



U.S. Department of Housing and Urban Development

Public and Indian Housing

Capital Fund At Risk/Receivership/ Substandard/ Troubled Program

FR-6500-N-81

07/11/2022

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Program Office:

Public and Indian Housing

Funding Opportunity Title:

Capital Fund At Risk/Receivership/ Substandard/ Troubled Program

Funding Opportunity Number:

FR-6500-N-81

Primary CFDA Number:

14.888

Due Date for Applications:

07/11/2022

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):

2577-0301

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

The purpose of this funding is to provide Public Housing Authorities ("PHAs") in receivership, designated troubled or substandard, or otherwise at risk with funds for costs associated with public housing asset improvement. For this NOFO, risk shall mean "high risk" and asset improvement means capital improvements. Use of this funding is focused on improving public

housing asset management project (AMP) performance in two core areas:

1. **Physical Condition:** Improve the physical condition of public housing. Successful applicants must demonstrate a comprehensive strategy on how the funds will provide residents access to safe and decent public housing through improved public housing assets.
2. **Management:** Increase occupancy and reduce long-term vacancies through capital investment.

Applicants may submit a maximum of one application with only one AMP, which may include multiple properties or scattered sites.

The application will include a narrative that demonstrates how use of the funding at the identified AMP will improve the targeted AMP. To measure the effectiveness of funding, HUD will assess physical inspection scores and occupancy data at the designated AMP.

Selected applicants will submit obligation (signed contracts) and expenditure documentation (e.g., invoices) to the local field office. The field office will review the documentation to ensure compliance with the conditions of the award and approve the payment requests in eLOCCS.

2. Changes from Previous NOFO.

None, this is a new NOFO.

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.

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.

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

At Risk. A PHA that is neither troubled nor substandard under PHAS but has at least one AMP that scored less than 60 percent on its most recent Uniform Physical Condition Standards (UPCS) inspection. In this NOFO, these PHAs are referred to as “high risk.”

IMS/PIC. The Inventory Management System, also known as the Public and Indian Housing Information Center (IMS/PIC) serves as a national repository of information related to PHAs,

HUD-assisted families, HUD-assisted properties, and other HUD programs for the purpose of monitoring and evaluating the effectiveness of HUD rental housing assistance programs.

IMS/PIC Development/AMP. A grouping of a PHA’s buildings as identified with the IMS/PIC development number in HUD data systems. In this NOFO, this term will be shortened to “AMP” for Asset Management Project.

Receivership. A PHA of which HUD has taken possession or is under HUD’s control, or a PHA that is subject to an appointment of a receiver (which may be another PHA or a private management entity).

Substandard PHA. A PHA that is designated as substandard under PHAS pursuant to 24 C.F.R. 902.11 for its most recently released assessment of record.

Troubled PHA. A PHA that is designated as troubled under PHAS pursuant to section 6(j) of the 1937 Act for its most recently released assessment of record.

UPCS Inspection. An inspection protocol developed by HUD to evaluate if its residents live in decent, safe, and sanitary housing.

B. Authority.

Section 9 of the United States Housing Act of 1937 (1937 Act), the Consolidated Appropriations Act, 2021 (Public Law 116-260, approved December 27, 2020), and the Consolidated Appropriations Act, 2022 (Public Law 117-103, approved March 15, 2022).

II. Award Information.

A. Available Funds

Funding of approximately **\$26,500,000** 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.

If additional funds are available from recaptured grants, they may be re-allocated among awardees that were not funded at the maximum award amount, either initially or if later requested during the period of performance, or among awardees under a subsequent similar NOFO, if issued.

Contingent upon the availability of FY 2022 appropriations, HUD reserves the right to award FY 2022 funds based on this single NOFO competition.

B. Number of Awards.

HUD expects to make approximately 20 awards from the funds available under this NOFO.

C. Minimum/Maximum Award Information

Estimated Total Funding:
\$26,500,000

Minimum Award Amount:
\$250,000
Per Project Period

Maximum Award Amount:
\$3,500,000
Per Project Period

D. Period of Performance

Section 9(j) of the 1937 Act applies. Unless HUD grants an obligation extension, PHAs must obligate 90 percent of the grant award within 24 months of the date the funds are made available to the PHA and expend all grant funds within 48 months after the date on which funds become available. See 24 CFR §905.306. An obligation is a binding agreement (executed by all parties) for work or financing that will result in outlays of Capital Funds by the PHA, immediately or in the future.

Estimated Project Start Date:
11/01/2022

Estimated Project End Date:
10/31/2026

Length of Project Periods:
48-month project period and budget period

Length of Periods Explanation of Other:

E. Type of Funding Instrument.

Funding Instrument Type:
G (Grant)

III. Eligibility Information.

A. Eligible Applicants.

08 (Public housing authorities/Indian housing authorities)

Additional Information on Eligibility

PHAs with the legal authority to develop, own, modernize, and operate a public housing project in accordance with the 1937 Act are eligible. Tribes and tribally designated housing entities (TDHEs), nonprofit organizations, resident management corporations, and resident associations are not eligible to apply.

Eligible applicants under this NOFO are troubled, substandard, receivership or high risk PHAs, as defined in Section I.A.3, Definitions.

B. Ineligible Applicants.

1. Individuals.

2. Any entity that does not meet the eligibility criteria listed above in Section III.A. Tribes and tribally designated housing entities (TDHEs), Indian Housing Authorities (IHAs), nonprofit organizations, resident management corporations, and resident associations are **not** eligible to apply.

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. Additional Program-Specific Threshold Eligibility Requirements. Applicants who fail to meet any of the following program-specific eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated.

- PHAs that are not in receivership, designated troubled or substandard, or otherwise high risk as of the application due date.
- Applicants that do not submit a narrative response as described in Section IV.B.2 Format and Form and a completed form HUD-50075.1 Parts I & II including the proposed activities for this grant application for Rating Factor 3, Soundness of Approach.
- Applicants that do not indicate which IMS/PIC Development AMP is proposed for funding under this grant. Note that the AMP name, number, and address(es) in the grant application must match the name, number, and address(es) in PIC. If more than one AMP is proposed in the application, the application will be ineligible.
- Applicants that request less than the minimum award amount, or over the maximum award amount.
- Funds provided under this NOFO may not be used at projects under Commitments to enter into Housing Assistance Payments Contracts (CHAPs) under the Rental Assistance Demonstration (RAD) as authorized under Public Law 112-55 and implementing notices. Properties that will be converting to another federal housing assistance program, such as through a Section 18 disposition or Streamlined Voluntary Conversion, are not eligible for funding under this program. HUD shall consider ineligibility to start when an application for demolition or disposition of that AMP is submitted to HUD's Special Application Center or when a CHAP is issued. If the application is submitted or CHAP is issued after funds are awarded under this NOFO, the AMP will no longer be eligible for this program and remaining funds will be recaptured.

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.

Activities under this NOFA must comply with 24 CFR Part 905, Capital Fund Program.

G. Criteria for Beneficiaries.

N/A

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:

Capital Improvements

Email:

PIHPRT@hud.gov

HUD Organization:
 PIH
 Street:
 City:
 State:
 DC DISTRICT OF COLUMBIA
 Zip:

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 grantees on how the form is to be submitted.	If any funds have been paid or will be paid to any person for 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	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.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Disclosure/Update Report		
Annual Statement/Performance and Evaluation Report Form HUD-50075.1 (Parts I & II)	<p>This form may be prepared in HUD's Energy and Performance Information Center (<i>EPIC</i>) by authorized users, printed or saved to PDF, and included in the application and be specific for this grant application. See https://portalapps.hud.gov/app_epic/.</p> <p>Alternatively, forms can also be downloaded from HUD Clips, completed, and saved to PDF to submit with the application.</p> <p>All submitted forms must include the IMS/PIC Development/AMP name and number.</p>	<p>An example of form 50075.1 is available in PDF format at https://www.hud.gov/sites/dfiles/OCHCO/documents/50075.1.pdf</p>

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

A narrative statement is required for all applicants and is an eligibility requirement. The written narrative must address Rating Factor 3, Soundness of Approach, subparts B & C as outlined in Section V.A.1 of this NOFO.

Any additional information provided to supplement the required forms listed above will not be evaluated. Applicants should not include inspection reports or action plans for previous Capital Fund grant awards. Supplemental materials will not be reviewed. Any material exceeding any identified page limits will not be reviewed.

2. Format and Form.

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

6 Pages maximum length of narratives

Double spaced 12-point (minimum) Times Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides

1. Applicants should prepare their completed Form HUD-50075.1 Parts I and II to include the Inventory Management System (IMS)/ PIH Information Center (PIC) Development/AMP name, number, and address(es), print or save to PDF and send with the application package. Applications that do not include this form will be considered ineligible and not scored. Applicants may not supplement Form HUD-50075.1 with additional narrative and shall limit responses to the character limits and spacing imposed by the form.
2. Up to six pages of 12-point font, double-spaced narrative can be submitted for Rating Factor 3, Soundness of Approach. Applications that do not include a narrative response will be considered ineligible and will not be scored.

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

07/11/2022

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 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.

Eligible Uses of Funds. Eligible activities and costs for this NOFO will be covered under LOCCS Budget Line Item (BLI) 1480 General Activities, with the following additional restrictions:

- Funds can be used only for Capital Fund Program (CFP) activities identified in the application to improve the physical condition of public housing and/or increase occupancy and reduce long-term vacancy through capital investment.
- Funds may only be expended at the AMP proposed on the Form HUD-50075.1 submitted as part of this application. Funds may not be expended at any other IMS/PIC Development(s)/AMP(s) that are not funded under this grant.
- Funds under this NOFO may only be used for public housing, as defined by Section 3 of the 1937 Act and by PHAs participating in the Capital Fund program under Section 9 of the 1937 Act.
- Activities must be carried out in compliance with the Capital Fund regulations at 24 CFR Part 905.
- Awards made under this opportunity may not be used for reimbursement of incurred expenses or for activities that are already under contract.
- Awards made under this opportunity may not be used to pay for grant writing services.

Indirect Cost Rate.

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 maximum number of points to be awarded for Rating Factors is 100. Applicants that have been first reviewed for eligibility for award will then be competitively scored based on the following rating factors:

Rating Factor	Name	Sub-Factor	Maximum Points
1	Status of PHA		
		PHAS Designation Status	20
		<i>Subtotal</i>	20
2	Need of AMP		
		Physical Condition	10
		Occupancy Rate	10
		Long-Term Vacancies	10
		<i>Subtotal</i>	30
3	Soundness of Approach		
		Budget	10
		Applicant Capacity	10
		Impact on Performance- Physical Condition	15
		Impact on Performance- Occupancy	10
		<i>Subtotal</i>	45
4	Past Performance		

Rating Factor	Name	Sub-Factor	Maximum Points
		Compliance with Current Agreements	5
		<i>Subtotal</i>	5
		TOTAL	100

Rating Factor 1: STATUS OF PHA

Maximum Points: 20

PHAS Designation Status (20 points). Funding is prioritized to those PHAs where capital improvements may have the most significant impact on the PHA’s PHAS designation. The applicant does not need to submit information for this rating factor. Points will be awarded based on the status of the PHA’s most recent PHAS designation of record. If the PHA believes the information utilized by HUD is incorrect, incomplete, or missing, applicants should work with HUD's Real Estate Assessment Center (REAC) to ensure HUD's systems or reports are submitted, updated, or corrected prior to application deadline. There will be no application extension waivers granted for the purposes of amending systems of record. Points will be scored according to the following table:

PHA Designation Status	Points Awarded
Troubled	20
Substandard	10
All Other PHAS Designations	0

Rating Factor 2: NEED OF AMP

Maximum Points: 30

HUD will evaluate an applicant’s need by the AMP’s physical condition, occupancy rate, and long-term vacancies. The applicant does not need to submit information for this rating factor. The below subfactors indicate where HUD will draw the information to score the PHA. If a PHA believes that the information utilized by HUD in the three sections below is incorrect, incomplete, or missing, applicants should work with the appropriately assigned HUD public housing office to ensure HUD systems or reports are submitted, updated, or corrected prior to application deadline. There will be no application extension waivers granted for the purposes of amending systems of record.

A. Physical Condition (10 points). HUD will use the AMP’s most recently released UPCS inspection score at the time of application deadline. Points will be awarded based on the following table, based on the AMP’s 100-point score:

UPCS Score	Points Awarded
Less than 60	10
Below 70 but greater than or equal to 60	5
Greater than or equal to 70	0

B. Occupancy Rate (10 points). HUD will use a PHA’s most recently approved audited FDS submission¹ at the time of application deadline to calculate an AMP’s occupancy rate and long-term vacancies. Points will be awarded based on the following table:

Occupancy Rate	Points Awarded
Below 90 Percent	10
Below 94 percent but greater than or equal to 90 percent	5
Greater than or equal to 94 percent	0

¹FDS Line Item 11210 (Unit Months Leased) / FDS Line Item 11190 (Unit Months Available)

C. Long-Term Vacancies (10 points). Units that have been vacant for extended periods of time typically have greater capital needs to make the unit ready for a tenant. HUD will use the occupancy data in the IMS/PIC system as of the date the NOFO closes. Points will be awarded based on the percentage of units that are vacant long-term, based on the following table:

Percentage of units vacant for 180+ days exceeds:	Points Awarded
5%	10
2.5%	5
<2.5%	0

Rating Factor 3: SOUNDNESS OF APPROACH **Maximum Points: 45**

To respond to this Rating Factor, the applicant shall submit a completed Form HUD-50075.1, Parts I and II for the proposed activities, as well as a separate narrative response as described in Section IV.B.2, Format and Form, for Subfactors B & C below. The total narrative for this Rating Factor shall be no longer than six pages, double-spaced 12-point font.

For all elements of this Rating Factor, HUD will evaluate the submissions of eligible applications and will determine point scores that, in HUD’s sole determination, reflect the extent to which the submission is responsive to the criteria described and, as a result, represent the applicant’s likely ability to utilize grant funding to expand opportunities for improved public housing in the communities served and exit from troubled, substandard, or at risk status.

A. Budget (10 points). Applicants should prepare their completed Form HUD-50075.1, Parts I and II, as described in Section IV.B.2, Format and Form. The form should include the work activities proposed to be funded under this grant and the estimated costs, as directed in form headings and instructions. Form HUD-50075.1 Parts I and II must include the AMP name, number, and address(es) as it is identified in the IMS/PIC system.

The Budget is intended to demonstrate that the proposed expenditures will represent a highly efficient and effective use of HUD grant resources. Applicants that use Form HUD-50075.1 Parts I and II to fully address the rating criteria including a detailed breakdown of work activities and estimated costs will receive maximum points for this sub-factor. Fewer points will be awarded for lack of clarity, lack of detail, not responding fully to the criteria, or proposing ineligible use of funds (eligible uses are listed in section IV.F.1).

Note the following: Applicants are limited to 1,000 characters per row in the “General Description of Major Work Categories” column when filling out Form HUD-50075.1 in EPIC. Applicants shall comply with these character limitations and use the supporting narrative to describe the impact of the funds.

B. Applicant Capacity (10 points). This funding is intended to improve an AMP’s performance through targeted capital improvements at the AMP identified in the application. To evaluate the overall capital improvement plan, HUD requires an understanding of the PHA’s capital improvement strategy and the PHA’s capacity to execute on that strategy.

Applicants must provide a narrative that demonstrates the resources the PHA will be able to commit to successfully accomplish this capital improvement effort, including confidence in the independent cost estimate undergirding the proposed budget, the PHA staffing to be dedicated to this effort, any anticipated contractors, other funds (whether from HUD or other sources) or in-kind resources that may contribute to this effort, any partnerships with local governments or utility companies that may advance this effort, and any other resources that serve to provide assurance for the success of this effort.

Recognizing past internal and external challenges that have precipitated the current situation at the PHA and the subject AMP, the Capacity Narrative should describe what has changed in the circumstances of the PHA that provides confidence to HUD that a grant for the proposed effort has a very high likelihood of succeeding and, as a result, provides expanded opportunities for stable public housing for residents and a stronger PHA.

C. Anticipated Outcomes (25 points). The PHA should provide a narrative describing the specific capital scope of work that will be completed and the strategies the PHA intends to use to lease the units at the completion of the capital improvement project. Applicants should describe the impact the proposed expenditures will have on the overall capacity of the PHA to deliver significant positive improvements in quality public housing for residents. The description should include the total number of public housing units for which capital improvements will be provided and a qualitative description as to the impact of the proposed improvements on the affected units. The PHA should provide other information that demonstrates how the budget maximizes the magnitude and quality of public housing available to the PHA’s residents, including, for example, showing how the number of units in the subject AMP compares to the number of units in the PHA’s total public housing portfolio or the number of units in the PHA’s stock of physically distressed housing. PHAs are encouraged to incorporate energy efficiency and climate resilience into their planned investments.

This Narrative must describe two anticipated outcomes:

- **Impact on Performance — Physical Condition** (15 points). In the narrative, applicants must describe how the capital improvements at the AMP will improve the physical condition at the AMP. Using the most recent physical inspection report for the AMP as a baseline, the narrative should describe how the capital improvements will address the deficiencies identified within the report. When applicable, applicants should take into consideration the impact of the capital improvements on issues related to health, safety, and accessibility to correct or avoid worsening such deficiencies that may exist at the AMP. In addition, the PHA must project what it believes the physical score will be once the work is completed. Points will be awarded based on HUD's assessment of the reasonableness of the applicant's projection of the physical score once the work is completed, assessing whether the proposed use of funds aligns with correcting the deficiencies contained in the most recent physical inspection report.
- **Impact on Performance — Occupancy** (10 points). In the narrative, applicants must provide justification that the capital improvements at the AMP will increase occupancy at the AMP. HUD will use the narrative to evaluate the applicant's strategy for leasing units quickly. Using the most recently approved audited FDS submission as a baseline, the narrative should provide a sound basis for determining that the capital improvements at the targeted AMP will increase the unit-months leased. In addition, the PHA must project what it believes the occupancy rate will be once the work is completed. The projection must be supported in the narrative with appropriate occupancy strategies and be reasonable based upon the timeframes identified for the completion of the capital improvements.

Rating Factor 4: PAST PERFORMANCE

Maximum Points: 5

1. Compliance with Current Monitoring (5 points). HUD will evaluate this rating factor based upon the applicant's history to comply with HUD monitoring requirements, as determined by the assigned HUD field office. While compliance with any and all such requirements will be considered, HUD will pay particular attention to cases in which an applicant is under a specific remedial agreement (e.g., a troubled Recovery Agreement and Action Plan, Voluntary Compliance Agreement, or court order) or is subject to a compliance management plan (e.g., a Corrective Action Plan or Shortfall Improvement Plan).

An applicant will receive the maximum 5 points only if it has recently been and is currently compliant on meeting all reporting requirements. If most, but not all reports are considered compliant, applicants will receive partial points for this Rating Factor.

For this element, HUD will determine point scores that, in HUD's sole determination, reflect the extent to which the PHA is compliant with monitoring requirements. The applicant does not need to submit any documentation pertaining to this rating factor.

2. Other Factors.

This program does not offer points for Section 3.

Preference Points

This program does not offer preference points.

Opportunity Zones.

This program does not offer Opportunity Zone preference points.

HBCU.

This program does not offer HBCU preference points.

Promise Zones

This program does not offer Promise Zone preference points.

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;

Producing positive outcomes and results.

Encouraging participation of and coordination with faith-based entities.

The number of persons served or targeted for assistance.

Other

HUD may deduct up to 5 points from the total score for PHAs that have significant issues in Past Performance as described above.

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.

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.

If two or more applications have the same total score and a tie break is needed, they will be rank ordered first by the application with the highest overall Need score, then the highest overall Soundness of Approach score, and then the highest overall Past Performance score. If there are more eligible applications assigned the same score after the tie break is applied, a lottery will be held to determine the ranking of applications.

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.
 - Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (cf. 24 CFR 5.105(a)).
 - Affirmatively Furthering Fair Housing.
 - Economic Opportunities for Low-and Very Low-income Persons (Section 3). See 24 CFR part 75.
 - Improving Access to Services for Persons with Limited English Proficiency (LEP) See https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency.
 - Accessible Technology. See <https://www.hud.gov/sites/dfiles/OCIO/documents/s508103017.pdf>
2. Equal Access Requirements. See 24 CFR 5.105(a)(2)
3. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business.
4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.
5. Uniform Relocation Act – Real Property Acquisition and Relocation Requirements. See 49 CFR part 24.
6. Participation in HUD-Sponsored Program Evaluation.
7. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

8. Drug-Free Workplace.
9. Safeguarding Resident/Client Files.
10. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) (Transparency Act), as amended.
11. Eminent Domain.
12. Accessibility for Persons with Disabilities. See https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview
13. Violence Against Women Act. See 24 CFR part 5, subpart L and applicable program regulations.
14. Conducting Business in Accordance with Ethical Standards/Code of Conduct.
15. Environmental Requirements, which include compliance with environmental justice requirements under Executive Order 12898.

Compliance with 24 CFR part 50 or 58 procedures is explained below:

In compliance with the federal requirements applicable to all Capital Fund activities at 24 CFR 905.308 including environmental review requirements at 24 CFR 905.308(b)(2), all activities under this NOFO are subject to an environmental review by a responsible entity under HUD's environmental regulations at 24 CFR part 58 and must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321 et seq.) and the related laws and authorities listed at 24 CFR 58.5. HUD may make a finding in accordance with 24 CFR 58.11 and may perform the environmental review itself under the provisions of 24 CFR part 50. In those cases where HUD performs the environmental review under 24 CFR part 50, it will do so before approving a proposed project, and will comply with the requirements of NEPA and the related requirements at 24 CFR 50.4.

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

2 CFR 200.340 *Termination*

Lead Based Paint Requirements.

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

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.

- All awarded PHAs must update their Five-Year Action Plan and Annual Plan in EPIC after award. Plans must be reviewed by the Office of Capital Improvements (OCI) and approved by the assigned Public Housing Field Office before work can commence.
- Moving to Work (MTW) PHAs will be required to identify proposed activities in EPIC under Budget Line Item (BLI) 1480 General Activities and may not use the simplified Five-Year Action Plan described in PIH Notice 2016-21(HA).
- After award, the applicant shall propose a quarterly benchmark schedule for completing the work on these projects timely and evenly through the period of performance. An example template for this plan is posted on the [OCI website](#).
- Applicants that are awarded may be required to periodically certify to HUD that a Commitment to enter into a Housing Assistance Payment (CHAP) has not been issued to the AMP. For compliance with this provision, HUD will assume all units in the project with a CHAP are included, even if the CHAP has phases where certain units are not covered.

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

PHAs awarded under this program must use EPIC to complete annual reports within 60 days of each annual anniversary of award. All other reporting (e.g. in financial systems) already required in the Capital Fund formula grant program or the Moving to Work program shall continue to apply.

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.

Debriefings should be requested via email to PIHPRT@hud.gov

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:

Phone:

Email:

PIHPRT@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 24 CFR Part 905 and applicants are required to follow the environmental requirements that are outlined at 24 CFR 905.308(b)(2). This NOFO does not alter any of those environmental requirements. Accordingly, under 24 CFR 50.19(c)(5), this NOFO is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

2. Web Resources.

- [Affirmatively Furthering Fair Housing](#)
- [Code of Conduct list](#)
- [Assistance Listing \(formerly CFDA\)](#)
- [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

APPENDIX