

## U.S. Department of Housing and Urban Development

Policy Development and Research

Impact Evaluation of the Emergency Rental Assistance (ERA) Program FR-6600-N-83 08/25/2022

Signature	Date

## **Table of Contents**

Summary	3
Overview	3
I. FUNDING OPPORTUNITY DESCRIPTION	4
A. Program Description.	4
B. Authority.	16
II. Award Information.	16
A. Available Funds	16
B. Number of Awards.	16
C. Minimum/Maximum Award Information	16
D. Period of Performance.	17
E. Type of Funding Instrument.	17
III. Eligibility Information.	17
A. Eligible Applicants.	17
B. Ineligible Applicants.	18
C. Cost Sharing or Matching.	18
D. Threshold Eligibility Requirements.	18
E. Statutory and Regulatory Requirements Affecting Eligibility.	19
F. Program-Specific Requirements.	20
G. Criteria for Beneficiaries.	20
IV. Application and Submission Information.	20
A. Obtaining an Application Package.	20
B. Content and Form of Application Submission.	20
C. System for Award Management (SAM) and Unique Entity Identifier (UEI) Dun and Bradstreet Universal Numbering System (DUNS) Number.	23
D. Application Submission Dates and Times.	23
E. Intergovernmental Review.	26
F. Funding Restrictions.	26
G. Other Submission Requirements.	27
V. Application Review Information.	28
A. Review Criteria.	28
B. Review and Selection Process.	31
VI. Award Administration Information.	32
A. Award Notices	32

B. Administrative, National and Department Policy Requirements and Terms for HUD	
Recipients Financial Assistance Awards	33
C. Reporting.	35
D. Debriefing.	35
VII. Agency Contact(s).	36
VIII. Other Information	36
APPENDIX	37

## **Program Office:**

Policy Development and Research

## **Funding Opportunity Title:**

Impact Evaluation of the Emergency Rental Assistance (ERA) Program

## **Funding Opportunity Number:**

FR-6600-N-83

#### **Assistance Listing Number:**

14.536

## **Due Date for Applications:**

08/25/2022

#### **Summary**

The U.S. Department of Housing and Urban Development (HUD) Strategic Plan sets the direction and focus of our programs and staff to create strong, sustainable, inclusive communities and quality, affordable homes for all.

#### **HUD's Strategic Goals**

HUD's FY 2022-2026 Strategic Plan lays out this administration's strategy for ensuring everyone has an affordable, healthy place to live. Over the course of the next four years HUD will pursue two overarching priorities focused on increasing equity and improving customer experience across all HUD programs. Five strategic goals undergird the Plan as follows:

- Strategic Goal 1: Support Underserved Communities
- Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing
- Strategic Goal 3: Promote Homeownership
- Strategic Goal 4: Advance Sustainable Communities
- Strategic Goal 5: Strengthen HUD's Internal Capacity

The five goals of the FY 2022-2026 Strategic Plan present the core vision of what we hope to accomplish, the strategies to accomplish those objectives, and the indicators of success.

#### **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 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):**

2528-0299

#### I. FUNDING OPPORTUNITY DESCRIPTION.

## A. Program Description.

## • Purpose

Through this NOFO, the Department of Housing and Urban Development (HUD) is announcing the availability of \$2,000,000 for the research project titled "Impact Evaluation of the Emergency Rental Assistance (ERA) Program." HUD expects to make approximately four awards from the funds available under this NOFO. The objective of the NOFO is to fund rigorous evaluations of the impact of ERA on housing stability outcomes. HUD's primary outcome of interest is eviction, but applicants can propose other housing stability measures. The research funded under this NOFO will advance scientific knowledge and produce policy-relevant evidence on the impact of the ERA program on evictions and may inform the development of future approaches to helping families maintain housing stability and avoid eviction.<sup>1</sup>

#### **Background**

Below is important information about the ERA program, recent evaluations of the ERA program, ERA data, and eviction and other potential housing instability outcomes.

## The Emergency Rental Assistance Program

Congress established the ERA program to provide emergency assistance for rental, utility, and other related expenses to households at risk of losing their rental units due to the COVID-19 pandemic. The program is administered by the U.S. Department of the Treasury. A total of \$46 billion was allocated through the Consolidated Appropriations Act 2021, enacted in December 2020 (ERA1) and the American Rescue Plan enacted in March 2021 (ERA2).

The funds were allocated to States (including the District of Columbia), U.S. Territories, Local Governments with more than 200,000 residents, and, in the case of ERA1, Tribes or their Tribally Designated Housing entities (TDHEs) and the Department of Hawaiian Home Lands (DHHL) through a formula that considered the share of the population of eligible entities. The ERA2 allocation included a \$2.5 billion set aside based on high needs. Initial ERA1 award funds will expire September 30, 2022, but ERA1 grantees that received reallocations of excess funds received an extension through December 29, 2022 to continue obligating reallocated funds. ERA2 funds will expire September 30, 2025.

Although there are some small differences in ERA1 and ERA2 allowable uses, both allocations must be used for three primary purposes: direct financial assistance to households, housing

stability services, and administrative fees. ERA funds assist households that are experiencing a financial hardship, are at risk of housing instability, and meet certain income requirements.<sup>2</sup> Combined ERA1 and ERA2 financial assistance to an eligible household is limited to 18 months. The program requires states and localities to prioritize households below 50 percent of area median income (AMI) and those households with one or more members that have been unemployed for at least 90 days.

Treasury's guidance prohibits the eviction of renters for nonpayment while ERA payments are being made on a renter's behalf. Treasury also encourages grantees to require that landlords not evict tenants for 30 to 90 days longer than the period covered by the ERA as a condition of receiving payment.

State, local, and territorial ERA recipients are required to submit monthly and quarterly reports. Tribes, TDHEs and DHHL are only required to submit partial Quarterly Reports (for example, Tribes, TDHEs and DHHL are not required to submit a Participant Household Payment Data File). ERA1 and ERA2 awards must be reported separately. For more information about the status of ERA implementation, see the monthly ERA spending data through March 31, 2022 and the quarterly data on the demographics of ERA recipients in 2021, or more recent reports.<sup>3</sup>

## Recent evaluations of the ERA program

There are several organizations conducting initial research on the ERA program. *Treasury and GSA's Office of Evaluation Sciences (OES)* conducted a series of rapid cycle evaluations to understand factors that affect program performance and to identify best practices in local program designs.<sup>4</sup> Using reported data and interviews with grantees, Treasury identified program strategies that promise to speed up implementation, more efficiently deliver benefits, enhance program integrity, and improve access to programs, such as use of partnerships, simpler and user-friendly application processes, culturally competent outreach, intentional landlord engagement, partnership with eviction diversion programs, use of fact-specific proxies for eligibility, automation, collaboration with utility companies, and data-driven program strategies.

The Housing Initiative at Penn and the National Low Income Housing Coalition conducted a series of surveys of ERA administrators in April and July 2021 that identified program features affecting program spending.<sup>5</sup> The study found that ERA administrators expected their program to serve a fraction of the applications it expects to receive. Programs with more flexibility that allowed, for example, categorical eligibility (participation in other means-tested programs), use of fact-specific proxy (geographic information, for example) for income, and self-attestation for at least one eligibility criteria had higher program expenditure rates. Surveyed programs that provided direct-to-tenant assistance had a higher program expenditure rate, but programs that added direct-to-tenant assistance later did not have better expenditure than programs that never provided direct-to-tenant assistance. Finally, partnering with non-profit organizations for some aspect of program implementation was associated with higher program expenditure rates.

The Connecticut Fair Housing Center conducted analysis of the eviction moratorium and ERA interventions and its effect on trends in eviction filings and executions in the state.<sup>6</sup> It found that daily eviction filings were reduced from 54 before the eviction moratorium to 3 during the full moratorium. When a partial moratorium and the state ERA program were in effect, daily eviction

filings climbed to 20, which is 63 percent below levels pre-moratorium. After the eviction moratorium ended but the state ERA program continued to operate, the daily eviction filings climbed to 28. The daily eviction executions follow a similar pattern. These results could indicate that the ERA program is having an effect on evictions, but without additional sites and a control, it is not possible to come to a definitive conclusion.

These early studies have been focusing primarily on program design features and program performance outcomes, such as the number of households served, the share of assistance that is meeting grantee's goals, the expenditure rate, and the share of complete applications. Local studies have looked at housing stability outcomes, such as eviction, but results are anecdotal, and lack a counterfactual. Currently, there is no large and rigorous research that assesses ERA's effect on housing stability, including eviction and homelessness.

#### ERA and HUD Administrative Data

HUD is establishing a data sharing agreement with the U.S. Department of the Treasury to receive ERA data. HUD will receive data collected from the following templates:

- Participant Household Payment Data File (https://home.treasury.gov/system/files/136/ParticipantHouseholdPaymentData.xlsx)
- Subrecipient Template (https://home.treasury.gov/system/files/136/subrecipientsERABulkUpload.xlsx)
- Subaward Template (https://home.treasury.gov/system/files/136/subawardERABulkUpload.xlsx)
- Subaward Expenditure Reporting Greater than \$30,000 (https://home.treasury.gov/system/files/136/expenditureGT30000BulkUpload.xlsx)
- Subaward Expenditure Reporting Less than \$30,000 (https://home.treasury.gov/system/files/136/expenditureLT30000BulkUpload.xlsx)
- Subaward Expenditure Reporting Less than \$30,000 to Individuals (https://home.treasury.gov/system/files/136/paymentsIndividualsBulkUpload.xlsx)
- ERA Programmatic Reporting (https://home.treasury.gov/system/files/136/demographicsBulkUpload.xlsx)
- Performance Improvement Plans, as available.

The *Participant Household Payment Data File* contains individual level payment data for all households assisted by the ERA program. The file is the most granular reporting of the ERA program and includes: participant household physical address, type of payee, category of financial assistance provided, amount of payment, date of payment, and start and end date covered by the payment. The file <u>does not</u> include any other individual identifier, such as participant's name, demographics, or social security number.

ERA grantees, with the exception of Tribes, DHHL, and TDHEs, are required to submit the Participant Household Payment Data File at the end of every calendar quarter. The file is submitted as an excel file, either as one file per quarter or as a single file with consolidated data for all quarters, with separate submissions for ERA1 and ERA2. As of March 11, 2022, Treasury received Participant Household Payment Data File from 329 of 405 ERA grantees required to

submit the data (81%), covering payments completed during calendar year 2021. There are about 2 million households with payment data in these files. Treasury has merged and cleaned the excel files and HUD expects to geocode addresses by September 2022. As new files are received at the end of each quarter, HUD will continue to receive and geocode addresses. See Appendix A for more detail about the current status of Participant Household Payment Data File submission by grantees.

Preliminary analysis of *address data* in the Participant Household Payment Data File suggests that the information is complete. In one file from one grantee, only 15 out of 21,109 records were missing address information. HUD and Treasury are still assessing the share of addresses that can be geocoded. When households (indicated by the same unit number at the same address) are repeated across different disbursements, their addresses appear to remain consistent across disbursements, such that payments can be tracked over time despite the lack of a clear household-level identifier. It is unclear if these findings will hold for all grantees and files submitted to Treasury. One additional area of potential issue is the duplication of addresses across grantees that cover overlapping jurisdictions.

Preliminary analysis of *payment data* in the participant household payment file suggests that information about payee type, amount of payment, and payment date are complete (based on the analysis of a single file from a single grantee).

Forms HUD-50058, HUD-50058 MTW, and HUD-50059 collect administrative data on HUD-assisted households. In addition, the Census Bureau Data Linkage Infrastructure includes HUD administrative data, which can be linked to other data sources using Person Identification Key (PIK) assignment and/or Master Address File identification number (MAFID).<sup>7</sup> Data housed by the Census linkage infrastructure is only available via restricted access (Special Sworn Status), but includes federal data, state data, third party data, and locality data. The Census Bureau data includes the Household Pulse Survey (HPS), an experimental, longitudinal survey designed to quickly capture information about household social and economic experiences during the COVID-19 pandemic. Among other things, the HPS collects important information about housing circumstances, such as rent payment status and receipt of rental assistance through state or local governments.<sup>8</sup> Starting in Week 34, the HPS asks renter respondents a series of questions about receipt of emergency rental assistance. It is important to note that Week 36 of the Census HPS was the first week to ask all renters about receipt of ERA. During Weeks 34-36, only renters who reported being behind on rent were asked this question.

Applicants should indicate if they plan to request and use ERA and/or any HUD administrative data in their proposals. Successful applicants to this solicitation will receive access to ERA or other HUD administrative data needed for the study through a Data Use Agreement (DUA). Access to Census Household Pulse Survey or other Census data will require the applicant to have or request Census Special Sworn Status directly.

#### Eviction and Other Housing Instability Outcomes

Eviction is broadly defined as the processes and means by which landlords remove tenants from their rental properties. It includes court-ordered evictions, extra-legal evictions, and evictions that result from administrative action by PHAs. Non-payment of rent is the most common cause

of evictions. Several analyses of large municipalities found that evictions were filed for relatively small amounts.<sup>9</sup> The most recent comprehensive analysis indicates that 3.7 million evictions were filed in 2016, resulting in a quarter of those households being evicted.<sup>10</sup> An analysis of evictions during the COVID-19 pandemic found that evictions were reduced by 65% from March 15 to December 31, 2020 when many eviction moratoria were active.<sup>11</sup> Eviction filing rates increased in late 2020, still ending the year lower than typical pre-pandemic levels. Eviction filings increased relative to typical monthly averages as 2021 progressed, but ended the year more than one-third below normal levels.<sup>12</sup>

Evictions have widespread negative effects for households and communities. Households may experience job loss; homelessness or difficulty securing new housing; negative effects on physical and mental health; and education disruptions for children.<sup>13</sup> Evictions can also exacerbate historical patterns of racial segregation and destabilize neighborhoods.

All fifty states and the District of Columbia have laws regulating residential evictions. <sup>14</sup> The Legal Services Corporation (LSC) compiled a <u>database</u> of state and local eviction laws at the direction of Congress. Several analyses by LSC and Princeton's Eviction Lab indicate that state and local eviction regulations affect the number of eviction filings by landlords. <sup>15</sup> The cost to file an eviction in court varies drastically across the country, and research indicates that lower filing fees result in higher eviction filing rates. Similarly, fast eviction processes lower costs for landlords and give tenants less time to arrange legal aid or rental assistance.

One of the most common methods to measure evictions is utilizing municipal court records to track eviction filings and outcomes. Legal Services Corporation and the Eviction Lab have two of the most comprehensive accountings of evictions in the United States. However, variances in local court documentation and the lack of national reporting infrastructure lead to incomplete or fragmented data. Congress has begun exploring options to improve eviction data collection; HUD published a report in 2021 examining existing measurement efforts and strategies to enhance national data collection. <sup>16</sup> Extra-legal evictions are arguably more difficult to measure as they aren't recorded in any official records except occasionally police reports. Legal or extra-legal evictions can also be captured through surveys.

Additional measures of housing instability could also be considered. Households experiencing housing instability may live in group quarters, overcrowded housing, or substandard housing either to prevent eviction or due to difficulty finding affordable housing. People who are experiencing homelessness or who have moved voluntarily to avoid eviction may not be reflected in eviction filings. Housing burden, or the percentage of household income spent on housing costs, is another important measure of housing stability. Census data and other survey data also captures information about neighborhood quality and local housing market conditions reflective of housing instability.<sup>17</sup>

## **Research Objectives and Priorities**

The objective of this NOFO is to fund research projects that can assess, with as much rigor as possible, the impact of ERA on housing stability outcomes, especially on evictions.

In addition to assessing the impact of ERA on housing stability outcomes, the proposed projects may also seek to answer additional research questions, such as these ones:

- 1. To what extent did households who received ERA remain stably housed and for how long? To what extent did households who received ERA avoid a public eviction record? Does ERA receipt and impact vary between federally-assisted and non-assisted households?
- 2. Were the impacts of ERA on outcomes equitable across racial/ethnic groups? Did ERA impacts and outcomes differ by household income? Did the impacts vary across other types of household composition, for example the presence of children, single-headed households, female-headed households? Did the impacts vary across different types of communities?
- 3. How did the federal, state, and local eviction moratoria and other eviction prevention laws and policy (e.g., right to counsel) affect ERA's impact on housing stability? How did state and local ERA program design features, such as providing rental assistance directly to tenants, affect the program's impact on housing stability? To what extent did ERA impact vary based on the amount of the allocation to grantees? To what extent did impact vary based on the robustness of the ERA implementation (e.g., adoption of Treasury's best practices)? How did implementation and speed of assistance vary between grantees that had preexisting rental assistance programs and those that started programs after the receipt of ERA funds?
- 4. What was the impact of ERA on small landlords? Did ERA prevent or delay mortgage defaults? Did ERA prevent greater concentration of ownership of rental units post-COVID?
- 5. How did ERA interact with other federal, state, and local rental assistance, receipt of economic impact payments, monthly advance child tax credit payments, and eviction diversion programs in promoting housing stability? To what extent did ERA benefit households not already participating in federal, state, and/or local rental assistance programs prior to March 2020?
- 6. What effect did the availability of ERA funds have on local rents?

HUD expects each research grant to address the overall research question on the impact of ERA on housing stability, but HUD does not expect each research grant to necessarily address the additional research questions in the preceding list. Furthermore, this list is not exhaustive; there may be other interesting and important questions to explore in conjunction with the impact study. Applicants may propose their own specific research questions to meet the NOFO objectives.

#### **Additional Research Considerations**

HUD intends to fund proposals that use rigorous methods to measure the impact of ERA on housing stability. The proposal should discuss how it plans to control for other factors that affect housing stability, such as federal and local eviction moratoria, differences in local eviction laws and policies, and other forms of rental assistance. The proposal may need to control for applicant bias (self-selection), regional rental costs, and household demographics. If the proposal takes advantage of the timing of ERA rental assistance payments in the Participant Household Payment dataset and uses an interrupted time series (ITS) study design, applicants must demonstrate that they have outcome data for the pre- and post-intervention period.

Proposals can be limited to a set of jurisdictions, but the applicant must demonstrate that the proposed jurisdictions are sufficient for a robust design, with sufficient data points to allow for robust statistical power, and for the establishment of a counterfactual. The study should describe the method and design specification for estimating the relevant counterfactual outcomes. Applicants are expected to demonstrate that they have or will likely have access to eviction data or to any other housing stability measure included in the study. Applicants should discuss their experience using the proposed data and matching it to other data sources. Applicants should discuss any additional data sources that will be included in the study and the feasibility of obtaining the data. Applicants shall identify major methodological issues and data limitations and ways the study will address them.

HUD will not prescribe specific information collection approaches, protocols, or instruments. Any information collection efforts conducted by a grantee to address the NOFO objectives will not be subject to the Paperwork Reduction Act.

## **Eligible Activities**

Eligible activities include all research, regulatory, and project management activities that contribute to meeting the NOFO objectives and research needs at a high-quality level, and specifically to complete the funded research. Eligible activities include, but are not necessarily limited to the following:

- All research activities required to complete the funded research, from the articulation of
  research questions (including literature review) through the development of research
  design, data collection and analysis plans, to the analysis of data, and finally including
  the writing of publication-quality research reports and formal presentations and briefings
  on findings.
- Regular communication with HUD staff on all project deliverables, as required by HUD's substantial involvement under the cooperative agreement.
- Consulting with experts on any aspect of the research as needed to bring expertise to enhance the research team's knowledge in critical areas.
- Project management activities, including required project management tools (Opening Meeting, Management and Work Plan and Budget, Quality Control Plan, and Quarterly Progress Reports) and regular communication with HUD staff for monitoring purposes.
- Data acquisition costs.
- Dissemination of research findings.

#### **Project Deliverables**

HUD's Cooperative Agreements require certain deliverables as part of the project management system, including the following: (1) Opening meeting with HUD; (2) a Management and Work Plan providing a detailed outline of specific tasks, a project timeline, staffing and management responsibilities, and the allocation of resources; (3) a Quality Control Plan that documents all necessary measures taken by the Awardee to assure that the quality of end products of service shall meet the requirements outlined in the Cooperative Agreement; and (4) Quarterly Progress Reports. Please note that the Management and Work Plan is the document that will govern HUD's monitoring of project activities.

Project deliverables shall also include the following documents, each of which shall be approved by the Government Technical Representative assigned to the project:

- 1. Research Design, Data Collection and Analysis Plan (RD/DCAP): The Research Design will serve as a technical blueprint for all research activities undertaken to address the research objectives. The Data Collection and Analysis Plan will provide detail on the data sources, the types of analytic methods that will be used, and the schedule for accomplishing these tasks. The RD/DCAP must demonstrate how the analysis plan will address the research questions and hypotheses proposed.
- 2. <u>Interim Report</u>: The Interim Report will be released near the midpoint of the project and provide a summary of the project up to that point. The Interim Report should be considered an opportunity to evaluate the state of the project.
- 3. <u>Draft and Final Report</u>: The Final Report must summarize the work conducted over the course of the project, present the study objectives, data sources, analysis methods, and results. The Final Report is the key deliverable of the study and must serve as a standalone document that meets the overall objective of this project. The Final Report should be edited and prepared for publication in accordance with <u>HUD's Guidelines for Preparing a Report for Publication</u>.
- 4. <u>Briefings to HUD and Treasury</u>: Awardees will be asked to provide briefings to HUD and Treasury near the midpoint of their project and after the Final Report is submitted.
- 5. <u>Data Files</u>. Awardees must submit individual or aggregate data files and documentation, including code and syntax, such that HUD or HUD contractors would be able to conduct a meta-analysis integrating the findings from different impact studies on ERA.

The Governmental Technical Representative (GTR) and other HUD and Treasury staff will work closely with grantees to define deliverables. Final work products shall be well-written and the final research report must be of publishable quality and shall conform to HUD's formatting requirements. HUD intends to publish the final research report on HUD's website, HUD USER, at <a href="https://www.huduser.gov/portal/home.html">https://www.huduser.gov/portal/home.html</a>.

#### References

<sup>1</sup> Source: Eviction Lab, National Estimates: Eviction in America, May 11, 2018, retrieved on 3-7-2022 from: https://evictionlab.org/national-estimates/

<sup>2</sup> U.S. Department of the Treasury. Emergency Rental Assistance Frequently Asked Questions. August 25, 2021. <a href="https://home.treasury.gov/system/files/136/ERA-FAQ-8-25-2021.pdf">https://home.treasury.gov/system/files/136/ERA-FAQ-8-25-2021.pdf</a>

<sup>3</sup> U.S. Department of the Treasury. Emergency Rental Assistance Monthly Compliance Report: January 1-31, 2022. <a href="https://home.treasury.gov/system/files/136/January-2022-ERA-Monthly-Data.xlsx">https://home.treasury.gov/system/files/136/January-2022-ERA-Monthly-Data.xlsx</a>

Emergency Rental Assistance Quarterly Demographic Data: Q1-Q4, 2021 <a href="https://home.treasury.gov/system/files/136/Q1-Q4-2021-ERA-Demographic-Data.xlsx">https://home.treasury.gov/system/files/136/Q1-Q4-2021-ERA-Demographic-Data.xlsx</a>

<sup>4</sup> https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program/promising-practices

- <sup>5</sup> Aiken, C., I. Harner, V. Reina, Housing Initiative at Penn, A. Aurand, R. Yae, National Low Income Housing Coalition. 2021. Treasury Emergency Rental Assistance Programs in 2021: Preliminary Analysis of Program Features and Spending Performance. Research Brief. December 2021.
- <sup>6</sup> Analysis presented at a NLIHC ERASE listening session on January 6, 2022. Analysis and results not published yet.
- <sup>7</sup> For Census Bureau restricted data, see: <a href="https://www.census.gov/programs-surveys/ces/data/restricted-use-data.html">https://www.census.gov/programs-surveys/ces/data/restricted-use-data.html</a>

- <sup>8</sup> The Pulse Survey data are available at: <a href="https://www.census.gov/programs-surveys/household-pulse-survey/data.html">https://www.census.gov/programs-surveys/household-pulse-survey/data.html</a>
- <sup>9</sup> Office of Policy Development & Research. Report to Congress on the Feasibility of Creating a National Evictions Database. November 16, 2021.
- $\underline{https://www.huduser.gov/portal/publications/Eviction-Database-Feasibility-Report-to-Congress-2021.html}$
- <sup>10</sup> The Eviction Lab at Princeton University. National Estimates: Eviction in America. May 11, 2018. https://evictionlab.org/national-estimates/
- <sup>11</sup> Hepburn, Peter, et al. "U.S. Eviction Filing Patterns in 2020." Socius, Jan. 2021, https://doi.org/10.1177%2F23780231211009983
- <sup>12</sup> Hepburn, P., O. Jin, J. Fish, E. Lemmerman, A. Kat Alexander, M. Desmond. 2022, Eviction Lab Updates: Preliminary Analysis: Eviction Filing Patterns in 2021. <a href="https://evictionlab.org/useviction-filing-patterns-2021/">https://evictionlab.org/useviction-filing-patterns-2021/</a>.
- <sup>13</sup> Office of Policy Development & Research. Report to Congress on the Feasibility of Creating a National Evictions Database. November 16, 2021.
- https://www.huduser.gov/portal/publications/Eviction-Database-Feasibility-Report-to-Congress-2021.html
- <sup>14</sup> Legal Services Corporation. 2021. Eviction Laws Database: State/Territory Dataset. Prepared by the Center for Public Health Law Research at Temple University's Beasley School of Law for Legal Services Corporation. Washington, DC.
- <sup>15</sup> Sarah Abdelhadi and Ranya Ahmed. 2021. Fast & Cheap: The speed and cost of evicting tenants for nonpayment of rent. Legal Services Corporation.
- https://storymaps.arcgis.com/stories/f644d5b4deb04a158f6929d928035af9
- <sup>16</sup> Office of Policy Development and Research. Report to Congress on the Feasibility of Creating a National Evictions Database. October 2021.
- $\frac{https://www.huduser.gov/portal/sites/default/files/pdf/Eviction-Database-Feasibility-Report-to-Congress-2021.pdf$
- <sup>17</sup> The Urban Institute. Improving Measures of Housing Insecurity: A Path Forward. November 23, 2016. <a href="https://www.urban.org/research/publication/improving-measures-housing-insecurity-path-forward">https://www.urban.org/research/publication/improving-measures-housing-insecurity-path-forward</a>
  - Changes from Previous NOFO.

This is a new NOFO.

- Definitions.
- a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH). Affirmatively Furthering Fair Housing (AFFH) means taking meaningful actions, in addition to combating discrimination to 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 opportunities, 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 program participant's activities and programs relating to housing and urban development.

**Assistance Listing number** refers to the publicly available listing of Federal assistance programs managed and administered by the General Services Administration, formerly known as the Catalog of Federal Domestic Assistance (CFDA). Assistance Listing is a unique number assigned to identify a Federal Assistance Listings, formerly known as the CFDA

**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 <u>24 CFR part 91</u> for 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 above and 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. 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.

Environmental Justice is the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no population bears a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or from the execution of federal, state, and local laws; regulations; and policies. Meaningful involvement requires effective access to decision makers for all, and the ability in all communities to make informed decisions and take positive actions to produce environmental justice for themselves.

**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.

**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.

**Expanded Authorized Organization Representative (AOR)** An AOR is a member of your organization authorized by the EBiz POC to submit applications in Grants.gov on behalf of the organization. An applicant user with the Expanded AOR role is authorized to submit any applications on behalf of the organization and has privileges that allow the user to modify organization-level settings in Grants.gov.

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

- 1. Grants;
- 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 and voluntary contributions; and
- 10. Any other financial assistance transaction that authorizes the non-Federal entity's expenditure of Federal funds.
- 11. Federal financial assistance does not include amounts received as reimbursement for services rendered to individuals as described in section 200.502(h) and (i). (2 CFR 200.1)

**Federal award**, has the meaning, depending on the context, in either paragraph (i) or (ii) 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 <u>2 CFR §200.101</u>.

- 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, and this NOFO, 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 in 2 CFR 200.1.

**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.

Historically Black Colleges and Universities (HBCUs) The Higher Education Act of 1965, as amended, defines an HBCU as: "...any historically black college or university that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation." HBCUs offer all students, regardless of race, an opportunity to develop their skills and talents.

**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. See 13 CFR Part 121.

**Standard Authorized Organization Representative (AOR)** An AOR is a member of your organization authorized by the EBiz POC to submit applications in Grants.gov on behalf of the organization. An applicant user with the Standard AOR role can only submit applications when they are a Participant of that workspace.

**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 the 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 from a federal awarding agency.

**System for Award Management (SAM)** is 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 <a href="https://www.sam.gov/SAM/">https://www.sam.gov/SAM/</a>. 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 (UEI) means the identifier assigned by SAM to uniquely identify business entities.

• Program Definitions.

**Government Technical Representative (GTR)**: As defined by HUD, the individual who is responsible for the technical direction and evaluation of a successful applicant's performance. The GTR is responsible for review and approval of work plans, status reports, invoices, and products. GTRs serve as representatives of the Cooperative Agreement Officer who has responsibility for the management and fiscal oversight of the cooperative agreement awards.

#### **B.** Authority.

This program is authorized by Sections 501 and 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. §1701z-1 and §1701z-2) and funding is provided by the Consolidated Appropriations Act, 2022 (Public Law 117-103, approved March 15, 2022).

#### **II. Award Information.**

#### A. Available Funds

Funding of approximately \$2,000,000 is available through this NOFO.

Additional funds may become available for award under this NOFO. Use of these funds might be subject to statutory constraints or other requirements. All awards are subject to the funding restrictions contained in this NOFO.

#### B. Number of Awards.

HUD expects to make approximately 4 awards from the funds available under this NOFO.

#### C. Minimum/Maximum Award Information

**Estimated Total Funding:** 

\$2,000,000

Minimum Award Amount:

\$250,000

Per Project Period

Maximum Award Amount:

\$1,000,000

Per Project Period

#### **D.** Period of Performance

Estimated Project Start Date:

10/12/2022

Estimated Project End Date:

10/12/2024

Length of Project Periods:

24-month project period and budget period

Length of Periods Explanation of Other:

### E. Type of Funding Instrument.

Funding Instrument Type:

CA (Cooperative Agreement)

## III. Eligibility Information.

## A. Eligible Applicants.

- 00 (State governments)
- 01 (County governments)
- 02 (City or township governments)
- 04 (Special district governments)
- 06 (Public and State controlled institutions of higher education)
- 07 (Native American tribal governments (Federally recognized))
- 08 (Public housing authorities/Indian housing authorities)
- 11 (Native American tribal organizations (other than Federally recognized tribal governments))
- 12 (Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education)
- 13 (Nonprofits without 501(c)(3) status with the IRS, other than institutions of higher education)
- 20 (Private institutions of higher education)
- 22 (For profit organizations other than small businesses)
- 23 (Small businesses)

#### **Additional Information on Eligibility**

## **B.** Ineligible Applicants.

Individuals, foreign entities, and sole proprietorship organizations are not eligible to compete for, or receive, awards made under this announcement. HUD will not evaluate applications from ineligible applicants.

## 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 United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
    - 3. Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act 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. Affirmatively Furthering Fair Housing.** With some exceptions for federally recognized Indian tribes and their instrumentalities, the application must discuss how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations. Applicants may propose activities that are consistent with their jurisdiction's Analysis of Impediments (AI), an Assessment of Fair Housing (AFH), or other means of fair housing planning that meaningfully supports their AFFH certification.

If the applicant will carry out proposed activities in a jurisdiction with an accepted Assessment of Fair Housing (AFH), the proposed activities should be consistent with the AFH's fair housing goals and with fair housing strategies specified in the jurisdiction's Consolidated Plan or Public Housing Agency Plan."

- **3. 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. Submission of a complete application as described in Section IV.B.1.

#### 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 or Suspensions, or both
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Mandatory Disclosure Requirement
- Prohibition Against Lobbying Activities
- In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of 24 CFR part 170 if the applicant receives an award, unless an exception applies as provided in 2 CFR 170.110.

## F. Program-Specific Requirements.

Not applicable.

#### G. Criteria for Beneficiaries.

Not applicable.

## 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 files, Microsoft Excel files, 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/UEI 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 the Applicant fails to submit to HUD in writing or via email a request for a waiver at least 15 calendar days before the application deadline. If HUD grants a waiver, a paper application must be received before the deadline for this NOFO. To request a waiver, you must contact:

Name:

Kinnard D. Wright

Email:

Kinnard.D.Wright@hud.gov

**HUD Organization:** 

PD&R

Street:

451 7th Street SW, Room #8130

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip: 20410

#### 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 under the Threshold requirements section.

## 1. Content.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report	Submission is required for all applicants by the application due date.	
Application for Federal Assistance (SF424)	Submission is required for all applicants by the application due date.	Required for all applications.
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.
Form HUD424CBW	Submission is required for all applicants by the	Budget form

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	application due date.	

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

- One-page application summary.
- Narrative statement addressing ratings factors.
- Appendix containing resumes of key personnel.
- Appendix that lists the names and contact information for each organization included as part of the primary research team for this proposal (i.e., grantee and subgrantees if there are any) and a brief statement of each entity's qualifications.
- Appendix containing a list of references outlining the applicant's performance of recent (within five years) and relevant social science research or program evaluations on eviction or other housing stability outcomes.
- Budget narrative (display of all anticipated costs during the 2-year performance period, including an indirect cost rate). See Section VI for more information on the budget setting process.
- Code of Conduct. Applicants selected for funding will be required to provide HUD with their written Code of Conduct if they have not previously done so and it is not recorded on the HUD website at:
  - http://www.hud.gov/offices/adm/grants/codeofconduct/cconduct.cfm

#### 2. Format and Form.

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

20 Pages maximum length of narratives

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

#### Other

- Narrative addressing rating factors should not exceed 20 pages. The narrative page limit
  does not include required forms, assurances and certifications, the one-page application
  summary, the appendix of resumes, the appendix with list of names and contact
  information of participating organizations, the appendix with references, and the budget
  narrative.
- The narrative must be formatted to fit an 8.5 by 11-inch page, double-spaced (information requirements), with one-inch margins, using standard Times New Roman 12-point font.
- Resumes are subject to a separate 20-page limit as follows:

- The application shall include resumes for no more than five key personnel describing their professional experience, education, and publications; and
- No individual resume shall exceed four pages. Submitting pages in excess of page limits will not disqualify an applicant; however, HUD will not consider the information on any excess pages. This exclusion may result in a lower score.
- The budget narrative should not exceed four pages.
- One-page application summary needs to include:
  - o A brief description of the proposed research and/or evaluation project; and
  - Provide funding request in whole dollar amount. The amount requested should be based on the scope of the project, personnel costs, other direct costs, as well as administrative costs, etc.

# C. System for Award Management (SAM) and Unique Entity Identifier (UEI) 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. UEI/DUNS Number Requirement.

Applicants must provide a valid UEI/DUNS number, registered and active at <u>/www.sam.gov/</u> in the application.

The DUNS number remains the official identifier for doing business with the U.S. Government only until April 4, 2022. As of April 4, 2022, entities doing business with the federal government must use the Unique Entity Identifier created in SAM.gov.

## 3. Requirement to Register with Grants.gov.

Anyone planning to submit applications on behalf of an organization must register at grants.gov and be approved by the E-Biz POC in SAM to submit applications for the organization. Registration for SAM and 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. Complete registration instructions and guidance are provided on grants.gov.

## **D.** Application Submission Dates and Times.

## **Application Due Date Explanation**

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

08/25/2022

Submit your application to Grants.gov unless a waiver has been issued allowing you to submit a paper application. 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 timestamp 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 <a href="https://www.grants.gov/web/grants/support.html">https://www.grants.gov/web/grants/support.html</a>. 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 <a href="mailto:support@grants.gov">support@grants.gov</a>. 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, 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 NOFO 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 reviewed by HUD for funding consideration. Improper or expired registration and password issues are not sufficient cause to allow HUD to accept applications after the deadline date.

4. Corrections to Deficient Applications.

HUD will not consider information from applicants after the application deadline except for curable deficiencies.

HUD will uniformly notify applicants of each curable deficiency. See curable deficiency in the definitions section (Section I.A). 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 <a href="mailto:applicationsupport@hud.gov">applicationsupport@hud.gov</a> 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.

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 UEI/DUNS number as having a curable deficiency. Failure to correct the deficiency and meet the requirement to have a UEI/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.

An organization may not conduct research or an evaluation of itself. HUD will determine whether the salary rates are reasonable, customary for the skill set provided and the tasks to be conducted, and in accordance with federal legal requirements.

### **Indirect Cost Rate.**

Normal indirect cost rules under <u>2 CFR part 200</u>, <u>subpart E</u> 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 the new rate and documentation to assure the award agreement incorporates the applicable rate.

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 organization 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 the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit

<u>State and local governments.</u> If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than \$35 million in direct Federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in Appendix VII to <u>2 CFR Part 200</u>.

If your department or agency unit receives no more than \$35 million in direct Federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with 2 CFR Part 200, Appendix VII, you may use the rate and distribution base specified in that indirect cost rate proposal. Alternatively, if your department or agency unit receives no more than \$35 million in direct Federal funding per year and does not have a current negotiated rate (including provisional) rate, you may elect to use the de minimis rate of 10% of 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 your department or agency chooses 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.

## **G.** Other Submission Requirements.

Application, Assurances, Certifications and Disclosures.

**Standard Form 424 (SF-424) Application for Federal Assistance** is the government-wide form required to apply 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 SF-424D (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 Alaskan native villages and those applicable to applicants other than federally recognized Indian tribes or Alaskan 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 other requirements, including, but not limited to civil rights requirements. Upon receipt of an award, you, and any recipients and subrecipients of the award are also 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.

## Applicant Disclosure Report form 2880.

Required for each applicant applying for assistance within the jurisdiction of HUD to any housing project subject to Section 102(d). Assistance is provided directly by HUD to any person or entity, but not to subrecipients. It includes assistance for the acquisition, rehabilitation, operation conversion, modernization, renovation, or demolition of any property containing five or more dwelling units that is to be used primarily for residential purposes. It includes assistance to independent group residences, board and care facilities, group homes and transitional housing but does not include primarily nonresidential facilities such as intermediate care facilities, nursing homes and hospitals. It also includes any change requested by a recipient in the amount of assistance previously provided, except changes resulting from annual adjustments in Section 8 rents under Section 8(c)(2)(A) of the United States Housing Act of 1937 (42 U.S.C. 1437f). See HUD Reform Act regulation for additional information.

## V. Application Review Information.

#### A. Review Criteria.

## 1. Rating Factors.

The maximum number of points from the rating factors and preference points that can be awarded to any application for award is 102. The minimum score for an application to be considered for funding is 75. Applicants will be selected based on highest score. At HUD's discretion, HUD may deviate from the highest score in order to ensure geographic diversity of research areas, as long as the selected applications meet the minimum score.

## **Rating Factors**

#### 1. Rating Factor 1: Need for the Research (Max Score: 10)

You must explain how the proposed research would address the objectives and goals described in this NOFO. In reviewing this factor, HUD will assess how well the proposal justifies the proposed project and articulates the central research question(s) and the extent by which the project contributes to an understanding of the impact of ERA on housing stability.

## 2. Rating Factor 2: Organizational Capacity and Experience and Key Personnel (Max Score: 35)

## a. Organizational Capacity and Experience (Max Score: 20)

We will evaluate your organization's past performance based on your description of recent (within the past 5 years) research or evaluation projects that were fully completed and demonstrate your organization's ability to conduct the proposed research project. At a minimum, these projects must be comparable in size, scope and complexity to the proposed work. For each recent project, applicants should provide:

- a. Project name, funding organization, budget, and period of performance;
- b. A description of the research/evaluation objectives, methods, data sources, and tasks performed that would be relevant to this NOFO, with emphasis on impacts studies and housing stability data used;
- c. Names of key personnel, and any other staff who worked on the project and are proposed for the work under this NOFO;
- d. A list of reports and/or written products; and
- e. Name and contact information for an individual at the funding organization who oversaw the work.

Note: Past performance will be verified with third-party references, including government technical representatives, contracting officer's representatives, and contract officers.

## b. Key Personnel (Max Score: 15)

Key personnel is defined as up to five individuals who will have key responsibilities related to managing or carrying out the proposed work. Key personnel must include, at a minimum, the Principal Investigator and Project Manager/Director. Key personnel may be in-house staff, subgrantees and/or consultants; however, the Principal Investigator and Project Manager/Director must be in-house staff. Applicants will be evaluated based on the extent to which proposed key personnel demonstrate subject matter expertise and the qualifications to carry out the required tasks.

#### 3. Rating Factor 3: Soundness of Approach (Max Score: 55)

#### a. Management Work Plan (Max Score: 15)

Applicants must produce a management work plan for the project that is reasonable to undertake the work. The narrative should present a clear, practical, and forward-looking plan to deliver the

research products in this NOFO. As such, the narrative should include a staffing chart showing the allocation of resources for this project by presenting total person hours for each of the key personnel by year and by project task. The proposed work plan must clearly explain how the applicant will manage these activities, including the anticipated approach to:

- a. Managing communication with HUD staff including providing quarterly status reports that include progress, accomplishments, issues, and budget tracking;
- b. Establishing a timeline for the completion of the research effort;
- c. Ensuring overall project quality controls and implementing a comprehensive, effective and transparent data quality control plan;
- d. Identifying potential data collection challenges and proposing ways to overcome this or other issues or obstacles that may affect progress;
- e. Identifying and assigning appropriately skilled staff and allocating sufficient staff time to successfully complete the required tasks;
- f. Identifying costs related to data sets to be used for the research;
- g. Setting start dates, completion dates, and other major milestones for each task and subtask. Where there are interdependencies among the tasks, the work plan shall indicate how each task will provide the necessary input to the other tasks.

## b. Research Design (Max Score: 40)

The proposed research design will be rated on methodological soundness, clarity, and feasibility. Proposals can be limited to a set of jurisdictions, but the applicant must demonstrate that the proposed jurisdictions are sufficient for a robust design, with sufficient data points to allow for robust statistical power, and for the establishment of a counterfactual. The study should describe the method and design specification for estimating the relevant counterfactual outcomes. Applicants are expected to demonstrate that they have or will likely have access to eviction data or to any other housing stability measure included in the study. Applicants should discuss their experience using the proposed data and matching it to other data sources. Applicants should discuss any additional data sources that will be included in the study and the feasibility of obtaining the data. Applicants selected for award can request ERA or HUD data upon the execution of a data use agreement. Specifically, the research design must include:

- a. A discussion of the ERA program and of the factors that affect housing stability outcomes:
- b. A description of the proposed research, including the key research questions and identification of clear, testable hypotheses;
- c. A description of the data that will be used, including a discussion of jurisdictions included in the study, data use agreements to access data (in place or expected), prior experience accessing and using the data, and proposed approach for merging data.
- d. A description of how the variables used in the study will be defined, including exposures, outcomes, and covariates.
- e. The proposed research methods, including a discussion of the counterfactual(s), how the study is powered to detect impacts, and the approach to isolate the impact of ERA from other factors that could affect housing stability outcomes, such as federal and local eviction moratoria and differences in local eviction laws and policies.

- f. A discussion of capacity to obtain and protect data that includes personal identifiable information (PII), if applicable, and comply with all relevant privacy rules and regulations.
- g. The identification of potential challenges in carrying out the research, major methodological issues and data limitations, and appropriate approaches to mitigate these challenges.

Rating Factors Maximum Points: 100

#### 2. Other Factors.

#### **Preference Points**

HUD encourages activities in support of the interdepartmental initiatives. HUD may award no more than two (2) points for any of the four (4) preferences (Climate Change, Environmental Justice, Promise Zones (PZ) or Historically Black Colleges and Universities (HBCU). Each preference is worth two (2) points and only one preference can apply to any situation. For example, points may be awarded for Climate Change or Environmental Justice, or Promise Zones or HBCUs. Meaning applicants will be awarded up to four (4) preference points for Climate, Environmental, PZ or involving HBCUs.

#### HBCU.

An applicant designated by the U.S. Department of Education as a Historically Black College or University (HBCU)will receive up to two (2) preference points when the application includes documentation of the applicant's status as an HBCU. Click here to view the list of accredited HBCU's

#### **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;

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

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".

## 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.

Two types of reviews will be conducted:

- 1. A threshold review to determine an applicant's basic eligibility; and
- 2. A technical review for all applications that pass the threshold review, to rate and rank the application based on the "Rating Factors" listed in Section V.A.

Only those applications that pass the threshold review will receive a technical review and be rated and ranked.

Applicants will be selected based on highest score. At HUD's discretion, HUD may deviate from the highest score in order to ensure geographic diversity of research areas, as long as the selected applications meet the minimum score.

#### 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 SF-424.

**Final Grant.** After HUD has made selections, HUD will finalize specific terms of the award and budget in consultation with the selected applicant. If HUD and the selected applicant do not finalize the terms and conditions of the award in a timely manner, or the 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 specific conditions on an award as provided under 2 CFR 200.208:

• Based on HUD's review of the applicant's risk under <u>2 CFR 200.206</u>;

- 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 finalize the terms and conditions of the award in a timely manner, 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.

## B. Administrative, National and Department Policy Requirements and Terms for HUD Recipients Financial Assistance Awards

For this NOFO, the following <u>Administrative</u>, <u>National and Department Policy Requirements and Terms for HUD Financial Assistance Awards</u> apply.

- 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 (see cf. 24 CFR 5.105(a) https://www.ecfr.gov/current/title-24/subtitle-A/part-5/subpart-A/section-5.105).

- Affirmatively Furthering Fair Housing (https://www.hud.gov/AFFH).
- Economic Opportunities for Low-and Very Low-income Persons (Section 3). See 24 CFR part 75 (https://www.ecfr.gov/current/title-24/subtitle-A/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 <u>49</u> 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 <u>24 CFR part 5</u>, 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 and 14008.

#### **Environmental Review**

In accordance with 24 CFR 50.19(b)(1) and (3) 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.

#### **Prohibition on Surveillance**

<u>2 CFR 200.216</u> Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment

#### **Remedies for Noncompliance**

<u>2 CFR 200.340</u> *Termination* A Federal award may be terminated in whole or in part if the grantee fails to comply with the terms and conditions of the award or if HUD determines the award no longer effectuates the program goals or agency priorities.

#### Lead Based Paint Requirements.

Not Applicable

## 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, the award will be subject to post award reporting requirements reflected in Appendix XII to Part 200 Award Terms and Conditions 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.

Not applicable.

3. 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 <a href="www.USASpending.gov">www.USASpending.gov</a>. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to <a href="2 CFR Part 170">2 CFR Part 170</a>, "REPORTINGSUBAWARD 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.

## 4. Program-Specific Reporting Requirements

Program-Specific Reporting Requirements are listed in section I.A. Program Description of this NOFO, under "Project Deliverables."

#### 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:

Kinnard D. Wright

Phone:

202-402-7495

Email:

Kinnard.D.Wright@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 does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing (other than tenant-based rental assistance), rehabilitation, demolition, or new construction, or establish revise or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c)(1), 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/Unique Entity Identifier
- 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
- Procurement of Recovered Materials
- Promise Zones
- Section 3 Business Registry
- State Point of Contact List

- System for Award Management (SAM)
- <u>Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA)</u>
- **USA Spending**

## 3. Program Relevant Web Resources

Treasury Emergency Rental Assistance Program

#### **APPENDIX**

**Appendix A - Status of ERA Participant Household Payment Data File Submission** Available in separate files (ERA1 and ERA2).