



U.S. Department of Housing and Urban Development

Fair Housing and Equal Opportunity

Fair Housing Initiative Program - Education and Outreach Initiative - Tester Coordinator

Training

FR-6500-N-71-A

06/14/2021

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Program Office:

Fair Housing and Equal Opportunity

Funding Opportunity Title:

Fair Housing Initiative Program - Education and Outreach Initiative - Tester Coordinator Training

Funding Opportunity Number:

FR-6500-N-71-A

Primary CFDA Number:

14.416

Due Date for Applications:

06/14/2021

Overview

The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Opportunity (NOFO) to invite applications from eligible applicants for the program and purpose described within this NOFO. Prospective applicants should carefully read all instructions in all sections to avoid sending an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

During the selection process HUD is prohibited from disclosing 1) information regarding any applicant's relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For Further Information Regarding this NOFO: Please direct questions regarding the specific requirements of this Notice of Funding Opportunity (NOFO) to the office contact identified in Section VII.

***Paperwork Reduction Act Statement.** The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Each NOFO will identify its applicable OMB control number unless its collection of information is excluded from these requirements under 5 CFR part 1320.*

OMB Approval Number(s):

2529-0033

I. FUNDING OPPORTUNITY DESCRIPTION.**A. Program Description.****1. Purpose**

The Fair Housing Initiatives Program is a significant source of funding for FHIP grantees that conduct fair housing testing in local communities across the country. Fair housing testing refers to the use of testers who, without any bona fide intent to rent or purchase property, pose as

prospective renters or buyers of real estate for the purpose of determining whether housing providers and others are complying with the federal Fair Housing Act.

The Department continues to be vigilant about ensuring that testing performed by testers with FHIP funds adhere to HUD's investigatory standards so that it yields credible, objective and admissible evidence to aid in the enforcement of the federal Fair Housing Act. The Department acknowledges that great variation exists in the quality of fair housing testing performed by FHIP grantees. Some grantees have consistently demonstrated that testing produces strong evidence that can be used to forge effective legal challenges to discriminatory housing practices. Still some grantees exhibit lesser capabilities and uneven or less accomplished tract record. HUD recognizes the need to continually improve and standardized the quality of testing provided by testers employed by FHIP grantees.

In response to this concern, this Education and Outreach Initiative NOFO makes available in FY 2021, \$500,000 to support fair housing tester training courses that provide consistent training in the general area of testing. HUD also recognizes that testers may be specialized in specific areas of testing (lending, insurance, etc.), and that testers will need more than the general tester training to provide high quality services. Therefore, the NOFO will also support specific tester training courses in the areas of lending and insurance to help meet the needs and requirements of the FHIP program.

2. Changes from Previous NOFO.

- a. The amount of available funding has been increased under the FY2021 NOFO to \$500,000.
- b. Section I.A.3 – Standard Definitions. The Departmental Definition for “Affirmatively Furthering Fair Housing” is updated.
- c. Section I.A.4 – Program Definitions. This section expands the definition of “Underserved Populations”.
- d. Section III.D- Threshold Eligibility Requirements. This section changes a requirement from "Outstanding Civil Rights Matters" to "Resolution of Civil Rights Matters". This Departmental requirement is consistent with the Department's commitment to consider qualified applicants. The revised language more clearly outlines the eligibility for unresolved civil rights matters and describes issues which constitute unresolved civil rights issues.
- e. Section IV.F- Funding Restriction. Section F.5 adds a “compensation” section to provide guidance on compensation limitations for individual’s compensation for grantees. The language provides guidance to applicants which may assist in proposed budget formulation.
- f. Section IV.G.1 – Application Assurance and Certifications. The current section has been expanded to clarify an application’s obligation to submit assurances of compliance with federal civil rights requirements; and clarifies the specific form for which HUD accepts assurances (Form SF-424B and SF-424D).
- g. Factor 3 – Soundness of Approach. This section adds guidance regarding consideration of Statement of Work tasks during the COVID-19 pandemic.
- h. Factor 4 Leveraging has been removed. This change is in response to applicant concerns about their profound difficulty in obtaining partner in-kind commitments and performance as a result of the COVID-19 pandemic. The evaluation points previously available under Factor 4 have been reassigned to Factor 2, Need/Distress/Extent of the Problem; accordingly, the total

number of scoring points remains unchanged.

i. NOFO Section V.B.2 – Assessing Applicant Risk. The number of points that will be deducted if an applicant receives less than a “good” on the applicant’s most recent FHIP final performance assessment has increased from one to five points. This change is consistent with NOFO Section IV.F – Funding Restriction, which requires applicants to maintain an annual performance assessment as a “good” or funding may be reduced until issues are resolved or rescinded if unresolved.

3. Definitions.

a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH). Affirmatively Furthering Fair Housing (AFFH) means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant’s activities and programs relating to housing and urban development.

Assistance Listings means a unique number assigned to identify a Federal Assistance Listing, formerly known as the CFDA Number.

Federal Financial Assistance means assistance that entities received or administer in the form of:

- 1) Grant;
 2. Cooperative agreements (which does not include a cooperative research and development agreement pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710a));
 3. Loans;
 4. Loan guarantees;
 5. Subsidies;
 6. Insurance;
 7. Food commodities;
 8. Direct appropriations;
 9. Assessed or voluntary contributions; or
 10. Any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds.
- b. Federal Financial Assistance does not include:
1. Technical assistance, which provides services in lieu of money; and
 2. A transfer of title to federally owned property provided in lieu of money, even if the award is called a grant.

Authorized Organization Representative (AOR) is the person authorized to submit applications on behalf of the organization via Grants.gov. The AOR is authorized by the E-Biz point of contact in the System for Award Management. The AOR is listed in item 21 on the SF-424.

Consolidated Plan is a document developed by states and local jurisdictions. This plan is completed by engaging in a participatory process to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See 24 CFR part 91 HUD's requirements regarding the Consolidated Plan and related Action Plan).

Contract means, [for the purpose of Federal financial assistance](#), a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a Federal award. For additional information on contractor and subrecipient determinations see 2 CFR 200.331.

Contractor means an entity that receives a contract as defined in 2 CFR 200.1.

Deficiency is information missing or omitted within a submitted application. Examples of deficiencies include missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box.). Depending on specific criteria, deficiencies may be either curable or non-curable.

- *Curable Deficiencies* may be corrected by the applicant with timely action. To be curable the deficiency must:
- Not be a threshold requirement, except for documentation of applicant eligibility;
- 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.
- *Non-Curable Deficiencies* cannot be corrected by an applicant 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.

DUNS Number is the nine-digit Dun and Bradstreet Data Universal Number

System identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis. OMB removed duplicate recipients based on recipient Data Universal Number System (DUNS) numbers, from Dun & Bradstreet (D&B). At this time all Federal financial assistance recipients are required to register for DUNS numbers.

E-Business Point of Contact (E-Biz POC) A user registered as an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization

(see Standard AOR and Expanded AOR). There can only be one E-Biz POC per DUNS Number.)

Eligibility requirements are mandatory requirements for an application to be eligible for funding.

Federal award, has the meaning, depending on the context, in either paragraph (1) or (2) of this definition:

(1)(i) The Federal financial assistance that a recipient receives directly from a Federal awarding agency or a subrecipient receives indirectly from a pass-through entity, as described in 2 CFR §200.101; or

- ii. The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity, as described in 2 CFR §200.101.
2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in 2 CFR §200.1, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.
3. Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).
4. See also definitions of Federal financial assistance, grant agreement, and cooperative agreement.

Grants.gov is the website serving as the Federal government's central portal for searching and applying for Federal financial assistance throughout the Federal government. Registration on Grants.gov is required for submission of applications to prospective agencies unless otherwise specified in this NOFO.

Non-Federal Entity (NFE) means a state, local government, Indian tribe, Institution of Higher Education (IHE), or non-profit organization that carries out a Federal award as a recipient or subrecipient.

Opportunity Zone (OZs) are defined in 26 U.S.C. 1400Z-1. In general, OZs are census tracts located in low-income communities where new investments, under certain conditions, may be eligible for preferential tax treatment.

Point of Contact (POC) is the person who may be contacted with questions about the application submitted by the AOR. The POC is listed in item 8F on the SF-424.

Promise Zones (PZs) are high poverty communities where the federal government partners with local leaders to increase economic activity, improve educational opportunities, leverage private investment, reduce violent crime, enhance public health and address other priorities identified by the community.

Recipient means an entity, usually but not limited to non-Federal entities, that receives a Federal award directly from HUD. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

Small business is defined as a privately-owned corporation, partnership, or sole proprietorship that has fewer employees and less annual revenue than a corporation or regular-sized business. The definition of "small"—in terms of being able to apply for government support and qualify for preferential tax policy—varies by country and industry. The U.S. Small Business Administration defines a small business according to a set of standards based on specific industries. {[e-CFR Title 13-Chapter I – Part 121](#)}

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that pass-through entity considers a contract.

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly for a Federal awarding agency.

System for Award Management (SAM) means the Federal Repository into which an entity must provide information required for the conduct of business as a recipient. Registration with SAM is required for submission of applications via Grants.gov. You can access the website at <https://www.sam.gov/SAM/>. There is no cost to use SAM.

Threshold Requirements are an eligibility requirement that must be met for an application to be reviewed. Threshold requirements are not curable, except for documentation of applicant eligibility and are listed in Section III.D Threshold Eligibility Requirements. Similarly, there are eligibility requirements under Section III.E, Statutory and Regulatory Requirements Affecting Eligibility.

Unique Entity Identifier means the identifier required for SAM registration to uniquely identify business entities.

4. Program Definitions

Administrative Costs are reasonable costs of overall program management, coordination, monitoring and evaluation. Such costs include, but are not necessarily limited to, necessary expenditures for the following: (1) Salaries, wages, and related costs of the recipient's staff or other staff engaged in program administration; and (2) Providing or securing legal services, providing or securing financial management services such as accountants, consultants, sub-contractors, or others retained by the organization.

Affiliate is a business entity effectively controlling or controlled by another or associated with others under common ownership or control.

Broad-based means not limited to a single fair housing issue (such as insurance, mortgage lending, or advertising), but rather covering more than one issue related to discrimination in the provision of housing covered under the Fair Housing Act.

Complaint is a filed fair housing complaint accepted by HUD or a Fair Housing Assistance

Program agency as jurisdictional, or a complaint filed in a state or federal court alleging violations of the Fair Housing Act.

Fair Housing Act is Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601-3620).

Fair Housing Assistance Program (FHAP) Agencies, as described in 24 CFR 115, are State and local fair housing enforcement government agencies that receive FHAP funds to administer laws deemed substantially equivalent to the Fair Housing Act.

Fair Housing Enforcement Organization (FHO) is an organization engaged in fair housing activities as defined in 24 CFR 125.103.

Full-service Projects must provide services to members of all protected classes and include these enforcement-related activities in the project application: interviewing potential victims of discrimination; taking complaints; testing; evaluating testing results; conducting preliminary investigations; conducting mediation; conciliating; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about fair housing laws.

Intake is a fair housing allegation contact/query received by a fair housing organization. Intake does not include inquiries unrelated to fair housing including general housing, landlord/tenant or others. Intakes may be in-person or by telephone, mail or email contact and documented through the fair housing organization's standard intake form or database entry. Information gathered at intake starts the fair housing process. Repetitive contacts from a single individual may not be counted as an intake unless the additional contact contains a new allegation or relates to a new respondent. Intakes do not include someone returning a non-enforcement related telephone call, a telemarketer calling the office, or incoming personal telephone calls.

Lending discrimination means discriminatory practices against persons protected under the Fair Housing Act, in the mortgage process and includes actions that may violate the Fair Housing Act in the making, servicing, or purchasing of home loans or loans secured by a home. For instance, it includes – but is not limited to – the use of deceptive, misleading or discriminatory practices to sell services that promise foreclosure relief to homeowners, and the failure to deliver those services.

Operating Budget is an organization's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the period for which funding is requested.

Partnership is a collaboration with one or more identified agencies, task forces, Fair Housing Assistance Program organizations, or other groups to successfully realize the service or activity planned. A partnership may be formal and contractual with specific roles and deliverables defined, or less formal cooperation through volunteer efforts accomplished without a contract.

Qualified Fair Housing Enforcement Organization (QFHO) is an organization engaged in

fair housing activities as defined in 24 CFR 125.103.

Referral means referring an intake to HUD or a FHAP agency.

Regional/Local/Community-Based Activities are defined at 24 CFR 125.301(a) and (d).

Rural Areas include any of the following:

a. A non-urban place having fewer than 2,500 inhabitants (within or outside of the metropolitan areas).

b. A county or parish with an urban population of 20,000 inhabitants or less.

c. Territory, including its persons and housing units, in rural portions of "extended cities." The Census Bureau identifies the rural portions of extended cities.

d. Open country that is not part of or associated with an urban area. The United States Department of Agriculture describes "open country" as a site separated by open space from any adjacent densely populated urban area. Open space includes undeveloped land, agricultural land, or sparsely settled areas, but does not include physical barriers (such as rivers and canals), public parks, commercial and industrial developments, small areas reserved for recreational purposes, or open space set aside for future development.

e. Any place in whole or in part, not located in a Metropolitan Statistical Area.

Statement of Work (SOW) is a document that describes all the tasks necessary to do the work, includes all the steps needed for good management control and specificity regarding work to be done and deliverables, and provides a basis for mutual understanding of the requirements and tasks.

Technical Evaluation Panel (TEP) is a panel whose mission is to accomplish sound, impartial, and comprehensive evaluation of proposals consistent with the NOFO . TEP members are selected from a diverse pool of evaluators, including HUD staff and outside (contract) individuals. Individuals are selected for TEP participation based on skill, background or expertise in areas which include but are not limited to fair housing experience, grant writing and evaluation expertise, strong analytical and writing skill, or education and outreach, civil rights or other related experience.

Testing is an investigative tool used to gather evidence. A test is a covert investigation by a QFHO or FHO involving one or more persons who initiate contact with a person or entity for gathering information about housing policies, treatment and/or practices to compare with the requirements of fair housing laws or other civil rights laws. A test may involve comparing how persons similarly situated except for a protected characteristic are being treated.

Underserved Areas are areas where there are no FHIP or FHAP agencies and where either no public or private fair housing enforcement organizations exist or the jurisdiction is not sufficiently served by one or more public or private enforcement fair housing organizations and there is a need for service.

Underserved Populations means groups of individuals who are:

a. Persons of an immigrant population (especially racial and ethnic minorities who are non-

English-speaking or have limited English proficiency);

- b. Persons living in a rural area, particularly minority groups in such areas;
- c. Persons who are homeless or otherwise experiencing housing instability;
- d. Persons with disabilities (physical or mental), particularly persons living in housing with one or more qualities of an institutional setting, persons leaving institutions, or persons at-risk of institutionalization;
- e. Persons in areas where there is inadequate protection and ability to provide fair housing services from a State or local government or private fair housing organization;
- f. Persons living in impoverished areas or experiencing persistent poverty or inequality, including historical wealth disparities as compared to majority groups;
- g. Lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons, and particularly LGBTQ+ youth;
- h. Indigenous and Native American persons; and
- i. Due to the COVID-19 Pandemic, experiencing housing instability and/or whose access to opportunity has been exacerbated.

B. Authority.

1. FHIP is authorized by section 561 of the Housing and Community Development Act of 1987, as amended (42 U.S.C. 3616-361a). The implementing regulations are found at 24 CFR Part 125.
2. Funding for this NOFO is provided by the Consolidated Appropriations Act, 2021 (Public Law 116-260, approved December 27, 2020).

II. Award Information.

A. Available Funds

Funding of approximately **\$ 500,000** is available through this NOFO. Additional funds may become available for award under this NOFO, because of HUD's efforts to recapture 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 funding restrictions contained in this NOFO.

B. Number of Awards.

HUD expects to make approximately 1 awards from the funds available under this NOFO.

HUD may at its discretion, fund a single organization to deliver the full spectrum of activities eligible for funding, or make multiple awards under this NOFO. HUD also reserves the right to not make any awards.

C. Minimum/Maximum Award Information

The maximum award possible under this solicitation varies. The specific maximum award amounts per component are listed under Section III, Eligibility Information.

Estimated Total Funding:

\$ 500,000

Minimum Award Amount:

\$ 100,000

Per Project Period

Maximum Award Amount:

\$ 500,000

Per Project Period

D. Period of Performance

The period of performance under this initiative is 12 months. Obligations should be made within six months of notice of the award and all grants expended in the specified agreed upon timeframe(s) established in negotiations. However, expenditures should be no more than 18-24 months from award.

Estimated Project Start Date:

10/04/2021

Estimated Project End Date:

10/03/2022

Length of Project Periods:

12-month project period and budget period

Length of Periods Explanation of Other:

Applicants should assume that the period of performance is August 1, 2021 through August 1, 2022.

E. Type of Funding Instrument.

Funding Instrument Type:

G (Grant)

HUD expects to award a cooperative or grant agreement to each applicant selected for an award. HUD will set for the relationship between HUD and the awardee using a grant or cooperative agreement, where the principal purpose is the transfer of funds, property, services or anything of value to the awardee to accomplish an eligible public purpose.

The agreement will identify the eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violations of the agreement, reporting requirements including sub-recipient reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 and integrity requirements under Section 872 of the Duncan Hunter Defense Authorization Act of 2009. HUD will determine the type of instrument under which the award will be made and monitor progress to ensure that the awardee has achieved the objectives set out in the agreement. Failure to meet such objectives may be the basis for HUD determining the awardee to be in default of the grant or cooperative agreement and for exercising available sanctions, including suspension, termination, and/or recapture of funds. Also, HUD may refer violations or suspected violations to enforcement offices within HUD, the Department of Justice, or other enforcement authorities.

If funds are provided subject to a cooperative or grant agreement, HUD will also conduct monitoring reviews, request quarterly reports, and approve all proposed deliverables as documented in the Applicant's Work Plan or SOW, and determine whether the organization meets all certification and assurance requirements.

III. Eligibility Information.

A. Eligible Applicants.

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

Additional Information on Eligibility

Eligible applicants may be Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs), public or private not-for-profit organizations or institutions, and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; agencies of State or local governments; and agencies that participate in the Fair Housing Assistance Program (FHAP). All applicants are required to complete Appendix B, EOI Eligibility Certification and submit as a part of their application.

Eligible applicants may be Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs), public or private not-for-profit organizations or institutions, and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; agencies of State or local governments; and agencies that participate in the Fair Housing Assistance Program (FHAP). All applicants are required to complete Appendix B, EOI Eligibility Certification and submit as a part of their application.

Tester Coordinator Training

- Amount Available \$500,000
- Applicant Eligibility QFHOs, other FHOs, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968, agencies of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act, or other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.
- **Project Period** – 12 months
- **Award Caps** – Up to \$500,000
- **Eligible Activities** – Applicants must propose to develop and implement a tester training program for testing coordinators working for organizations participating in HUD's FHIP PEI and the FHOI.
- Applicant must propose training activities that address traditional or face-to-face testing scenarios as well as providing coordinators with the most effective methodologies, technology, and techniques appropriate for effective testing approaches for each testing situation particularly during this pandemic. Activities should also include continued technical assistance after training is completed.
- The training should contain either or both basic (general) and advanced (complex) training. Eligible activities will also include on-going efforts to evaluate training quality and impact and assess the need for additional training.

An applicant may propose to provide tester coordinator training in one or more of the training topics listed below:

1. General or Basic Tester Training (rental and sales) – Teach coordinators the principles and applications of testing, including audit testing, enforcement testing, and systemic testing. Modes of testing should include strengthening telephone testing, systemic testing, and internet/email testing. Provide an overview of the history of testing and the housing industry from a national perspective, as well as information about audit testing, telephone testing, systemic testing, and internet/email testing.

2. Advanced or Complex Tester Coordinator Training (lending and insurance) – Teach coordinators the principles and applications of mortgage lending, appraisals, and insurance testing. Provide an overview of the history of testing in the lending, appraisal, insurance markets, and the mortgage and insurance industry, including audit testing and enforcement testing, systemic testing. Modes of testing should include, strengthening telephone testing, systemic testing, and internet/email testing.

B. Ineligible Applicants.

HUD does not award grants to individuals. HUD will not evaluate applications from ineligible applicants including those that do not meet the threshold, statutory and regulatory, or program eligibility requirements under III.D, E and F.

C. Cost Sharing or Matching.

This Program does not require cost sharing or matching.

D. Threshold Eligibility 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.

1. Resolution of Civil Rights Matters. Outstanding civil rights matters must be resolved before the application deadline. Applicants, who after review are confirmed to have civil rights matters unresolved at the application deadline, will be deemed ineligible. Their applications will receive no further review, will not be rated and ranked, and they will not receive funding.

- a. Applicants having any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that have not been resolved to HUD’s satisfaction before or on the application deadline date are ineligible for funding. Such matters include:
 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, national origin, disability or familial status;
 2. 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 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 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; 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.

2. Timely Submission of Applications. Applications submitted after the deadline stated within this NOFO that do not meet the requirements of the grace period policy will be marked late. Late applications are ineligible and will not be considered for funding. See Section IV. D. Application Submission Dates and Times.

3. Minimum Score. Applicants must receive a minimum TEP score of 75 points to be considered for funding, not including preference points.

4. Eligible Activities. When the majority of the proposed activities are ineligible (more than 50%) HUD will not fund the application.

5. Suits Against the United States. An application is ineligible for funding if, as a current recipient of FHIP funds (within the last three years), the organization used any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).

6. Other Litigation. An application is ineligible for funding if the organization proposes in its current application or used funds provided by HUD (within the last 3 years) to fund or support the settlement of a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (42 U.S.C. 3616 note).

Only applicants deemed eligible will be ranked and rated.

E. Statutory and Regulatory Requirements Affecting Eligibility.

Eligibility Requirements for Applicants of HUD's Grants Programs

The following requirements affect applicant eligibility. Detailed information on each requirement is posted on [HUD's Funding Opportunities Page](#).

- Active Prime and Sub Recipient registration with SAM.gov
- Outstanding Delinquent Federal Debts
- Debarments and/or Suspensions
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Mandatory Disclosure Requirement
- Prohibition Against Lobbying Activities
- Equal Participation of Faith-Based Organizations in HUD Programs and Activities

F. Program-Specific Requirements.

1. HUD will not fund an organization if the parent or its affiliate/subsidiary organization has an open grant (previously funded) under the same EOI component and will not fund both a parent organization and its affiliate/subsidiary organization under this NOFO for the same component. In addition, HUD will not allow affiliate and parent organization staff sharing protocols whereby the parent organization shares key staff with an affiliate(s). All funded organizations must be fully independent functional organizations, e.g., able to conduct business on an on-going basis without support from parent or its staff to complete proposed program activities and set apart from parent organization.
2. Co-applicants or members of a consortium must each meet the eligibility requirements of this NOFO or the applicant will be deemed ineligible. All applicants must be eligible applicants as defined in Section III A.
3. If an applicant is applying as a 501(c)(3), the applicant must be a 501(c)(3) tax-exempt organization as determined by the IRS prior to the application deadline date to be eligible for funding. Applications must include an IRS report showing 501(c)(3) status. If an applicant's 501(c)(3) status has expired prior to application deadline date, the application must show that the organization has applied for renewal of tax-exempt status and that the application is pending. If 501(c)(3) status has expired and there is no information regarding the application for renewal in the organization's application at the deadline date, the applicant will be deemed ineligible. In addition, if an organization with a pending 501(c)(3) application is selected for a funding award, the applicant must provide proof that the 501(c)(3) renewal is approved prior to release of funding. If the applicant's pending application for renewal is subsequently denied, the applicant's organization will be deemed ineligible and the award selection will be rescinded. Further, the applicant must maintain 501(c)(3) status throughout the grant period.
4. Amount exceeding the Maximum Amount. Applicants are ineligible for funding if they request funding over the maximum amount allowed under the initiative or component for which they have applied.

5. Inconsistencies in the Requested Amount or Miscalculations. Inconsistencies in the requested amount and/or miscalculations that result in amounts over the maximum award amount will be considered excessive and the application will be considered ineligible.
6. Performance. An organization is deemed ineligible for funding under this NOFO if it received a “poor” rating on its last or most recent performance assessment on a prior FHIP grant for any initiative/component. The organization will remain ineligible for a period of two years after the NOFO closure date unless the organization provides evidence that the rating was overturned through an appeal or that another resolution was accepted by the General Technical Representative/General Technical Monitor (GTR/GTM) to improve future performance.

In addition, if a “poor” performance rating on another FHIP grant is received after selection and receipt of funding under this NOFO, all remaining FHIP grant funds received under this NOFO will be rescinded and the organization will be deemed ineligible. The organization will remain ineligible for a period of 2 years after receipt of the “poor” performance rating unless the organization provides evidence that the rating was overturned through an appeal or that another resolution was accepted by the GTR/GTM to improve future performance.

FHAP agencies under a suspension or performance improvement plan, as designated under 24 CFR Part 115.210(a) and (b) at the time of application submission are ineligible for funding unless the performance issues are resolved to HUD’s satisfaction before the application deadline.

7. Research/Survey Activities. Applicants are ineligible for funding if their project is aimed solely at research or data gathering (such as Audit Testing). If a successful application contains research and other activities, only the eligible portions of the application will be funded. Proposed surveys or data gathering must be approved by HUD or OMB under the Paperwork Reduction Act before the application submission, or the activity is deemed ineligible.

8. Applicants and recipients are required to submit assurances of compliance with federal civil rights requirements. *See, e.g.,* Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; *see also* 24 C.F.R. §§ 1.5; 3.115; 8.50; and 146.25. HUD accepts these assurances in the form of the SF-424B and SF-424D, which also require compliance with all general federal nondiscrimination requirements in the administration of the grant.

Applicants must submit a separate application for each component and/or initiative for which the applicant applies.

This program requires a certification of Consistency with the Consolidated Plan under 24 CFR 91.2. This certification means the proposed activities in the application 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 jurisdictions must comply with the regulations with respect to conducting Analyses of Impediments to Fair Housing Choice, as applicable. Under 24 CFR 91.510, for

competitive programs, a certification of consistency of the application with the approved consolidated plan for the jurisdiction may be required, whether the applicant is the jurisdiction or another applicant. If you fail to provide the certification, and you do not cure the omission as a curable deficiency, HUD will not fund the application.

Participative Planning and Implementation: Applicants must identify the steps they will take to ensure that traditionally marginalized populations (such as racial and ethnic minorities and persons with disabilities) will be able to meaningfully participate in the planning process. The applicant must identify the specific populations that it will include, identify community organizations that represent these populations, and describe how these populations will be included in the planning process. For capital investment projects, grantees should commit to and demonstrate plans to employ low-income and very low-income persons and/or utilize Section 3 businesses at levels beyond those required by Section 3. In seeking public participation, applicants and recipients must ensure that all communications are provided in a manner that is effective for persons with hearing, visual, and other communication-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. 2000d and Executive Order 13166 require that grantees take reasonable steps to ensure meaningful access to services, programs, and activities by persons with Limited English Proficiency (LEP persons).

G. Criteria for Beneficiaries.

- 1. Single Audit Requirement.** All applicants who have expended \$750,000 or more in Federal financial assistance within a single year (this can be a program or fiscal year) must be audited in accordance with the requirements as established in 2 CFR Part 200.501. If an applicant receives \$750,000 or more in Federal financial assistance, the applicant's application must set aside funds to complete the audit.
- 2. Dun and Bradstreet Numbering System.** (DUNS) Numbering Requirement. Refer to the General Section for information regarding the DUNS requirement referenced at IV.C. The DUNS number used in the application must be for the applicant organization identified in Box 8a on the SF-424, Application for Federal Financial Assistance.
- 3. Independence of Awards.** The application submitted must be independent and capable of being implemented without reliance of other applications, or other grantees(s), including staff sharing protocols of key staff. Applicants applying under one of the FHIP Initiatives may not use the performance (e.g., performance review rating or successfully completed activities) of another organization to meet the requirements of Rating Factor 1.
- 4. Testing Requirements.** If funded, during negotiations applicants must provide a copy of its organization's written policy demonstrating that the organization policy/policies comply with the FHIP Regulation at 24 CFR 125.107. In addition, applicants should be prepared to adopt policies and practices that include a criminal background check on potential testers; and require that potential testers certify under penalty of perjury that they meet the requirements under that section. Costs for all background checks should be included in the applicant's budget.
- 5. Review and Approval of Testing Training Materials.** If funded, during negotiations, HUD

may require the applicant to submit copies of these documents to HUD for review:

- (1) The training materials to be provided for tester training; and
- (2) Other forms, protocols, cover letters, etc., used in the conduct of testing and reporting of results.

6. Training Funds. The applicant's proposed budget must set aside \$5,000 annually to be utilized to participate in HUD sponsored mandatory or approved training. Do not specify amounts over \$5,000 for this training set aside requirement under the applicant's budget submission. If an applicant is awarded more than one FHIP grant (under more than one component), HUD reserves the right to examine the requested training needs. If additional training funds are not needed, HUD reserves the right to transfer funds back to fair housing activities during negotiations.

7. **Closeout.** Closeout should be undertaken as specified in 2 CFR Part 200.343.

IV. Application and Submission Information.

A. Obtaining an Application Package.

Instructions for Applicants.

You must download both the Application Instructions and the Application Package from Grants.gov. You must verify that the Assistance Listing Number and Assistance Listing Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFO to which you are applying.

The Application Package contains the portable document forms (PDFs) available on Grants.gov, such as the SF-424 Family. The Instruction Download contains official copies of the NOFO and forms necessary for a complete application. The Instruction Download may include Microsoft Word, Microsoft Excel and additional documents.

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 your business offices are located. Lack of SAM registration or valid DUNS Number is not good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic grant submission requirements. HUD will not grant a waiver if HUD does not receive your written mailed, shipped, or emailed request at least 15 calendar days before the application deadline and if you do not demonstrate good cause. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFO. To request a waiver, you must contact:

Name:

Kimberly Harley

Email:

Kimberly.R.Harley@hud.gov

HUD Organization:

FHEO

Street:

751 7th Street, SW

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

All waiver requests will be submitted to FHEO's Assistant Secretary for a final determination.

If you are granted a waiver, the notification will provide instructions on where to submit the application and how many copies are required. In addition, your paper copy application must be received by HUD in room 5222 no later than 4:30 pm Eastern Standard Time on the application deadline date. HUD applications are scanned. Applicants must allow adequate time for the application to be scanned through HUD Headquarters facility. Applications not received in 5222 by the 4:30 pm Eastern Standard Time deadline date shall be deemed ineligible. There is no grace period for paper application submissions.

HUD will not accept a paper application without a waiver being granted and such paper applications will be returned to sender.

We advise you to send your application via a carrier that provides a receipt of delivery. In addition, you will receive a confirmation (via HUD-2993 Form) confirming HUD's receipt. This receipt may not come before the submission deadline.

B. Content and Form of Application Submission.

You must verify that boxes 11, 12, and 13 on the SF-424 match the NOFO for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

Submission of an application that is otherwise sufficient, under the wrong Assistance Listing and Funding Opportunity Number is non curable unless otherwise stated in Threshold requirements.

1. Content.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Application for Federal Assistance (SF424)	Submission is required for all applicants by the application due date.	
Disclosure of Lobbying Activities (SFLLL), if applicable	HUD will provide instructions to	If any funds have been paid or will be paid to any person for

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	grantees on how the form is to be submitted.	influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Applicants must furnish an executed copy of the Certification Regarding Lobbying prior to award.
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 instructions to grantees are provided by webcast, To view the webcast, click here.
Application for Federal Assistance and Assurances - Non-Construction Programs	Form SF-424 & 424B. Applicants must include the nine-digit zip code (ZIP code plus four digits) associated with the applicant's address in box 8d of the SF-424. Also, in Box 15, along with the Initiative, an applicant should include the Component to which you are applying.	Both forms are required. The SF-424B Covers compliance with Federal legal requirements such as age and sex discrimination, environment standards and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Survey for Ensuring Equal Opportunity for Applicants	<p>HUD Form SF-424 Supplement (“Faith Based EEO Survey (HUD-424SUPP); (per required form). Non-profit private organizations (not including private universities) are encouraged to submit the survey with their application. Applicants applying electronically, may submit this survey along with the application as part of the appendix or as a separate document.</p>	Encouraged Form
Race and Ethnic Data Reporting Form	HUD-27061	Required form - post award
Budget Information	HUD Form 424-CBW (“HUD Detailed Budget Form and Worksheet)	Required form
Certification Regarding Lobbying	All applicants (except as noted below) must submit with their application the signed Certification Regarding Lobbying included in the download from Grants. gov.	The Byrd Amendment and 24 CFR part 87 prohibit recipients of federal awards from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a specific award.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	Federally-recognized Indian tribes and TDHE established by federally-recognized Indian tribes are excluded from coverage of the Byrd Amendment.	
Certification of Consistency with PZ Goals and Implementation, if applicable.	HUD Form 50153 Promise Zone Certification	This form is required if applicant would like to apply for PZ Bonus points.
Certification of Consistency with OZ Goals and Implementation, if necessary.	HUD Form 2996 Opportunity Zones Certification	This form is required if applicant would like to apply for OZ Bonus points.

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

- Separate narrative responses to the Factor 1-4 criteria for each factor as described in Section V, "Application Review Information"
- Project Abstract (one-page summary – must include the Initiative and Component applied, amount of funding requested, statement identifying if the organization is a new FHIP applicant, general description of project activities, areas of concentration, and issues pending resolution, if any)
- SOW Narrative and SOW chart (see Appendix A for sample chart)
- Budget Work Plan Narrative and Form Grant Application Detailed Worksheet (HUD 424-CBW)
- Any Factor charts required under this NOFO
- Complete Appendix B, EOI Eligibility Certification and submit it as a part of your application

Further, all applicants must read and adhere to Initiative and Component specific submission requirements under Section III, Eligibility. Applicants must submit a separate completed electronic application for each Initiative and component for which the applicant applies. All applications must be submitted on or before the deadline date.

2. Format and Form.

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

_____ Pages maximum length of narratives

a. All Applicants. The maximum length of the narrative response is ten (10) pages per each separate factor. Applicants may submit fewer pages if desired. The narrative pages must be double-spaced. This includes all text, titles and headings. Applicants must use 12-point font and respond fully to each rating factor to obtain maximum points. Failure to provide narrative responses to rating factors 1-4 or omitting requested information will result in less than the maximum points available being awarded for the rating factor or sub-factor. The following items do not count towards the 10-page maximum: SOW and Budget and Factor 1 Organization Experience chart(s).

b. If an applicant cannot access the toll-free number or experience problems, they should call (215) 825-8798 (this is not a toll-free number). Failure to do so will result in the application being rejected by the Grants.gov system with a "VIRUS DETECT" error message.

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

1. SAM Registration Requirement.

Applicants must be registered with <https://www.sam.gov/> before submitting their application. Applicants must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which the applicant has an active Federal award or an application or plan under consideration by HUD.

2. DUNS Number Requirement.

Applicants must provide a valid DUNS number, registered and active at <https://www.sam.gov/> in the application. DUNS numbers may be obtained for free from Dun & Bradstreet.

3. Requirement to Register with Grants.gov.

Anyone planning to submit applications on behalf of an organization must register at [grants.gov](https://www.grants.gov/) and be approved by the E-Biz POC in SAM to submit applications for the organization. Registration for SAM and [grants.gov](https://www.grants.gov/) is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot apply through [grants.gov](https://www.grants.gov/). Complete registration instructions and guidance are provided on [grants.gov](https://www.grants.gov/).

D. Application Submission Dates and Times.

Application Due Date Explanation

The application deadline is 11:59:59 PM Eastern Standard time on

06/14/2021

Applications must be received no later than the deadline, or, if HUD has issued you a waiver allowing you to submit your application in paper form, by HUD no later than the deadline.

Submit your application to [Grants.gov](https://www.grants.gov/) unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

"Received by Grants.gov" means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov then assigns an application tracking number and date-and timestamps each application upon successful receipt by the Grants.gov system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by Grants.gov.

Applications received by Grants.gov must be validated by Grants.gov to be received by HUD.

"Validated by Grants.gov" means the application has been accepted and was not rejected with errors. You can track the status of your application by logging into Grants.gov, selecting "Applicants" from the top navigation, and selecting "Track my application" from the dropdown list. If the application status is "rejected with errors," you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in "rejected with errors" status after the 24-hour grace period expires will not be received by HUD. Visit Grants.gov for a complete description of processing steps after applying.

HUD strongly recommends you submit your applications at least **48 hours before the deadline** and during regular business hours to allow enough time to correct errors or overcome other problems.

Grants.gov Customer Support. Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html> . Applicants having difficulty accessing the application and instructions or having technical problems can receive customer support from Grants.gov by calling (800) 518-GRANTS (this is a toll-free number) or by sending 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.

You can verify the contents of your submitted application to confirm Grants.gov received everything you intended to submit. To verify the contents of your submitted application:

- Log in to Grants.gov.
- Click the Check Application Status link, which appears under the Grant Applications heading in the Applicant Center page. This will take you to the Check Application Status page.
- Enter search criteria and a date range to narrow your search results.
- Click the Search button. To review your search results in Microsoft Excel, click the Export Data button.
- Review the Status column, to view more detailed submission information, click the Details link in the Actions column.
- To download the submitted application, click the Download link in the Actions column.

Please make note of the Grants.gov tracking number as it will be needed by the Grants.gov Help Desk if you seek their assistance.

HUD may extend the application deadline for any program if Grants.gov is offline or not available to applicants for at least 24 hours immediately prior to the deadline date, or the system

is down for 24 hours or longer and impacts the ability of applicants to cure a submission deficiency within the grace period.

HUD may also extend the application deadline upon request if there is a presidentially declared disaster in the applicant's area.

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also include the fact of the extension in the program's Notice of Funding Awards required to be published in the Federal Register.

In determining whether to grant a request for an extension based on a presidentially-declared disaster, HUD will consider the totality of the circumstances including the date of an applicant's extension request (how closely it followed the basis for the extension), whether other applicants in the geographic area are similarly affected by the disaster, and how quickly power or services are restored to enable the applicant to submit its application.

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

1. Amending or Resubmitting an Application.

Before the submission deadline, you may amend a validated application through Grants.gov by resubmitting a revised application containing the new or changed material. The resubmitted application must be received and validated by Grants.gov by the applicable deadline.

If HUD receives an original and a revised application for a single proposal, HUD will evaluate only the last submission received by Grants.gov before the deadline.

2. Grace Period for Grants.gov Submissions.

If your application is received by Grants.gov before the deadline, but is rejected with errors, you have a grace period of 24 hours after the application deadline to submit a corrected, received, and validated application through Grants.gov. The date and time stamp on the Grants.gov system determines the application receipt time. Any application submitted during the grace period not received and validated by Grants.gov will not be considered for funding. There is no grace period for paper applications.

3. Late Applications.

An application received after the NOFO deadline date that does not meet the Grace Period requirements will be marked late and will not be received by HUD for funding consideration. Improper or expired registration and password issues are not causes that allow HUD to accept applications after the deadline.

4. Corrections to Deficient Applications.

HUD will not consider information from applicants after the application deadline.

HUD will uniformly notify applicants of each curable deficiency. See curable deficiency in the definitions section (Section I.A.3). Examples of curable (correctable) deficiencies include

inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized organization representative identified on the SF 424 Application for Federal Assistance via email. This email is the official notification of a curable deficiency.

Applicants must email corrections of curable deficiencies to applicationsupport@hud.gov within the time limits specified in the notification. The time allowed to correct deficiencies will be no less than 48 hours and no more than 14 calendar days from the date of the email notification. The start of the cure period will be the date stamp on the email sent from HUD. If the deficiency cure deadline date falls on a Saturday, Sunday, Federal holiday, or on a day when HUD's Headquarters are closed, then the applicant's correction must be received on the next business day HUD Headquarters offices in Washington, DC are open.

The subject line of the email sent to applicationsupport@hud.gov must state: Technical Cure and include the Grants.gov application tracking number or the GrantSolutions application number (e.g., Subject: Technical Cure - GRANT123456 or Technical Cure - XXXXXXXXXXXX). If this information is not included, HUD cannot match the response with the application under review and the application may be rejected due to the deficiency.

Corrections to a paper application must 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 containing the wrong DUNS number as having a curable 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.

5. Authoritative Versions of HUD NOFOs. The version of these NOFOs as posted on Grants.gov are the official documents HUD uses to solicit applications.

6. Exemptions. Parties that believe the requirements of the NOFO would impose a substantial burden on the exercise of their religion should seek an exemption under the Religious Freedom Restoration Act (RFRA).

E. Intergovernmental Review.

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

F. Funding Restrictions.

- 1. Retainer Fees.** FHIP recipients are under specific restrictions (as outlined in the grant agreement documents) regarding establishment of retainer agreements and recovery of legal fees from HUD-funded cases. Data on fees, settlements, and verdicts are matters of public record. Awardees must provide this information to HUD annually. Neither the grantee nor the individual(s) on whose behalf any action is filed can request that HUD waive these provisions.
- 2. Funding.** Grantees must use FHIP funds only for those activities funded under their grant agreement.

3. **Compensation.** Grantees cannot charge more than Level IV of the Federal Executive Schedule annually for an individual's compensation even if the individual earns more than the capped amount. The salary limitation for Executive Level IV is \$172,500 and was effective January 2021. This compensation cap does not require grantees to limit the amount paid to individuals under this grant; however, the individual's remaining compensation over the cap must be paid from an alternative organization funding source. HUD reserves the right to determine whether compensation is reasonable and customary for the skill set provided and the areas being served.
4. **Number of Awards.** An organization may not receive more than one award under a single component. This restriction includes two organizations with separate EIN's that apply separately for funding under a single component but identify more than one of the same direct personnel and/or key staff for both organizations (i.e. key staff sharing). FHIP will fund only one organization. This restriction ensures FHIP's commitment to continued program integrity by eliminating double payments under a single component to an organization or individuals. This restriction includes but is not limited to any organization affiliate, associate, subsidiary, or other organizations that engage in direct personnel and/or key staff sharing protocols.
5. **Performance Standards.** Applicants must maintain an annual performance assessment rating from the FHIP HUD GTR as "good" or funding may be reduced until performance issues are resolved and if unresolved, HUD has a right to rescind funding.
6. **Administrative Costs.** Salaries, fringe benefits and other administrative costs charged against the project or program element for the sole purpose of administering the grant/cooperative agreements shall not exceed 10% of the annual grant award (Federal and cost share). One hundred percent of the salaries and fringe benefits related to these functions are considered administrative costs. Examples of administrative costs include, but are not limited to: preparation and submission of grant applications, fiscal tracking of grants funds, maintaining project files and performance measures, collection and submission of deliverables accounting staff wages and benefits, building rent, consulting expenses, management wages and benefits (such as Executive Director and support staff), depreciation of office equipment, insurance, legal staff wages and benefits, office supplies. Building rent is eligible only under the following conditions: the rent must be for existing facilities not requiring rehabilitation or construction except for minimal alterations to make the facilities accessible for a person with disabilities; no repairs or renovations of the property may be undertaken with funds under this NOFO; and properties in the Coastal Barrier Resources System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased or rented with federal funds.

Non-administrative Costs. Salaries and fringe benefits related to the implementation of the project or program element of the grant/cooperative agreement are not considered administrative costs. For example: the salaries and fringe benefits for technical staff to conduct work to accomplish specific Fair Housing goals as outlined in the program or project elements are not administrative costs.

Indirect Cost Rate.

Normal indirect cost rules under 2 CFR part 200, subpart E apply. If you intend to charge indirect costs to your award, your application must clearly state the rate and distribution base you

intend to use. If you have a Federally negotiated indirect cost rate, your application must also include a letter or other documentation from the cognizant agency showing the approved rate. Successful applicants whose rate changes after the application deadline must submit new rate and documentation.

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your agency does not have a current negotiated rate (including provisional) rate and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC). As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

Statutory or Regulatory Restrictions Apply – ONLY if a statute or regulation imposes restrictions that are different from the indirect cost rate requirements in 2 CFR 200, OR there has been a HUD-wide decision to prevent program offices from seeking an approved deviation from the negotiated rates under the conditions provided by 2CFR 200.414(c).

G. Other Submission Requirements.

1. Application, Assurances and Certifications.

Standard Form 424 (SF-424) Application for Federal Assistance Programs is the government-wide form required to apply for Application for Federal Assistance Programs, discretionary Federal grants and other forms of financial assistance programs. Applicants for this Federal assistance program must submit all required forms in the SF-424 Family of forms, including SF-424B (Assurances of Non construction Programs) or SF424D (Assurances for Construction Programs). Applications receiving funds for both non-construction programs and construction programs must submit both the SF-424B and SF-424D.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), the applicant and the signing authorized organization representative affirm that they have reviewed the certifications and assurances associated with the application for Federal assistance and (1) are aware the submission of the SF-424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized organization representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, 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, or Alaska native villages and those applicable to applicants other than federally recognized Indian tribes or Alaska native villages.

Assurances. By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and public policy requirements, including, but not limited to civil rights requirements. Applicants and recipients are required to submit assurances of compliance with federal civil rights requirements. *See, e.g.*, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; *see also* 24 C.F.R. §§ 1.5; 3.115; 8.50; and 146.25. HUD accepts these assurances in the form of the SF-424B and SF-424D, which also require compliance with all general federal nondiscrimination requirements in the administration of the grant.

V. Application Review Information.
A. Review Criteria.

1. Rating Factors.

The criteria for rating and ranking applications, and the maximum points for each Rating Factor are provided below. Applicants must provide responses to all four rating factors below or points will be deducted. The maximum number of Rating Factor points awarded under this NOFO is 100. Each factor has a maximum ten-page narrative limit unless otherwise specified by this NOFO.

In addition to the Rating Factor points, applicants may receive a maximum of two additional points under the NOFO Preference Point section.

Rating Factors Summary	Points
Capacity of Applicant and Relevant Organization Experience	
<ul style="list-style-type: none"> Description and expertise of staff 	20
<ul style="list-style-type: none"> Organization Expertise 	16
Need/Distress/Extent of the Problem	
<ul style="list-style-type: none"> Needs Data 	7
<ul style="list-style-type: none"> Proposed Solution 	8
<ul style="list-style-type: none"> Continued Need 	4
Soundness of Approach	
<ul style="list-style-type: none"> Proposed Statement of Work and Information Requirements 	16
<ul style="list-style-type: none"> Budget and Cost Estimates 	14

Achieving Results and Program Evaluation	
• Measurement	5
• Evaluation Plan	10
TOTAL	100
Preference Points - Promise Zone, Opportunity Zone Designation and/or Historically Black College or University (HBCU)	+2
Total Maximum Rating Factor and available Preference Points	102

**Rating Factors include questions or point distributions unique to EOI components.*

Rating Factors for Award Used to Rate and Rank Applications

The Rating Factors for Award, and maximum points for each factor, are outlined below. These Rating Factors will be used to evaluate applications. For all applicants. HUD may rely on other information, such as performance reports, financial status information, monitoring reports, audit reports and other information available to HUD in making score determinations under any Rating Factor.

Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience

Maximum Points: 36

This factor addresses the extent to which the organization has the staff experience and organizational capacity necessary to successfully complete the proposed project for the duration of the grant performance period, including actively maintaining staff/consultants and/or contractors throughout this period. HUD will consider the extent to which the applicant clearly addresses:

1) Description and expertise of staff (up to 20)

The applicant narrative must describe staff expertise showing that the applicant organization will have sufficient and qualified staff available to complete the proposed activities,. The applicant must describe the organization staffing plan including a proposal to add staff (employees) or contractors. To receive full points under this factor, the staffing plan must:

1. Demonstrate that the applicant organization has more than one current staff with fair housing related experience including tester training experience at the time that the application is submitted; and describe the organization's proposal to add staff and/or contractors to complete the proposed project. The application must demonstrate that the applicant organization is independent and capable of implementing the proposed project without relying on other applications, or other grantee(s), including sharing of key staff. Applicants may not use the performance (e.g. performance review rating or successfully completed activities) of another organization to meet the requirements of Rating Factor 1, Staffing and Organization Experience. The applicant must have current key staff on hand to receive points under this factor. In addition, if the applicant organization or applicant staff is sharing activities with other FHIP funded organizations, then the applicant must list the role and time staff devotes to all FHIP related activities that the organization/staff is undertaking, including as a grantee, sub-grantee, contractor, consultant, or any other capacity. This information may be provided in a chart and will not be included within the 10-page limit. (up to six points).

Failure to provide information that demonstrates that the applicant organization has current sufficient staff to complete the proposed project, will result in 0 points being given for your application under Factor 1.

2. Provide a statement describing how the applicant will evaluate and provide oversight for each contractor, if the applicant proposes using contractors. The staffing plan should also identify each staff assigned to the proposed project by name and position, and the percentage of estimated time that each will devote to the proposed project. This description must also identify the project's proposed Project Manager, by name and title, and percentage of time that the individual will devote to the proposed project. The Project Manager under this Initiative must devote at least 30 percent of time to the proposed project.

In addition, if applicable, the applicant must identify FY 2017, FY 2018 and FY 2019 grant awards, and identify each staff person assigned to the projects, including staff name, position and percentage of time devoted to those project(s). Staff time and effort under each Initiative/Component must represent time and effort over the entire grant period. Applicants who are applying for, or currently have multiple open FHIP grants must describe how the applicant will manage, operate, and maintain activities, performance requirements and timetables for these multiple grants. The applicant's list or chart does not count towards the 10-page limit for Factor 1. If this section is not applicable, there will be no point reduction. (up to six points)

3. Describe each key staff person's experience as it relates to the proposed project position. This should include fair housing related experience for any proposed fair housing related professional, and staff tester training experience. The staffing plan must describe how all key staff (fair housing or otherwise) experience contributes to the proposed project. Please do not include resumes. For proposed hires, the applicant must identify the position, percentage of time the proposed staff will devote to the project, and the position requirements that will assist the organization in successful project completion. For

proposed consultants, contractors or partnerships, the applicant must describe experience that contributes to the organization completing the proposed activities, including any fair housing related experience, if applicable. (up to four points)

4. Describe specific applicant organization key staff experience and expertise in tester training and in providing fair housing or similar training or disseminating information to community, college, university, public or other large audiences. The applicant also must describe specific staff experience in developing or updating tester training material, or other effective methods for outreach or training to large audiences that will contribute to the proposed project. (up to four points)

2) Organizational Experience (up to 16 points). The applicant must describe the organization's ability to complete the proposed project within the grant period and show the effectiveness of the project:

- a) Show that the applicant organization has conducted past project(s) similar in scope and complexity (whether FHIP funded or not) to the project proposed or engaged in activities that, although not necessarily similar, are readily transferable to the proposed project and the results. (up to four points)
- b) Describe the applicant organization's knowledge of and proximity to the targeted (service) area. (up to two points)
- c) Describe the applicant organization's independent "Specialized Training Experience" (up to ten points).

1. Demonstrate that the applicant organization has more than one current staff member with tester coordinator training experience related to fair housing at the time that the application is submitted; and describe the organization's proposal to add staff and/or contractors to complete the proposed project. The application must demonstrate that the applicant organization is independent and capable of implementing the proposed training project without relying on other applications, or other grantee(s), including sharing of key staff. In addition, if the applicant organization or applicant staff is sharing activities with other FHIP funded organizations, then the applicant must list the role and time staff devotes to all FHIP related activities that the organization/staff is undertaking, including as a grantee, sub-grantee, contractor, consultant, or any other capacity. This information may be provided in a chart and will not be included within the 10-page limit. (up to two points).

2. Describe each key staff person's experience as it relates to the proposed project position. This should include fair housing related experience for any proposed fair housing related professional, and staff tester coordinator experience. The staffing plan must describe how all key staff (fair housing or otherwise) experience contributes to the proposed project. Please do not include resumes. (up to two points)

- a. The applicant also must describe specific staff experience in developing or updating tester coordinator training material, or other effective methods for outreach or training to large audiences that will contribute to the proposed project.

- b. Describe specific applicant organization key staff experience and expertise in tester coordinator training, and in providing fair housing or similar training or disseminating information to community, college, university, public or other large audiences.
 1. Past Performance Requirements for Prior FHIP Tester Training Grantees - Applicants that received a HUD funded FY 2017-18 FHIP Tester Training grant must provide a response to this subfactor. In scoring this section, HUD will evaluate performance relative to goals and how well the applicant has satisfied the requirements. (up to two points)
 2. Goals and Accomplishments. Describe performance relative to quarterly and annual reports submitted for the last Tester Training grant award or other goals set during the grant period, and approved extension. For example, include information on accomplishments and successful cases as a result of the training. Indicate whether funds were fully spent, goals were met, and explain why they were not, if applicable. If an extension was required, explain reason for not expending funds within the grant period. (up to two points)

Measuring Student (Tester Coordinator) Feedback – Scoring in this section will reward applicants that measure tester coordinator feedback and make course and/or test adjustments as a result of it. Applicants must attach a separate narrative that describes the process to collect student feedback data. For applicants that received a previous FHIP Tester Training Grant, summarize data collected during the last tester training grant, and attach a copy of the data collection instrument utilized, if applicable. (up to two points)

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

Maximum Points: 19

This Rating Factor addresses the applicant’s assessment of the need for training services for testing coordinators and the extent to which the proposed activities described in response to Rating Factor 3 addresses these needs. .

(1) Problem Statement (up to seven points). The applicant should define the fair housing tester coordinator training need of FHIP grantees. Applicants must:

- a) Describe the specific fair housing and fair housing tester coordinator training needs, including FHIP PEI and FHOI grantees whose testers service those areas of high concentration of LEP, rural or underserved areas and underserved populations of the community or communities.
- b) Applicants must propose a plan to assess all the FHIPs receiving PEI and FHOI enforcement related funding and determine how many grantees need to have Testing coordinators trained and/or what type of updated training is needed for those Testing coordinators. In addition, the need must be based on the success of previous Testing coordinator trainings and the populations served by continued testing in those respective areas.

(2) Proposed solutions (up to eight points) The applicant should describe their proposed solution to address the fair housing and fair housing testing coordinator training needs identified above.

- a) Describe how the applicant plans to address the identified fair housing tester coordinator

training and fair housing needs and describe the link between the need and the applicant's proposed activities. This should include the presence of systemic housing discrimination, high segregation indices, or evidence of discrimination prohibited by the Fair Housing Act.

b) Describe why the tester coordinator training will be effective.

c) Show how the use of any other relevant information from various studies done by HUD or any other reliable source are used to support need. Reference information should be current within the last 5 years.

d) Describe how training participants and overall training will be evaluated to determine success in increased fair housing testing knowledge and how updated training will increase or improve testing in the populations being served.

(3) Continued Need (up to four points)

Describe and document the overall need and demand for each of the following training delivery methods: In-person, online-interactive, and on-line non-interactive.

Underserved Populations and Underserved Areas. Indicate how the Applicant and Training Partners propose to train tester coordinators who serve communities with LEP, persons with disabilities and other underserved populations and underserved areas. Applicants must also describe how its testers training activities will provide equal access to tester coordinators with disabilities, including making reasonable accommodations as necessary and ensuring any electronic materials or applications are fully accessible for persons with disabilities, and how the applicant will take reasonable steps to ensure meaningful access for persons with LEP.

Rating Factor 3: Soundness of Approach

Maximum Points: 30

This factor addresses past performance and the quality and effectiveness of the proposed work plan or SOW. In rating this factor, HUD will evaluate the extent to which the applicant presents a detailed and sound approach for providing the proposed services. HUD will also evaluate the extent to which the applicant demonstrating the cost-effectiveness of its activities, and convincingly explains how the proposed activities will yield long-term results.

Two sub-factor requirements make up the total possible points (up to 30 points) for Rating Factor 3: SOW, and Budget and Cost Estimates.

1. Proposed SOW (up to 16 points). This sub-factor does not count toward the 10-page limit on the narrative. The sub-factor will be evaluated on the extent to which the applicant provides a clear detailed description of the proposed project goals/objectives, activities, and where applicable, proposed outcome measures. Applicants must submit a SOW narrative and a SOW chart (see Appendix A). Each SOW narrative and chart must be based on the specific training activities proposed in the organization's application. In responding to the SOW sub-factor, the applicant's proposed activities should consider possible COVID-19 limitations, including but not limited to social distancing which may prohibit or limit the applicant's ability to complete the proposed project. The SOW should reflect program tasks which the applicant expects are reasonable for completion during the pandemic and in compliance with the Centers for Disease Control guidelines which are current at the time of the application. If funded, the grantee is responsible for completing the SOW activities agreed upon during negotiations. In addition, the

applicant must describe each course it plans to offer and indicate which of the tester coordinator training eligible activities the applicant proposes to address in each course. Applicants must denote any national standards that may have been incorporated into the development of the curriculum. HUD will award higher points to those applicants that include courses that support lending and insurance testing.

1. Proposed Curriculum – For each course listed in your application answer the following:

a. Insert a brief course description including instructional goals for each course.

b. In a narrative, provide a course outline (no more than two pages per course) describing the following:

1. Course Title.

2. Course length for classroom and web-based session.

3. All topics to be covered during course and learning objectives for each course. Learning objectives must encompass comprehension, application, and analysis.

4. Explain how participant (student) course evaluations are incorporated into classroom and web-based courses.

5. Privacy and security policies in place to ensure tester coordinators taking remote training courses are protected, and how the remote training will be conducted in a way that verifies the identity of tester coordinators (student) and eliminates the opportunity for fraud, cheating, and other any circumstances that would result in questioning the veracity, impact, and applicability of the training.

6. Identify what criteria, include a course examination, will be established for successful completion of the course.

7. Describe the process through which curriculum is developed. Describe research conducted and indicate experts consulted for curriculum or test content development.

c. Administrative Staff and Trainers.

1. Number of administrative staff devoted to training program management for training activities under the application.

2. Number of Trainers to be utilized for the proposed courses.

3. Describe how trainers are selected and the specific selection criteria employed.

4. Describe how the applicant will monitor trainers including student feedback.

d. Delivery Methods – Indicate the delivery method to be used for each course offered (i.e. "web-based" or "in person")

1. Indicate the number of proposed web-based courses to be offered and the web-based testers to be trained.

2. Indicate the number of proposed (in-person) trainings to be held and the number of testers to be trained during each class. Applicants must also identify a contingency plan which include incorporating coronavirus guidelines for social distancing, or alternative training methods.

3. Applicant must describe how the proposed delivery method (s) will be accessible to persons with disabilities.

a. Sections 504 and 508 of the Rehabilitation Act, the Americans with Disabilities Act – Applicants offering training on-line must describe how they will comply with Section 508 requirements, as well as the applicable effective communication requirements of Section 504 and Titles II and III of the Americans with Disabilities Act, as applicable to the applicant. Please visit <https://www.section508.gov> for some more details.

2. Training Partners– List the name of the identified sub-grantees and/or Training Partners that will enable the applicant to successfully implement the SOW and explain in a narrative the role of each partner will play in the logistical support, marketing and outreach for the proposed activities and the impact on cost-effectiveness. Applicants may utilize in-house staff, sub-grant recipients, consultants, and Training Partners with requisite experience and capacity.

3. Management Activities - Applicants must describe management activities that will be performed as part of the projected SOW, including monitoring and oversight of organization staff and if applicable, sub-grantees and/or Training Partners.

1) The SOW narrative should identify quantifiable project goals and describe how those goals are related to each of the specific needs identified in Rating Factor 2 "Need/Extent of Problem." Goals are the results or outcomes the applicants aim to accomplish. The SOW narrative should also describe the proposed activities, the specific deliverables and the anticipated outcomes. (up to 6 points)

The SOW Chart (Appendix A). All applicants should use the format outlined in Appendix A as an example to describe the organization's specific SOW tasks. The Administrative Tasks listed in Appendix A are standard tasks, but the applicant may edit the section to fit the applicant's specific tasks, including adding additional tasks that fit the applicant's proposed project. Under the Program Tasks section, each applicant should complete a detailed SOW based on the specific EOI activities proposed in the organization's application, including activities, tasks, and proposed outcomes where applicable. The SOW chart must describe in detail:

- a) all proposed project activities and major tasks (up to three points),
- b) a list of team members/staff and partners as identified in Factor 1 who will be responsible and accountable for completing the task (up to three points),
- c) the steps to successfully implement the proposed project (up to two points), and
- d) the proposed outcomes where applicable (up to two points).

Applicants may receive up to six points for the submission of a complete SOW narrative and up to 10 points for a complete SOW chart.

In addition to the SOW requirements above, applicants who apply under the component(s) below must also include the following activities in their SOW and budget:

5. Budget and Cost Estimates (up to 14 points).

HUD will assess the soundness of the planned approach by evaluating the quality, thoroughness, necessity, cost effectiveness, and reasonableness of costs to carry out the project activities, and the rationale for the proposed budget and narrative. The applicant's budget submission must include the applicant's Narrative Budget Work Plan and 424 CBW Budget Worksheet; a narrative budget work plan for all sub-contractors or sub-recipients; and a budget

worksheet for sub-contractors or sub-recipients whose budget amounts exceeds \$5,000. The applicant must include the 424-CBW.

1) The applicant's budget narrative and 424 CBW must relate to the tasks in the SOW, including identifying key team members/staff and partners, as identified in Factor 1 who will be responsible and accountable for completing major tasks. In addition, the budget narrative should describe the organization's Financial Management Capacity, including the organization's financial management system and its Board's role in financial management or oversight.

2) The applicant's budget narrative must describe their organization's capabilities in handling financial resources, disseminating payments to third parties, e.g. contractors, and maintaining adequate accounting and internal control procedures. In addition, applicants with current or prior FHIP grants should provide a list or chart of all HUD FHIP grants received since 2016, including the grant number and dollar amount awarded. In addition, applicants should include the amount expended and obligated within 30 days prior to the date the application is submitted. A description of the applicant's activities and results (outcomes) achieved in the previous FHIP grant(s) is also required.

All Factor 3 criteria are exempt from the 10-page limit. Applicants may receive up to seven points for the Narrative Budget Plan and up to seven points for the 424 CBW worksheet. Under 424 CBW score, there will be an automatic 5-point reduction (in addition to any other point reduction(s)) if the applicant submits a 424 CB, but not the detailed 424 CBW.

Rating Factor 4: Achieving Results and Information Collection

Maximum Points: 15

The applicant should outline its strategy for evaluating and improving (if necessary) its program performance against proposed goals during the grant period.

This Rating Factor emphasizes HUD's determination to ensure that applicants meet the commitments made in the application as well as the cooperative and grant agreements and assess their performance in achieving agreed upon performance goals. This Factor reflects HUD's Strategic Goal to embrace high standards of ethics, management and accountability. In scoring this section, HUD will consider applicant methodologies used to evaluate overall program performance. Applicants that utilize a variety of methods and techniques to evaluate performance, including those methods and techniques identified in this Rating Factor, will be awarded higher points. The applicant should identify:

- Outputs and outcomes that measure progress on the goals identified in Factor 3, and
- Its strategy to measure stated outputs and outcomes (e.g. data collection methods, frequency of data collection) (five points), and
- How the applicant will evaluate its results and demonstrate program effectiveness. (ten points)

2. Other Factors.

Preference Points

HUD encourages activities in support of the Secretary's Initiatives. HUD may award no more than two (2) points for any of the three (3) preferences (OZ, PZ or HBCU). Each preference is worth two points and only one preference can apply to any situation, meaning that applicants will ONLY be awarded 2 points for being within an OZ, PZ or involving HBCUs.

Opportunity Zones.

Opportunity Zone (OZ) Certification: HUD encourages activities in Opportunity Zones. To receive two (2) points for this preference, applicants proposing projects in an Opportunity Zone community must submit the Certification for Opportunity Zone Preference Points (HUD-2996) that identifies the state, county and census tract(s) of the opportunity zone(s) in which the activity will be carried out. To view the list of designated Opportunity Zones, please see the following link on the U.S. Department of the Treasury website:

<https://opportunityzones.hud.gov/>

Applicants who do not complete this form and submit it along with the rest of their application package will not be eligible to receive the points. Additionally, applicants who do complete and submit this form, but indicate they intend to use less than 50% of the award within Opportunity Zone tracts, will also be ineligible to receive preference points, unless: a.) the applicant can show why they are unable to expend at least 50% of the grant award within Opportunity Zone designated tracts, or b.) the applicant is able to make a compelling case for why the amount that will be expended will have a significant impact within Opportunity Zone designated tracts. [Click here to view HUD's Opportunity Zones webpage.](#)

HBCU.

An applicant partnering with a Historically Black College or University (HBCU) will receive up to two (2) Preference Points when the application includes a Letter of Commitment certifying that an HBCU Partnership is in place and signed by an authorizing official of the HBCU and documentation of the college or university's status as an HBCU. [Click here to view the list of accredited HBCU's](#)

Promise Zones

HUD encourages activities in Promise Zones (PZ). To receive Promise Zones Preference Points, applicants must submit form HUD-50153, "Certification of Consistency with Promise Zone Goals and Implementation," signed by the Promise Zone Official authorized to certify the project meets the criteria to receive preference points. To view the list of designated Promise Zones and persons authorized to certify, please see the [Promise Zone](#) pages on HUD's website.

B. Review and Selection Process.

1. Past Performance

In evaluating applications for funding, HUD will consider an applicant's past performance in managing funds. Items HUD will consider include, but are not limited to:

The ability to account for funds in compliance with applicable reporting and recordkeeping requirements;

Timely use of funds received from HUD;

Timely submission and quality of reports submitted to HUD;

Meeting program requirements;

Meeting performance targets as established in the grant agreement;

The applicant's organizational capacity, including staffing structures and capabilities;

Timely completion of activities and receipt and expenditure of promised matching or leveraged funds;

The number of persons served or targeted for assistance;

Producing positive outcomes and results.

The number of persons served or targeted for assistance.

HUD may reduce scores based on the past performance review, as specified under V.A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in Section III E., Statutory and Regulatory Requirements Affecting Eligibility, "Pre-selection Review of Performance" document link above.

2. Assessing Applicant Risk.

In evaluating risks posed by applicants, HUD may use a risk-based approach and may consider any items such as the following:

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in this part;
- History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

This section incorporates past performance with the assessment of an applicant's risk. For current FHIP grantees, past performance will be based on the applicant's most recent FHIP GTR Final Performance Assessment Report. GTR Final Performance Assessment Reports contain these items: (1) performance of all requirements under the grant, (2) acceptance of work performed, and (3) quality of performance. Up to 3 points will be deducted from an applicant's overall rating score based on that assessment, as follows:

one point if the applicant received less than an "Excellent"

five points if the applicant received less than a "Good"

one point if the applicant is deemed "High Risk" (i.e. new FHIP applicants)

An organization is deemed ineligible for funding under this NOFO if the organization received a

“poor” rating on its last performance assessment on a prior FHIP grant for any initiative/component.

In addition, 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.

3. Rating and Ranking. Applicants may be funded under this **EOI Initiative**:

(1) Regional/Local/Community Based Program

(Tester Training Component EOI-TT) - \$500,000

(2) Maximum Score. The maximum number of points to be awarded under this NOFO for the Rating Factors is 100. Applicants may also be awarded up to a maximum of two (2) preference points for PZ, OZ and/or for HBCU collaboration. Applicants may receive a total of 102 points including the rating factor and Preference points.

a. Ineligible Applications. Ineligible applications will not be rated or ranked.

b. Minimum Score to be Funded. Only applications with a TEP rating score of 75 points or more will be considered of sufficient quality for funding. Preference points may not be included in reaching this minimum score.

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

d. Tie Breaking. When two or more applications have the same total overall score, the application with the higher score under Rating Factor 2 will be ranked higher. If applications still have the same score, the tie will be broken by the Rating Factor 1 score. If a tie remains, then the tie will be broken by the Rating Factor 3 score.

4. Adjustments to Funding. HUD may approve an application for an amount lower than the amount requested, fund only portions of the application, withhold funds after approval, reallocate funds among activities and/or require that special conditions be added to the grant agreement, under 24 CFR 84.14 or where:

a. HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;

b. An ineligible activity is proposed in an otherwise eligible project;

c. Insufficient funding amounts remain to award the full amount requested in the application, and HUD determines that partial funding is a viable option; or

d. The past record of key personnel warrants special conditions.

5. Reallocation of Funds. After all applications within the funding range have been selected or obligations are completed, if funds are still available, HUD will have the discretion to reallocate those remaining funds among Initiatives. First, funds from any EOI component will be reallocated within the EOI Initiative, then if additional funds remain, those funds shall be reallocated to PEI.

6. Funding Errors. If HUD commits an error that when corrected would cause selection of an

applicant during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds.

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 other applicants, whose applications were received by the deadline, but have not been chosen for award. Notifications will be sent by email to the person listed as the AOR in item 21 of the SF424.

Negotiation. After HUD has made selections, HUD will negotiate specific terms of the funding agreement and budget with selected applicants. If HUD and a selected applicant do not successfully conclude negotiations in a timely manner, or a selected applicant fails to provide requested information, an award will not be made to that applicant. In this case, HUD may select another eligible applicant.

HUD may impose special conditions on an award as provided under 2 CFR 200.208:

- Based on HUD's review of the applicant's risk under 2 CFR 200.206;
- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals contained in a Federal award; or
- When the applicant or recipient is not otherwise responsible.

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

a. HUD will fund no portion of an application that:

- (1) Is not eligible for funding under applicable statutory or regulatory requirements;
- (2) Does not meet the requirements of this notice; or
- (3) Duplicates other funded programs or activities from prior year awards or other selected applicants.

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

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

d. If, after announcement of awards made under the current NOFO, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations or recapture of funds, HUD may use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there

were no funds available.

Funding Errors. If HUD commits an error that when corrected would cause selection of an applicant during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds. If funding is not available to award in the current fiscal year, HUD may make an award to this applicant during the next fiscal year, if funding is available then.

Additional Applicant Notification and Award Procedures.

a. Notification. Information about the review and award process will not be available during the HUD evaluation period, which begins on the application deadline date for this NOFO and lasts for approximately 90 days thereafter. However, you will be advised, in writing or by telephone, if HUD determines that your application is ineligible, or has technical deficiencies which may be corrected. HUD will only communicate with persons specifically identified in the SF-424 in the application. HUD will not provide information about the application to any third party such as contractors.

b. Negotiations. If your application is selected, HUD will require you to participate in negotiations to determine the specific terms of your cooperative or grant agreement. The selection is conditional and does not become final until the negotiations are successfully concluded and the cooperative or grant agreement is signed and executed based upon the negotiations. HUD will negotiate only with the person identified in the application as the Director of the organization or if specifically identified in the application as the Project Director. HUD will not negotiate with any third party (i.e., a contractor, etc.). The GO and GTR will determine on a case-by-case basis if technical assistance or special conditions are required.

c. Applicant Scores. After awards are announced, applicants will receive a copy of their final score. HUD will not release the names of applicants or their scores to any third party. Upon request via email, FHEO will provide applicants a list of frequent areas where the Technical Evaluation Panel deducted points. This panel information will consist of a review of areas in which applicants frequently lose points such that all applicants may make modifications to strengthen their application.

B. Statutory and Administrative, National and Department Requirements for HUD Recipients

For this NOFO, the following [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#) apply. (Please select the linked text to read the detailed description of each applicable requirement).

1. Unless otherwise specified, these non-discrimination and equal opportunity authorities and other requirements apply to all NOFOs. Please read the following requirements carefully as the requirements are different among HUD's programs.

In accordance with 24 CFR 50.19(b)(2), (3), (4), (9), (12), and (13) activities funded under this NOFO are exempt or categorically excluded from environmental review under the National

Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

2 CFR 200.216 *Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment*

Lead Based Paint Requirements.

When providing education or counseling on buying or renting housing that may include pre-1978 housing under your grant you must 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).

C. Reporting.

HUD requires recipients to submit performance and financial reports under OMB guidance and program instructions.

1. Recipient Integrity and Performance Matters. Applicants should be aware that if the total Federal share of your Federal award includes more than \$ 500,000 over the period of performance, you may be subject to post award reporting requirements reflected in Appendix XII to Part 200-Award Term and Condition for Recipient Integrity and Performance Matters.

2. Race, Ethnicity and Other Data Reporting. HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987.

4. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) as amended (FFATA). FFATA requires information on Federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to 2 CFR Part 170, "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than \$30,000. Each applicant under this NOFO must have the necessary processes and systems in place to comply with this Award Term, in the event that they receive an award, unless an exception applies under 2 CFR 170.110.

5. Program-Specific Reporting Requirements

a. Performance Reporting. All HUD-funded programs, including this program, require recipients to submit, not less than annually, a report documenting achievement of outcomes under the purpose of the program and the work plan in the award agreement.

b. Quarterly Reporting/Final Report. All grant recipients under this NOFO are required to submit quarterly reports and a final report which must include meaningful data derived from client feedback on how they benefited from the organization's project activities. Reports must also include outcomes and evidence of continued project success in quarterly reports and final performance reports, which may include but are not limited to: (1) positive customer experience; (2) efficient and effective administrative costs; (3) High ethical standards; (4) Overall positive community/target area changes; (5) Innovative strategies that contribute to cost effectiveness and other program improvements and success stories.

D. Debriefing.

For a period of at least 120 days, beginning 30 days after the public announcement of awards under this NOFO, HUD will provide a debriefing related to their application to requesting applicants. A request for debriefing must be made in writing or by email by the authorized organization representative whose signature appears on the SF-424 or by his or her successor in office and be submitted to the POC in Section VII Agency Contact(s), below. 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 funding was approved or denied.

VII. Agency Contact(s).

HUD staff will be available to provide clarification on the content of this NOFO.

Questions regarding specific program requirements for this NOFO should be directed to the POC listed below.

Name:

Kimberly Harley

Phone:

202-402-4753

Email:

Kimberly.R.Harley@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. Please note that HUD staff cannot assist applicants in preparing their applications.

VIII. Other Information.

1. National Environmental Policy Act.

This NOFO provides funding under the Fair Housing Initiatives Program (FHIP) at 24 CFR part 125, which does not contain environmental review provisions because it concerns activities that are listed in 24 CFR 50.19(b)(2), (3), (4), (9), (12), and (13) as categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Accordingly, under 24 CFR 50.19(c)(5), this NOFO is categorically excluded from environmental review under NEPA.

2. Web Resources.

- [**Affirmatively Furthering Fair Housing**](#)

- [Code of Conduct list](#)
- [CFDA](#)
- [Dun & Bradstreet](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [FFATA Subaward Reporting System](#)
- [Grants.gov](#)
- [HBCUs](#)
- [Healthy Homes Strategic Plan](#)
- [Healthy Housing Reference Manual](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [Limited English Proficiency](#)
- [NOFO Webcasts](#)
- [Opportunity Zone](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Uniform Relocation Assistance and Real Property Acquisition Act of 1970 \(URA\)](#)
- [USA Spending](#)

3. Program Relevant Web Resources

4. Additional Program Requirements

a. Product Information. Press releases and any other products intended to be disseminated to the public must be submitted to the GTR 4 days before release for approval and acceptance. The GTR will work with the Office of Education and Outreach for information clearance and approval.

b. Payment Contingent on Completion. Payment of FHIP funds is made on a fixed price basis. Payments are contingent on the satisfactory and timely completion of your project activities and products as reflected in your grant or cooperative agreement. Requests for funds must be accompanied by financial and progress reports.

c. Copyright Materials. You may copyright any work that is eligible for copyright protection subject to HUD's right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as required in 2 CFR 215.36.

d. Complaints Against Awardees. Each FHIP award is overseen by a HUD GO (See hud.gov for list of FHEO Regional Directors). Complaints from the public against FHIP grantees should be forwarded to the POC listed above in Section VII Agency Contact(s) If, after

notice and consideration of relevant information, the GO concludes that there has been inappropriate conduct, such as a violation of FHIP requirements, terms or conditions of the cooperative or grant agreement, or any other applicable statute, regulation or other requirement, HUD will take appropriate action under 24 CFR § 84.62. Such action may include: written reprimand; consideration of past performance in awarding future FHIP applications; repayment to HUD of funds received under the grant; temporary or permanent denial of participation in the FHIP under 24 CFR part 24.

e. Double Payments. If you are awarded funds under this NOFO, you (and any contractor or consultant) may not charge or claim credit for the activities performed under this project under any other Federally assisted project.

g. Performance Sanctions. A grantee or contractor violating the requirements set forth in its grant or cooperative agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in the FHIP, and denial of further participation in programs of HUD or any federal agency.

h. Corrections to Deficient Applications. In order not to unreasonably exclude applications from being rated and ranked, HUD may contact applicants to ensure proper completion of the application and will do so uniformly for all applicants. 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. Applicants will have 5 business days from date of notification to submit the required documents to HUD. Applicants will be notified by e-mail and telephone about corrections to ensure notification. The applicants must submit the corrections by using the Form HUD-90611 found in their downloaded application to submit the technical cures to HUD.

APPENDIX

APPENDIX A

STATEMENT OF WORK- SAMPLE FORMAT - All applicants should use the format outlined in this Appendix as an example and guidance to describe the organization's specific SOW tasks. The Administrative Tasks listed in Appendix A are standard tasks, however an applicant may edit the section to fit the applicant's specific tasks. Under the Program Tasks section, each applicant should complete a detailed SOW based on the specific EOI activities proposed in the organization's application, including activities and tasks, and proposed outcomes where applicable.

FY 2021 NOFO

Statement of Work for:

The recipient, _____, agrees to undertake the following activities in accordance with its FY 2021 application for funding under the Initiative- _____ Project (if applicable) for a _____ - month project commencing _____ 2021/22 in the geographic area of _____.

ADMINISTRATIVE TASKS

Activities	Tasks	Submitted By	Key person(s)
1. Assign staff to project	Submit assignment memo or other documentation assigning staff by name and number of hours to be spent on the project.	30 days	
2. Execute subcontract agreements (if any)	Submit draft contract for GTR approval. Submit copy of signed agreement.	30 days	
3. Submit evidence of compliance with 24 CFR 125.107 (if program activities include testing)	Submit copy of organization written conflict of interest policy, demonstrating 24 CFR 125.107 compliance including conflict of interest and other requirements.	TBD during negotiations	
4. Complete HUD-2880 Disclosure Statements	Submit Disclosure Statement. If no changes occur, submit statement of no change.	Quarterly when changes occur	
5. Complete SF-LLL Disclosure of Lobbying Activities	Submit updated form. If no changes occur, submit statement of no change.	Quarterly when changes occur	
6. Quarterly Report of Performance	Submit (2) copies of quarterly report of performance. Include outcomes and progress towards achieving outcomes.	Quarterly	
7. Complete SF-425 Financial Status Report and Written Quarterly Status Reports on All Activities	Submit (2) copies of SF-425 and Copy of Written Report.	Quarterly	
8. Voucher of Payment	Submit payment request to LOCCS.	Per payment schedule	
9. Complete listing of current or pending Grants/Contracts/Other	Submit listing for Recipient and any contractors.	45 days and at the end of grant	

Financial Agreements			
10. Prepare summary of First Year (36- month grants)	Submit summary of first year accomplishments	395 days	
11. Prepare and submit draft of Final Report	Submit (2) copies of draft final report. Report summary should include objectives, accomplishments and results (outcomes) . Complaint and testing activities should summarize data on complaints received and test conducted by basis and issue and outcomes should include number of credible, legitimate complaints filed with HUD, State and local Fair Housing Agency, Department of Justice or Private Litigator; and Types of Relief/Results.	One month before end of grant term.	
12. Complete final report and all program products produced under the grant (with CD/flash drive, where feasible) to HUD.	Submit (2) copies of the Final Report and all final products not previously submitted to GTR and GTM. Submit activities and database entry sheet(s) or detailed description of items to HUD.	Within 90 days after end of grant term.	

PROGRAM TASKS -

These activities are a sample only. Activities and tasks are based on an organization's individual proposed activities and tasks.

Activities/Tasks	Outcome(s)	Submitted By	Key Person
1. Contact HUD and/or other information sources to obtain any appropriate materials prior to development of new material. Task: List of materials requested and copy of final products.		90 days	
2. Review/refine process to refer potential victims to HUD, DOJ, a state of local agency, or a private		45 days	

attorney. Task: Copy of referral process. All audit-based enforcement actions should be referred to HUD.			
3. Intake and process complaints, including testing and referral. Complete Enforcement Log which details complaints received; dates; the protected basis of complaints; the issue, test type, and number of tests utilized in the investigation of each allegation; the respondent type and testing results; the time for case processing; including administrative or judicial proceedings; the cost of testing activities and case processing; to whom the case was referred. Task: Submit copy of Enforcement Log and a report on number of enforcement proposals referred to HUD.		Quarterly	
4. Submit training and other forms for review/approval.		60 days	
5. Train staff on fair housing. Task: number of hours spent in training.			
6. Conduct at least ___ trainings for landlords, lenders, insurers or real estate agents.			
7. Conduct at least ___ trainings for potential victims of discrimination.			
8. Make at least ___ referrals of non-fair housing issues.			
9. Evaluate at least ___ potential complaints for enforcement.			
10. Distribute fair housing PSA to ___ media outlets.			
11. Conduct ___ meetings with housing industry and/or government officials.			
12. Provide fair housing information to local/ state officials on obligations to AFFH.			
13. Develop partnership with local university (or others) to develop and execute innovative approaches for the creation of diverse communities.			

14. Conduct ___ fair housing workshops for members of the protected classes and housing industry personnel.

APPENDIX B

Education & Outreach Application CERTIFICATION

I/WE [applicant] _____, certify that the information provided below is

true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012; 32 U.S.C § 3729, 3802)

Applicant Name: _____
Applicant name as it appears on SF 424

In accordance with 24 CFR 125.103 (definitions) and 125.301 (Education and Outreach Initiative), which states:

§ 125.301 Education and Outreach Initiative.

(a) The Education and Outreach Initiative provides funding for the purpose of developing, implementing carrying out, or coordinating education and outreach programs designed to inform members of the public concerning their rights and obligations under the provisions of fair housing laws.

1. Fair Housing Enforcement & Qualified Fair Housing Enforcement Organizations

I _____ certify that
Applicant name as it appears on SF 424

_____ is a private,
Applicant Organization name as it appears on SF 424

tax-exempt, nonprofit, charitable organization and has a “letter of determination” from the IRS confirming 501(c)(3).

AND

I _____ certify that
Applicant name as it appears on SF 424

_____ is a is a Qualified Fair
Applicant Organization name as it appears on SF 424

Housing Organization (QFHO) or a Fair Housing Enforcement Organization (FHO) with at least one year’s experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims.

As defined by 24 CFR Part 125.103`, my organization is:

__ QFHO (entity has at least 2 years of enforcement-related experience); and is currently engaged in each of the activities at the time this application is submitted: Complaint intake; Complaint investigation; Testing for fair housing violations; and Enforcement of meritorious claims.

OR

__ FHO (entity has at least 1 year of enforcement-related experience); and is currently engaged in each of the following activities and upon receipt of funds will continue to be engaged in each enforcement-related activity: Complaint intake; Complaint investigation; Testing for fair housing violations; and Enforcement of meritorious claims

OR

2. Other

Nonprofit organization representing groups of persons protected under Title VIII of the Civil Rights Act of 1968.

Agency of State or local governments and agencies certified by the Secretary under Section 810(f) of the Fair Housing Act.

Other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.

NOTE: The TEP will verify this certification through the organization's response to Factor 1.