

**Indian Community Development Block Grant (ICDBG)
2011 NOFA
Questions and Answers**

Application Submission

Q.1. How do I know if my application made it through Grants.gov and is being reviewed by ONAP staff?

A.1. You will receive several e-mails from Grants.gov informing you of the status of your application. Make sure that your e-mail notification address contained in the Grants.gov registration is up to date and that you are able to receive messages from Support@Grants.gov. You can also track your application status online by going to www.Grants.gov and clicking on "Track My Application" and then entering the Grant tracking number received on the uploaded confirmation screen.

Q.2. What is considered a technical deficiency?

A.2. A technical deficiency is an error or oversight which, if corrected, would not alter, in a positive or negative fashion, the review and rating of the application. Examples of curable (correctable) technical deficiencies include inconsistencies in the funding request, failure to submit the proper certifications, and failure to submit an application that contains a signature by an official able to make a legally binding commitment on behalf of the applicant.

Q.3. If my tribe gets a waiver of the electronic submission and is allowed to submit via paper, can we still attempt to submit electronically?

A.3. Yes.

Q.4. How do we know which units we are going to rehabilitate at the time of application? In some cases at the time of application, we don't know.

A.4. You need to determine which units you are going to rehabilitate to determine if the persons occupying the units will be of LMI and to prepare the budget to submit with your application.

Q.5. In subfactors c and d of Factor 1, the NOFA references PIH 2009-08 as the document that defines serious/significant findings. When we pulled up that notice it didn't address findings. Did I pull up the wrong one?

A.5. That is a typographical error. The correct notice is PIH 2009-06.

Q.6. Is there a limit as to how many open grants a tribe can have in determining its ability to apply for a new proposal?

A.6. No, but the timeliness of your progress in implementing those grants will be measured. See Rating Factor 1, in particular Subfactor 2. See page 25-26 of the FY 2011 ICDBG NOFA.

Eligible Activities

Q.7. Can ICDBG be used to purchase free-standing appliances for housing units that are either newly constructed or rehabilitated?

A.7. If the equipment is standard equipment for the area and it remains in the unit it is eligible.

Q.8. Would purchasing a vehicle for the dog catcher be an eligible public service activity?

A.8. No, a purchase of a vehicle would be considered equipment per the regulation at 1003.207(b)(1).

Q.9. Can ICDBG funds be used to pay for security officers?

A.9. Yes, but the cost would be subject to the limit on the amount of the grant that can be spent for public services. See 24 CFR 1003.201(e).

Q.10. Would housing counseling (budget classes, training, help in qualifying for a mortgage) that is associated with homeownership assistance that the applicant is providing be considered part of the ICDBG project cost or should it be considered a public service?

A.10. Housing services, including housing counseling are included in the list of eligible activities in the ICDBG regulation at 1003.201(j). They can be considered part of the ICDBG project cost.

Q.11. What is the definition of an elderly person in the ICDBG program?

A.11. The ICDBG regulation at 24 CFR 1003.208(b) references "elderly persons" but does not define it. The applicant can use the tribe's definition of elderly person in its application or define elderly persons for the purpose of the ICDBG application.

Q. 12. Does a homeowner have to meet LMI eligibility requirements if he/she doesn't reside in the property, but rents the house to a LMI family or is it sufficient that only the tenant is LMI?

A. 12. The ICDBG regulation at 1003.208(c) states "...which upon completion, will be occupied by low and moderate income households." (emphasis added). It is the tenant's income that must be LMI.

Program and Project Thresholds

Q.13. In the ICDBG NOFA webcast on May 4, 2011, ONAP staff said that ICDBG grantees will not be able to rehabilitate HUD-assisted homes if tenant rents are not current or if tenants are not current in a repayment agreement.

A.13. This is not correct. In accordance with the NOFA in Section III.C.3.a., and the ICDBG regulation at 1003.302(a), only homebuyer payments must be current for the purposes of this project specific threshold.

Q. 14. Does HUD use per capita income to calculate the LMI status or household income?

A.14. It depends on the type of project for which funds are requested. In some cases, HUD will review the income of the persons you are going to serve and in other instances, the household income.

The ICDBG regulation at 1003.104 defines LMI this way –

“Low and moderate income beneficiary means a family, household, or individual whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families. However, HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low household or family incomes. In reporting income levels to HUD, the applicant must include and identify the distributions of tribal or village income to families, households, or individuals.”

See page 17 of the NOFA in letter k. of the checklist. There it says –

“k. Low-and moderate-income benefit. Your application must contain information that indicates at least 70 percent of the grant funds will be used for activities that benefit low- and moderate-income persons, in accordance with the requirements of 24 CFR 1003.208. For housing activities, including but not limited to, acquisition or rehabilitation of housing, conversion of non-residential structures and new housing construction, all households that receive ICDBG grant assistance must be of low- and moderate-income status.”

Your Area ONAP can provide you with LMI information based on FY 2000 census data.

Q.15. Does housing rehabilitated with ICDBG funds have to meet any specific rehabilitation standard? The NOFA says that applicants must either adopt the Section 8 HQS or request HUD approval of a lesser standard.

A.15. Yes, housing assisted with ICDBG funds must meet a rehabilitation standard. One of the specific objectives of the ICDBG program is: “...the conservation and expansion of the Nation’s housing stock in order to provide a decent home and suitable living environment for all persons but principally those of low and moderate income.” 42 U.S.C. 5301(c)(3). Standard

housing/standard condition is defined in the NOFA in Section I.D.14. There it says that housing rehabilitated with ICDBG funds must meet the housing standards of the Section 8 voucher program, at minimum.

Q. 16. For housing rehabilitation, the ICDBG application must contain information that shows that all households that receive ICDBG grant assistance are of LMI status. Similarly, for new housing construction, your application must contain information that shows that all households that receive ICDBG grant assistance are of LMI status. Can you expound on what you would consider “information that shows” all households are LMI?

A.16. Applicants should not merely say that all applicants will be of LMI. The NOFA specifically asked for information that shows this. For example, applicants could either provide excerpts from their admission/program policies that confirm they will serve LMI families only or a waiting list that shows how many LMI families are to be served.

Q. 17. The NOFA says that for new construction or housing rehabilitation, the housing must meet code. Whose code, the tribe’s or the organization applying for the funding?

A. 17. The NOFA in the both the housing rehabilitation and new construction project thresholds (Section C.3.a. and b.), states that for both rehabilitation and new construction, the policies and standards must be adopted by tribal law or practice. In the case of new construction, the standards must be documented in a tribal resolution that must be submitted with your application. Do not submit the actual policies or standards with your application.

Rating

Q. 18. If an applicant is proposing to acquire existing housing and then rehabilitate such housing, how will the application be rated, as two projects or one?

A.18. The application will be rated as a housing rehabilitation project.

Q.19. If an applicant is proposing to acquire existing housing but it does not need any rehabilitation, how will it be rated? Why would acquisition be rated as rehab?

A.19. No, the application would be rated as a new construction project as this would be a new housing opportunity for tribal members.

Q.20. If an applicant is applying to complete phase two of a housing project can it count the land as leverage in phase two of the project?

A.20. No, the applicant cannot count the land as leverage the second time it applies.

Q.21. My tribal council passed a resolution last October which gives my organization the authority to apply for both FY 2010 and FY 2011 ICDBG funds for the project. It also certifies citizen participation requirements because citizen participation took place for the entire project prior to submission of the FY 2010 application. Will this still be acceptable or does the tribe have to additionally certify citizen participation for its FY 2011 application?

A.21. The applicant must comply with the citizen participation requirements for every grant it applies for – in every year it applies for ICDBG funding. While the citizens believed that the development of housing was the most pressing priority in 2010, a more urgent need might have arisen in the second year.

Q.22. If I already have the land and am applying for infrastructure for future housing development, how will my project be rated?

A.22. Your project will be rated as a public facility project.

Q. 23. If ONAP has already determined that the organization that my tribe is going to use to develop new housing with its FY 2011 ICDBG funds is a CBDO, do we have to submit the CBDO documentation again with our FY 2011 ICDBG application?

A. 23. No, if the organization is already CBDO for purposes of the ICDBG program, you should state this in your narrative to accompany your application. You do not need to submit supporting documentation again with the FY 2011 application.