



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR PUBLIC AND INDIAN HOUSING

SPECIAL ATTENTION OF:
Administrators, Offices of Native American
Programs, Tribes, and Tribally Designated
Housing Entities

Notice PIH 2024-13

Issued: May 6, 2024

Expires: This Notice remains in effect until
amended, superseded, or rescinded.

Cross Reference(s):
83 FR 23710; 81 FR 10880;
2 CFR Part 200

SUBJECT: Procedural Guidance for Tribal Housing and Urban Development-Veterans Affairs
Supportive Housing (Tribal HUD-VASH) FY 2024 Renewal Grant Application

- PURPOSE:** This notice announces renewal requirements for the original 26 Tribal HUD-VASH recipients awarded in 2015, and eight Tribal HUD-VASH Expansion recipients awarded in 2021 and 2022.

Pursuant to the authority provided by the Consolidated Appropriations Act, 2024 P.L. 118-42 (the “Appropriations Act”), the U.S. Department of Housing and Urban Development (HUD) will renew rental assistance and associated administrative fees to all eligible Tribal HUD-VASH recipients, provided they meet applicable program requirements.

To receive renewal funding, existing Tribal HUD-VASH recipients must submit a renewal package by **June 28, 2024**. Instructions for how to submit renewal packages are found in Section 4 of this notice.

- ELIGIBILITY:** Tribal HUD-VASH recipients eligible for renewal funding are:
 - Indian tribes and Tribally Designated Housing Entities (TDHEs) awarded assistance under the rental assistance and supportive housing demonstration program for Native American Veterans (Federal Register Notice, “[Tribal HUD-VA Supportive Housing Program Awards, Fiscal Year 2015](#)” (81 FR 10880)); and
 - Indian tribes and TDHEs awarded assistance under the Tribal HUD-VASH expansion Notices of Funding Opportunity (NOFO), including the [2021 Expansion NOFO](#) and the [2022 Expansion NOFO](#).

3. **AWARD INFORMATION AND OVERVIEW:** HUD intends to award renewal funds in one round during the calendar year 2024. The period of performance for the renewal grants is October 1, 2024, to September 30, 2025.

To receive a FY 2024 renewal grant, Tribal HUD-VASH recipients must submit a renewal package as outlined in Section 4 of this notice.

- A. **Rental Assistance:** HUD will fund each eligible recipient a maximum award amount of rental assistance. The maximum amount will be determined as follows:

Total units allocated x Maximum FMR served x 12 months

If the total number of Veterans you serve as a Tribal HUD-VASH recipient has been reduced from the total allocated in the initial grant funding due to a request by you under Section 8 of this notice or a determination by HUD, the total units allocated will reflect that reduced number.

- B. **Administrative Fee:** HUD will fund each eligible recipient a maximum award amount of administrative fees. The administrative fee will be calculated as follows:

Total units allocated x \$111 x 12 months

For more information on eligible administrative and planning expenses, see Section VI.M of Federal Register Notice, Implementation of the Tribal HUD-VA Supportive Housing Program ([Consolidation Notice](#)), FR 6091-N-01, published Tuesday, May 22, 2018.

The Rental Assistance and Administrative Fee amounts will be combined to comprise the total FY 2024 renewal award.

4. **RENEWAL PACKAGE SUBMISSION:**

- A. **Receipt Deadline.** You must submit the information outlined in this notice electronically to TribalHUDVASH@hud.gov. **Electronic packages must be received no later than 11:59:59 p.m. EDT on June 28, 2024.**
- B. **Renewal Package Content.** You must submit the following information in your renewal package:
- 1) **Cover Letter:** A one-page letter on your letterhead that includes the following information:
 - a) **Contact Information:** Provide your current Tribal HUD-VASH point of contact information, including mailing address, telephone number, and email address.
 - b) **Tribal Resolution (if applicable):** Provide either a statement affirming the original tribal resolution for participation in the Tribal HUD-VASH program

is still applicable, or if the original tribal resolution is no longer applicable, submit a new resolution.

- c) Authorized Representative signature: The cover letter should be signed by the person authorized to submit the renewal package.
- 2) Program Update and Overview. You must report on the execution and progress of your Tribal HUD-VASH program. The data collected will assist HUD in oversight of the program and with the renewal process. Provide a brief (1-3 pages) narrative report on your Tribal HUD-VASH program’s progress over the past year (April 1, 2023, to March 31, 2024), addressing the following:
- a) Progress toward meeting the program’s goals;
 - b) Current and projected program enrollment;
 - c) Challenges and how you are addressing them;
 - d) Successes or best practices, including community involvement;
 - e) Progress of training and technical assistance efforts received and any current needs; and
 - f) Affirm that annual reexaminations are being conducted.
- 3) Anticipated unit size utilization. Provide information on the unit sizes you anticipate serving in the upcoming renewal period in a table like the one shown below. HUD will use this information to calculate the “Max FMR Served” per Section 3.A of this notice. You may include this information in your Program Update narrative.

Efficiency	1br	2br	3br	4br

- 4) Leasing Performance Report (LPR, HUD-5980). Complete the HUD-5980 form with actual data from the period of April 1, 2023, to March 31, 2024. Follow the form instructions to ensure you are providing accurate data.
- 5) Federal Financial Report (SF-425): Provide a copy of the latest SF-425. This report must include any program income earned and expended. Tribal HUD-VASH program income must be used for affordable housing activities, in accordance with Section VI.K of the Consolidation Notice.

5. CORRECTIONS TO DEFICIENT RENEWAL PACKAGE SUBMISSIONS: You must ensure the accuracy of the renewal data. If any deficiencies are identified in the renewal package, HUD will email your point of contact included in the cover letter, describe the deficiency, and request a cure. If a response to the deficiency is not received or not in accordance with the instructions contained in the deficiency notification, you will not be considered for renewal funding.

6. REVIEW AND AWARD PROCESS: HUD will review each renewal package to confirm that recipients have met the criteria for renewal under this notice. HUD will look at factors including:

A. Renewal package content: HUD will review your renewal package for completeness.

B. Review of the LPR (HUD-5980). HUD will review the data reported in the LPR to evaluate and ensure proper program execution and to inform the renewal award calculation described at Section 3 above. HUD will examine the following:

- 1) Lease Period: The start and end dates for each Veteran's lease. A Veteran may be under two separate leases during the leasing period.
- 2) Total Unit Months Leased: The number of months a unit was under lease during the leasing period.
- 3) Monthly Rental Assistance Payment: The total rent for a unit minus any Veteran contribution and any non-HUD funds used to pay rent.
- 4) Fair Market Rent (FMR) review: Section VI.H of the Consolidation Notice states that rents may not exceed 110% of the area FMR without prior HUD approval. Based on this, HUD will review the Leasing Performance Report to ensure compliance with FMR limits.
 - a) If you have deemed it necessary to pay rents that exceed 110% of FMR, you must have obtained HUD's prior approval to do so. While HUD will review its records of prior approval, you are encouraged to submit a copy of HUD's prior approval with the renewal package to facilitate the review process.
 - b) If you have not sought HUD's prior approval to pay rents that exceed 110% of FMR, then you may include a request and justification in your renewal package. If you do not request prior approval or if HUD denies the request to exceed FMR, then HUD will base the renewal amount at 110% of FMR.

C. Indian Housing Plan (IHP) and Annual Performance Report (APR): HUD will confirm that the recipient's IHP and APR have been updated annually to include current Tribal HUD-VASH information.

D. System for Award Management (SAM) registration: HUD will confirm that the recipient's registration is current in SAM.

HUD will review the renewal package and will respond to you within 60 days of receipt. Once a final renewal package is reviewed and approved, HUD will issue a grant agreement to be signed by you and will disburse funds through the HUD Line of Credit Control System (LOCCS). All documents will be provided in electronic format and are required to be returned in electronic format. You should maintain all documents with original signatures in your records.

7. RISK EVALUATION: In accordance with 2 CFR §200.206, HUD will continue to consider risk and administrative capacity prior to making awards. HUD will examine a range of capacity indicators, including program performance, compliance with reporting

requirements, outstanding financial audits, unresolved HUD monitoring findings, Office of Inspector General reports or audit findings, unresolved outstanding civil rights violations, high unexpended grant balances, compliance with mitigation plans, and overall administrative capacity to administer the Tribal HUD-VASH program.

Outstanding civil rights matters must be resolved before the application submission deadline. Applicants with unresolved civil rights matters at the application deadline are deemed ineligible. Applications from ineligible applicants will not receive HUD funding.

- A. An applicant is ineligible for funding if the applicant has any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that are not resolved to HUD’s satisfaction before or on the application deadline date.
- 1) 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 (including sexual orientation and gender identity), national origin, disability or familial status;
 - 2) Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. § 3614(a);
 - 3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, 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, the Americans with Disabilities Act, Violence Against Women Act, or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
 - 4) Receipt of a letter of findings identifying systemic non-compliance 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; Violence Against Women Act; or the Americans with Disabilities Act; or
 - 5) 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.
- B. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter.

Examples of actions that may be sufficient to resolve the matter include, but are not limited to:

- 1) Current compliance with a voluntary compliance agreement signed by all the parties;
- 2) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- 3) 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;
- 4) Current compliance with a consent order or consent decree;
- 5) Current compliance with a final judicial ruling or administrative ruling or decision; or
- 6) Dismissal of charges.

A renewal grant may be denied if it is determined that a Tribal HUD-VASH recipient does not have adequate administrative capacity to administer the grant. HUD will follow the process outlined in Section VI.T of the Consolidation Notice before making a final determination not to fund a renewal grant due to concerns regarding administrative capacity, notwithstanding the criteria in Section 4 of this notice.

HUD may also impose new or revised mitigation plan requirements or special terms and conditions in accordance with 2 CFR §200.208 if any substantial administrative or programmatic concerns are identified in the review process.

- 8. FUNDING REDUCTION AND REALLOCATION:** You are reminded that, in accordance with Section VI.T of the Consolidation Notice, HUD may terminate, reduce, or limit the availability of a grant for poor performance or substantial noncompliance with program requirements. Poor performance may include actions outside of the recipient's responsibility, such as lack of adequate referrals, poor quality of supportive services provided by a contracted case management entity, or other reasons. Poor performance also includes an inadequate voucher utilization rate by the recipient.

If you are having challenges or need technical assistance, please contact HUD at TribalHUDVASH@hud.gov to discuss a voluntary grant reduction or feasibility to partner with a subrecipient if you have been unable to assist the total number of Veterans for whom you initially were awarded funding and you do not anticipate being able to house additional Veterans in the future. Funds returned to HUD may be awarded to other Tribal HUD-VASH recipients that have available housing need and administrative capacity.

- 9. ELIGIBLE ACTIVITIES:** Renewal funding awarded under the terms of this notice will be limited to eligible Tribal HUD-VASH program activities as outlined in the Consolidation Notice.

- 10. REPORTING:** Recipients of renewal funding awards will be subject to the reporting requirements in Section VI.O of the Consolidation Notice and the terms and conditions of the grant award.
- 11. GENERAL TRIBAL HUD-VASH RESOURCES:**
- A. Office of Native American Programs Tribal HUD-VASH website:
https://www.hud.gov/program_offices/public_indian_housing/ih/tribalhudvash.
 - B. 2 CFR part 200, “Uniform Administrative Requirements, Cost Principles, and Audit requirements for Federal Awards”: <https://www.ecfr.gov/current/title-2/part-200>.
 - C. Fair Market Rents can be found at <https://www.huduser.gov/portal/datasets/fmr.html>.
- 12. PAPERWORK REDUCTION ACT:** The information collection requirements contained in this notice is approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number. The active information collections contained in this notice are approved under the PRA OMB Control Number 2577-0169.

If you have questions about the Tribal HUD-VASH grant renewal process, please contact the Tribal HUD-VASH program at TribalHUDVASH@hud.gov.



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