit).**

You must submit the following information to document that your organization or consortium qualifies as an eligible SHOP applicant:

**(1) Experienced National or Regional Self-help Housing Non-profit**

(a) **Non-profit Status.** A narrative statement that clearly demonstrates how your organization or consortium qualifies as a national or regional public or private non-profit self-help homeownership housing organization as defined in SHOP NOFA Sections III.A. and III.C.2.b. "Eligible Applicants."

If you are not a current SHOP grantee you must submit evidence that you qualify as a national or regional public or private non-profit self-help homeownership housing organization under Federal or state law (such as a current Internal Revenue Service (IRS) ruling that your organization is exempt from taxation under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code of 1986).

If you are a consortium, you must also submit evidence of the non-profit status of each consortium member that does not currently receive SHOP grant funds. This evidence must be provided in an appendix.

(b) **Service Area.** A narrative statement that demonstrates that you have completed self-help homeownership housing units in a national or regional area consisting of at least two states. The narrative statement must identify the county, parish, state or region of the country where your completed self-help homeownership housing units are located.

(c) **Self-help Homeownership Housing Experience.** A narrative statement that clearly demonstrates that your organization or consortium has completed at least 30 self-help homeownership housing units, in a national or regional area consisting of at least 2 states, within the past 24 months. The development of the units must have included a significant contribution of homebuyer sweat equity and volunteer labor. The narrative statement must include the following:

- i. The dates for your 24 month reporting period, which should end as close as possible to the submission of your SHOP application,
- ii. The specific number of units completed,
- iii. The average number of sweat equity hours contributed by each homebuyer, and
- iv. The average number of volunteer labor hours contributed for each unit.

(2) **Consortium Members and Agreement (if applicable).** If you are a consortium, you must submit, in an appendix, a list of all consortium members. The list must include the following:

- (a) Each member's full name,
- (b) Mailing address,
- (c) Service area (i.e., city, county or parish and state),
- (d) Share of proposed SHOP grant funds, and
- (e) Number of SHOP units each member anticipates constructing should you receive SHOP grant funds.

You must submit, in an appendix, a copy of your Consortium Agreement executed and dated in accordance with the guidance provided in Section III.C.2.b.(2) of this NOFA.

(3) **Code of Conduct.** You must describe how you will ensure that all officers, employees, and agents of your organization are aware of your organization's Code of Conduct. You must submit a copy, in an appendix, of your written Code of Conduct that complies with the requirements set forth in the General Section V.C.15 "Conducting Business in Accordance with Ethical Standards/Code of Conduct," and Section III.C.2.b.(3) of this NOFA.

**b. SHOP Program Design and Scope of Work (25 page limit).** You must submit a summary and narrative description of your Program Design and Scope of Work. If you are awarded a SHOP grant, your approved Program Design and Scope of Work will be incorporated by reference into your SHOP Grant Agreement. Your Program Design and Scope of Work is limited to 25 pages, not including your summary and appendices. HUD may ask you to amend certain sections that do not affect your compliance with the NOFA threshold requirements or your application's rating score and ranking. Refer to SHOP NOFA Section III.C.2

for a description of the threshold requirements.

Your SHOP Program Design and Scope of Work must address the following:

**(1) SHOP Program Summary.** You must provide a summary of the key elements of your SHOP Program Design and Scope of Work. This summary does not count towards your 25 page limit. At a minimum, your summary must include:

- (a) Name of SHOP grantee
- (b) Consortium: Yes \_\_\_\_\_ No \_\_\_\_\_
- (c) Name of lead consortium entity (if applicable): \_\_\_\_\_
- (d) A list of consortium members (if applicable): \_\_\_\_\_
- (e) Amount of SHOP grant request: \$ \_\_\_\_\_
- (f) Total budget: \$ \_\_\_\_\_
- (g) Leveraged resources: \$ \_\_\_\_\_; \_\_\_\_\_%
- (h) SHOP grant funds for land acquisition: \$ \_\_\_\_\_; \_\_\_\_\_%
- (i) SHOP grant funds for infrastructure improvements: \$ \_\_\_\_\_; \_\_\_\_\_%
- (j) SHOP grant funds for planning and administration: \$ \_\_\_\_\_; \_\_\_\_\_%
- (k) Indirect cost rate: \_\_\_\_\_%
- (l) Pre-agreement costs: Yes \_\_\_\_\_ No \_\_\_\_\_; if Yes, list type and SHOP grant fund amount
- (m) Affiliates: Yes \_\_\_\_\_ No \_\_\_\_\_; if Yes, Number \_\_\_\_\_ Actual \_\_\_\_\_ Anticipated \_\_\_\_\_
- (n) Service area: National \_\_\_\_\_ Regional (specify, including states): \_\_\_\_\_
- (o) Total number of SHOP units: \_\_\_\_\_
- (p) Proposed form(s) of ownership:
  - \_\_\_\_\_ Fee-simple
  - \_\_\_\_\_ 99-year Lease
  - \_\_\_\_\_ Other, Define: \_\_\_\_\_
- (q) Number of newly constructed units: \_\_\_\_\_ or \_\_\_\_\_%
- (r) Number of gut rehabilitated units: \_\_\_\_\_ or \_\_\_\_\_%
- (s) Number of other rehabilitated units: \_\_\_\_\_ or \_\_\_\_\_%
- (t) Number of accessible units: \_\_\_\_\_; \_\_\_\_\_%
- (u) Number of visitable units: \_\_\_\_\_; \_\_\_\_\_%
- (v) Number of Universal Design units: \_\_\_\_\_; \_\_\_\_\_%
- (w) Number of Green and/or energy efficient units: \_\_\_\_\_; \_\_\_\_\_%
- (x) Definition of annual income: \_\_\_\_\_ (list all definitions)
- (y) Minimum sweat equity hours, one individual: \_\_\_\_\_ hours
- (z) Minimum sweat equity hours, more than one individual: \_\_\_\_\_ hours
- (aa) Average volunteer labor hours per SHOP unit: \_\_\_\_\_ hours
- (bb) Maximum monthly housing payment: \_\_\_\_\_% of income

- (cc) Pre-purchase counseling: \_\_\_\_\_% of homebuyers
- (dd) Availability of post-purchase counseling: \_\_\_\_\_% of homebuyers in need of intervention
- (ee) Conveyance date of all SHOP units: \_\_\_\_\_
- (ff) Other (optional; specify): \_\_\_\_\_

**(2) SHOP Budget.** You must submit a completed form HUD-424-CB “Grant Application Detailed Budget” and form HUD-424-CBW “Grant Application Detailed Budget Worksheet.” Budget amounts on the HUD-424-CB and HUD-424-CBW must agree, and must be consistent with amounts stated elsewhere in your SHOP application.

(a) **HUD-424-CB.** You must submit a detailed SHOP budget on the form HUD-424-CB “Grant Application Detailed Budget.” You must submit a separate HUD-424-CB for Year 1, Year 2, Year 3 and “All Years.”

(b) **HUD-424-CBW.** You must submit a HUD-424-CBW “Grant Application Detailed Budget Worksheet” that supports your HUD-424-CB “All Years” budget total. Your budget estimates must include the following:

**i. Budget Line Items.** You must include a budget line item under the appropriate budget category for:

- (1) Each proposed activity funded by both your SHOP funds and leveraged funds (i.e. land acquisition, infrastructure improvements, construction, rehabilitation, and planning and administration).
- (2) Monitoring of your SHOP activities (including monitoring of your consortium members and affiliates).
- (3) Compliance costs associated with ENERGY STAR (as applicable), water conservation, lead safety and accessibility.
- (4) If your budget includes the value of donations (land, materials and professional services), and/or volunteer labor contributions, you must include a separate budget column for the value of each type of contribution.
- (5) If the value of the homebuyer sweat equity contribution is included in your total budget, you must include a separate budget column for this value (note: each homebuyer must receive the full value of the homebuyer’s sweat equity contribution as an equity contribution towards the purchase of the homebuyer’s SHOP unit).

**ii. Leveraged Funds.** You must include a separate column or columns for leveraged funds. On the summary "Analysis of Total Estimated Costs," you must enter the total of all Leveraged funds on the "Match" line.

The thoroughness and consistency of your SHOP budget will be evaluated under Rating Factor 3.

**(3) SHOP Grant Schedule.** You must submit, in an appendix, a SHOP Grant Schedule that includes quarterly production and performance benchmarks for:

- (a) If applicable, the selection of your SHOP affiliates,
- (b) Expenditure of your proposed SHOP grant funds by the end of the grant term,
- (c) Completion of land acquisition,
- (d) Completion of infrastructure improvements,
- (e) Construction or rehabilitation of your SHOP units no later than 36 months after the end of the grant term, and

- (f) Conveyance of your SHOP units to eligible homebuyers no later than 36 months after the end of the grant term.

Refer to SHOP NOFA Section VI.A.4 “Performance and Compliance.”

Your SHOP Grant Schedule will be rated under Rating Factor 3 of this NOFA. If funded, HUD will incorporate your SHOP Grant Schedule, including any amendments, into your SHOP Grant Agreement.

**(4) Service Area.** You must describe your national or regional service area and how you will ensure that you will use a significant amount of SHOP grant funds in at least two states.

- (a) If you have selected your target areas or sites, you must identify the county or parish, state or region of the country you will serve.

- (b) If you have not selected your target areas or sites, you must describe your selection criteria.

**(5) Property Standards.** You must describe how your completed SHOP units will be inspected to ensure good condition and comply with the following:

- (a) All applicable state and local building codes and standards.

- (b) Energy efficiency requirements, including how you will ensure that all SHOP homebuyers are provided guidance on the proper use and maintenance of the energy-saving features, appliances and products that have been installed in their units if applicable.

- (c) Water conservation requirements, including providing all SHOP homebuyers with guidance on the proper use and maintenance of the water conservation products that have been installed in their units..

- (d) Accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and HUD’s implementing regulations at 24 CFR Part 8 concerning accessibility for qualified individuals with disabilities. SHOP units must be made accessible upon request of the homebuyer in accordance with 24 CFR 8.29.

- (e) Any other property standards that will apply to your SHOP units.

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements.

**(6) Homebuyer Income Eligibility.** You must state the definition(s) of annual income you will use in your program. Refer to SHOP NOFA Section III.C.4.c.(6) “Homebuyer Income Eligibility” for additional guidance.

**(7) Housing Counseling.** If you or your affiliates will provide pre- or post-purchase housing counseling, you must describe the minimum standards you have established for the format, duration and content of the training. You must also define the minimum qualifications you have established for the counselors delivering the training.

**(8) Sweat Equity.** You must describe your program’s requirements for sweat equity contributions from your homebuyers including:

- (a) The types of tasks required,

- (b) The minimum number of sweat equity hours required from each homebuyer,

- (c) The construction training and supervision you will provide to each homebuyer to ensure that the homebuyer is able to complete the assigned tasks in accordance with your standards, including property standards.

- (d) The fair and reasonable method or methods for valuing each homebuyer’s sweat equity contribution that provides, at a minimum, an hourly rate or equivalent value of \$1000 per 100 hours of sweat equity if the homebuyer is more than one individual, and \$500 per 50 hours of sweat



equity if the homebuyer is an individual. Each method must take into consideration the type of sweat equity performed and the number of sweat equity hours contributed. If you will use more than one method, you must describe when each method will apply.

- (e) How each homebuyer will be informed about the sweat equity requirements and how his/her sweat equity contribution will be valued.
- (f) How you will provide reasonable accommodations for persons with disabilities.

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements.

Your program's sweat equity requirements, specifically your method(s) for valuing the homebuyer's sweat equity contribution, will be evaluated under Rating Factor 3 of this NOFA. Refer to SHOP NOFA Section III.C.4.c.(8). "Sweat Equity" for additional guidance. During the rating and award process, HUD will also consider the degree to which the homebuyer sweat equity contributes to a reduction in the sales price.

**(9) Volunteer Labor.** You must describe your program's approach for involving volunteer labor including:

- (a) The projected sources of volunteer labor contributions,
- (b) The types of tasks typically performed,
- (c) The training and supervision you will provide to each volunteer to ensure that the volunteer is able to complete the assigned tasks in accordance with your standards, including property standards.
- (d) An estimate of the average number of volunteer labor hours per SHOP unit.

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements.

**(10) Homebuyer Financial Contribution.** You must describe how you will ensure that SHOP homebuyers are not required to make any upfront financial contribution towards the purchase of their SHOP units, other than cash contributed for a down payment, and reasonable and customary closing costs. You must define "reasonable and customary closing costs."

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements.

**(11) Sale Price.** You must describe how you will determine the sale price for your SHOP units and ensure that each SHOP unit is sold below the appraised value of the property. Specifically, you must address how each of the following SHOP requirements will affect the sales price of your SHOP units:

- (a) The value of donated land, material and professional services,
- (b) The value of volunteer labor, and
- (c) The full value of the homebuyer's sweat equity, either as an equity contribution or credit towards the purchase of the homebuyer's SHOP unit.

You must describe how you will ensure that the amount of any reasonable and customary closing costs is separately identified and not included in the sale price.

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements

**(12) Mortgages and Other Loans.** You must describe how you will ensure that the homebuyer's sweat equity contribution will not be mortgaged or otherwise restricted upon future sale of the SHOP unit. You must describe how you will provide each homebuyer, at or before closing, unit-specific

information on the cost and carrying charges of the homebuyer's SHOP unit that is similar to the information required for the HUD-1 "Settlement Charges."

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements.

**(13) Affirmatively Furthering Fair Housing.** You must describe your affirmative marketing requirements and procedures including:

- (a) The methods and materials you will use to reach potential homebuyers in your proposed housing market area, including persons least likely to apply without special outreach.
- (b) The alternative formats you will use to effectively reach persons with disabilities in accordance with the requirements of 24 CFR 8.6. All materials, notices, and communications used 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 24 CFR 8.6). All methods that include public meetings must be held in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not possible, you must give priority to alternative methods of delivery that offer qualified individuals with disabilities the most integrated setting appropriate in accordance with 24 CFR part 8.
- (c) The reasonable steps you will take to ensure meaningful access to persons with limited English proficiency. Refer to HUD's "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons" (72 Fed. Reg. 2732, January 22, 2007) for assistance.
- (d) The steps you will take to encourage racial and ethnic diversity in the selection of your SHOP housing sites. If you will use a competitive process to select sites and/or affiliates, you must describe how your competitive selection criteria will consider racial and ethnic diversity.

If you will use affiliates, you must describe how you will ensure that your affiliates will comply with your requirements. Refer to SHOP NOFA Section III.C.3.b "Affirmatively Furthering Fair Housing (AFFH)" for more guidance.

**(14) Economic Opportunities for Low- and Very Low-Income Persons (Section 3).** You must describe how you and your affiliates will provide employment and job training opportunities for local area residents and businesses including:

- (a) Your methods for reaching out to local area residents and businesses,
- (b) Whether you will provide employment and job training opportunities that meet or exceed the minimum Section 3 requirements (consistent with existing State and local laws and regulations)
- (c) Whether you will award new contracts for construction projects that meet or exceed the minimum Section 3 requirements. Refer to the General Section V.C.1.c. for more information.

Your plans to train and employ Section 3 residents and contract with Section 3 businesses will be evaluated under Rating Factor 3 of this NOFA.

**(15) Audit.** You must identify the date of your last audit and when the next audit is due. If your audit is overdue, you must describe the reasons. You must describe any audit findings and the actions you took or are taking to resolve these findings.

HUD will evaluate your justification for any delays in completing your audit, the severity of any audit findings, and the actions you are taking to resolve any findings in Rating Factor 1 of this NOFA.

**(16) Affiliates (if applicable).** You must state whether you propose to use affiliates to undertake your SHOP activities.

If **you have already selected your affiliates**, you must provide a list, in an appendix, of all participating affiliates including:

- (a) Affiliate's full name,
- (b) Service area (city, county or parish and state),
- (c) Proposed funding request, and
- (d) The number of SHOP units each affiliate anticipates constructing or rehabilitating should you receive FY2016 SHOP grant funds.
- (e) Whether the affiliate has previously participated in your SHOP or self-help homeownership housing program.
- (f) For consortia, you must also identify the consortium member to which each affiliate is linked.

If you will **select your affiliates after submitting your application**, you must survey your potential affiliates and in a narrative statement describe the specific criteria you will use to select your affiliates. In an appendix, you must provide a list of the affiliates surveyed including:

- (a) The full name of the affiliates surveyed,
- (b) Service area (city, county or parish and state),
- (c) Proposed funding need, and
- (d) The number of SHOP units each affiliate anticipates constructing or rehabilitating should you receive FY2016 SHOP grant funds.
- (e) Whether the affiliate has previously participated in your SHOP or self-help homeownership housing program

**All applicants must**, in a narrative statement, discuss whether the performance of the selected or surveyed affiliates has been timely and in compliance with your requirements. If you propose to fund an affiliate that has encountered performance or compliance issues, you must explain what has changed that makes you want to include this affiliate in your FY2016 SHOP program.

**(17) Mutual Self-help Housing Programs (if applicable).** You must describe whether your SHOP program will involve a mutual self-help housing program. You must identify the mutual self-help housing program(s) and provide the estimated number of units or percentage of your total units that will also be assisted by each mutual self-help housing program.

A mutual self-help housing program generally involves four to ten participating families organized in a group who complete construction work on their homeownership housing units by an exchange of labor with one another, such as a program administered by the U.S. Department of Agriculture's Rural Development agency under section 523 of the Housing Act of 1949 (see 7 CFR part 1944, subpart I). Homebuyers perform labor on their own units and on the units of other participating families. A homebuyer's labor hours may count either towards sweat equity contributions or volunteer labor contributions, but each hour must only count once.

**(18) Monitoring Plan.** You must provide a detailed plan for monitoring the performance and compliance of your SHOP program, including your consortium members and affiliates as applicable, throughout the SHOP grant term and through the completion and conveyance of the SHOP unit to the homebuyer. At a minimum, your monitoring plan must contain the elements listed in the SHOP Program Summary under Section IV.B.1.b.(1) above. In addition your monitoring plan must describe:

- (a) For **ongoing, distance monitoring and oversight**:
  - i. The types of reports and other documents and tools you will use to track and evaluate program performance and compliance,

- ii. The specific program performance and program compliance benchmarks you will monitor,
- iii. The frequency with which you will review your performance and compliance, including the performance and compliance of each consortium member and affiliate, and
- iv. The remedies or corrective actions you will take to address performance and compliance issues that arise.

(b) For **on-site monitoring**:

- i. The specific, risk-based performance and compliance indicators you will use to identify consortium members and affiliates most at risk of failing to meet performance benchmarks, or at risk of failing to comply with compliance requirements,
- ii. The number and type of records you will review during on-site monitoring (e.g., financial, beneficiary, eligibility, property standards and inspections, fair housing and affirmative marketing, Section 3 employment), and
- iii. The remedies or corrective actions you will take to address identified performance and compliance failures.

Your SHOP Monitoring Plan will be rated under Rating Factor 5 of this NOFA. If funded, HUD will incorporate your SHOP Monitoring Plan, including any amendments, into your SHOP Grant Agreement. HUD will require SHOP Grantees to submit an annual monitoring plan that details which consortium members and affiliates the Grantee will monitor on-site during the calendar year based on the results of the Grantee’s risk-based monitoring criteria.

**(19) Typical SHOP Unit Table.** You must use the following table (or a similar table) to demonstrate your approach to valuing sweat equity; valuing donated land, materials and professional services; valuing volunteer labor contributions; establishing your SHOP unit sale price; and determining the mortgage and/or other loan amount for a typical SHOP unit. You must enter your estimated or average cost, value or amount. If your SHOP Program Design involves other local, state or Federal subsidies (such as HOME or USDA), you must specify the source and the estimated per-unit subsidy amount. You must indicate whether these estimates are based on the actual results of your prior SHOP or self-help homeownership housing program, or are based on your proposed SHOP Program Design. This table is not a budget form. HUD will use this table to evaluate your SHOP Program Design and determine that your proposed SHOP program is in compliance with the requirements of this NOFA. This Table must be provided in an appendix.

**TABLE: Typical SHOP Unit**

| <b>Per Unit</b>                | <b>Average Cost, Value or Amount</b> | <b>Value of Donations</b> | <b>Value of Volunteer Labor</b> | <b>Final Cost, Value or Amount*</b> | <b>Comments</b> |
|--------------------------------|--------------------------------------|---------------------------|---------------------------------|-------------------------------------|-----------------|
| Land Acquisition               |                                      |                           |                                 |                                     |                 |
| Infrastructure Improvements    |                                      |                           |                                 |                                     |                 |
| Construction or Rehabilitation |                                      |                           |                                 |                                     |                 |
| Other<br>(Specify)             |                                      |                           |                                 |                                     |                 |
| <b>TOTAL COST</b>              |                                      |                           |                                 |                                     |                 |
| SHOP Investment Subsidy        |                                      |                           |                                 |                                     |                 |
| Other Subsidy (Specify)        |                                      |                           |                                 |                                     |                 |

|   |  |  |  |  |  |
|---|--|--|--|--|--|
| TOTAL SUBSIDY   |  |  |  |  |  |
| SALE PRICE  |  |  |  |  |  |
| APPRAISED VALUE   |  |  |  |  |  |
| Homebuyer Sweat Equity  |  |  |  |  |  |
| Other Homebuyer Equity<br>(Specify)                                       |  |  |  |  |  |
| TOTAL HOMEBUYER<br>EQUITY   |  |  |  |  |  |
| Reduced Homebuyer Sale<br>Price; and/or                                   |  |  |  |  |  |
| Homebuyer Credit towards<br>Sale Price                                    |  |  |  |  |  |
| Closing Costs (Specify)   |  |  |  |  |  |
| Other Homebuyer Costs<br>(Specify)  |  |  |  |  |  |
| Mortgage  |  |  |  |  |  |
| Other Loans   |  |  |  |  |  |
| Other Restrictions (Specify)  |  |  |  |  |  |
| Other Affordability Savings<br>over the Life of the Mortgage<br>(Specify) |  |  |  |  |  |

\* If you will reduce the final SHOP unit cost by the value of donations or volunteer labor, the Final Cost, Value or Amount should reflect this reduction.

**c. Rating Factors (30 page limit or 35 page limit for a consortium).** You must address the five Rating Factors and the NOFA Priority, identified in SHOP NOFA Section V.A. "Review Criteria," in your Rating Factor narrative statements, and in the required appendices.

**d. Appendices (no page limit).** You must submit the appendices that are required by this NOFA. Refer to SHOP NOFA Section VIII. "Other Information" for a list of appendices.

**e. Certifications and Assurances (no page limit).** By electronically signing the SF-424 cover page, your Authorized Organization Representative (AOR) is certifying that the statements in your application are true, complete and accurate to the best of his/her knowledge, and that you will comply with the requirements of the General Section and this NOFA. 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, you may be subject to criminal prosecution, and the Department may terminate your award or pursue other available remedies.

The AOR is also certifying that should you receive a SHOP grant award, you will administer your award in compliance with the requirements of the General Section, this NOFA, and your SHOP grant agreement, and that you will implement your SHOP program in accordance with your approved application (including your budget, SHOP grant schedule and monitoring schedule) as may be modified or amended and approved by HUD.

Refer to the General Section VI.B.6. "Application Certifications and Assurances."

## **2. Format and Form.**

Narratives and other attachments to your application must follow the following format guidelines.

**a. Page Format.** You must submit your SHOP application in an 8.5 by 11 inch page size format, using a standard 12 point font. Text in tables must not be less than a 9 point font. HUD will not consider material shown in a smaller font size. Pages for each application section must be numbered sequentially starting with "1." For sections with page limits, HUD will not consider information on pages that exceed the page limit.

**b. Application Content.** The application consists of six sections:

- (1) Standard Forms;
- (2) Applicant Eligibility;
- (3) SHOP Program Design and Scope of Work;
- (4) Rating Factors, including the NOFA Priorities
- (5) Appendices; and
- (6) Forms, Certifications and Assurances.

Page limits are imposed on both the Program Design and Scope of Work (Section IV.B.1.b), and the Rating Factor (Section V.A) sections of this NOFA. Required documents submitted in appendices do not count toward your application page limits. HUD will not consider any supplemental information that is not required by this NOFA, or information that exceeds the page limits established by this NOFA.

Refer to SHOP NOFA Section VIII. "Other Information" for an Application Checklist that identifies the elements required for a complete application submission.

**c. Consortium Application.** If you are applying as a consortium, you must submit an integrated application that demonstrates that you are undertaking a single SHOP program. Your lead entity must file your application on behalf of all consortium members. All consortium members must be identified in your application. All consortium members must receive SHOP grant funds. You must propose to use a significant amount of SHOP grant funds in each state represented by your consortium members. Individual program designs for separate consortium members or their affiliates will not be considered by HUD in scoring your application.

## **C. System for Award Management (SAM) and Dun & 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. Application Submission Dates and Times.**

The application deadline is 11:59:59 p.m. Eastern time on **10/12/2016**. Applications must be received no later than the deadline.

Submit your application to Grants.gov unless a waiver has been issued allowing you to submit your application in paper form or you are applying for the Continuum of Care program. The Continuum of Care application is submitted through HUD's e-snaps system. Instructions for submitting your application to Grants.gov are contained within the Application Package you downloaded from Grants.gov. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

Your application must be both **received and validated** by Grants.gov. Your application is "received" when Grants.gov provides you a confirmation of receipt and an application tracking number. **If you do not see this confirmation and tracking number, your application has not been received.**

After your application has been received, your application still must be validated by Grants.gov. During this process, your application may be "validated" or "rejected with errors." To know whether your application was rejected with errors and the reason(s) why, you must log into Grants.gov, select "Applicants" from the top navigation, and select "Track my application" from the drop-down list. If the status is "rejected with errors," you have the option to correct the error(s) and resubmit your application before the Grace Period ends. **If your application was "rejected with errors" and you do not correct these errors, Grants.gov will not send your application to HUD, and HUD will not review your application.** If your status is "validated" your application will be forwarded to HUD by Grants.gov.

### **1. Amending or Resubmitting an Application.**

Before the submission deadline, applicants who choose to amend an application that has been validated by Grants.gov may resubmit a revised application containing the new or changed material. The resubmitted application must be received by the applicable deadline.

### **2. Grace Period for Grants.gov Submissions.**

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. 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.

### **4. 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 must be submitted via email addressed to [ApplicationSupport@hud.gov](mailto:ApplicationSupport@hud.gov). When submitting technical deficiency cure items you must enter "Technical Cure" plus the Grants.gov application tracking number in the subject line of the email (e.g., Subject: Technical Cure - GRANT123456). 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.

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.

## **E. Intergovernmental Review.**

This program is not subject to Executive Order 12372, Intergovernmental Review of Federal Programs.

## **F. Funding Restrictions.**

**1. Pre-agreement Costs.** On or after the publication date of this NOFA, you may incur eligible pre-agreement costs for your SHOP activities. You may charge these costs to your SHOP grant after the effective date of your SHOP grant agreement.

Pre-agreement costs must be incurred for an eligible SHOP activity, be consistent with your approved SHOP application, and be in compliance with the requirements of this NOFA (including relocation and environmental review requirements). Eligible pre-agreement costs are:

- a. Land acquisition, including eligible financing and closing costs, provided these costs are incurred on or after the publication date of this NOFA.
- b. Infrastructure improvements, excluding financing or closing costs, provided these costs are incurred on or after:
  - (1) the publication date of this NOFA, and
  - (2) the completion of the required environmental review process, including HUD approval of a Request for Release of Funds where applicable.
- c. Reasonable and necessary planning and administration costs for implementing your proposed SHOP program, provided these costs are incurred on or after the publication date of this NOFA.

You incur a pre-agreement cost on the date that you incur the actual activity cost such as when you execute a contract to purchase land or to undertake infrastructure improvements, or take other actions that require payment for an eligible activity.

You may authorize your affiliates to incur eligible pre-agreement costs, provided your authorization is in



writing.

You and your affiliates incur pre-agreement costs at your own risk. If you do not receive a SHOP grant, if your activities do not successfully complete the required environmental review process, or if your activities otherwise fail to meet the SHOP requirements, you and your affiliates must not use your SHOP grant funds to reimburse your pre-agreement costs.

**2. Eligible Costs.** You must only use SHOP grant funds for the cost of eligible activities identified in SHOP NOFA Section III.C.4.c.(3) "Eligible Activities."

**3. Allowable costs.** You must only use SHOP grant funds for costs that are allowable in compliance with the requirements of 2 CFR part 200.

**4. Ineligible Costs.** Ineligible pre-agreement costs include:

- a. Any costs incurred that are not eligible in accordance with the requirement of this NOFA.
- b. Pre-agreement costs that do not meet all of the SHOP requirements, including any pre-agreement cost that was:
  - (1) not identified in your SHOP application.
  - (2) incurred prior to the publication date of this NOFA.
  - (3) incurred by your affiliate and was not approved in writing by you prior to the incurrence of this cost.
- c. Land acquisition costs for land that is owned by the Grantee or the Grantee's affiliate before the date of the SHOP Grant Agreement (except when eligible as a pre-agreement cost).
- d. Land acquisition costs for land banking purposes (i.e. holding land for an indefinite period).
- e. Land acquisition costs for acquisition that does not comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).
- f. Refinancing costs for land that you or your affiliate acquired before the publication date of this NOFA.
- g. Infrastructure improvement costs that you or your affiliate incurred before the publication date of this NOFA or before the completion date of the required environmental review process and HUD approval of a Request for Release of Funds, where applicable.
- h. Financing and closing costs for loans that you or your affiliate used to finance infrastructure improvement costs.
- i. Land acquisition costs for land that is not owned by you or your affiliate except when HUD approves an exception for SHOP units also assisted through USDA Mutual Self-Help Housing Technical Assistance grants when the potential homebuyer is receiving a USDA Section 502 Direct Loan.
- j. Infrastructure improvement costs for land that is not owned by you or your affiliate except when HUD approves an exception for SHOP units also assisted through USDA Mutual Self-Help Housing Technical Assistance grants when the potential homebuyer is receiving a USDA Section 502 Direct Loan.
- k. Demolition costs (except that the removal of environmental hazards is an eligible infrastructure improvement cost).
- l. Development costs that are not land acquisition or infrastructure improvement costs, such as building permitting fees, property taxes during the construction period, performance bonds, and landscaping.
- m. Impact fees that do not constitute payment for land acquisition and infrastructure improvements and are not required by a governmental entity authorized to impose such a fee.

- n. Construction, rehabilitation, or improvement costs of any dwelling unit.
- o. Planning and administration costs that are not related to your SHOP grant.
- p. Planning and administration costs that exceed the amount approved by HUD.
- q. Unallowable costs in accordance with the requirements of 2 CFR part 200 such as alcoholic beverages, bad debts, advertising (other than help-wanted advertisements), contributions, entertainment, fines, and penalties.
- r. Indirect costs that are not incurred in accordance with the requirements of 2 CFR part 200.
- s. Lobbying activity costs.
- t. Homebuyer pre-purchase counseling and post-purchase counseling costs.

**5. Other Restrictions.** The average SHOP expenditure for the combined costs of land acquisition and infrastructure improvements must not exceed \$15,000 per dwelling unit.

### **Indirect Cost Rate**

Indirect Cost Rate: No restrictions, applicants may use their negotiated rate or the *de Minimis* rate (10% of Modified Total Direct Costs).

## **G. Other Submission Requirements.**

### **1. 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. 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.

### **2. 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.

### **3. Lead Based Paint Requirements**

When providing housing assistance funding for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

#### 4. Indirect Cost Rate (ICR)

If you are a governmental organization or agency that receives more than \$35 million in federal funding, you are required to request an Indirect Cost Rate from your cognizant agency (2 CFR 200 Appendix VII). If you have not requested an indirect cost rate or have not received a negotiated indirect cost rate, you may not claim indirect costs until you receive a negotiated rate.

Non-governmental organizations: If your organization has never had an indirect cost rate and wishes to use the *de minimis* rate, your application's budget narrative must clearly state you intend to use the *de minimis* 10% of Modified Total Direct Costs (MTDC). If you are using a negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and include a letter or other documentation from the cognizant agency showing the approved rate.

Governmental organizations: If your organization has a negotiated indirect cost rate, your application's budget narrative must include the rate and a letter or other documentation from the cognizant agency showing the negotiated rate. If your organization has prepared and maintains documentation supporting an indirect rate proposal but has not negotiated approval of the rate, your application's budget narrative must include the rate and applicable distribution base. State and local government departments that have never negotiated indirect cost rates with the Federal government and receive less than \$35 million in direct Federal funding per year may use the 10% *de minimis* indirect cost rate, and must keep the documentation of this decision on file. Federally recognized Indian tribes that have never negotiated an indirect cost rate with the Federal government may also use the 10% *de minimis* rate and must keep the documentation of this decision on file.

### V. Application Review Information.

#### A. Review Criteria.

##### 1. Rating Factors

##### Rating Factors (30 page limit or 35 page limit for a consortium)

There are five Rating Factors and one NOFA Priority. You should carefully read each Rating Factor and the applicable NOFA Priority, and respond clearly to each requested item. Failure to provide a complete response will result in a reduced rating.

The maximum rating score is 100 points; 99 points are allotted under Rating Factors 1 through 5, and 1 point is allotted under the NOFA Priority.

You are limited to a total of 30 pages, unless you are a consortium. A consortium may have an additional 5 pages, for a total limit of 35 pages. All applicants are limited to 4 pages to address Rating Factor 2 "Need/Extent of Problem."

Unless otherwise stated under the applicable Rating Factor, HUD will only review and rate the information that you submit in response to the five Rating Factors, and specific sections of your Program Design and Scope of Work, including the "SHOP Budget," "SHOP Grant Schedule," "Sweat Equity," "Economic Opportunities for Low- and Very-Low Income Persons (Section 3)," "Audit," "Monitoring Plan," and the "Typical SHOP Unit Table" required by SHOP NOFA Section IV.B.1.b.

**HUD will not review and rate any information that is not required by this NOFA or any information that is contained in pages that exceed the applicable page limits.**

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

Maximum Points: 40

This Rating Factor evaluates your capacity to carry out your proposed SHOP activities in an effective and timely manner and in compliance with the requirements of this NOFA. HUD will examine your past performance, as well as your program and financial management capacity. Applicants must receive at least 25 points for this Rating Factor to be eligible for funding.

## **Content Requirements for Rating Factor 1**

### **a. Past Performance (up to 20 points).**

**(1) Applicants that have been awarded SHOP grants during the previous five year period.** You must demonstrate timely and effective performance in carrying out each SHOP grant that you were awarded during the previous five year period. In evaluating this factor HUD will examine your SHOP grant schedule and performance reports and other available data, including monitoring reports, program vouchers, audit reports, and SHOP grant Close Out reports. Indicators of poor performance, including grant deobligations and repayments, failure to meet the milestones identified in your SHOP grant schedule, slow unit completion and conveyance rates, and delays in drawing grant funds and closing old awards, will result in a lower score.

**(a) Five Year Period.** You must identify the dates for your five year period which should end as close as possible to the submission of your SHOP application.

**(b) Grant Performance.** For each SHOP grant awarded during the five year period you must provide the following information. You may provide this information in a chart.

**(i) Deobligated and Returned Funds.** You must state whether HUD deobligated any SHOP grant funds for failure to expend the funds by the end of your SHOP grant term, and whether you returned any funds because of monitoring findings or other program deficiencies. You must state whether any other funding entity deobligated any funds for failure to meet your drawdown and/or implementation schedules. You must state whether you returned any funds to any other funding entity because of monitoring findings or other program deficiencies. You must also describe the circumstances that led to the deobligation or return of SHOP grant funds and the actions you took, or are taking, to ensure that future SHOP grant funds are used in a timely and compliant manner.

**(ii) Units.** You must specify the number of SHOP units started, completed and conveyed to eligible homebuyers during the SHOP grant term. You must specify the number of units completed and conveyed within 24 months of your SHOP grant term expiration date. If units remain incomplete or are not conveyed to eligible homeowners within 24 months of the end of your SHOP grant term, you must describe the circumstances that have prevented you from completing and conveying the units, and the actions you took or are taking to prevent further delays.

You must provide the average annual income, family size, and racial and ethnic characteristics of the homebuyers you served. You must provide the average sweat equity value each homebuyer received at the time of purchase as well as the average number of volunteer labor hours per unit.

**(iii) Target Dates.** You must state whether you missed any other performance benchmarks or other target dates, and the reasons. You must describe the actions you took or are taking to address any delays.

**(iv) Affiliates.** If you used affiliates, you must identify any affiliates that failed to meet their benchmarks or other target dates. You must identify any affiliates that had compliance issues. You must describe the actions you took or are taking to address these performance and/or compliance issues.

**(v) Consortium.** If you are a consortium, you must identify any consortium members that

failed to meet their benchmarks or other target dates. You must identify any consortium members that had compliance issues. You must describe the actions you took or are taking to address these performance and/or compliance issues.

**(c) Completion of Old Grants.** If you have any SHOP grants that were awarded before the five year period and have not achieved SHOP grant final close out, you must identify these SHOP grants. For each open SHOP grant you must state the minimum number of units required, the number of units for which you have invested SHOP funds, the number of units that have been conveyed, and the number of units that are not conveyed. You must describe the actions you are taking to complete and convey the remaining units and your target date for SHOP grant final close out. You may provide this information in a chart format. SHOP awards with expired grant terms and incomplete units and/or units not conveyed will result in a lower score.

**(d) Audit.** Based on the narrative provided in your Program Description and Scope of Work, HUD will evaluate your justification for any delays in completing your audit, the severity of any audit findings, and the actions you are taking to resolve any findings. Unjustified delays in completing a required audit, the existence of major and/or unresolved audit findings may result in a lower score.

**(2) Applicants that have not received SHOP grants during the previous five years.** You must summarize your performance in carrying out your self-help homeownership housing activities during the previous five years. You must demonstrate that you and your affiliates completed, in a timely and effective manner, at least 30 self-help homeownership housing units within the past 24 months. Your narrative summary must be supported by the submission, in an appendix, of existing internal or external performance reports, monitoring reports, and audits or similar documents that demonstrate your performance and compliance. HUD will examine these documents when evaluating your past performance and may, where applicable, reach-out to the references you provide (see (a)(v) below) to verify the success of your program. Indicators of poor performance, such as deobligated or returned funds, slow unit completion and conveyance rates, and delays in drawing grant funds will result in a lower rating.

**(a) Program Performance.** For each self-help homeownership housing program undertaken during the past five-year period, you must provide the following information.

**(i) Deobligated and Returned Funds.** You must indicate whether any funding entity deobligated any funds for failure to meet your expenditure and/or implementation schedule. You must also note whether you returned any funds to any funding entity because of monitoring findings or other program deficiencies.

**(ii) Units.** You must identify the number of self-help homeownership units completed and conveyed to eligible homebuyers during the five-year period. You must provide the average annual income and family size characteristics of the homebuyers you served. You must provide the racial and ethnic characteristic of these homebuyers. You must provide the average sweat equity contribution and the value of the contribution each homebuyer received at the time of purchase. You must also provide the average number of volunteer labor hours per unit.

**(iii) Target Dates.** You must describe the benchmarks you used to track your performance from land acquisition through the completion and conveyance of the units to the homebuyer. You must note whether you failed to meet any of your benchmarks and explain why the benchmark(s) was not met. You must describe the actions you took or are taking to overcome any delays and obstacles.

**(iii) Affiliates.** If you used affiliates, you must identify any affiliates that failed to meet their benchmarks or other target dates. You must identify any affiliates that had compliance issues. You must describe the actions you took or are taking to address these performance

and/or compliance issues.

**(iv) Consortium.** If you are a consortium, you must identify any consortium members that failed to meet their benchmarks or other target dates. You must identify any consortium members that had compliance issues. You must describe the actions you took or are taking to address these performance and/or compliance issues.

**(v) References.** You must provide, in an appendix, references for each organization that provided financial assistance to your self-help homeownership housing program over the past five years. HUD may contact each reference to verify your program performance.

**b. Program Management Capacity (up to 10 points).**

**(1) Applicant Capacity.** You must describe your organization's program management capacity including a description of:

- (a)** Your program management structure,
- (b)** The specific roles and responsibilities of each program management staff member,
- (c)** The specific skills and capacity of each program management staff member,
- (d)** Any program management staffing or skills gaps that exist within your program management structure, and
- (e)** How you plan to address any staffing or skills gaps that may exist.

**If you are a consortium,** you must provide this information for both the lead entity and each consortium member. You must also describe your procedures for coordinating the program management activities of your consortium members.

**(2) Affiliate Capacity.** If you propose to use affiliates, you must identify the staff responsible for managing and overseeing the performance of your affiliates. You must describe the criteria you will use to evaluate whether each affiliate has adequate program management procedures that comply with your program management standards. You must describe the criteria you will use to evaluate whether each affiliate has adequate program management staff capacity, and the steps you will require each affiliate to take should gaps in affiliate program management staff capacity arise.

**If you are a consortium,** you must describe how each affiliate will be linked to an individual consortium member that will have oversight responsibility for that affiliate.

Applicants that fail to present a sound SHOP program management structure with experienced and knowledgeable staff, as well as clear roles and responsibilities for all aspects of SHOP management and oversight, will receive a lower score. Applicants that fail to present a plan for addressing any staffing or skills gaps that may exist within their organization or within an affiliate's organization will receive a lower score.

**c. Financial Management Capacity (up to 10 points).**

**(1) Applicant Capacity.** Your financial management system must comply with the requirements of 2 CFR 200.302 and 200.303. You must describe your organization's financial management capacity including a description of:

- (a)** Your financial management structure,
- (b)** The specific roles and responsibilities of each financial management staff,
- (c)** The specific skills and capacity of each financial management staff,
- (d)** Any financial management staffing or skills gaps that may exist within your financial management structure, and

(e) How you plan to address any staffing or skills gaps that may exist.

**If you are a consortium**, you must provide this information for both the lead entity and each consortium member. You must also describe your procedures for coordinating the financial management activities of your consortium members.

**(2) Affiliate Capacity.** If you propose to use affiliates, you must identify the staff responsible for managing and overseeing the financial compliance of your affiliates. You must describe the criteria you will use to evaluate whether each affiliate has adequate financial procedures and controls that comply with your financial management standards and the requirements of 2 CFR 200.302 and 200.303. You must describe the steps you will require each affiliate to take should gaps in affiliate financial management staff capacity arise.

Applicants that fail to present a sound SHOP financial management structure with experienced and knowledgeable staff, as well as clear roles and responsibilities for all aspects of SHOP financial management and oversight, will receive a lower score. Applicants that fail to present a plan for addressing any staffing or skills gaps that may exist within their organization or within an affiliate's organization will receive a lower score.

#### Rating Factor 2: Need/Extent of the Problem

Maximum Points: 4

This Rating Factor evaluates the extent to which you demonstrate a need for self-help homeownership housing in your proposed service areas. HUD will consider the housing problems in each of your service areas that will be addressed by your SHOP program and the extent to which you demonstrate the need for SHOP grant funds.

#### Content Requirements for Rating Factor 2 (four page limit)

##### a. Extent of Need for Affordable Homeownership Housing (up to 2 points).

**(1) Demonstration of Need.** You must demonstrate the need for affordable homeownership housing in your service area by providing reliable statistical data on the lack of affordable homeownership opportunities for households with less than 80 percent of adjusted median income (AMI). You must demonstrate the need for affordable housing for other under-served low-income groups, especially minority households, households with children, and households in rural areas. Statistical data can include low homeownership rates; high foreclosure rates; housing cost burdens; and lack of standard housing including overcrowding, housing age, housing deterioration, inadequate housing infrastructure, inadequate utilities, or other severe physical problems. To the extent information is available, you must describe the need for physically accessible homes.

You must also identify the need to address any evidence of housing discrimination and any need for housing shown in the local Analysis of Impediments to Fair Housing Choice (AI) for jurisdictions located within your service area.

**(2) Data.** National applicants must, at a minimum, use regional-level data to demonstrate the need for affordable homeownership housing. Regional applicants must, at a minimum, use state-level data to demonstrate the need for affordable homeownership housing. If you plan to select some or all of your affiliates after your application submission, you must survey your potential affiliates to gain an understanding of the regional-level or state-level housing problems in the individual affiliate areas and describe those housing problems in your application.

General, national-level data should not be used unless you also use regional-level or state-level data to supplement the national data. Your data must be recent. "Recent" means the most recent updated U.S. Census data, and other information and data issued within the last five years prior to the issuance date of this SHOP NOFA, including data contained in State or local Consolidated Plans and Analysis of Impediments to Fair Housing Choice (AI) for jurisdictions located within your service area. You must cite the sources for your data.

Failure to adequately justify the need for affordable housing in your proposed service area using recent, geographically-appropriate data may result in a lower score.

**b. Extent of Need for SHOP Grant Funds (2 points).** You must describe your need for the amount of SHOP grant funds you request. You must identify any program funding gap. You must describe how SHOP grant funds will be used to fill this funding gap so you and your affiliates can achieve your SHOP goals and develop the number of SHOP units proposed.

Applicants that fail to adequately describe why SHOP funds are needed will receive a lower score. Applicants that fail to identify the specific program funding gap and amount of SHOP funds needed to fill this gap will receive a lower score.

### Rating Factor 3: Soundness of Approach

Maximum Points: 32

This Rating Factor evaluates the quality and soundness of your approach to carrying out your proposed SHOP activities. HUD will consider the adequacy and effectiveness of your program design. Specifically, HUD will evaluate your processes for determining the feasibility of proposed SHOP projects, evaluating the homebuyer's ability to afford and sustain homeownership, valuing the homebuyer's sweat equity contribution, and ensuring the completion and conveyance of your SHOP units. HUD will also examine your SHOP budget, training and technical assistance approach, and your plan for providing employment and job training opportunities for local area residents and businesses.

#### Content Requirements for Rating Factor 3

**a. Project Feasibility. (up to 14 points)** You must describe your procedures for assessing the feasibility of SHOP units, including an assessment of:

- (1) The market to determine whether there is a demand for self-help homeownership housing,
- (2) The eligible low-income population to determine whether there is an adequate pool of homebuyers in the market area,
- (3) The site to determine whether there are any constraints that may prohibit or delay the development of the self-help housing unit,
- (4) The financial viability of the project to determine whether sufficient leveraged resources are committed to the project, and
- (5) The development schedule to determine whether the self-help housing units will be completed and conveyed within the required SHOP grant schedule and
- (6) The feasibility of developing new, energy efficient SHOP units that meet the ENERGY STAR Certified New Homes (or ENERGY STAR for Multifamily High Rise) standard, including the availability of qualified HVAC and Home Energy Rating System contractors.

Procedures that fail to adequately address each component of the project feasibility process will receive a lower score.

**b. Affordable and Sustainable Homeownership. (up to 2 points)** You must identify the specific standard(s) you and your affiliates will use to determine whether a homebuyer can afford the SHOP unit at the time of purchase. You must also identify the specific standards you and your affiliates will use to determine whether the homebuyer can sustain the costs of homeownership over the long term. Failure to clearly identify specific, measurable standards that will evaluate the ability of your SHOP homebuyers to afford and sustain homeownership will result in a lower score.

**c. Sweat Equity Contribution and Valuation. (up to 5 points)** HUD will evaluate your sweat equity requirements as described in the Program Design and Scope of Work section of this NOFA. Specifically, HUD will evaluate the extent to which your program design exceeds the minimum number of sweat equity



hours required of the homebuyer (100 hours for multi-person homebuyers and 50 hours for individual homebuyers), and the minimum sweat equity valuation for those hours (a minimum hourly rate or equivalent value of \$1000 per 100 hours of sweat equity for multi-person homebuyers and \$500 per 50 hours of sweat equity for individual homebuyers). In accordance with the SHOP statute, applicants are encouraged to exceed these minimum standards to ensure that the homebuyers contribute a significant amount of sweat equity toward the construction of the unit. Applicants may exceed these standards through a higher valuation of the homebuyer's sweat equity and/or requiring more than the minimum number of sweat equity hours. Applicants that meet the minimum sweat equity hours and valuation requirements will receive 3 points. Applicants that exceed the minimum number of sweat equity hours will receive 1 additional point. Applicants that exceed the minimum hourly rate or equivalent sweat equity value will receive 1 additional point.

**d. SHOP Grant Schedule (up to 4 points).** HUD will evaluate the SHOP Grant Schedule included in the Program Design and Scope of Work section of this NOFA. Your SHOP Grant Schedule must demonstrate that you will expend all of your SHOP grant funds no later than the expiration date of your proposed grant term (i.e., 24 month or 36 months as applicable). Your SHOP Grant Schedule must also demonstrate that you will complete and convey all SHOP-assisted units within 36 months of the expiration date of your proposed SHOP grant term.

**e. SHOP Budget (up to 2 points).** HUD will evaluate the HUD-424-CB and HUD-424-CBW included in the Program Design and Scope of Work Section of this NOFA. Your SHOP budget must include all required budget line items under the appropriate budget category including all activities funded with both SHOP and leveraged funds, monitoring costs, compliance costs associated with water sense, lead-based paint and accessibility and if applicable, the value of donations, volunteer labor, and sweat equity. Your budget must also include a separate column or columns for leveraged funds.

Failure to address all required budget elements will result in a lower score. Applicants that provide inconsistent budget figures throughout the SHOP application will also receive a lower score.

**f. Training and Technical Assistance. (up to 3 points)** You must describe the format, topic(s) and frequency of any training and technical assistance you will provide to ensure that you and your affiliates, including any inexperienced affiliates, possess and continue to maintain the skills and knowledge needed to develop self-help homeownership housing and comply with all SHOP and other applicable Federal requirements. A sound training plan will ensure that all consortium members and affiliates are provided on-going training on the SHOP requirements, as well as all other applicable Federal requirements. A sound training plan should also describe other training and technical assistance that will be provided to inexperienced or nonperforming consortium members or affiliates.

Failure to present a training and technical assistance plan that adequately addresses the basic SHOP and other applicable Federal requirements, will result in a lower score. A training plan that fails to adequately address the specific training and technical assistance needs of inexperienced affiliates and poor performing consortium members and affiliates will receive a lower score.

**g. Employment Opportunities (up to 2 points).** You must describe how you and your affiliates will provide employment and job training opportunities for local area residents and businesses including:

- (1) Your methods for reaching out to local area residents and businesses,
- (2) Whether you will provide employment and job training opportunities that meet or exceed the minimum Section 3 requirements (consistent with existing Federal, State and local laws and regulations), and
- (3) Whether you will award new contracts for construction projects that meet or exceed the minimum Section 3 requirements.

Applicants that meet the minimum Section 3 requirements will receive one point. Applicants that exceed the minimum Section 3 requirements will receive two points. Refer to your SHOP NOFA Section

III.C.3.b. “Economic Opportunities for Low- and Very- Low-Income Persons” for guidance.

**Rating Factor 4: Leveraging Resources**

**Maximum Points: 8**

This Rating Factor evaluates your ability to secure firm commitments of leveraged resources to implement your proposed SHOP activities. HUD will consider your previous success in securing leveraged resources, and your strategy for securing the amount of firm commitments needed to develop the proposed number of SHOP units.

Leveraged resources include grants, loans, in-kind contributions, donated land, donated construction materials, and donated professional services. Leveraged resources do not include the dollar value of homebuyer sweat equity and volunteer labor contributions. Leveraged resources do not include mortgage financing provided to homebuyers, except for financing provided through the U.S. Department of Agriculture’s Section 502 program for direct loans to homebuyers as part of a mutual self-help homeownership housing program.

Firm commitments do not include unsigned, undated, or outdated documents; documents only expressing general support of your organization or your SHOP application; documents that do not state the dollar value of the leveraged resources; or documents that do not link the leveraged resources to your FY2016 SHOP application or specific projects in your application.

**Content Requirements for Rating Factor 4**

**a. Success in Obtaining Leveraged Resources (up to 4 points).**

**(1) Previous Success.** You must describe your previous success in obtaining leveraged resources for your self-help homeownership housing program during the most recent five year period which should be the same period as stated in your response to Rating Factor 1. For each year, you must identify:

- (a) Your total program budget,
- (b) The total dollar value of the leveraged resources required,
- (c) The total dollar value of the leveraged resources firmly committed,
- (d) The total dollar value of the leveraged resources received, and
- (e) The ratio of the total dollar value of leverage firmly committed to the total dollar value of leverage required.

If all of your required leveraged resources have not been firmly committed, you must describe the steps you have taken or are taking to secure these funds.

HUD will evaluate your success in obtaining leveraged resources by examining your ratio of the total dollar value of leverage firmly committed to the total dollar value of leverage required for both the oldest two years of your designated five year period, and the most recent three years of your designated five year period. Applicants that demonstrate a leverage ratio of 80 percent or higher for each of the oldest two years of the designated five year period will receive a higher score. Applicants that demonstrate a leverage ratio of 50 percent or higher for each of the most recent three years of the designated five year period will receive a higher score.

**(2) Supplemental Chart.** You must submit, in an appendix, a supplemental chart “Leveraged Resources Committed and Received Chart” that lists for each year, each leveraged resource that has been firmly committed and received. Leveraged resources of the same resource type that are from the same general funding source may be combined. This chart should be in an EXCEL format and provide the following:

- (a) Column 1 - The general funding source for each leveraged resource that has been firmly committed (applicant, private for-profit, private non-profit, state government, local government,

Federal government, or other (specify)). For Federal funding sources, you must separately list each Federal program source by agency (e.g. HUD HOME, HUD CDBG, USDA Sec. 502).

**(b)** Column 2 - The type of leveraged resource as either cash (grants, loans, or cash gifts/contributions) or non-cash gifts (donated land, donated construction tools, equipment or materials, donated products or appliances, donated professional services or other).

**(c)** Column 3 - The total dollar value of the leveraged resource.

**(d)** Column 4 - The date that the leveraged resource was firmly committed.

**(e)** Column 5 - The total dollar value of the leveraged resource actually received or drawn down.

**(f)** Column 6 – The steps you have taken or are taking to secure those leveraged resources that have not been received.

**(g)** Column 7 – Optional note or explanation.

Leveraged resources may be eliminated from consideration if the required data is not provided. Incomplete leverage data may result in a lower rating.

### **b. Leveraged Resources Strategy (up to 4 points).**

**(1) Strategy.** You must describe your strategy for securing the amount of leveraged resources you need in order to develop the number of SHOP units you propose in your SHOP application. The total amount of the leveraged resources must be the same as the total amount shown on the HUD-424-CB and HUD-424-CBW that you submitted in response to the Program Design and Scope of Work. You must demonstrate that the leveraged resources you will secure will be sufficient to develop the number of units proposed in your SHOP application.

HUD will evaluate your strategy for securing leveraged resources by examining the ratio of the total dollar value of leveraged resources secured to the total dollar value of leveraged resources required. Applicants that demonstrate secured leveraged resources of 50 percent or more of the required leverage will receive a higher score. Applicants that demonstrate secured leveraged resources of less than 50 percent of the required leverage will receive a lower score.

**(2) Supplemental Chart.** You must submit, in an appendix, a supplemental chart, “Leveraged Resources Proposed Chart,” that lists the leveraged resources that you have secured or propose to secure. Leveraged resources of the same resource type that are from the same general funding source may be combined. This chart should be in EXCEL format and provide the following data:

**(a)** Column 1 - . The general funding source for each leveraged resource that you have secured or propose to secure (applicant, private for-profit, private non-profit, state government, local government, Federal government, or other (specify)). For Federal funding sources, you must separately list each Federal program source by agency (e.g. HUD HOME, HUD CDBG, USDA Sec. 502).

**(b)** Column 2 -The type of leveraged source, such as cash (grants, loans, or cash gifts/contributions) or non-cash gifts (donated land, donated construction tools, equipment or materials, donated products or appliances, donated professional services or other).

**(c)** Column 3 - The total dollar value of the leveraged resource.

**(d)** Column 4 - The date that the leveraged resource was firmly committed (if applicable).

**(e)** Column 5 – If the leverage is not firmly committed, provide the date that you estimate the leveraged resource will be firmly committed (if applicable).

**(f)** Column 6 - The steps you have taken or are taking to secure those leveraged resources that have not been firmly committed.

(g) Column 7 - Indicate whether you have previously raised similar amounts of leveraged resources from the identified funding source, and the specific amount.

(h) Column 8 – Optional note or explanation.

Leveraged resources may be eliminated from consideration if the required data is not provided. Incomplete leverage data may result in a lower rating.

#### Rating Factor 5: Achieving Results and Program Evaluation

Maximum Points: 15

This Rating Factor evaluates whether you have an effective plan for managing and monitoring your SHOP program performance and compliance. This factor also evaluates whether you have an effective plan for evaluating the timeliness, compliance, efficiency and effectiveness of your SHOP program. HUD will consider the quality of your program performance, compliance and monitoring procedures, the frequency and type of your monitoring reviews, your process for corrective actions, the quality of your evaluation procedures, the relationship of your goals to the needs that you identify, and how you will use your evaluation results. HUD will require SHOP grantees to submit periodic progress reports on their SHOP program achievements. HUD will also require grantees to submit periodic reports on their monitoring schedule and monitoring results, as well as their program evaluation results.

#### Content Requirements for Rating Factor 5

**a. Monitoring Plan.** HUD will evaluate the Monitoring Plan submitted under the Program Design and Scope of Work section of this NOFA to determine if you have a comprehensive process for tracking and evaluating the performance and compliance of your SHOP program, including your consortium members and affiliates as applicable, throughout the grant term and through the completion and conveyance of the SHOP unit to the homebuyer. This Monitoring Plan must contain the elements listed in SHOP Program Summary under Section IV.B.1.b(1) above. In addition, the Monitoring Plan will be evaluated on the following:

**(1) Ongoing, Distance Monitoring (up to 8 points)** HUD will evaluate your ongoing, distance monitoring procedures to determine if your plan routinely tracks the performance and compliance of your consortium members and/or affiliates using specific monitoring benchmarks. HUD will also evaluate the remedies and corrective actions you will take to correct performance and compliance problems once they are identified. Applicants that fail to present a thorough and appropriate process for routinely assessing SHOP performance and compliance will receive a lower score. Applicants that fail to outline remedies and corrective actions that appropriately address performance and compliance problems will receive a lower score.

**(2) On-Site Monitoring (up to 5 points)** HUD will evaluate your on-site monitoring procedures to determine if you will use appropriate risk-based indicators to identify potential performance and compliance problems. HUD will also evaluate the remedies and corrective actions you will take to correct performance and compliance monitoring findings. Applicants that fail to present a thorough and appropriate risk-based process for assessing performance and compliance risk will receive a lower score. Applicants that fail to outline remedies and corrective actions that appropriately address performance and compliance findings will receive a lower score.

#### **b. Evaluation Plan (up to 2 points).**

**(1) Procedures.** You must describe your procedures for evaluating your SHOP program, including the frequency and methods you will use to collect data. You must identify the quantifiable output and outcome indicators or measures you will use to evaluate whether your SHOP program is achieving your goals and addressing the needs identified in your SHOP application.

**(2) Goals.** You must identify your quantifiable SHOP program goals. You must identify both your primary and secondary goals. You must describe how your goals are related to each of the specific needs you identified in Rating Factor 2 "Need/Extent of Problem."

Goals are the results or outcomes you hope to accomplish. For example, the primary goals of your SHOP program may be an increase in homeownership in your target areas by 10 percent, a reduction in the annual housing cost for SHOP homebuyers to no more than 30 percent of monthly income. A secondary goal of your SHOP program may be to increase the number of Section 3 businesses receiving SHOP contracts by 10 percent.

**(3) Program Improvement.** You must describe how you will use your evaluation results to increase the efficiency and effectiveness of your SHOP program, including the achievement of your SHOP goals.

HUD will assess your evaluation plan to determine if you have clear and measurable goals and output and outcome indicators. Applicants that fail to present a clear plan for evaluating their SHOP program using quantifiable output and outcome measures will receive a lower score.

## **2. NOFA Priorities.**

HUD encourages applicants for funding to undertake programs and projects that contribute to HUD's NOFA Priorities. Applicants that undertake activities that result in achievement of specific NOFA Priorities listed below are eligible to receive priority points in the rating of their application. These points will be awarded only if the application otherwise meets or exceeds the Program's minimum fundable score based on the rating factors of this NOFA.

### **Increase Energy Efficiency and the Health and Safety of Homes (Capital Investment and Planning NOFAs or as Specified in Individual Program NOFA)**

SHOP applicants can earn 1 point for meeting the standards for "Increase Energy Efficiency: Green Building or Renewable Energy." Also refer to the General Section Appendix A "Increase Energy Efficiency: Green Building or Renewable Energy."

#### **Increase Energy Efficiency and Healthy Homes - Green Building Standard (1 point)**

You must demonstrate that at least fifty percent of your SHOP units will be built or rehabilitated to a Green building standard by utilizing 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 as 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, you must later submit a certification of completion, and provide evidence that the green building standard has been achieved. You must also describe how you will verify and maintain evidence that an industry-recognized energy efficiency or green building standard has been achieved for at least fifty percent of your SHOP units.

## **3. Bonus Points.**

In support of certain inter-agency initiatives, HUD awards bonus points to projects where the preponderance of work will occur in a designated zone, community or region. **These points will be awarded only if the application otherwise meets or exceeds the Program's minimum fundable score based on the rating factors of this NOFA.**

Bonus points are not available for this program.

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

### **1. 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.

### **2. 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.a.5, Do Not Pay website Review.

#### **1. Rating and Ranking.**

**a. Technical Deficiencies.** After the SHOP application deadline date and consistent with regulations in 24 CFR part 4, subpart B and General Section VI.B.7. "Corrections to Deficient Applications", HUD will not consider any unsolicited information you may provide. However, HUD may contact you to clarify an item in your application or to correct a curable technical deficiency. In order not to unreasonably exclude applications from being rated and ranked, HUD may also contact applicants to ensure proper completion of the application. HUD will do so on a uniform basis for all applicants. HUD will not seek clarification of items or responses that improve the substantive quality of your response to any Rating Factor.

Examples of curable (correctable) technical deficiencies include inconsistencies in the funding request or a failure to submit certifications.

In each case, HUD will notify you in writing by email and fax in accordance with the instructions found in the General Section VI.B.7. HUD will describe the clarification or technical deficiency and provide instructions for submitting corrections. Applicants will have 14 calendar days in which to provide the missing information requested by HUD.

Refer to General Section VI.B.7. for more specific guidance and instructions.

HUD will rate all eligible applications that meet the threshold requirements against the criteria in Rating Factors 1 through 5, and the applicant's response to the NOFA Priority. HUD will assign a point score for each Rating Factor and the NOFA Priority. Points will be deducted for incomplete or inadequate responses. More points will be awarded to applicants who exceed the minimum Rating Factor requirements.

**b. Threshold Review.** HUD will screen each application to determine if it meets the threshold criteria listed in Section III.C. of this NOFA; and whether it is deficient and subject to corrections of technical

deficiencies as described above.

**c. Applications that will not be Funded.** HUD will not rate and rank applications that fail to cure technical deficiencies within the time frame provided by HUD. Further, HUD will not rate, rank or fund applications that fail any of the threshold requirements contained in the FY2016 General Section and Section III.C. of this program NOFA.

**d. Rating.** HUD will rate each eligible application that meets the threshold criteria based on the applicant's response to the Rating Factors and the NOFA Priority. HUD will assign a score for each Rating Factor, the NOFA Priority, and a total score for each eligible application.

**e. Minimum Rating Score.** Applicants must receive at least 25 points under Rating Factor 1 of this NOFA, "Capacity of the Applicant and Relevant Organizational Staff." Applicants must receive a total score of 75 points or more for Rating Factors 1 through 5. HUD will reject any application that does not meet these minimum rating score requirements.

**f. Ranking.** All eligible applicants will be placed in rank order based on the total application score.

**g. Tie Scores.** If two or more applications have the same score, the applicant with the highest score for Rating Factor 1 of this NOFA, ("Capacity of the Applicant and Relevant Organizational Staff"), will be ranked higher. If a tie remains, the applicant with the highest score for Rating Factor 3 of this NOFA, ("Soundness of Approach"), will be ranked higher.

**2. Award Amount.** HUD will not fund any portion of an application that is ineligible for funding. HUD may fund less than the amount requested by a successful applicant based on the following:

a. HUD may adjust the funding amount to ensure the development of housing on a national, geographically diverse basis as required by the SHOP statute

b. HUD may reduce a SHOP grant award for inadequate program performance, including:

(1) Delays in meeting performance targets, including:

(i) Unit completion and conveyance delays,

(ii) Slow grant fund disbursement rate,

(2) The return and/or deobligation of SHOP or other grant funds, and

(3) Unresolved audit or monitoring findings.

(4) For new applicants, any performance issues reported by the references provided by the applicant in response to Rating Factor 1.

c. HUD may also reduce a SHOP grant award depending on the extent to which the applicant fails to exceed the minimum number of sweat equity hours and/or the minimum sweat equity valuation as described in Section III.C.4.c.(8) of this NOFA.

In no case shall the grant award shall be less than the amount necessary to fund the statutory 30-unit minimum.

If any funds remain after all grant award selections have been made, the remaining funds may be available for subsequent SHOP competitions.

### **C. Anticipated Announcement and Award Dates.**

**1. Announcements.** HUD anticipates that all awards will be announced no later than December 30, 2016.

## **VI. Award Administration Information.**

## **A. Award Notices.**

Following the evaluation process HUD will notify successful applicants of their selection for funding. HUD will also notify all other applicants, whose applications were received by the deadline, that have not been chosen for award. Notifications will be sent by email, delivery receipt requested, to the person designated in item 8F of the SF424 and to the person listed as authorized representative in item 21 of the SF424.

**1. Notification.** If you are awarded a SHOP Grant, HUD will notify you in writing of the amount of your Grant award. HUD will also execute and send you your SHOP Grant Agreement. You must sign and date your SHOP Grant Agreement and return it to HUD. Upon receipt of your fully executed SHOP Grant Agreement, HUD will establish your Line of Credit and notify you when your SHOP Grant funds are available for drawdown. The date of this notification is the date your SHOP Grant Term begins.

**2. Financial Instructions.** All successful applicants must comply with the SHOP Grant Financial Instructions that HUD will provide as an appendix to the Grant Agreement.

**3. Reporting Instructions.** All successful applicants must comply with the SHOP Grant Reporting requirements that HUD will provide.

**4. Performance and Compliance.** HUD will evaluate your performance and compliance with the requirements of this NOFA and your approved application. HUD expects you to fulfill the commitments that you made as part of your application. HUD will require corrective action when you fail to perform adequately.

**a. Grant Term.** The SHOP statute requires the Secretary “to recapture any grant amounts provided to the organization that are not used within 24 months after the amounts are first disbursed to an organization or consortium except that such period shall be 36 months...in the case of grant amounts provided to a local affiliate...that is developing five or more dwellings.” You must expend all SHOP grant funds within 24 months of the date that HUD makes the SHOP grant funds available for drawdown in your Line of Credit, except that SHOP grant funds provided to an affiliate that develops five or more SHOP units (and SHOP grant funds used by you for directly related administrative costs) must be expended within 36 months of the date that HUD makes the SHOP grant fund available for drawdown in your Line of Credit. HUD will deobligate any grant funds that have not been expended by the Grant Term deadline.

**b. Timely Performance.** You and your affiliates must develop and convey all proposed SHOP units within 36 months of the end of the SHOP grant term. HUD may grant an extension to your performance schedule only when justified by good cause. HUD will require corrective actions when you exceed your approved grant schedule.

If you are a consortium, the lead entity is responsible for the timely performance and compliance of all consortium members, and for ensuring that any required corrective actions are undertaken in a timely manner.

## **B. Administrative, National and Department Policy Requirements.**

For this NOFA, the following requirements apply:

### **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.

**Environmental Review.** You and your affiliates must comply with the SHOP environmental review requirements. The SHOP environmental review requirements supersede the environmental review requirements in the General Section. All SHOP assistance is subject to the National Environmental Policy Act of 1969 and related Federal environmental authorities and regulations at 24 CFR part 58, or 24 CFR Part 50 when the unit of general local government within which the project is located declines or is unable to perform the environmental review procedure under 24 CFR Part 58 (as determined by the HUD Field Office CPD Division Director in accordance with HUD’s instructions). You and your affiliates must not undertake any project or activity or commit Federal or non-Federal funds or assistance to a project or activity that could limit reasonable choices or could produce an adverse environmental impact, until all required environmental reviews and notifications have been completed, and HUD approves your request for release of funds under the environmental provisions contained in 24 CFR part 58 or your receive HUD's approval of the project or activity under 24 CFR part 50, as applicable. Notwithstanding the preceding sentence, in accordance with section 11(d)(2)(A) of the Housing Opportunity Program Extension Act of 1996 and HUD Notice CPD-01-09, you or your affiliate may advance non-grant funds to acquire land before completion of an environmental review and HUD’s approval of a request for release of funds and environmental certification. Any advances to acquire land prior to such approval are made at the risk of you and/or your affiliate and reimbursement from SHOP grant funds for such advances will depend on the result of the environmental review and award of SHOP grant funds under this SHOP NOFA. Refer to SHOP NOFA Section IV.F. “Funding Restrictions” for additional guidance.

**Occupational Safety and Health.** You and your affiliates must conduct work under this grant in accordance with the Occupational Safety and Health Administration regulations (29 CFR 1926.62) that apply to the employees of the Grantee and its affiliates.

**Lead Safe Requirements.** When providing housing assistance funding for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part

745)). When providing education or counseling on buying or renting housing that may include pre-1978 housing, when required by regulation or policy, inform clients of their rights under the Lead Disclosure Rule (24 CFR part 35, subpart A), and, if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as applicable, F - M).

**Indoor Air Quality.** You and your affiliates are encouraged to comply with the Environmental Protection Agency's (EPA) Indoor airPLUS specifications so that your SHOP units provide improved indoor air quality. Additional guidance is available at: (<http://www.epa.gov/indoorairplus/constructionsSpecifications.html>).

**Standards for Administrative and Financial Control.** You must comply with 2 CFR part 200, "Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards," except for the program income requirements at 2 CFR 200.307. The disposition of real property requirements at 2 CFR 200.311(c) shall not apply when a SHOP Unit is transferred to an eligible homebuyer in accordance with the terms of the SHOP Grant Agreement.

HUD will not award or disburse funds to an applicant that does not have a financial management system that meets Federal standards. HUD may require a pre-award survey of any such financial management system for applicants selected for award that 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 on past performance or financial management findings.

**Earnings.** You must use all Earnings received as of the SHOP grant term expiration date for SHOP eligible activities, in accordance with your SHOP Grant Agreement. You must report to HUD on the use of these Earnings in accordance with HUD's instructions. Any Earnings that are received by you after the SHOP grant term expiration date are not subject to the SHOP requirements. These Earnings must be used for affordable housing activity. You may define affordable housing activity.

"Earnings" means any interest, fees, loan repayments or other income directly generated by the use of SHOP grant funds that are received by the SHOP grantee (including consortium members). Earnings also include affiliate repayments to the Grantee of principal and interest on a loan made to the affiliate with SHOP grant funds. Such loan repayments are Earnings received by the Grantee, even when deposited into a revolving loan fund account. Any income directly generated by the use of Earnings is also Earnings.

## **C. Reporting.**

**1. 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 or 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.

Please refer to Section V.C.4. of the General Section for a description of the general reporting requirements applicable to all HUD NOFAs.

If you are awarded a SHOP grant, you must submit periodic status reports and audits to HUD until your SHOP grant Final Close Out, in accordance with HUD's instructions.

**2. Quarterly and Annual SHOP Reports.** You must submit quarterly and annual SHOP reports to HUD that provide data on the status of your SHOP program including, SHOP unit characteristics; income, racial and ethnic composition of SHOP homebuyers; SHOP Earnings; goals accomplishments; and other

performance indicators. You must submit an annual monitoring plan that identifies the consortium members and affiliates, as applicable, that you will monitor based on your risk-based monitoring criteria. You must submit these reports until you have completed and conveyed all of your SHOP units (SHOP Grant Final Close Out). HUD may also require you to provide responses to HUD management questions.

**3. Section 3 Reporting.** You must submit annual Section 3 data using form HUD-60002 to HUD, Office of Fair Housing and Equal Opportunity, 451 Seventh Street, SW, Room 5232, Washington, DC 20410, Attn: Economic Opportunity Division.

**4. Recipient Reporting to Meet the Requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended.** Refer to General Section V.C.13. for guidance.

**5. HUD Evaluations.** You may be required to participate in HUD program evaluations and research studies.

Questions regarding specific program requirements should be directed to the point of contact listed in Section VII below.

Please direct questions regarding specific reporting requirements to the point of contact listed in Section VII below.

#### **D. 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, organization, or email address identified as the contact under the section entitled Agency Contact(s) in the Program NOFA. Information provided during a debriefing may include 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.

#### **VII. Agency Contact(s).**

HUD staff will be available to provide clarification on the content of this NOFA. Please note that HUD staff cannot assist applicants in preparing their applications.

Questions regarding specific program requirements for this NOFA should be directed to the point of contact listed below.

Thann Young, Senior CPD Specialist or Monica Wallace, CPD Specialist

1-877-787-2526 or (202) 708-2290

[jackie.williams@hud.gov](mailto:jackie.williams@hud.gov)

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339.

#### **VIII. Other Information.**

**Paperwork Reduction Act Statement.** The information collection requirements in this 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 unless its collection of information is excluded from these requirements under 5 CFR part 1320.

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFA in accordance with HUD regulations at 24 CFR Part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available for inspection at HUD's Funds Available web page at [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/grants/fundsavail](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/fundsavail).

Applicants may use the checklist below as a guide when preparing your application package.

**Application Checklist.** In order to receive full consideration for funding, you should use the following checklist to ensure that all requirements are addressed and submitted with your electronic application.

**1. Standard Forms (no page limit).**

\_\_\_\_\_ SF424\_Application\_for\_Federal\_Assistance (Your organization's nine-digit ZIP code (basic five-digit ZIP code plus four digits) must be included in Box 8d)

\_\_\_\_\_ SF424\_Supplement\_Survey\_on\_Ensuring\_Equal\_Opportunity\_for\_Applicants ("Faith Based EEO Survey "SF-424-SUPP" on [Grants.gov](http://Grants.gov))

**2. Applicant Eligibility (no page limit).**

\_\_\_\_\_ Experienced National or Regional Self-help Housing Nonprofit

\_\_\_\_\_ Consortium Participating Members and Agreement (if applicable)

\_\_\_\_\_ Code of Conduct

**3. SHOP Program Design and Scope of Work (25 page limit) (See Section IV.B.1.b.)**

\_\_\_\_\_ SHOP Program Summary (not included in the 25 page limit)

\_\_\_\_\_ SHOP Budget (not included in the 25 page limit)

\_\_\_\_\_ SHOP Grant Schedule (not included in the 25 page limit)

\_\_\_\_\_ Service Area

\_\_\_\_\_ Property Standards

\_\_\_\_\_ Homebuyer Income Eligibility

\_\_\_\_\_ Sweat Equity

\_\_\_\_\_ Volunteer Labor

\_\_\_\_\_ Homebuyer Financial Contribution

\_\_\_\_\_ Sale Price

\_\_\_\_\_ Mortgages and Other Loans

\_\_\_\_\_ Affirmatively Furthering Fair Housing

\_\_\_\_\_ Economic Opportunities for Low- and Very Low-income Persons (Section 3)

\_\_\_\_\_ Audit

\_\_\_\_\_ Affiliates (if applicable)

\_\_\_\_\_ Mutual Self-help Housing Programs (if applicable)

\_\_\_\_\_ Monitoring Plan

\_\_\_\_\_ Typical SHOP Unit Table (not included in the 25 page limit)

**4. Narrative Statements for Rating Factors (30 page limit or 35 page limit for a consortium).**

\_\_\_\_\_ Factor 1 - Capacity of the Applicant and Relevant Organizational Staff

\_\_\_\_\_ Factor 2 - Need/Extent of the Problem (four page limit)

\_\_\_\_\_ Factor 3 - Soundness of Approach

\_\_\_\_\_ Factor 4 - Leveraging Resources

\_\_\_\_\_ Factor 5 - Achieving Results and Program Evaluation

\_\_\_\_\_ NOFA Priorities - "Increase Energy-efficiency and Healthy Homes"

**5. Forms, Certifications and Assurances (no page limit).**

\_\_\_\_\_ HUD\_424\_CB\_Grant\_Application\_Detailed\_Budget ("HUD Detailed Budget Form" on [Grants.gov](https://www.grants.gov))

\_\_\_\_\_ HUD\_424\_CBW\_Grant\_Application\_Detailed\_Budget\_Worksheet

\_\_\_\_\_ Attachment to HUD\_424\_CBW ("Identification of Federal Program Sources and Amounts" e.g. HUD HOME, HUD CDBG, USDA Sec. 502)

\_\_\_\_\_ SF\_LLL\_Disclosure\_of\_Lobbying\_Activities (as applicable)

\_\_\_\_\_ HUD\_2880\_Applicant/Recipient\_Disclosure/Update\_Report ("HUD Applicant Recipient Disclosure Report")

\_\_\_\_\_ HUD\_2993\_Acknowledgement\_of\_Application\_Receipt (for applicants submitting paper applications only)

\_\_\_\_\_ HUD\_96011\_Third\_Party\_Documentation\_Facsimile\_Transmittal ("Facsimile Transmittal Form" on [Grants.gov](https://www.grants.gov). HUD will not be able to match faxes to your application if your application does not contain this form and each Fax does not use the HUD-96011 cover page)

**6. Appendices (no page limit).**

\_\_\_\_\_ Evidence of Non-profit Status (for new applicants or consortium members; refer to SHOP NOFA Section IV.B.1.a.(1))

\_\_\_\_\_ Consortium Participating Members, if applicable (refer to SHOP NOFA Section IV. B.1.a (2))

\_\_\_\_\_ Code of Conduct (refer to SHOP NOFA Section IV.B.1.b. (3))

\_\_\_\_\_ Affiliates, if applicable (refer to SHOP NOFA Section IV. B.1.b (16))

\_\_\_\_\_ Typical SHOP Unit Table (refer to SHOP NOFA Section IV.B.1.b. (19))

\_\_\_\_\_ Performance Reports (for new applicants; refer to SHOP NOFA Section V.A.1. Rating Factor 1)

\_\_\_\_\_ References (for new applicants; refer to SHOP NOFA Section V.A.1 Rating Factor 1)

\_\_\_\_\_ Leveraged Resources Committed and Received Chart (refer to SHOP NOFA Section V.A.1. Rating Factor 4)

\_\_\_\_\_ Leveraged Resources Proposed Chart (refer to SHOP NOFA Section V.A.1. Rating Factor 4)