

**HUD FY23 Section 202 Supportive Housing for the Elderly
Notice of Funding Opportunity (NOFO)**

Housing for Intergenerational Families Frequently Asked Questions

Are there Section 202 funding restrictions on historical building acquisition and development for intergenerational dwelling units?

For these purposes, HUD’s advice is limited to Section 202 funding. Grandfamily Housing references the Intergenerational component of the 202 NOFO. All projects must meet the requirements of the NOFO. The project must also meet any local requirements: zoning, environmental, etc.

There are many grandparents raising grandchildren who are younger than 62. Would they be eligible?

No, grandparents who are under 62 and raising grandchildren are not eligible. This requirement is statutory and cannot be waived. The Legacy Act of 2003 authorized intergenerational dwelling units. The Legacy Act states that the term “elderly person” has the same meaning as in Section 202(k) of the Housing Act of 1959.

12 USC 1701q(k)(1) defines the term “[elderly person](#)” as a household composed of one or more persons at least one of whom is 62 years of age or more at the time of initial occupancy.

I am curious as to whether there are “legal” custody requirements to identify the intergenerational family. Would there have to be a CHIPS petition?

The Section 202 Program does not define the meaning of “custody.” Any applicable state or local requirements regarding the custody of a child would govern.

Do the Older Adults have to move from the Intergenerational Dwelling unit once the children are over 18?

The intergenerational dwelling units may be part of a larger Section 202 funded building. In this case, the housing provider may move the grandparents to an appropriately sized unit once the children have moved out. If the units are not within a larger 202 building, then the housing provider may help the grandparents establish a timeline and help them find another suitable housing location. In addition, once the child becomes an adult, any income they may earn is counted as earned income which may result in the household becoming over income.

Is there a max age that a child can live in this setting? Is it 18? Can they live there if they are older than 18?

The NOFO defines child as, “” means an individual who— (A) is not attending school and is not more than 18 years of age; or (B) is attending school and is not more than 19 years of age.

Is there any assistance for kinship living with a child with a disability that is over 18?

The LEGACY Act of 2003 authorizes intergenerational dwelling units for families comprised of at least one elderly person and a child. The Act defines a child as someone up to 19 years of age, if in school, and up to age 18 if not in school. The Section 811 Capital Advance and the Section 811 PRA Programs serve individuals who are over 18 and living with a disability.

If a family with one grandparent and 2 grandchildren move into a 2-bedroom apartment in a HUD-funded Intergenerational project, and the grandchildren move out when they "age-out", is the grandparent allowed to stay on as a single person in a 2-bedroom unit? Or would they be seen as "over-housed"?

Like in other HUD-funded housing, when the family-size changes, the household must move to a unit with the appropriate number of bedrooms, once an appropriate-sized unit is made available.

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When will the next Section 202 NOFA be published?

The FY23 Section 202 NOFO was published on February 21, 2024.

We have been providing housing to grandfamilies in the form of rental assistance. Does that count as prior experience for this NOFA? We don't operate any housing facilities.

Yes, this demonstrates prior experience. Please see the NOFO for specific details about the experience. In the FY2022 NOFO, the information can be found in Section III.F and as part of Rating Factor 2. Section 3.

To what do you attribute the extremely low application rate for the 2022 NOFO and why were there no awards for intergenerational units?

HUD believes that for many Section 202 developers, the intergenerational component was new, and they did not know how to integrate those units. HUD is working hard to get the word out during this round so that more applicants will include intergenerational units in their proposals. There were no awards made for intergenerational units in the last round because the applicants were either ineligible or the project did not score high enough to be funded.

Is HUD accepting applicants from communities across the US?

Yes. The Section 202

Is there a list of the 6 applicants that applied for intergenerational units in the prior NOFO available?

Applicant information is not publicly available; however, you may submit a Freedom of Information Act request to FOIA@hud.gov.

How do you recommend a provider gain experience with building these communities as that seems to be a requirement an applicant is scored on?

If the developer does not have experience, they can partner with an organization who has experience working with grandparent-led families.

Is there a list of successful Section 202 developers available?

HUD has a [list](#) of the FY22 Section 202 awardees available on its website.

Is the funding also available to territories?

Yes, if the applicant meets the eligibility criteria.

Is funding available to Federally Recognized Tribes?

Yes, if the applicant meets the eligibility criteria.

What is the minimum unit project accepted?

To be eligible for the intergenerational set-aside funding, the higher of Five (5) units or 20% of all PRAC units must be designated as intergenerational units in their proposal. The proposed intergenerational units are included in the count of all PRAC units. For example, if an applicant is proposing 50 non-intergenerational PRAC units, they would need to include at least 13 intergenerational units (13/63 units) to meet the 20% threshold.

Is service coordination needed for the children and older adults?

Funding for a Service Coordinator is an eligible expense. Applicants do not need separate Service Coordinators to support children and older adults. However, in the proposal narrative, applicants will be asked to describe the services that will be provided to older adults and children.

What is "site control"?

The term "site control" means someone has a legal right to acquire or lease a site/property. There are several potential ways that one can demonstrate site control. Please see the NOFO for a complete description of the required documentation.