#### FREQUENTLY ASKED QUESTIONS (FAQ)

FY 2022 Fair Housing Initiatives Program (FHIP)
Notices of Funding Opportunity (NOFO)

Education and Outreach Initiative (EOI)

# Education and Outreach Initiative Test Coordinator Training Initiative (EOI-TCT) Fair Housing Organizations Initiative (FHOI) Private Enforcement Initiative (PEI)

These FAQs are intended to provide basic information about the FY 2022 FHIP Notices of Funding Opportunities. HUD encourages potential applicants who may be interested in applying for funding under one of the FY 2022 Initiatives after reading the FAQs below to read the full NOFO for more details. The FAQs are ordered as follows:

- General Questions All Initiatives
- Education and Outreach Initiative
- Education and Outreach Initiative Test Coordinator Training
- Fair Housing Organization Initiative
- Private Enforcement Initiative

#### **GENERAL QUESTIONS- ALL INITIATIVES**

#### Q: What is the Fair Housing Initiatives Program?

**A:** HUD manages a grant program called the Fair Housing Initiative Program (FHIP). FHIP provides significant funding for fair housing organizations and other non-profit organizations to provide to provide fair housing education, outreach and enforcement related services to individuals who believe they have been victims of housing discrimination.

#### Q: How do I apply for a grant to receive funding?

**A:** <u>Use grants.gov</u> - Interested applicants should apply on grants.gov through this <u>link</u>. Applicants must register with grants.gov and create a profile.

<u>Obtain a UEI</u> - Applicants must provide a valid UEI, registered and active at <u>/www.sam.gov/</u> in the application to track how federal funds are awarded and expended. For more information, see: <a href="https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update.">https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update.</a>

<u>Register with SAM</u> - All applicants and grant recipients must maintain an active registration with the <u>System for Award Management (SAM)</u>. All organizations must designate an E-Business Point of Contact (E-Biz POC) and Authorized Organization Representative (AOR) in SAM. Please visit <u>SAM.gov</u> for more information or to register.

#### Q: Are there any resources available that can assist me in applying for a grant?

**A:** HUD's Grant Management Office's (GMO) <u>Grants Information website</u> contains information on how to apply for grant opportunities and access GMO resources. GMO also provides a technical assistance <u>website</u> with learning tools and resources for applying for and managing federal funds.

HUD's Office of Fair Housing and Equal Opportunity (FHEO) maintains an email listserv for organizations interested in FHIP and regularly distributes information about grant opportunities and related information. Click <a href="here">here</a> to join the FHIP email listserv and stay abreast of current FHIP related information.

HUD staff can also be contacted by email for specific questions about these funding opportunities: <u>AllAboutFhip@hud.gov</u>

FHEO may host webinars to provide information about FHIP grant opportunities. Please join the email listsery to receive information about any upcoming webinars.

Q: As it normally happens with these funding opportunities, there are NOFO areas that our members and other potential applicants are asking for clarification about. Are there plans to host a briefing or training for potential applicants to obtain clarification, ask questions, and receive answers to frequently asked questions (FAQs) as HUD did under past NOFOs?

**A:** Yes, HUD plans to host a briefing on November 3, 2022. The briefing will be recorded and posted on FHEO's website at www.hud.gov/fairhousing.

#### Q: Does HUD provide technical assistance in the development of applications?

**A:** HUD does not provide direct guidance or instruction in the development of an applicant's project design or in writing their applications. Applicants should use their best judgement to determine whether they are able to meet the requirements contained in the NOFO and develop an application that addresses these requirements.

Applications will be reviewed and evaluated by an objective Technical Evaluation Panel (TEP) using the criteria described in Section V. of the NOFO. The TEP reviewers will use the NOFO as their principal guidance in the same way that it is the principal guidance for applicants.

#### Q: Can I speak to a HUD staff person about applying for a FHIP grant?

**A:** Questions about how to apply for a FHIP grant can be directed to HUD staff at: <u>AllAboutFHIP@hud.gov</u> or by calling <u>Stephanie Thomas at 202-402-6938.</u>

#### Q: Where can I find information on how to use grants.gov to submit an application?

A: Grants.gov FAQ: <a href="https://www.grants.gov/applicants/applicant-faqs.html">https://www.grants.gov/applicants/applicant-faqs.html</a>

#### Q: What if I am having technical issues with grants.gov?

**A:** Please refer to the following links for technical issues with grants.gov:

**Grants.gov Applicant Training** 

Grants.gov Online User Guide

You can also contact Grants.gov Customer Support Hotline at 1-800-518-4726.

### Q: What should I do if I experience difficulty submitting an application through grants.gov?

**A:** Grants.gov provides customer support information on its website at https://www.grants.gov/web/grants/support.html. Applicants who have difficulty accessing the application and instructions or have technical problems can call (800) 518-GRANTS (this is a toll-free number) for customer support or send an email to support@grants.gov. The customer support center is open 24 hours a day, seven days per week, except Federal holidays. The phone number above may also be reached by individuals who are deaf or hard of hearing, or who have speech disabilities, through the Federal Relay Service's teletype service at (800)-877-8339.

#### Q: Can we submit applications for multiple FHIP NOFO Initiatives?

**A:** Yes, applicants may submit more than one application, and it is possible for an applicant to apply for and receive more than one or two awards. Please note that a wholly separate application is required for each initiative and/or component. IMPORTANT: Carefully review the specific information contained in each NOFO as the requirements differ for each initiative. For example, if an applicant submits applications for both PEI and FHOI-CDC and is selected for both, funding for the FHOI-CDC will be rescinded if a determination is made by HUD that the activities for both awards are the same or substantially similar.

### Q: Can we submit more than one grant application for a single NOFO, that is apply for more than one component?

**A:** Yes; however, it is important to read the requirements of each NOFO carefully. For example, one organization may submit two separate applications for different components under the EOI Initiative **but** awardees of the EOI National Media Campaign component are not eligible to receive an award under the General Component of the EOI NOFO. See Page Section III.F. 13 on Page 22 of the EOI NOFO.

Applicants receiving an award under the EOI-NMCC may qualify to receive funding under the Sexual Orientation and Gender Identity (SOGI), Targeted Fair Housing (TC) and Striving For Equity (SEC) components.

Please note: a separate application is required for each NOFO component.

#### Q: Can there be more than one Project Manager assigned to my FHIP grant?

**A:** No, there should be only one project manager assigned to and responsible for a grant.

#### Q: Can I hire my project manager later, after I submit my application (proposed hire)?

**A:** No, the project manager is an essential role and should be on staff when the application is submitted.

Q: How long should the application abstract be? There is a new sample Abstract in all of the NOFOs. It describes an abstract of 18,000 characters, which is about 10 pages or so. It also asks you to list almost everything that is already in the Factors and other materials. Please clarify if the abstract is intended to be that long. Also, please clarify if the character count includes spaces.

**A:** The Office of Management and Budget (OMB) now requires award descriptions that provide specificity about the award purpose, activities to be performed, deliverables and expected outcomes, and intended beneficiaries as well as subrecipient activities, if applicable. The five award description data elements, in aggregate, do have an 18,000-character limit; however, fewer characters may be used. The limits reflected beside each element allows <u>up to</u> a maximum number of characters for each response. Accordingly, the abstract should be concise and describe the project in plain language that the public can understand and use without the full proposal. The character count does include spaces.

#### Q: Should I include resumes/position descriptions as part of my Rating Factors response?

A: No, do not include resumes and position descriptions for staff. In most cases providing that information takes an applicant over the 10-page limit, resulting in points being deducted from the application. Additionally, any pages exceeding the 10-page limit will not be reviewed.

### Q: Can I subcontract a percentage of the activities in my SOW to subcontractors, partners, or consultants, if my application is selected for a FHIP award?

**A:** Yes, you may subcontract a percentage of the activities if the subcontractors, partners or consultants were identified and included as part of your application and are approved by your Government Technical Representative (GTR) during the negotiation process.

### Q: If an organization applies for a FHIP PEI-MY and an EOI-G, do they also qualify to submit an application and obtain awards for other EOI and FHOI components?

**A:** It is possible for an organization to qualify for and receive more than one or two awards. Each NOFO contains its own eligibility requirements and limitations on the number of awards; therefore, it is extremely important to carefully read each NOFO before submitting an application. NOTE: A separate application is required for each component and/or Initiative.

### Q: Can we and our subsidiary or affiliate organization submit an application for the same grant?

**A:** No. Please see Parent and Affiliate Organizations section. One organization, <u>including a parent and offspring organization</u>, may not submit more than one application for a single component; HUD will not select or fund both a parent and its affiliate subsidiary organization for the same component.

### Q: Can our parent organization share the same staff with or assist the subsidiary organization in the grant funded activities?

**A:** HUD will not fund affiliate and parent organizations sharing key staff. All funded organizations must be fully independent and able to conduct business on an ongoing basis without support from a partner organization or its staff to complete proposed program activities. Furthermore, applicants under an Initiative may not use the performance of another organization (e.g. parent) to meet the requirements of Rating Factor 1.

#### Q: When will HUD publish the award amounts?

**A:** HUD will publish a list of awardees and grant amounts either through the Federal Register and/or a press release following the completion of Technical Evaluation Panel review and the embargo period.

#### Q: Will HUD notify grantees at the time of the Press Release?

**A:** HUD will notify grantees of individual awards as soon as possible. However, this will not be at the same time as the press release. There is an embargo period once awards are selected, and Congress is notified of selections. Additionally, there are specific NOFO and Technical Evaluation Panel closeout processes which must be completed by FHIP staff prior to the issuance of notification letters.

#### **EDUCATION AND OUTREACH INITIATIVE**

#### Q: What is the Education and Outreach Initiative?

**A:** FHIP includes several different initiatives. One of these initiatives include the Education and Outreach Initiative (EOI) which promotes fair housing laws and equal opportunity awareness. The Education and Outreach Initiative offers a comprehensive range of support for eligible organizations to develop and implement education and outreach programs designed to inform members of the public and housing providers about their rights and obligations under fair housing laws. *FHIP EOI Notice of Funding Opportunity (NOFO)* is now open for submission of applications. HUD encourages potential applicants interested in this opportunity to read the full *NOFO* for more details.

#### Q: When is the EOI application deadline?

A: Applications are due for the current round of funding by 11:59 pm ET on December 6, 2022.

#### Q: How much funding is available for the Education and Outreach Initiative?

**A:** HUD has made available \$9,425,000 for the current round of Education and Outreach Initiative funding. The funding is divided amongst the following components:

- National Media Campaign Component \$1,300,000
- Sexual Orientation and Gender Identity Component \$500,000
- Striving for Equity Component \$600,000
- General Component \$6,425,000
- Targeted Fair Housing Component \$600,000

#### Q: What are the maximum and minimum grant award sizes for each component?

**A:** The maximum and minimum grant award sizes differ by EOI Component:

- National Media Campaign Component
  - o Maximum: Up to \$1,300,000
  - o Minimum: n/a
- Sexual Orientation and Gender Identity Component \$500,000
  - o Maximum: Up to \$75,000
  - o Minimum: n/a
- Striving for Equity Component \$600,000
  - o Maximum: Up to \$100,000
  - o Minimum: n/a
- General Component \$6,425,000
  - o Maximum: Up to \$125,000
  - o Minimum: n/a
- Targeted Fair Housing Component \$600,000

o Maximum: Up to \$100,000

o Minimum: n/a

#### Q: What organizations are eligible to apply?

**A:** Public or private not-for-profit organizations or institutions that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices are eligible to apply. This includes Qualified Fair Housing Enforcement Organizations and Fair Housing Enforcement Organizations as defined in the Notice of Funding Opportunity.

Individuals and sole proprietorship organizations are not eligible to compete for this grant opportunity.

#### Q: How long are the project periods for FHIP EOI awards?

**A:** The project periods are 12-18 months for the FHIP EOI awards.

#### Q: What types of proposed project activities are eligible for a FHIP EOI award?

**A:** Applicants may propose appropriate project activities for each of the different components.

#### National Media Campaign Component

• Eligible activities must include more than one protected class as a proposed focus area. Eligible activities must include the planning and implementation of a national fair housing media campaign to educate the American public regarding the forms of discrimination that can occur in real estate related transactions, including lending and appraisal markets. The campaign will provide information on how to file a housing discrimination complaint through HUD. The campaign must include but is not limited to the development and distribution of television, radio, print and digital advertising campaigns. Materials must be localizable for use by other FHIP organizations engaging in local educational campaigns.

#### Sexual Orientation and Gender Identity Component

Eligible activities may include the creation of new educational or advertising materials or
updating existing materials to reflect the prohibition of discrimination based on sexual
orientation and gender identity. All updated materials must include a direct connection to
the Fair Housing Act or issues that may violate the Act.

#### Striving for Equity Component

• Eligible projects may include the development of traditional or digital advertisements and localized media campaigns, and/or trainings/workshops that promote fair housing choice and projects that promote equality and justice.

#### **General Component**

• Eligible activities are those that education and inform people about their rights or responsibilities under the Fair Housing Act that may include, but are not limited to: developing and distributing fair housing material (i.e. brochures, webinars, and social media advertising); conducting educational symposia or other training; and providing fair

housing information outreach through printed and electronic media into languages applicable to communities in the proposed project area (i.e. Public Service Announcements for radio, television, and newspaper advertisements). Applicants should look to a common theme in the development of all fair housing materials. All activities must have a direct connection to the Fair Housing Act or issues that may violate the Act.

#### Targeted Fair Housing Component

• Fair housing organizations may use these funds for a variety of purposes, including projects to: develop law school curricula related to fair housing; improve access to homeownership for underserved populations that have historically been denied such opportunities; and advance community integration. These funds may also be used to provide complaint intake services and fair housing legal services to underserved communities and underserved populations. Applicants should look to a common theme in the development of all fair housing material. All activities must have a direct connection to the Fair Housing Act or issues that may violate the Act.

#### Other Important Information

- All components must include a description of a referral process that will result in referral of fair housing complaints to HUD or the Fair Housing Assistance Program agencies, except for the National Media Campaign Component. If funded, the grantee will have to develop and implement the complaint referral process referenced in the application.
- Housing counseling services are not considered eligible activities.
- Applicants should read Section 5 Program-Specific Requirements of the NOFO for other information related to eligible activities.

### Q: The EOI NOFO is missing information on page 38, Factor 2 where the text is cut off and appears to run into the next page. Is this a printing error that will be corrected?

**A:** A technical issue occurred when uploading the EOI NOFO to <u>grants.gov</u>. We have corrected the matter and the PDF file has been updated on <u>grants.gov</u>. This information has been shared with potential applicants through our <u>FHIP listserv</u>. We encourage all potential applicants to sign up for the mailing list to stay abreast of the most recent and up-to-date FHIP information available.

Q: EOI NOFO Page 46 Adjustments to Funding states "a. HUD will fund <u>no</u> portion of an application that...(3) Duplicates other funded programs or activities from prior year awards or other selected applicants." What exactly does this mean? Seems a majority of EOI "activities" are routine perennial deliverables, such as hosting an annual conference or Know Your Rights workshops.

**A**: The language should be interpreted to mean that HUD will not fund the same activity under two different grants. For example, if an applicant requested \$100,000 for a conference under a prior grant, the grantee cannot request additional funding for the same conference in a new application. Further, HUD will not fund any activity for which an applicant received prior funding and the proposed deliverable has not yet been implemented.

### EDUCATION AND OUTREACH INITIATIVE - TEST COORDINATOR TRAINING (EOI-TCT)

#### Q: What is the Education and Outreach Initiative – Test Coordinator Training?

**A:** HUD seeks to ensure high quality and standardized fair housing testing performed by FHIP grantees. To support this goal, this FY2022 Education and Outreach Initiative NOFO makes available funding in the amount of \$500,000 to support fair housing tester coordinator training courses that provide consistent training in the general area of fair housing testing and advanced tester training. Therefore, the NOFO will also support specific tester training courses in the areas of mortgage lending, insurance, and residential appraisals to help meet the needs and requirements of the FHIP program. *FHIP EOI-TCT Notice of Funding Opportunity (NOFO) at GRANTS.GOV* is now open for submission of applications. HUD encourages applicants to read the full NOFO for more details.

#### Q: When is the EOI-TCT application deadline?

A: Applications are due for the current round of funding by 11:59 pm ET on December 6, 2022.

### Q: One place in the NOFO states a Project Period of 12 months, while in another place the Project Period is 12-18 months. Which is accurate?

**A:** The 12-Month Project Period is a pre-populated field in the Announcement Module that FHIP is unable to change. Therefore, the NOFO later states that the correct acceptable Project Period is 12-18 months. This information is also shared with the TEP; applicants will not be penalized for project periods between 12 to 18 months.

NOTE: The 12-to-18-month period is also acceptable in applications for all other EOI components and FHOI-CDC.

#### FAIR HOUSING ORGANIZATION INITIATIVE (FHOI)

#### Q: What is the Fair Housing Organization Initiative (FHOI)?

The Fair Housing Initiatives Program (FHIP) provides funding to fair housing organizations and other non-profits that assist individuals who believe that they have been victims of housing discrimination through several Initiatives. The Fair Housing Organization Initiative provides funds to non-profit fair housing organizations through two separate components, Continued Development Component (CDC) and Establishing New Organizations Component (ENOC). CDC provides funds to non-profit fair housing organizations to build their capacity and effectiveness to conduct enforcement related activities eligible for funding, such as investigating discrimination allegations based on sexual orientation and gender identity or expanding testing expertise in mortgage lending discrimination and appraisal bias. ENOC provides funds to Qualified Fair Housing Enforcement Organizations (QFHOs) to establish new, separate organizations to engage in fair housing work, particularly in areas of the country which are currently unserved or underserved by fair housing enforcement organizations. FHIP FHOI Notice of Funding Opportunity (NOFO) at GRANTS.GOV is now open for submission of applications. HUD encourages applicants to read the full NOFO for more details.

#### Q: When are the applications due for the FHOI?

**A:** Applications must be received by 11:59 pm ET on December 6, 2022.

#### Q: How many components are there in the 2022 FHOI Initiative?

**A:** There are two components: the Continuing Development Component (CDC) and the new FY2022 Establishing New Organizations Component (ENOC).

#### Q: Can you confirm the length of the grant period for ENOC?

**A:** The FHOI NOFO states on Page 16 that the performance period for FHOI-ENOC is 36 months - 3 years.

### Q: Should we include administrative activities such as creating the organization when we apply for FHOI- ENOC? For example, does the entity need to be created before we apply?

**A:** The Statement of Work (SOW) should include the associated administrative and program tasks needed to establish the new organization. FHIP cannot advise an applicant on what activities need to be performed in the SOW outside of what is stated in the NOFO. ENOC Rating Factor 3(a) 1. b. provides that the SOW narrative should reflect enforcement related activities by year two of the grant. Therefore, year one activities may include organization creation activities.

### Q: Are there specific requirements for the type of sponsoring organization that can submit an application for the FHOI- ENOC component?

**A:** The sponsoring organization applicant must be a QFHO. In addition, see the FHOI NOFO for all specific requirements for the sponsoring and the sponsored organization.

## Q: It takes 2 years to become a QFHO; does this mean that if selected, the new sponsored organization under ENOC will be able to apply for PEI funding during year 3 of the ENOC grant?

**A:** As a threshold requirement for FHOI-ENOC, the sponsored organization is not eligible for funding under the Private Enforcement Initiative (PEI) until it becomes a QFHO or FHO. HUD cannot make an eligibility determination on whether the sponsored organization will be able to apply for PEI funding during year 3 of the FY2022 grant until a future application submission is evaluated. However, the sponsored organization must be able to function independently by the end of the grant performance period.

### Q: Can any part of the FHOI-ENOC funds be used for education and outreach? Is there a limit on the amount that can be allocated to education and outreach?

**A:** The FHOI NOFO does not provide a percentage of funding to be used for education and outreach activities. A reasonable portion of funding may be allocated for education and outreach to achieve the goal of establishing a viable fair housing enforcement organization.

### Q: What percent of the FHOI-ENOC grant can be used for administrative expenses incurred by the sponsoring organization?

**A:** The FHOI- ENOC NOFO provides that sponsoring organizations are eligible to receive funding for administrative expenses associated with establishing the sponsored organization. The application must outline the agreement between the two organizations and the amount of administrative expenses, if any, the sponsoring organization will receive. Administrative expenses of the sponsoring organization cannot exceed a **maximum of 25% of the annual grant award.** In addition, the agreement must include a statement outlining (a) what tasks are

expected of the sponsored organization; (b) the mission of the sponsored organization; and (c) a timeline for creating the new organization.

Q: What is the award cap for FHOI-CDC awards; it is not listed in the NOFO? The maximum award for the 36-month ENOC is \$1,875,000. Is there a different maximum for CDC? Page 15 of the NOFO states only that the minimum award for CDC is \$100,000. A: The NOFO has been revised and the maximum award amount for FHOI-CDC is \$250,000.

#### PRIVATE ENFORCEMENT INITIATIVE (PEI)

#### Q: What is the Private Enforcement Initiative (PEI)?

**A:** PEI provides funding to private, non-profit fair housing enforcement organizations that meet statutory requirements to conduct testing, investigate violations and obtain enforcement of the rights granted under the Fair Housing Act and State or local laws that are substantially equivalent to the rights and remedies provided in the Fair Housing Act. *FHIP PEI Notice of Funding Opportunity (NOFO) at GRANTS.GOV* is now open for submission of applications. HUD encourages applicants to read the full NOFO for more details.

#### Q: When are the applications due for the PEI?

**A:** Applications must be received by 11:59 pm ET on December 5, 2022.

#### Q: If our PEI application is selected, will we receive funds for all three years?

**A:** The PEI grant is a multiyear grant. The grant performance period is 36 months (3 years). It is expected that the PEI grant will be funded one year at a time for three years, subject to appropriations.

### Q: If I am a second year (2021) or third year (2020) PEI-MY grantee, will I receive the FY2022 funding increase to \$425,000?

**A:** Yes, 2021 and 2020 PEI Multi-year grantees will receive the funding increase for the FY 2022 grant of \$425,000.

- Q: Page 40 of the PEI NOFO says that the budget must "indicate what activities and tasks will be increased as a result of an increase in the funding amount." Can you explain what "funding amount" we should anticipate so that we can respond to this requirement?

  A: This statement refers to the FY2022 increase in the maximum available funding amount from FY2021 from \$375,000 to \$425,000. The NOFO is advising applicants to not only discuss how they use the \$375,000 but also indicate what additional activities/tasks will be performed utilizing the increased funding of \$50,000. See the response to the question below for an explanation of types of eligible activities.
- Q: Page 40 of the PEI NOFO, under (b) Budget and Cost Estimates states: "The budget must also indicate what activities and tasks will be increased as a result of an increase in the funding amount. If the applicant does not provide this information, up to five points will be deducted." It was our understanding that the increase in funding was to offset the escalating costs that fair housing organizations are experiencing such as rising inflation, higher human resource costs to retain experienced staff; and providing additional resources to conduct appraisal bias, algorithmic discrimination, lending, and sales

investigations. Can we use the increased funding for these more complex investigations, to increase fair housing organizations' capacity to respond to these more complex complaints and to conduct systemic investigations?

**A:** Your understanding is correct, with one exception. Organizations may also use this funding to expand activities in other areas not currently served. Organizations can outline how they will utilize the funding for activities such as hiring additional staff and how this activity leads to more complaint generation. Also, see 2 CFR 200.430 regarding reasonableness of staff compensation. The use of resources to conduct appraisal bias, algorithmic discrimination, lending and sales investigations are activities that should be highlighted, and applicants can cross-reference these activities with activities shown in the SOW. HUD will ensure that the TEP is instructed accordingly.

Q: The estimated start date for the PEI NOFO is April 1, 2023. Can the start date be sooner? Organizations whose PEI grants ended earlier this year are now between grant cycles; waiting until April 2023 to begin a new PEI grant will create a financial hardship that could result in a reduction of services or fair housing programs stopping altogether. A: After they are notified of their award, successful applicants may negotiate their start date, which may be sooner than the estimated start date in the NOFO.

Q: PEI NOFO Page 44: Rating & Ranking- Factor 4 mentions leveraged funds as a tie breaker. There is no mention of leveraging for this NOFO; is this an error?

A: Please disregard the leveraged funds language. HUD will ensure this language is removed from future NOFOs. Potential applicants/applicants will be notified via FAQs posted to our website that leveraged funds are not required under this NOFO and will not be considered for tie-breaking purposes.

Q: The PEI NOFO says that grant recipients must review all records of allegations received since January 20, 2020 to determine whether claims based on gender identity of sexual orientation may still be timely and jurisdictional (pp 6 and 20 of the NOFO). Given that the NOFO (on pp 6 and 19) mandates this review in the context of President Biden's Executive Order 13988, we wonder if that date is supposed to be January 20, 2021?

A: HUD Memo dated February 11, 2021 from Jeanine M. Worden, Acting Assistant Secretary for Fair Housing & Equal Opportunity regarding implementation of President Biden's Executive Order 13988 instructs all HUD FHEO Regional Offices, FHAP agencies and FHIP grantees to review all records of allegations of discrimination (inquiries, complaints, phone logs, etc.) received since January 20, 2020 and to notify persons who alleged discrimination because of gender identity or sexual orientation if their claims are still timely and jurisdictional for filing.

Q: It looks like my organization may not qualify under the PEI NOFO. We started a FHOI-CDC grant on January 1, 2022 and had no testing program prior to that, although we did complaint intake and some investigation under our previous and current EOI grants. Since the requirement is to have at least one year experience with "complaint intake, complaint investigation, testing for fair housing violations, and enforcement-related experience and meritorious claims" in the two years prior to the application submission

### date, it appears the organization will fall short of that requirement by about one month since the PEI application deadline is December 6th. Is this interpretation accurate?

**A:** FHEO cannot decide eligibility in an email or over the phone. An organization must submit an application and have it evaluated for a component appropriate eligibility determination to be made.

#### **QUESTIONS????**

Additional questions that are not answered above may be submitted to FHIP via email at AllAboutFHIP@hud.gov

Stay connected with the Fair Housing Initiatives Program by signing up for the FHIP email list.