



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

Public and Indian Housing

PREVIEW: 2022 Family Unification Program Notice of Funding Opportunity  
FR-6600-N-84

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PREVIEW

**Program Office:**

Public and Indian Housing

**Funding Opportunity Title:**

PREVIEW: 2022 Family Unification Program Notice of Funding Opportunity

**Funding Opportunity Number:**

FR-6600-N-84

**Assistance Listing Number:**

14.880

**Due Date for Applications:****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):**  
ICR- 2577-0169

## **I. FUNDING OPPORTUNITY DESCRIPTION.**

### **A. Program Description.**

- **Purpose**

**Overview.** The Family Unification Program (FUP) is a program under section 8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)) through which public housing authorities (PHAs) that partner with public child welfare agencies (PCWAs) provide Housing Choice Voucher (HCV) assistance to two groups:

1. Families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care; and
2. Youth at least 18 years and not more than 24 years of age (have not reached their 25<sup>th</sup> birthday) who left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act, and are homeless or are at risk of becoming homeless at age 16 or older.

There is no time limit on FUP vouchers issued to families. As required by statute, FUP vouchers issued to youth are limited to 36 months unless the youth meets the requirements to receive an extension of assistance under the Fostering Stable Housing Opportunities (FSHO) amendments (Section 103 of Division Q of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260)). FSHO amended section 8(x) of the U.S. Housing Act of 1937 and provides FUP youth an extension of the 36-month time limit for up to an additional 24 months if they meet certain requirements. FSHO applies to FUP youth who first leased or leases a unit after the date of enactment of FSHO, December 27, 2020, which includes youth who will be assisted with funding under this NOFO. HUD published an FSHO implementation notice in the Federal Register on January 24, 2022 (87 FR 3570).

Under section 8(o)(13)(O) of the U.S. Housing Act of 1937, PHAs may project-base FUP assistance. HUD implemented this provision in its January 18, 2017 HOTMA implementation notice (82 FR 5458), and provided further guidance in its Notice PIH 2017-21. In addition, HUD's FSHO implementation notice implemented the exceptions to the project-based voucher (PBV) program cap and project cap that apply to FUP PBV units that are limited to FUP youth.

## Policy Priorities.

1. Increase coordination among PHAs, PCWAs, and Continuums of Care (CoCs);
2. Leverage data to strategically target and prioritize the use of resources for eligible families and youth;
3. Strengthen connections to the HUD Family Self-Sufficiency (FSS) Program or similar programs promoting self-sufficiency; and
4. Increase access to supportive services.

- **Changes from Previous NOFO.**

The following changes have been made from the last FUP NOFO (i.e., the Fiscal Year (FY) 2019 FUP Notice of Funding Availability (NOFA)):

1. **Supportive Services.** The required amount of time that supportive services must be offered to FUP youth has been increased from 18 months to 36 months.
2. **Statement of Need.** The requirement to submit a Statement of Need has been eliminated. Instead, the applicant must provide data on the need for FUP vouchers as part of the form HUD-52515.
3. **MOU.** The MOU provisions have been revised to require the inclusion of a statement that the PHA will comply with the Fostering Stable Housing Opportunities (FSHO) amendments and HUD's implementation notice published in the Federal Register on January 24, 2022, or subsequent notice
4. **Content and Form of Application Submission.** The failure to submit the form HUD-52515 has been changed to a curable deficiency. In the previous NOFO, the failure to submit the form HUD-52515 was a non-curable deficiency.
5. **Other Submission Requirements.** The application must discuss how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing (AFFH) in compliance with the Fair Housing Act and its implementing regulations. The applicant must include the AFFH discussion required by Section III.D. of this NOFO in Field K (Other Information Required in the NOFA or Funding Notice) of the form HUD-52515. The applicant may attach up to one additional page, if needed.
6. **Rating Factors.** The rating factors have been revised to clarify that the activities may, but are not required to be provided, funded, or otherwise made available by the PHA, PCWA, or CoC, but may be provided by another party as long as the party is identified in the MOU.
7. **Rating Factors.** Rating Factors 1, 2, and 4 have been revised so that points are only awarded if the activities will be made available to all FUP participants (families and youth). A partial award is no longer available for applications that make activities available to only some FUP participants.

8. **Rating Factors.** Rating Factors 1, 2, and 4 have been revised so that an applicant must make more than one of the activities available to all FUP families and FUP youth in order to receive full points. In the previous FUP NOFO, applicants were awarded full points if they made one of the activities available to all FUP families and FUP youth.
9. **Rating Factors.** Rating Factor 3 (Previous Coordination) has been revised to eliminate the 2 points that were available if the PHA and/or PCWA attended at least two meetings of the CoC within the last year.
10. **Rating Factors.** Rating Factor 7 (Supportive Assistance for Youth for 36 Months) has been eliminated and the 18 points that were allocated for this rating factor have been redistributed to other rating factors.

- **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 [24 CFR part 91](#) 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.

**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 [2 CFR §200.101](#).
2. The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in [2 CFR §200.1](#), 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 <https://www.sam.gov/SAM/>. There is no cost to use SAM.

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

**Unique Entity Identifier (UEI)** means the identifier assigned by SAM to uniquely identify business entities.

- Program Definitions.

**At Risk of Becoming Homeless** refers to the population included in the definition of the term “At Risk of Homelessness” at 24 CFR § 576.2.

**Community** is a self-organized network of people in a defined geographic area with common agenda, cause, or interest, who collaborate by sharing ideas, information, and other resources.

**Continuum of Care (CoC)** is the group organized to carry out the responsibilities required under 24 CFR part 578 and that is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, faith-based organizations, governments,

businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

**FUP-Eligible Family** means a family that the PCWA has certified as a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care.

**FUP-Eligible Youth** means a youth that the PCWA has certified to be at least 18 years and not more than 24 years of age (has not reached their 25<sup>th</sup> birthday) who left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older.

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive FUP assistance assuming they otherwise meet eligibility requirements.

**Homeless** refers to the population included in the definition of this term at 24 CFR § 578.3.

**Lack of Adequate Housing** means a family meets any one of the following conditions:

- Living in substandard housing;
- Homeless;
- Living in an overcrowded unit;
- Living in a unit where the presence of a household member with certain characteristics (e.g., conviction for certain criminal activities) would result in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care; or
- Living in housing not accessible to the family's child or children with a disability due to the nature of the disability.

**Living in Overcrowded Housing** refers to a family living in a unit where one of the following conditions has been met:

- The family is separated from its child (or children) and the parent(s) are living in an otherwise standard housing unit, but, after the family is re-united, the parents' housing unit would be overcrowded for the entire family and would be considered substandard; or
- The family is living with its child (or children) in a unit that is overcrowded for the entire family and this overcrowded condition may result, in addition to other factors, in the imminent placement of its child (or children) in out-of-home care.

For purposes of the above paragraph, the determination whether the unit is "overcrowded" must be in accordance with PHA subsidy standards.

**Public Child Welfare Agency (PCWA)** is the agency that is responsible under applicable State law for determining that a child is at imminent risk of placement in out-of-home care or that a child in out-of-home care under the supervision of the public agency may be returned to his or her family, or that a youth is at least 18 years and not more than 24 years of age and left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older. For states that have privatized child welfare, the agency designated to conduct child welfare on behalf of the state may be considered a PCWA.

**Substandard Housing** refers to a unit where the family lives that meets any one of the following conditions:

- Does not have operable indoor plumbing;
- Does not have a usable flush toilet inside the unit for the exclusive use of the family;
- Does not have a usable bathtub or shower inside the unit for the exclusive use of the family;
- Does not have electricity, or has inadequate or unsafe electrical service;
- Does not have a safe or adequate source of heat;
- Should, but does not, have a kitchen;
- Has been declared unfit for habitation by an agency or unit of government, or in its present condition otherwise endangers the health, safety, or well-being of the family; or
- Has one or more critical defects, or a combination of intermediate defects in sufficient number or to the extent that it requires considerable repair or rebuilding. The defects may result from original construction, from continued neglect or lack of repair, or from serious damage to the structure.

**Per Unit Cost (PUC)** Average Per Unit Cost = Total Housing Assistance Payments (HAP) / Total Units under Lease. For previous years, average PUC is calculated as 12 months HAP Expenditures / 12 months Units Leased. For current year PUC it is equivalent to YTD PUC (i.e., Calculated based on total monthly HAP Expenditures to date at analysis level divided by the total monthly units leased to date.)

## **B. Authority.**

FUP is authorized by Section 8(x) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)). Funding for this NOFO is provided by the Consolidated Appropriations Act, 2022 (Pub. L. 117-103, enacted on March 15, 2022) ("2022 Act"), which made available \$5 million for incremental voucher assistance through the FUP for families and youth.

The 2022 Act also made available \$25 million for incremental voucher assistance for FUP youth. HUD makes FUP assistance that is targeted to FUP youth available through the Foster Youth to Independence (FYI) initiative. Of this \$25 million, HUD made available \$10 million on a competitive basis through the FYI-Competitive NOFO (FR-6600-N-41). HUD will make the remaining \$15 million available on a non-competitive basis.

## **II. Award Information.**

### **A. Available Funds**

Funding of approximately **\$5,000,000** 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.

HUD reserves the right to fund applicants to this NOFO using FY 2023 funds to the extent Congress provides funding for new incremental voucher assistance under the Family Unification Program (FUP) authorized under Section 8(x) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f(x)). Use of these funds might be subject to statutory constraints or other requirements. Should funding made available by the FY 2023 appropriations add additional requirements or conditions on the receipt of this funding, HUD will publish a revised NOFO setting forth applicable requirements and deadlines. Otherwise, all awards will be subject to the funding restrictions contained in this NOFO.

### **B. Number of Awards.**

HUD expects to make approximately 10 awards from the funds available under this NOFO.

This estimate is subject to change based on the number and characteristics of the applications received.

### **C. Minimum/Maximum Award Information**

#### **Minimum Award**

The minimum award is 3 vouchers. As a result, a PHA may apply for no fewer than 3 vouchers. HUD is not assigning a value floor to the minimum award. Instead, the corresponding value floor is tied to the PHA-specific Per Unit Cost (PUC). For PHAs that currently administer the FUP, the FUP PUC will be used. For PHAs that do not currently administer FUP, the PHA's overall PUC will be used.

#### **Maximum Award**

The maximum award will be based upon the size of the PHA's voucher program and the identified need for such vouchers (the number of vouchers projected to be needed to assist FUP-eligible families and FUP-eligible youth over a 12-month period that cannot be met through existing resources) as reported in Field F of form HUD-52515 consistent with the following table:

<b>PHA voucher program size</b>	<b>Maximum voucher award under this NOFO</b>		
Fewer than 500 HCVs	25 vouchers	or	Identified need, if lower than indicated cap
500 – 1,999 HCVs	50 vouchers		

2,000 or more HCVs	75 vouchers		
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The maximum award of vouchers to a PHA will not exceed \$1,200,000. The value of the voucher is dependent on the PUC identified by HUD for the PHA. For PHAs that currently administer the FUP, the FUP PUC will be used. Where a PHA's PUC and maximum voucher award would result in exceeding the maximum award amount, the PHA's award will be capped at the maximum award amount. For example, a PHA with an estimated FUP PUC of \$17,000 and a maximum voucher award of 75 vouchers would exceed the maximum award amount by \$75,000. This applicant would be eligible to receive no more than 70 vouchers before taking in to account the applicant's score and any additional proration.

Estimated FUP PUC	Maximum Voucher Award	Estimated FUP PUC x Maximum Voucher Award	Maximum Award Amount	Maximum Award Amount/Estimated FUP PUC	Maximum Voucher Award for PHA
\$17,000	75 Vouchers	\$1,275,000	\$1,200,000	70.59	70 Vouchers

Within the minimum and maximum award thresholds, HUD will allocate vouchers according to the selection process described in Section V.B.

Awards may be prorated if funding has been exhausted before making awards to the highest scoring applications.

If, as a result of implementing the maximum voucher or award amount thresholds, additional funds remain, HUD may decide to increase the maximum voucher and/or award amount thresholds by the rate necessary to expend the remaining funds.

Estimated Total Funding:

\$5,000,000

Minimum Award Amount:

\$0

Per Project Period

Maximum Award Amount:

\$1,200,000

Per Project Period

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

Estimated Project Start Date:

Estimated Project End Date:

Length of Project Periods:

12-month project period and budget period



Length of Periods Explanation of Other:

### **E. Type of Funding Instrument.**

Funding Instrument Type:

G (Grant)

### **III. Eligibility Information.**

#### **A. Eligible Applicants.**

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

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

##### Eligible Applicants

1. Only PHAs that have an existing Annual Contributions Contract (ACC) with HUD for the HCV program are eligible to apply for funding under this announcement.
2. Eligible PHAs must have demonstrated a commitment to administer FUP, which shall be verified by an executed Memorandum of Understanding (MOU) among the PHA, PCWA, and CoC that meets the requirements of Section III.F.5. of this NOFO.
3. HUD will only consider funding one application per PHA. This one-application limit applies regardless of whether the PHA is a State or regional PHA. In instances where a PHA has more than one PHA code number due to its operating under the jurisdiction of more than one HUD Field Office, a separate application, under each code, shall be considered for funding with the cumulative total of vouchers applied for under the applications not to exceed the maximum number of vouchers the PHA is eligible to apply for under this NOFO (i.e., no more than the number of vouchers the same PHA would be eligible to apply for if it had only one PHA code number).

#### **B. Ineligible Applicants.**

During previous FUP competitions, HUD has received applications from individuals; PHAs that administer a public housing program but do not have an existing ACC with HUD for HCVs; and other entities ineligible to receive funding.

HUD will not evaluate applications from ineligible applicants. Ineligible applicants will not receive communications from HUD regarding their application.

A contract administrator that does not have an ACC with HUD for HCVs, but constitutes a PHA under 24 CFR § 982.4 by reason of its administering HCVs on behalf of another PHA, is not eligible to submit an application under this NOFO.

Nonprofit administrators of HCV Mainstream assistance, which by statute are classified as PHAs solely for the purpose of administering HCV Mainstream assistance, are also ineligible to submit an application under this NOFO.

Families or youth that believe they are eligible to participate in the FUP should contact their local PHA, PCWA, or CoC for assistance.

### **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.

#### **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.**

**1. Program Management Findings.** The PHA must not have any major unresolved program management findings from an Inspector General's audit, HUD management review or Independent Public Accountant (IPA) audit for the PHA's HCV program or other significant program compliance problems that were not resolved or in the process of being resolved prior to this NOFO's application deadline. Major program management findings, or significant program

compliance problems, are those that would cast doubt on the capacity of the applicant to effectively administer any new HCV funding in accordance with applicable HUD regulatory and statutory requirements.

**2. Litigation.** The PHA must not be involved in litigation where HUD determines that the litigation may seriously impede the ability of the applicant to administer the vouchers.

**3. FUP Utilization.** HUD expects PHAs to achieve at or near full (100 percent) utilization of FUP vouchers. PHAs administering the FUP should continually monitor their utilization of these vouchers. PHAs may review the number of FUP vouchers for which they are accountable at the FUP webpage [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/hcv/family](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/family) under “FUP Awards All Years.”

For PHAs presently administering FUP vouchers, the following eligibility threshold to receive additional vouchers applies:

- a. FUP utilization rate of 90 percent or greater as of the most recent comprehensive set of validated data available to HUD as of the NOFO application deadline; or
- b. Absent a utilization rate of 90 percent or greater, the adoption of an action plan to achieve full utilization within 12 months from the date of application to this NOFO.

Submission of an application under this NOFO by a PHA administering the FUP will serve as the agency’s certification that they have a FUP utilization rate of 90 percent or greater as of the most recent comprehensive set of validated data available to HUD as of the NOFO application deadline, or absent such a utilization rate, will work with its PCWA and CoC partners to adopt an action plan to fully utilize the vouchers. A stated goal of the action plan must be full FUP utilization within 12 months from date of application to this NOFO. Because the application itself becomes the PHA’s certification, the PHA does not need to submit the action plan with the application.

As required by the 2022 Act, PHAs must continue to use FUP vouchers for FUP-eligible families or for FUP-eligible youth upon turnover.

In addition, the 2022 Act provides that any PHA administering FUP vouchers that determines it no longer has an identified need for such assistance upon turnover (all or partial) shall notify HUD and HUD will recapture such assistance (all or partial) and reallocate it to any other PHA based on need. Such notification should be sent to [FUPVouchers@hud.gov](mailto:FUPVouchers@hud.gov).

As a reminder to recipients of FUP funds, while PHAs previously were able to convert FUP vouchers to regular vouchers under certain circumstances as explained in [Notice PIH 2011-52](#), this is no longer the case.

**4. PHA Code Provided on SF-424.** The SF-424 Application for Federal Assistance completed in Grants.gov MUST include the PHA’s code under field 5a. Federal Entity Identifier. The PHA code is a 5-digit code that begins with the state abbreviation and then 3 numbers identifying the PHA within that state.

**5. MOU.** The PHA must submit an MOU executed by the official representative of the 1) PHA,

2) PCWA, and 3) CoC. As a result, the MOU should have no fewer than three signatures. Agency and position titles should be clearly identified. For example, if it would not be clear to a reviewer that one of the parties signing the MOU is the official representative of the CoC, the MOU must make the role clear. Also, the MOU must make clear where one person has more than one role. For example, in some communities, the PHA Executive Director may also be the CoC Governing Board Chair. Failure to meet this requirement will result in the application failing threshold and will not be considered for further review.

If a PCWA is authorized under State law to contract out its functions and it has done so, both the official representative of the PCWA and the official representative of the contractor organization must sign the MOU.

The MOU execution date must be between the date this NOFO is published and the application deadline date under this NOFO. The MOU will be considered by HUD and the signatories (the PHA, PCWA, and the CoC) as a complete statement of the responsibilities of the parties and evidence of a commitment of resources to the FUP. As such, the document should be as specific as possible. HUD strongly encourages applicants to carefully read all of the requirements of the MOU addressed in this section.

Only one MOU will be accepted per applicant. An application that includes more than one MOU will fail the threshold review and will not be considered for further review.

Information about CoCs, including contact information may be found here: [CoC: Continuum of Care Program - HUD Exchange](#)

**The MOU must clearly address, at a minimum, all of the following:**

- a. The PHA and PCWA's commitment to administering the program.
- b. The CoC's commitment to cooperate with and assist the PHA and PCWA.
- c. The PHA and PCWA's goals and standards of success in administering the program.
- d. The PHA, PCWA, and CoC must each identify a staff position that will serve as the lead FUP liaison. (If the PCWA has contracted out its functions under applicable state law, the MOU must include the staff position at the PCWA contractor.) (This must include the staff person's name and/or position title.)
- e. A statement that all parties agree to cooperate with any program evaluation efforts undertaken by HUD, the U.S. Department of Health and Human Services (HHS), or a HUD or HHS-approved contractor, including compliance with HUD and HHS-approved evaluation protocols and data sharing requests.
- f. Identify and define the two populations (families and youth) eligible for FUP assistance, as follows:
  1. Families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care; and

2. Youth at least 18 years and not more than 24 years of age (have not reached their 25<sup>th</sup> birthday) who left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act, and are homeless or at risk of becoming homeless at age 16 or older.

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive FUP assistance assuming they otherwise meet eligibility requirements.

- g. A statement that the PHA will comply with the time limit for FUP vouchers issued to youth, including any extension of this time limit that the youth is entitled to under the Fostering Stable Housing Opportunities (FSHO) amendments (Section 103 of Division Q of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260)) and HUD's FSHO implementation notice published in the Federal Register on January 24, 2022 (87 FR 3570) or subsequent notice.
- h. The assistance that will be provided to FUP families and youth in locating housing units and working with landlords to secure appropriate eligible units, listing the organization(s) responsible for providing this assistance.
- i. The services to be offered to FUP youth, listing the agency(ies)/organization(s) that will provide the services. The MOU must state that all of the services in (1) through (5) below will be offered for a period of at least 36 months to FUP youth regardless of age. For example, if a FUP youth enters the program at age 24 and 10 months, the PCWA or another agency/organization under agreement/contract with the PCWA must still offer 36 months of service, even though after two months the youth no longer meets the initial age of eligibility for the FUP program. FUP youth cannot be required to participate in these services as a condition of receipt of the FUP voucher.
  1. Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services).
  2. Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits.
  3. Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP youth to rent a unit with a FUP voucher.
  4. Job preparation and attainment counseling (e.g., where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.).
  5. Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at a technical school, trade school or college; including successful work ethic and attitude models.

- j. If applying for rating criteria points under Section V.A., the MOU must describe the assistance being provided and the agency/organization that will be providing such assistance, as applicable.
- k. **The MOU must address PHA responsibilities, as outlined in (1) through (9) below.**
1. Accept families and youth certified by the PCWA as eligible for FUP. The PHA, upon receipt of a referral(s) from the PCWA, must compare the name(s) with families and youth already on the PHA's HCV waiting list. Any family or youth on the PHA's HCV waiting list that matches with the PCWA's referral must be assisted in order of their position on the waiting list in accordance with PHA admission policies. Any family or youth certified by the PCWA as eligible and not on the HCV waiting list must be placed on the waiting list. If the PHA has a closed HCV waiting list, it must reopen the waiting list and place on the waiting list a FUP applicant family or youth who is not currently on the PHA's HCV waiting list. The PHA may reopen the waiting list to accept a FUP applicant family or youth without opening the waiting list for other applicants;
  2. Determine whether families with children, or youth age 18 through 24 referred by the PCWA, are eligible for HCV assistance;
  3. Determine whether any families with children, or youth age 18 through 24 on its HCV waiting list, are living in temporary shelters or otherwise meet the definition of "homeless" and may qualify for the FUP, and refer such applicants to the PCWA and/or CoC, as applicable;
  4. Amend the administrative plan in accordance with applicable program regulations and requirements, if needed;
  5. Administer the vouchers in accordance with applicable program regulations and requirements;
  6. Upon notification that FUP vouchers have been awarded, train PCWA and CoC staff on the PHA's HCV program;
  7. Work with the PCWA and CoC to develop necessary data and tracking metrics for tracking and improvement purposes;
  8. Conduct regular meetings (at least quarterly) with the PCWA and CoC(s); and
  9. Comply with the provisions of the MOU.
1. **The MOU must address PCWA responsibilities as outlined in (1) through (8) below.**
1. Establish and implement a system to identify FUP-eligible families and FUP-eligible youth within the agency's caseload and to review referrals from the PHA and CoC. For families, the system should prioritize families with an open case with a substantiated report of child abuse and neglect and whose children are at high risk for out-of-home placement or, for families whose children are already in out-of-home care, at high risk for experiencing additional negative child welfare outcomes (e.g., long-term open cases, reentry to the child welfare system in the form of re-reports of abuse or neglect, and repeat open cases) and where housing assistance could help the parent(s) to stabilize and participate in any other services necessary for subsequent reunification. The MOU should clarify that referrals should be made for priority families as soon as they are



identified and not only upon successful completion of other aspects of family case management plans;

2. Work with the CoC to integrate into the coordinated entry process the identification, prioritization, and referral of FUP-eligible youth not currently within the PCWA's caseload;
  3. Provide written certification to the PHA that a family qualifies as a FUP-eligible family, or that a youth qualifies as a FUP-eligible youth, based upon the criteria established in Section 8(x) of the United States Housing Act of 1937;
  4. Commit sufficient staff resources to ensure that FUP-eligible families and FUP-eligible youth are identified and referred in a timely manner. This commitment must include a process to ensure that the PCWA's active caseload is reviewed at least once a month (when the PHA has FUP vouchers available) to identify FUP-eligible families and FUP-eligible youth and refer them to the PHA. Additionally, the PCWA must be prepared to provide referrals to the PHA within 30 working days of receiving notification from the PHA about voucher availability;
  5. Provide or secure a commitment for the provision of the supportive services that must be provided to FUP youth, documenting the source of funding for these services. PCWAs are encouraged to leverage non-Federal funds from sources such as: State, local, philanthropic, and faith-based organizations. These supportive services must be offered to FUP youth for at least 36 months;
  6. Upon notification that FUP vouchers have been awarded, train PHA and CoC staff on the work of the PCWA as it relates to FUP-eligible families and FUP-eligible youth;
  7. Conduct regular meetings (at least quarterly) with the PHA and CoC; and
  8. Comply with the provisions of the MOU.
- m. **The MOU must address CoC responsibilities as outlined in (1) through (5) below.**
1. Work with the PCWA to integrate into the coordinated entry process the identification, prioritization, and referral of FUP-eligible youth not currently within the PCWA's caseload. [Youth who are part of the PCWA's active caseload do not have to be added to the CoC's coordinated entry process.] The CoC should demonstrate how they are assessing the housing and related services needs for youth, and how they come to the determination that a FUP voucher is the appropriate level of assistance needed;
  2. Identify services, if any, to be provided using CoC program funds to FUP-eligible families and/or FUP-eligible youth who qualify for CoC program assistance;
  3. Participate in regular meetings conducted by the PHA and PCWA (at least quarterly);
  4. Upon notification that FUP vouchers have been awarded, train PHA and PCWA staff on the work of the CoC; and
  5. Comply with the provisions of the MOU.

#### **G. Criteria for Beneficiaries.**

#### **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:

Email:

2022FUPNOFO@hud.gov

HUD Organization:

Street:

City:

State:

Zip:

#### **B. Content and Form of Application Submission.**

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

Submission of an application that is otherwise sufficient, under the wrong Assistance Listing and Funding Opportunity Number is Non-Curable unless otherwise stated under the Threshold requirements section.

#### **1. Content.**

<b>Forms/Assurances/Certifications</b>	<b>Submission Requirement</b>	<b>Notes/Description</b>
HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report	Submission is required for all applicants by the application due date.	

<b>Forms/Assurances/Certifications</b>	<b>Submission Requirement</b>	<b>Notes/Description</b>
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.
SF-424B Assurances for Non-Construction Programs		
Funding Application (form HUD-52515)	This form is required of all applicants.	See instructions for completing this form below. The failure to submit this form will be treated as a curable deficiency (see Section IV.D.4. of this NOFO "Corrections to Deficient Applications" for more information).

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



## **Guidance for Locating and Completing Forms**

**General.** The application consists of the “application download” and the “instructions download.” Forms referred to as “electronic” and “attachments” are part of the application download at [www.grants.gov](http://www.grants.gov).

**Note:** HUD is notifying applicants that the content of an application may be used by HUD, HHS, or a HUD or HHS-approved contractor for the purpose of program evaluation and monitoring.

### **Application for Federal Assistance (form SF-424)**

Complete all required fields unless otherwise noted in the following instructions:

Field 17 – Proposed Project Start Date and End Date. Most applicants should indicate April 1, 2023 – March 31, 2024 (however, this is an estimate and the actual dates will be determined at grant agreement).

Field 18 – Estimated Funding. Only complete 18a and 18g. The estimate at 18a should be the number of vouchers being requested in Field C of form HUD-52515 multiplied by the PHA’s estimated PUC or FUP PUC, as applicable. This field is only an estimate and will not be used for making funding determinations.

### **Applicant/Recipient Disclosure/Update Report (form HUD-2880)**

Complete all required fields unless otherwise noted in the following instructions:

Field 2 – Social Security Number or Employer ID Number. Enter PHA code.

Field 4 – Amount of HUD Assistance Requested/Received. Enter the number of vouchers being requested in Field C of form HUD-52515 multiplied by the PHA’s estimated PUC or FUP PUC, as applicable. This field is only an estimate and will not be used for making funding determinations.

### **Funding Application (form HUD-52515). This is a curable deficiency.**

Complete all required fields unless otherwise noted in the following instructions:

Field C – Number of Vouchers Requested. Enter the number of FUP vouchers being requested in accordance with the maximum award limits in Section II.C. of this NOFO.

Field E – Leave blank.

Field F – Need/Extent of the Problem. Provide responses to the following questions:

1. How many FUP vouchers are needed over a 12-month period to serve FUP-eligible families whose need for housing assistance cannot be met through existing resources? Indicate the source of these data.
2. How many FUP vouchers are needed over a 12-month period to serve FUP-eligible youth who are part of the PCWA's active caseload whose need for housing assistance cannot be met through existing resources? Indicate the source of these data.
3. How many FUP vouchers are needed over a 12-month period to serve FUP-eligible youth in the community who are not part of the PCWA's active caseload whose need for housing assistance cannot be met through existing resources? Indicate the source of these data.

Fields G through J – Leave blank.

Field K - Other Information Required in the NOFA or Funding Notice. Include the discussion required by Section III.D. of this NOFO of how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing (AFFH) in compliance with the Fair Housing Act and its implementing regulations. The applicant may attach up to one additional page, if needed.

Field L - Leave blank.

HUD recently updated the form HUD-52515. The most current version of the form has an expiration of July 31, 2022.

**Additionally, your complete application must include the following narratives and non-form attachments. The following elements are threshold requirements.**

**Attachment 1. MOU among the PHA, PCWA, and CoC**

Requirements of the MOU are explained in Section III.F.5. of this NOFO.

**Attachment 2. Rating Factor Certification**

In order to get points for Rating Factors 1 through 6 as provided for in Section V.A.1. of the NOFO, the PHA must provide a Rating Factor Certification. The certification must be provided as one attachment. The certification must be signed by the Executive Director, Chief Executive Officer, or individual of equivalent position of the PHA. The file must be no longer than 5 pages. A sample document that includes all required elements is included in the appendix.

NOFO reviewers will only review rating criteria elements that have been identified in the Rating Factor Certification. In the Rating Factor Certification, applicants must clearly identify where a NOFO reviewer may find the applicable rating factor element by document name and page number. Please include specific page numbers and not a range (e.g., page 4, not pages 4-8). Reviewers will only look at the document and page(s) identified in the Rating Factor Certification. NOFO reviewers will be looking for specific language. For example, to earn points under Rating Factor 1: Housing Search Assistance in Low-Poverty Census Tracts, the

NOFO provides that at least one of the following three activities must occur: neighborhood tours, unit viewings, or landlord introductions. An applicant will only be awarded points if at least one of the three items is listed. Alternative language will not be considered.

## **2. Format and Form.**

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

\_\_\_\_\_ Pages maximum length of narratives

Other

1. File Name. Each document must be clearly labeled using the following structure [PHA Code\_Name of Document (e.g., MOU, Rating Factor Certification, etc.)\_2022FUPNOFO]
2. Use 8-1/2 X 11-inch paper.
3. All margins should be approximately one inch.
4. Text size should be between 11 and 12 point.
5. All narrative documents must have page numbers.
6. No more than one page of text may be placed on one sheet of paper; i.e., do not shrink pages to get two or more on a page. Such text will not be reviewed.
7. The Rating Factor Certification must be no longer than 5 pages. There is no page limit for the MOU. For the AFFH submission, the applicant must include this information in Field K of the form HUD 52515 and may attach no more than 1 additional page.

HUD recommends reviewing all submitted material prior to the NOFO deadline to ensure that the application package is complete, including that documents include all necessary pages, and are legible. During previous competitions, some applicants uploaded scanned documents with missing pages or pages that were illegible, uploaded outdated documents, or failed to upload required documents.

## **C. System for Award Management (SAM) and Unique Entity Identifier (UEI).**

### **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 Requirement.**

Applicants must provide a valid UEI, registered and active at [/www.sam.gov/](https://www.sam.gov/) in the application. For more information, see: <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update>.

The DUNS number remained 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

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

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

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

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

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

Corrections to a paper application must be sent in accordance with and to the address indicated in the notification of deficiency. HUD will treat a paper application submitted in accordance with a waiver of electronic application containing the wrong 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.**

No restrictions.

### **Indirect Cost Rate.**

Statutory or regulatory restrictions Apply – ONLY if a statute or regulation imposes restrictions that are different from the indirect cost rate requirements in [2 CFR 200](#).

### **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](#).

### **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

## **V. Application Review Information.**

### **A. Review Criteria.**

#### **1. Rating Factors.**

Applicants can receive up to 100 points by addressing the rating criteria in this section.

The rating factors will be used to rank the applicants for the purposes of funding.

The minimum score for an application to be considered for funding is 61 points. This does not mean that a PHA that scores 61 points or greater will be funded.

Should HUD determine that not enough eligible applicants have scored at least 61 points, HUD may award funds to an applicant scoring below 61 points or choose to hold back some funding for a future NOFO. Given the limited funds available under this NOFO, HUD expects only the



highest scoring applications will receive funds.

Applicants seeking rating factor points under the criteria specified in this section must submit a completed Rating Factor Certification described in section IV.B of this NOFO. Providing this information is a threshold requirement and is necessary to aid the NOFO reviewer in identifying and scoring rating factor elements.

If information is not clearly identifiable to the NOFO reviewer, the reviewer will not search submitted documentation or request clarification from the applicant. For example, in previous competitions, some applicants submitted Rating Factor Certifications that cited to attachments that were not included, pages or content that did not exist, or to an entire document without specifying a precise page or pages that included the required information. For instance, if the information is located on page 8 of a document, it would not be acceptable to reference pages 5-10.

The use of CoC program assistance identified in the following Rating Factor elements is limited to FUP-eligible families and FUP-eligible youth who are also CoC funding eligible.

NOFO Rating Factors		
Rating Factor Category		Maximum Points
1	Housing Search Assistance in Low-Poverty Census Tracts	22
2	Financial Assistance	22
3	Previous Coordination	6
4	Post-Move Counseling	14
5	Case Management to FUP Families	20
6	Self-Sufficiency Programs	16
Total		100

**Rating Factor 1. Housing Search Assistance in Low-Poverty Census Tracts**

**Maximum Points: 22**

**Scoring.** Assign up to 22 points if housing search assistance in low-poverty census tracts will be made available to all FUP participants (families and youth). For the purpose of this NOFO, low-poverty census tracts are defined as having a poverty rate of 20 percent or less as determined in the most recent American Community Survey 5-Year Estimates. Poverty rates by census tract may be found at the following link: <https://www.huduser.gov/portal/maps/hcv/home.html>.

Each of the following types of housing search assistance in low-poverty census tracts is worth 11 points: neighborhood tours, unit viewings, or landlord introductions.

A cumulative maximum of 22 points will be awarded under this category. This means that an applicant may only receive points for up to two of the three activities listed above.

**Documentation.** To receive points, this rating criteria element must be included in the MOU and identified in the Rating Factor Certification. The Rating Factor Certification must provide responses to the following:

**Question 1:** Will housing search assistance in low-poverty census tracts be made available to all FUP participants (families and youth)? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Which of the following types of housing search assistance in low-poverty census tracts will be made available to all FUP participants (families and youth)? **(Neighborhood tours, unit viewings, or landlord introductions)**

**Question 3:** Does the MOU specify the type(s) of housing search assistance in low-poverty census tracts that will be made available to all FUP participants (families and youth) and the agency/organization that will provide the assistance? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 4:** Identify the page number(s) in the MOU where this information is included. No points will be provided where the MOU does not cite to at least one of the housing search assistance activities. For example, an MOU that says that a list of landlords will be made available to all FUP participants (families and youth) does not meet the requirement. The MOU would have to say that landlord introductions will be made available to all FUP participants (families and youth) and identify the agency/organization that will provide the assistance.

## **Rating Factor 2. Financial Assistance**

**Maximum Points: 22**

**Scoring.** Assign up to 22 points if financial assistance will be made available to all FUP participants (families and youth) to assist them with leasing up with a FUP voucher.

Each of the following types of financial assistance is worth 11 points: (1) moving cost assistance, (2) security deposit assistance, or (3) utility startup (including utility arrears).

A cumulative maximum of 22 points will be awarded under this category. This means that an applicant may only receive points for up to two of the three activities listed above.

**Documentation.** To receive points, this rating criteria element must be included in the MOU and identified in the Rating Factor Certification. The Rating Factor Certification must provide responses to the following:

**Question 1:** Will financial assistance be made available to all FUP participants (families and youth) to assist them with leasing up with a FUP voucher? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Which of the following types of financial assistance will be made available to all FUP participants (families and youth)? (**Moving cost assistance, security deposit assistance, or utility startup (including utility arrears)**)

**Question 3:** Does the MOU specify the type(s) of financial assistance that will be made available to all FUP participants (families and youth) and the agency/organization that will provide the assistance? (**Yes or No**) (**If No, skip to the next Rating Factor.**)

**Question 4:** Identify the page number(s) in the MOU where this information is included. No points will be provided where the MOU does not cite to at least one of the financial assistance activities. For example, an MOU that says that moving assistance will be made available to all FUP participants (families and youth) does not meet the requirement. The MOU would have to say that moving cost assistance will be made available to all FUP participants (families and youth) and identify the agency/organization that will provide the assistance.

### **Rating Factor 3. Previous Coordination**

**Maximum Points: 6**

**Scoring.** Assign 6 points if the PHA and/or PCWA has an established agreement with a local CoC to receive referrals from the local coordinated entry system.

Evidence of an established agreement between the PHA and/or PCWA and a local CoC must be in the form of an executed MOU, signed certification from both parties, or an excerpt from a PHA's or PCWA's policy document that describes the referral process. The agreement must have been established prior to the publication of the Federal Register Notice announcing the publication of a preview of this NOFO. This documentation must be included as part of the NOFO application.

A maximum of 6 points will be awarded under this category.

**Documentation.** To receive points, this rating criteria element must include the required documentation and be identified in the Rating Factor Certification. The Rating Factor Certification must provide responses to the following:

**Question 1:** Does the PHA and/or PCWA have an established agreement with a local CoC to receive referrals from the local coordinated entry system? (**Yes or No**) (**If No, skip to the next Rating Factor.**)

**Question 2:** Did the PHA and/or PCWA and a local CoC establish this agreement prior to the publication of the Federal Register Notice announcing the publication of a preview of this NOFO? (**Yes or No**) (**If No, skip to the next Rating Factor.**)

**Question 3:** What type of documentation is included in this NOFO application as evidence of this agreement? (**MOU, signed certification from the PHA and/or PCWA and a local CoC, or PHA or PCWA's policy document that describes the referral process**)

**Question 4:** Identify the document and page number(s) where this information is included.

**Rating Factor 4. Post-Move Counseling**

**Maximum Points: 14**

**Scoring.** Assign up to 14 points if post-move counseling will be made available to all FUP participants (families and youth)

Each of the following types of post-move counseling is worth 7 points: (1) subsequent-move counseling if the family or youth decides to move a second time, or (2) landlord-tenant mediation.

A cumulative maximum of 14 points will be awarded under this category.

**Documentation.** To receive points, this rating criteria element must be included in the MOU and identified in the Rating Factor Certification. The Rating Factor Certification must provide responses to the following:

**Question 1:** Will post-move counseling be made available to all FUP participants (families and youth)? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Which of the following types of post-move counseling will be made available to all FUP participants (families and youth)? **(Subsequent-move counseling if the family or youth decides to move a second time, or landlord-tenant mediation)**

**Question 3:** Does the MOU specify the type(s) of post-move counseling that will be made available to all FUP participants (families and youth) and the agency/organization that will provide the counseling? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 4:** Identify the page number(s) in the MOU where this information is included. No points will be provided where the MOU does not cite to at least one of the post-move counseling activities. For example, an MOU that says that post-move counseling will be made available to all FUP participants (families and youth) does not meet the requirement. The MOU would have to say the type of post-move counseling that will be made available to all FUP participants (families and youth) and identify the agency/organization that will provide the counseling.

**Rating Factor 5. Case Management to FUP Families**

**Maximum Points: 20**

**Scoring.** Assign up to 20 points if case management will be made available to FUP families after they have been issued a voucher. A FUP family cannot be required to participate in these services as a condition of receipt of the FUP voucher. To receive points under this category, the case management must include, at a minimum, a needs assessment to identify all of the family's needs, including housing-related needs and non-housing-related needs (such as behavioral health, physical health, employment, child care, and other services needed), referrals to services to address the family's needs, and regular contact (based on need) with the family to follow up on these referrals and provide new referrals as necessary.

To receive 10 points, case management must be made available to all FUP families for a **minimum of 6 months** after the family is issued a voucher. A partial award is available where not all FUP families will be offered case management. In such instances, a maximum of 5 points will be made available.

To receive 20 points, case management must be made available to all FUP families for a **minimum of 12 months** after the family is issued a voucher. A partial award is available where not all FUP families will be offered case management. In such instances, a maximum of 10 points will be made available.

A cumulative maximum of 20 points will be awarded under this category.

**Documentation.** To receive points, this rating criteria element must be included in the MOU and identified in the Rating Factor Certification. The Rating Factor Certification must provide responses to the following:

**Question 1:** Will case management be made available to FUP families after they have been issued a voucher? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Will a needs assessment to identify all of the family's needs, including housing-related needs and non-housing-related needs be carried out? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 3:** Will families receive referrals to services to address the family's needs? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 4:** Will regular contact (based on need) be made with the family to follow up on referrals and provide new referrals as necessary? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 5:** Will case management be made available to FUP families for a minimum of 6 months or a minimum of 12 months after the family has been issued a voucher? **(A minimum of 6 months after the family has been issued a voucher, or a minimum of 12 months after the family has been issued a voucher)**

**Question 6:** To whom will the case management be provided? **(All FUP families, some FUP families)**

**Question 7:** Does the MOU specify the agency/organization that will provide the case management? **(Yes or No) (If No, skip to the next Rating Factor)**

**Question 8:** Identify the page number(s) in the MOU where this information is included. No points will be provided where the MOU does not state that the case management to FUP families will include, at a minimum, the activities listed above. For example, an MOU that says that case management will be made available to all FUP families does not meet the requirement. The MOU would have to say that the case management that will be made available to all FUP

families will include, at a minimum, a needs assessment to identify all of the family's needs, including housing-related needs and non-housing-related needs, referrals to services to address the family's needs, and regular contact (based on need) with the family to follow up on these referrals and provide new referrals as necessary. The MOU would also have to identify the agency/organization that will provide the case management and state whether the case management will be made available to all FUP families or some FUP families for a minimum of 6 months or a minimum of 12 months after the family has been issued a voucher.

#### **Rating Factor 6. Self-Sufficiency Programs**

**Maximum Points: 16**

**Scoring.** Assign up to 16 points if the PHA administers the HUD Family Self-Sufficiency program, or similar program promoting self-sufficiency, that is active at the time of application and has current targeted policies or proposed strategies to encourage enrollment of FUP families and/or FUP youth. A similar program promoting self-sufficiency refers to a self-sufficiency program that promotes the development of local strategies to coordinate the use of assistance under the HCV program with public and private resources to enable participating families to increase earned income and financial literacy, reduce or eliminate the need for welfare assistance, and make progress toward economic independence and self-sufficiency.

Evidence that a PHA administers the HUD Family Self-Sufficiency program, or similar program promoting self-sufficiency that is active at the time of application and has current, targeted policies or proposed strategies to encourage enrollment of FUP families and/or FUP youth must be in the form of a policy excerpt, pamphlet, policy proposal description, or other document. This documentation must be included as part of the NOFO application.

1. To receive 10 points, the PHA must administer the HUD Family Self-Sufficiency program, or similar program promoting self-sufficiency that is active at the time of application and have current targeted policies or proposed strategies to encourage enrollment of FUP youth. The policies or strategies to encourage enrollment must include all FUP youth. A partial award is not available.
2. To receive 6 points, the PHA must administer the HUD Family Self-Sufficiency program, or similar program promoting self-sufficiency that is active at the time of application and have current targeted policies or proposed strategies to encourage enrollment of FUP families. The policies or strategies to encourage enrollment must include all FUP families. A partial award is not available.

A cumulative maximum of 16 points will be awarded under this category.

**Documentation.** To receive points, this rating criteria element must include the required documentation and be identified in the Rating Factor Certification. The Rating Factor Certification must provide responses to the following:

**Question 1:** Does the PHA administer the HUD Family Self-Sufficiency program, or similar program promoting self-sufficiency, that is active at the time of application? **(Yes or No) (If No, skip to the next Rating Factor.)**



**Question 2:** Does the PHA have current targeted policies or proposed strategies to encourage enrollment of FUP families and/or FUP youth in the HUD Family Self-Sufficiency program or similar program promoting self-sufficiency? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 3:** Are the targeted policies or strategies existing, proposed, or a combination of the two (e.g., existing policies to encourage enrollment of FUP youth and proposed strategies to encourage enrollment of FUP families)? **(Existing, proposed, or a combination of the two (if combination, explain))**

**Question 4:** If proposed, is the PHA certifying to the adoption of the targeted policies or strategies within three months of being awarded FUP vouchers under the NOFO? **(Yes, No, or Not Applicable/Current Policy) (If No, skip to the next Rating Factor.)**

**Question 5:** Who is the target population for the current policies and/or proposed strategies? **(FUP families, and/or FUP youth)**

**Question 6:** Identify the document (e.g., policy excerpt, pamphlet, policy proposal description, etc.) and page number(s) where this information is included.

## **2. Other Factors.**

This program does not offer points for Section 3.

### **Preference Points**

This program does not offer any preference points.

This program does not offer points for Climate Change

This program does not offer points for Environmental Justice

### **HBCU.**

This program does not offer HCBU preference points.

### **Promise Zones**

This program does not offer Promise Zone preference points.

## **B. Review and Selection Process.**

### **1. Past Performance**

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

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

Timely use of funds received from HUD;

Timely submission and quality of reports submitted to HUD;

Meeting program requirements;

Meeting performance targets as established in the grant agreement;

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

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

The number of persons served or targeted for assistance;

Promoting self-sufficiency and economic independence

Producing positive outcomes and results.

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.

## **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 [2 CFR 200.206](#);
- When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- When the applicant or recipient fails to meet expected performance goals contained in a federal award; or
- When the applicant or recipient is not otherwise responsible.

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

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

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

b. If funds are available after funding the highest-ranking application, HUD may fund all or part of another eligible fundable application. If an applicant turns down an award offer, or if HUD and an applicant do not 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 [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#) 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\(a\)](#)).

- Affirmatively Furthering Fair Housing ([Click Here](#)).

- 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](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. Energy Efficient, Sustainable, Accessible, and Free from Discrimination by Design.

6. Real Property Acquisition and Relocation. See [49 CFR part 24](#).

7. Participation in HUD-Sponsored Program Evaluation.

8. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

9. Drug-Free Workplace.

10. Safeguarding Resident/Client Files.

11. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) (Transparency Act), as amended.

12. Eminent Domain.

13. Accessibility for Persons with Disabilities. See

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/disability\\_overview](https://www.hud.gov/program_offices/fair_housing_equal_opp/disability_overview)

14. Violence Against Women Act. See [24 CFR part 5](#), subpart L and applicable program regulations.

15. Conducting Business in Accordance with Ethical Standards/Code of Conduct.

16. Buy American Build American

17. System for Award Management and Universal Identifier Requirements

18. Trafficking in persons.

19. Award Term and Condition for Recipient Integrity and Performance Matters

20. Suspension and debarment.

21. Environmental Requirements, which include compliance with environmental justice requirements under Executive Order [12898](#) and [14008](#).

### **Environmental Review**

Compliance with [24 CFR part 50](#) or [58](#) procedures is explained below:

Project-based assistance is subject to the environmental review provisions at 24 CFR §§ 983.58 and 983.153(b). The PHA may not enter into an Agreement or HAP contract with an owner, and the PHA, the owner, and its contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct real property or commit to expend program or local funds for PBV activities under 24 CFR part 983, until one of the following occurs: (1) the responsible entity has completed the environmental review procedures required by 24 CFR part 58, and HUD has approved the environmental certification and given a release of funds, as defined in 24 CFR § 983.3(b); (2) the responsible entity has determined that the project to be assisted is

exempt under 24 CFR § 58.34 or is categorically excluded and not subject to compliance with environmental laws under 24 CFR § 58.35(b); or (3) HUD has performed an environmental review under 24 CFR part 50 and has notified the PHA in writing of environmental approval of the site.

In accordance with 24 CFR § 50.19(b)(11) and 24 CFR § 58.35(b)(1), tenant-based rental activities under this program are categorically excluded from the requirements of the National Environmental Policy Act of 1969 (NEPA) and are not subject to environmental review under the related laws and authorities.

Activities under the homeownership option of this program are categorically excluded from NEPA requirements and excluded from other environmental requirements under 24 CFR § 58.5, when assistance is provided for purchase of existing dwelling units or dwelling units under construction, in accordance with 24 CFR § 58.35(b)(5), but PHAs are responsible for the environmental requirements in 24 CFR § 982.626(c).

Regarding activities under the homeownership option for units not yet under construction at the time the family enters into the contract for sale, the additional environmental review requirements referenced in 24 CFR 982.628(e), 982.631(c)(3) and 982.637(b) also apply in addition to § 982.626(c), and the PHA shall submit all relevant environmental information to the responsible entity or to HUD to assist in the completion of those requirements.

Activities under this NOFO are subject to 24 CFR part 982, and 24 CFR part 983 when the assistance is project-based.

#### **Prohibition on Surveillance**

[2 CFR 200.216](#) Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment

#### **Remedies for Noncompliance**

[2 CFR 200.340](#) *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.**

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

When providing education or counseling on buying or renting housing that may include pre-1978 housing under your grant you must inform clients of their rights under the Lead Disclosure Rule ([24 CFR part 35, subpart A](#)), and, if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as applicable, F - M).

## C. Reporting.

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

**1. Recipient Integrity and Performance Matters.** Applicants should be aware that if the total Federal share of your federal award includes more than \$ 500,000 over the period of performance, 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.

**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 [www.USASpending.gov](http://www.USASpending.gov). Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to [2 CFR Part 170](#), "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

**PIC Reporting.** PHAs are required to maintain a special program code for FUP participants in line 2n of the Family Report (form HUD-50058) or the MTW Expansion Family Report (form HUD-50058 MTW Expansion) or line 2p of the MTW Family Report (form HUD-50058 MTW), as applicable; FUPF and FUPY must be used in lieu of the FUP code:

Special Program Code	FUP Participant
FUPF	Use if the FUP participant is a FUP eligible family
FUPY	Use if the FUP participant is a FUP eligible youth

## 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.

For this NOFO, debriefing requests must be submitted by email to [2022FUPNOFO@hud.gov](mailto:2022FUPNOFO@hud.gov). Information provided during a debriefing will not include evaluator comments.

## **VII. Agency Contact(s).**

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

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

Name:

Phone:

Email:

[2022FUPNOFO@hud.gov](mailto:2022FUPNOFO@hud.gov)

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339. Please note that HUD staff cannot assist applicants in preparing their applications.

## **VIII. Other Information.**

### **1. National Environmental Policy Act.**

This NOFO provides funding under, and does not alter the environmental requirements of, 24 CFR parts 982 and 983. Accordingly, under 24 CFR § 50.19(c)(5)(i), this NOFO is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Activities under the NOFO are subject to environmental review provisions set out at Section VI.B of this NOFO.

### **2. Web Resources.**

- [Affirmatively Furthering Fair Housing](#)
- [Code of Conduct list](#)
- [Assistance Listing \(formerly CFDA\)](#)
- [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 \(SAM\)](#)
- [Uniform Relocation Assistance and Real Property Acquisition Act of 1970 \(URA\)](#)
- [USA Spending](#)

### 3. Program Relevant Web Resources

HUD will provide responses regarding specific program requirements for this NOFO to a Frequently Asked Questions (FAQs) document that will be made available at the following webpage:

[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/hcv/family](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/family). The document will be titled “2022 FUP NOFO FAQs.” Please review the FAQs before submitting a question as your question may have already been answered. Questions may be submitted by email to [2022FUPNOFO@hud.gov](mailto:2022FUPNOFO@hud.gov). Early submission of questions is recommended. During previous FUP competitions some applicants waited until just before the NOFO deadline to submit their question(s). Depending on the volume, nature, and the timing of the submission, HUD may not be able to review and post a response prior to the NOFO deadline.

## APPENDIX

### Sample 1. Rating Factor Certification

The Rating Factor Certification must use the following format:

[Insert Date]

[Insert PHA Name]

[Insert PHA Code]

### Rating Factor Certification

#### Rating Factor 1. Housing Search Assistance in Low-Poverty Census Tracts

**Question 1:** Will housing search assistance in low-poverty census tracts be made available to all FUP participants (families and youth)? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Which of the following types of housing search assistance in low-poverty census tracts will be made available to all FUP participants (families and youth)? **(Neighborhood tours, unit viewings, or landlord introductions)**

**Question 3:** Does the MOU specify the type(s) of housing search assistance in low-poverty census tracts that will be made available to all FUP participants (families and youth) and the agency/organization that will provide the assistance? **(Yes or No) (If No, skip to the next Rating Factor.)**



**Question 4:** Identify the page number(s) in the MOU where this information is included.

### **Rating Factor 2. Financial Assistance**

**Question 1:** Will financial assistance be made available to all FUP participants (families and youth) to assist them with leasing up with a FUP voucher? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Which of the following types of financial assistance will be made available to all FUP participants (families and youth)? **(Moving cost assistance, security deposit assistance, or utility startup (including utility arrears))**

**Question 3:** Does the MOU specify the type(s) of financial assistance that will be made available to all FUP participants (families and youth) and the agency/organization that will provide the assistance? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 4:** Identify the page number(s) in the MOU where this information is included.

### **Rating Factor 3. Previous Coordination**

**Question 1:** Does the PHA and/or PCWA have an established agreement with a local CoC to receive referrals from the local coordinated entry system? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Did the PHA and/or PCWA and a local CoC establish this agreement prior to the publication of this NOFO? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 3:** What type of documentation is included in this NOFO application as evidence of this agreement? **(MOU, signed certification from the PHA and/or PCWA and a local CoC, or PHA or PCWA's policy document that describes the referral process)**

**Question 4:** Identify the document and page number(s) where this information is included.

### **Rating Factor 4. Post-Move Counseling**

**Question 1:** Will post-move counseling be made available to all FUP participants (families and youth)? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Which of the following types of post-move counseling will be made available to all FUP participants (families and youth)? **(Subsequent-move counseling if the family or youth decides to move a second time, or landlord-tenant mediation)**

**Question 3:** Does the MOU specify the type(s) of post-move counseling that will be made available to all FUP participants (families and youth) and the agency/organization that will provide the counseling? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 4:** Identify the page number(s) in the MOU where this information is included.

#### **Rating Factor 5. Case Management to FUP Families**

**Question 1:** Will case management be made available to FUP families after they have been issued a voucher? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Will a needs assessment to identify all of the family's needs, including housing-related needs and non-housing-related needs be carried out? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 3:** Will families receive referrals to services to address the family's needs? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 4:** Will regular contact (based on need) be made with the family to follow up on referrals and provide new referrals as necessary? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 5:** Will case management be made available to FUP families for a minimum of 6 months or a minimum of 12 months after the family has been issued a voucher? **(A minimum of 6 months after the family has been issued a voucher, or a minimum of 12 months after the family has been issued a voucher)**

**Question 6:** To whom will the case management be provided? **(All FUP families, some FUP families)**

**Question 7:** Does the MOU specify the agency/organization that will provide the case management? **(Yes or No) (If No, skip to the next Rating Factor)**

**Question 8:** Identify the page number(s) in the MOU where this information is included.

#### **Rating Factor 6. Self-Sufficiency Programs**

**Question 1:** Does the PHA administer the HUD Family Self-Sufficiency program, or similar program promoting self-sufficiency, that is active at the time of application? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 2:** Does the PHA have current targeted policies or proposed strategies to encourage enrollment of FUP families and/or FUP youth in the HUD Family Self-Sufficiency program or similar program promoting self-sufficiency? **(Yes or No) (If No, skip to the next Rating Factor.)**

**Question 3:** Are the targeted policies or strategies existing, proposed, or a combination of the two (e.g., existing policies to encourage enrollment of FUP youth and proposed strategies to encourage enrollment of FUP families)? **(Existing, proposed, or a combination of the two (if**

combination, explain))

**Question 4:** If proposed, is the PHA certifying to the adoption of the targeted policies or strategies within three months of being awarded FUP vouchers under the NOFO? **(Yes, No, or Not Applicable/Current Policy) (If No, skip to the next Rating Factor.)**

**Question 5:** Who is the target population for the current policies and/or proposed strategies? **(FUP families, and/or FUP youth)**

**Question 6:** Identify the document (e.g., policy excerpt, pamphlet, policy proposal description, etc.) and page number(s) where this information is included.

## **Sample 2. Memorandum of Understanding**

### **Memorandum of Understanding**

***[\*\* This sample document demonstrates the Memorandum of Understanding requirements listed in Section III.F.5. of the 2022 Family Unification Program Notice of Funding Opportunity, it does not include the optional Rating Factor elements listed in Section V.A.1. Unless otherwise noted, all elements are threshold requirements. \*\*]***

*This Memorandum of Understanding (MOU) has been created and entered into on **[\*\* Insert execution date, which must be between the date the 2022 Family Unification Program Notice of Funding Opportunity is published and the application deadline date. \*\*]** by and between the following parties in relation to their application.*

[PHA Name and Address]

[PCWA Name and Address]

[PCWA Contractor Organization Name and Address]

***[\*\* Include only if the PCWA has contracted out its functions to another organization under applicable state law. \*\*]***

[CoC Name and Address]

### **Introduction and Goals**

1. PHA and PCWA's commitment to administering the program.
2. CoC's commitment to cooperate with and assist the PHA and PCWA.
3. PHA and PCWA's goals and standards of success in administering the program.
4. Identification of the staff positions at the PHA, PCWA, and CoC that will serve as the lead FUP liaisons. ***[\*\* Include the staff position at the PCWA contractor organization if the PCWA has contracted out its functions under applicable state law. \*\*]***
5. Responsibilities of the FUP liaison in this section. **(optional)**

Lead FUP Liaison:

[Name and title of PHA staff position]

[Name and title of PCWA staff position]

[Name and title of CoC staff position]

#### Statement of Cooperation

The PHA, PCWA, PCWA Contractor Organization (if applicable), and CoC agree to cooperate with any program evaluation efforts undertaken by HUD, HHS, or a HUD or HHS-approved contractor, including compliance with HUD and HHS-approved evaluation protocols and data sharing requests.

#### Define the two populations (families and youth) eligible for FUP assistance:

1. Families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care; and
2. Youth at least 18 years and not more than 24 years of age (have not reached their 25<sup>th</sup> birthday) who left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act, and are homeless or at risk of becoming homeless at age 16 or older.

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive FUP assistance assuming they otherwise meet eligibility requirements.

#### Time Limit for FUP Vouchers Issued to Youth and Extensions under the Fostering Stable Housing Opportunities (FSHO) Amendments

A statement that the PHA will comply with the time limit for FUP vouchers issued to youth, including any extension of this time limit that the youth is entitled to under the Fostering Stable Housing Opportunities (FSHO) amendments (Section 103 of Division Q of the Consolidated Appropriations Act, 2021 (Pub. L. 116-260)) and HUD's FSHO implementation notice published in the Federal Register on January 24, 2022 (87 FR 3570) or subsequent notice.

#### Housing Search Assistance

Include a detailed description of the assistance that will be provided to FUP families and youths in locating housing units and working with landlords to secure appropriate eligible units. List the organization(s) responsible for providing this assistance.

#### Supportive Services

List the services to be offered to FUP youth and the agency(ies)/organization(s) that will provide

the services. This list must include all the following services:

1. Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services).
2. Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits.
3. Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP youth to rent a unit with a FUP voucher.
4. Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.).
5. Educational and career advancement counseling regarding attainment of general equivalency diploma (GED); attendance/financing of education at a technical school, trade school or college; including successful work ethic and attitude models.

The MOU **must** include a statement that all of the above services will be offered for a period of at least 36 months to FUP youth regardless of age. For example, if a FUP youth enters the program at age 24 and 10 months, the PCWA or another agency/organization under agreement/contract with the PCWA must still offer 36 months of service, even though after two months the youth no longer meets the initial age of eligibility for the FUP program. A FUP youth cannot be required to participate in these services as a condition of receipt of the FUP voucher.

**[\*\* The MOU may include additional services beyond those listed above (1-5). \*\*]**

If applying for rating criteria points under Section V.A., the MOU must describe the assistance being provided and the agency/organization that will be providing such assistance, as applicable.

#### PHA Responsibilities

Address how the PHA will fulfill each of the following responsibilities:

1. Accept families and youths certified by the PCWA as eligible for the FUP. The PHA, upon receipt of a referral(s) from the PCWA, must compare the names with those of families and youths already on the PHA's HCV waiting list. Any family or youth on the PHA's HCV waiting list that matches with the PCWA's referral must be assisted in order of their position on the waiting list in accordance with PHA admission policies. Any family or youth certified by the PCWA as eligible and not on the HCV waiting list must be placed on the waiting list. If the PHA has a closed HCV waiting list, it must reopen the waiting list and place on the waiting list a FUP applicant family or youth who is not currently on the PHA's HCV waiting list. (The PHA may reopen the waiting list to accept a FUP applicant family or youth without opening the waiting list for other applicants.)

2. Determine whether families with children, or youth age 18 through 24 referred by the PCWA, are eligible for HCV assistance.
3. Determine whether any families with children, or youth age 18 through 24 on its HCV waiting list, are living in temporary shelters or otherwise meet the definition of “homeless” and may qualify for the FUP, and refer such applicants to the PCWA and/or CoC, as applicable
4. Amend the administrative plan in accordance with applicable program regulations and requirements, if needed.
5. Administer the vouchers in accordance with applicable program regulations and requirements.
6. Upon notification that FUP vouchers have been awarded, train PCWA and CoC staff on the PHA’s HCV program.
7. Work with the PCWA and CoC to develop necessary data and tracking metrics for tracking and improvement purposes.
8. Conduct regular meetings (at least quarterly) with the PCWA and CoC.
9. Comply with the provisions of this MOU.

#### PCWA Responsibilities

Address how the PCWA will fulfill each of the following responsibilities:

1. Establish and implement a system to identify FUP-eligible families and FUP-eligible youth within the agency’s caseload and to review referrals from the PHA and CoC. For families, the system should prioritize families with an open case with a substantiated report of child abuse and neglect, and whose children are at high risk for out-of-home placement or, for families whose children are already in out-of-home care, at high risk for experiencing additional negative child welfare outcomes (e.g., long-term open cases, reentry to the child welfare system in the form of re-reports of abuse or neglect, and repeat open cases), and where housing assistance could help the parent(s) to stabilize and participate in any other services necessary for subsequent reunification. The MOU should clarify that referrals should be made for priority families as soon as they are identified and not only upon successful completion of other aspects of families’ case management plans.
2. Work with the CoC to integrate into the coordinated entry process the identification, prioritization, and referral of FUP-eligible youth not currently within the PCWA’s caseload.
3. Provide written certification to the PHA that a family qualifies as a FUP-eligible family, or that a youth qualifies as a FUP-eligible youth, based upon the criteria established in Section 8(x) of the United States Housing Act of 1937.



4. Commit sufficient staff resources to ensure that FUP-eligible families and FUP-eligible youth are identified and referred in a timely manner. This commitment must include a process to ensure that the PCWA's active caseload is reviewed at least once a month (when the PHA has FUP vouchers available) to identify FUP-eligible families and FUP-eligible youth and refer them to the PHA. Additionally, the PCWA must be prepared to provide referrals to the PHA within 30 working days of receiving notification from the PHA about voucher availability.
5. Provide or secure a commitment for the provision of the supportive services that must be provided to FUP youth, documenting the source of funding for these services. PCWAs are encouraged to leverage non-Federal funds from sources such as: State, local, philanthropic, and faith-based organizations. These supportive services must be offered to FUP youth for at least 36 months.
6. Upon notification that FUP vouchers have been awarded, train PHA and CoC staff on the work of the PCWA as it relates to FUP-eligible families and FUP-eligible youth.
7. Conduct regular meetings (at least quarterly) with the PHA and CoC.
8. Comply with the provisions of this MOU.

#### CoC Responsibilities

Address how the CoC will fulfill each of the following responsibilities:

1. Work with the PCWA to integrate into the coordinated entry process the identification, prioritization, and referral of FUP-eligible youth not currently within the PCWA's caseload. [Youth who are part of the PCWA's active caseload do not have to be added to the CoC's coordinated entry process.] The CoC should demonstrate how they are assessing the housing and related service needs for youth, and how they come to the determination that a FUP voucher is the appropriate level of assistance needed.
2. Identify services, if any, to be provided using CoC program funds to FUP-eligible families and/or FUP-eligible youth who qualify for CoC program assistance.
3. Participate in regular meetings conducted by the PHA and PCWA (at least quarterly).
4. Upon notification that FUP vouchers have been awarded, train PHA and PCWA staff on the work of the CoC; and
5. Comply with the provisions of this MOU.

[\*\*In addition to meeting all of the threshold requirements of the 2022 FUP NOFO, applicants can receive points that will be used to rank each applicant for funding. Additional information on the requirement of each Rating Factor element are included in section V.A.1. of the NOFO. This includes instructions on which Rating Factor elements must be contained in the MOU.\*\*]

[Signed and dated by the official representatives of the PHA, PCWA, PCWA Contractor organization (if applicable), and CoC]

***[\*\* The execution date must be between the publication date and the application deadline of the 2022 Family Unification Program Notice of Funding Opportunity. \*\*]***

PREVIEW