

Question: The FY 2018 Healthy Homes Production Grant Program for Tribal Housing NOFA states:

- Page 25, paragraph 2: “Limitation on use of funds. You may not use grant funds for any of the following activities: ... f. Funds must not be used for hazard evaluation or control activities in housing owned and operated by the grantee that was developed under a contract between the Secretary and an Indian housing authority pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437 et seq).”
- Page 34, paragraph d: “Remediation and hazard reduction activities in public housing, project-based Section 8 housing, or housing built after 1977.”

Are any 1937 Act Units eligible? Are any NAHSDA Units eligible?

Answer: Regarding these paragraphs, the following categories of housing units are not eligible for funding under this NOFA:

- 1937 Act Units (those developed pursuant to the United States Housing Act of 1937) that are owned and operated by the grant recipient;
- NAHASDA Units (those developed pursuant to the Native American Housing Assistance and Self-Determination Act of 1996), because these were developed after 1977;
- Public housing;
- Project-based Section 8 housing; and
- Other housing built after 1977.

Note that 1937 Act Units owned and operated by a tribe are ineligible if the tribe is grant recipient but, if a tribally-designated housing entity (TDHE), which is an entity independent of the tribe, is the grant recipient, the units owned and operated by the tribe are eligible (unless otherwise specified as being ineligible (see, for example, paragraphs (a) – (h) on page 34)). Similarly, 1937 Act Units owned and operated by a TDHE are ineligible if the TDHE is grant recipient but, if a tribe is the grant recipient, the units owned and operated by the TDHE are eligible (unless otherwise specified as being ineligible).

Note also that privately owned housing units built before 1978, including those that were previously Formula Current Assisted Stock (FCAS) units, are eligible (unless otherwise specified as being ineligible).