



U.S. Department of Housing and
Urban Development

Special Attention:
Public Housing Office
Directors; Native
American Programs
Office
Directors

Notice PIH 96-38 (HUD)

Issued: June 6, 1996
Expires: June 30, 1997

Cross References:

Subject: Processing Housing Agency Applications for the
Family Unification Program - May 2, 1996 NOFA

Attached is the application review checklist for rating housing agency (HA) applications for the FY 96 family unification program funding. The checklist is divided into two parts: an initial screening checklist (Part 1) and a rating section for the four threshold criteria outlined in the FY 96 NOFA (Part 2). HUD State and Area Offices of Public Housing and Offices of Native American Programs must review and rate applications and send the information for the lottery via electronic mail to the Office of Rental Assistance, Attention: William P. Murphy (PIHPOST), no later than **August 19, 1996**.

For purposes of this Notice, the term HUD Office is defined to include the State and Area Offices and the Office of Native American Programs. When a specific office, rather than all HUD Offices, is assigned the responsibility for a function, the appropriate office will be identified.

The HUD Reform Act requires that HUD make available for public inspection the documentation supporting the approval or disapproval of each application. In addition, the documentation must indicate the basis on which any award was made or denied. Accordingly, reviewers must ensure that their comments on the review checklists are adequate to support the points assigned under the four threshold criteria. The Director of the Office of Public Housing or the Administrator of Native American Programs Office should ensure that all reviewers within the HUD Office are consistent in the documentation of the points assigned.

Initial Screening of Applications:

The HUD Office must complete the initial screening of applications at the time the applications are received. If an application is incomplete, the HUD Office should notify the HA in writing so that the HA can correct any technical deficiencies within the 14-calendar day correction period. Curable technical deficiencies relate only to items that do not improve the substantive quality of the application relative to the threshold criteria. Notification of technical deficiencies must be uniform and in letter form. Uncorrected technical deficiencies will result in the application being rejected and the HUD Office must send a letter to the HA notifying the HA of the rejected application.

Section 213 of the Housing and Community Development Act of 1974 requires that HUD independently determine that there is a need for the housing assistance requested, and solicit and consider comments relevant to this determination from the chief executive officer of the unit of general local government. The HUD Office must send a written invitation to the chief executive officer of the unit of general local government to submit Section 213 comments in accordance with 24 CFR 791 subpart C. To ensure timely application processing, Section 213 comments must be solicited as soon as possible, since the regulations allow a 30-calendar day comment period from the date of the HUD Office letter.

Each HUD Office must forward to the Office of Rental Assistance in Headquarters no later than **August 19, 1996**, the following information on each approvable application:

1. Name and address of the HA;
2. Name and address of the Public Child Welfare Agency;
3. State Office, Area Office, or Native American Programs Office contact person and telephone number.
4. The number of rental certificates in the HA application, and the minimum number of rental certificates and the corresponding budget authority acceptable to the HA [do not forward this fund reservation worksheet to Headquarters]; and,
5. A completed fund reservation worksheet for the number of rental certificates requested in the application.

This information will be used by Headquarters to establish the pool of eligible applicants for the lottery. It is important that all information for each HA be provided in order for the HA to be included in the lottery.

Selections:

Headquarters will conduct a lottery for all applications received from the HUD Offices. Headquarters staff will conduct the lottery by randomly selecting the HAs until all the funds have been awarded. All HAs will be funded based on the number of units requested in the HAs' applications. If there are insufficient funds available to fund fully all the HAs selected, the award of funds to the last HA will be reduced until all funds are awarded. Headquarters will limit to no more than 10 percent the amount of Section 8 budget authority awarded to the HAs in any state. In order to maintain the 10 percent limit, the last HA selected that exceeds the maximum budget authority will be awarded a reduced number of units and budget authority to the extent of the funding available and the HA's willingness to accept a reduced award.

Each HUD Office must transmit to Headquarters via electronic mail a file that contains the reservation data for each HA awarded funding under this NOFA. Attached is a copy of the reporting format. A Lotus 1*2*3, version 2.3, file created for this purpose and instructions for reporting the reservations to the Rental Assistance Division will be transmitted to each HUD Office.

If you have any questions regarding the attached checklist or the rating and ranking process in general, please contact the Rental Assistance Division at (202) 708-0477.

 /s/Michael B. Janis for
Kevin Emanuel Marchman, Acting Assistant
Secretary for Public and Indian Housing

Attachments

PART ONE
INITIAL SCREENING CHECKLIST
FY 1996 FAMILY UNIFICATION NOFA
APPLICATIONS

**FUNDING ALLOCATION RATING AND RANKING
CHECKLIST FOR FY 1996 FAMILY UNIFICATION NOFA**

NAME OF APPLICANT: _____

NAME OF REVIEWER: _____

REVIEWING OFFICE: _____

Initial Screening of Applications for FAMILY UNIFICATION NOFA (To be completed by Office of Public Housing or Native American Programs Office)	Yes	No	N/A
1. Application received in appropriate HUD office by 3 PM (local time), July 1, 1996 .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. In reviewing applications, HUD Office agrees that:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(a) The Department of Justice has not brought a civil rights suit against the applicant HA and there is no pending administrative action for civil rights violations instituted by HUD.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) There has been no adjudication of a civil rights violation in a civil action brought against the HA by a private individual. (Check YES if the HA is operating in compliance with a court order, or implementing a HUD approved resident selection and assignment plan or compliance agreement designed to correct the areas of noncompliance.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) There are no outstanding findings of noncompliance with civil rights statutes, Executive Orders, or regulations as a result of formal administrative proceedings, or the Secretary has not issued a charge against the applicant under the Fair Housing Act. (Check YES if the HA is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>(d) HUD has not deferred application processing under title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) and the HUD Title VI regulations (24 CFR 1.8) and procedures (HUD Handbook 8040.1), or under Section 504 of the Rehabilitation Act of 1973 and related HUD regulations (24 CFR 8.57).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>(e) The HA has no serious, unaddressed outstanding Inspector General audit findings, FHEO monitoring review findings, or HUD Office management review findings for one or more of its Rental Voucher or Rental Certificate Programs. (Check YES if the HA is required under the NOFA to apply for rental vouchers and/or certificates with a contract administrator and the contract administrator has sufficient experience to administer a rental voucher or certificate program.)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>(f) The leasing rate for rental certificates and rental vouchers in its HUD-approved budget for the HA fiscal year prior to application for funding is equal to or greater than 90 percent. NOTE: Each rental voucher or certificate program separately must have leasing rate of at least 90 percent to meet this threshold. If the HA has no Rental Certificate or Rental Voucher Program, the leasing rate for all units available for occupancy in the Public or Indian Housing Programs is equal to or greater than 90 percent. (For a State or regional HA, the HUD Office shall determine the HA's combined leasing rate for metropolitan and non-metropolitan areas, and shall use this rate in determining whether to accept the application under this paragraph.)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(g) The HA is not involved in litigation that may seriously impede the ability of the HA to administer an additional increment of rental vouchers and/or certificates.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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STOP. If the answer to any of the above questions is " **NO**," then the application is **NOT ACCEPTABLE**. If all above answers are "YES," then complete remainder of checklist.

**Initial Screening of Applications for
FAMILY UNIFICATION NOFA**

(To be completed by Office of Public Housing or
Office of Native American Programs)

	YES	NO	N/A	Need Info.
2. In reviewing applications, HUD Office agrees that:				
(h) The application contains a signed, completed form HUD 52515.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) The application specifies the number of rental vouchers and/or certificates requested.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(j) The application states by number of bedrooms the total number of rental vouchers and/or certificates requested by the HA.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(k) The application demonstrates that it is responsive to the condition of the housing stock in the community and the housing assistance needs of low income families (including large families and those displaced) residing in or expected to reside in the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(l) The application demonstrates that the applicant qualifies as a public housing agency and is legally qualified and authorized to participate in the rental assistance programs for the area in which the programs are to be carried out. Such demonstration includes: (i) The relevant enabling legislation, (ii) any rules and regulations adopted or to be adopted by the agency to govern its operations, and (iii) a supporting opinion from the agency counsel. (Check YES if documents are currently on file in the HUD Office).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(m) The application includes a statement that the housing quality standards to be used in the operation of the program will be as set forth in 24 CFR 982.401 or that variations in the Acceptability Criteria are proposed or have been approved by the HUD Office. In the latter case, each proposed variation shall be specified and justified.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Initial Screening of Applications for
FAMILY UNIFICATION NOFA**

(To be completed by Office of Public Housing or
Native American Programs Office)

	YES	NO	N/A	Need Info.
2. In reviewing applications, HUD Office agrees that:				
(n) The application contains estimates of the average adjusted income of prospective participants for each bedroom size for each program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(o) The application meets HUD's drug-free workplace requirements set out at 24 CFR part 24, subpart F. The application contains an executed Certification regarding Drug-Free Workplace Requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(p) The application meets HUD's regulations regarding the anti-lobbying set out at 24 CFR 87. The application includes an anti-lobbying certification and, if warranted, disclosure of lobbying activities (SF-LLL).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(q) The application includes Section 213 comments. (If not, the HUD Office must request comments from local government providing a 30-calendar day comment period).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Applications should be screened at the time they are received.

If an application has technical deficiencies, the HA must submit requested corrections within 14 calendar days from the date of the HUD Office written request. Curable technical deficiencies relate only to items that do not improve the substantive quality of the application relative to the threshold criteria. All HAs must submit corrections within 14 calendar days from the date of HUD's letter notifying the applicant of any such deficiency. Information received after 3 p.m. local time (i.e., the time in the appropriate HUD Office), of the fourteenth calendar day of the correction period will not be accepted and the application will be rejected as incomplete.

Pass -
Continue
Processing

Fail -
Identify
Deficiencies

Agree with
Screening
Results

Reviewer's Signature & Date

Supervisor's Signature & Date

ANY CHANGE MADE TO THE INITIAL SCREENING CHECKLIST MUST BE EXPLAINED.
INDICATE NAME AND TITLE OF INDIVIDUAL CHANGING THE CHECKLIST AND DATE OF
CHANGE.

Disagree/change
Screening
Results

Supervisor's Signature & Date

Explanation for change:

PART TWO
RATING SECTION
SELECTION CRITERIA
FY 1996 FAMILY UNIFICATION NOFA

FY 1996 FAMILY UNIFICATION NOFA

NAME OF APPLICANT: _____

REVIEWING OFFICE: _____

Threshold Criterion 1: Unmet Housing Needs (50 points).

(i) Description: This criterion assesses the unmet housing need in the primary area specified in the HA's application compared to the unmet housing need for the allocation area. Unmet housing need is defined as the number of very low-income renter households with housing problems based on 1990 Census, minus the number of Federally-assisted housing units provided since the 1990 Census.

In awarding points under this criterion, HUD will, to the extent practicable, consider all units provided since the 1990 Census under the Section 8 Rental Voucher and Certificate programs, any other Section 8 programs, the Public and Indian Housing programs, the Section 202 program, and the Farmers Home Administrations's Section 515 Rural Rental Housing program.

(ii) Rating and Assessment: The number of points assigned is based on the percentage of the allocation area's unmet housing need that is within the HA's primary area. State or Regional Housing Agencies will receive points based on the areas they intend to serve with this allocation, e.g., the entire allocation area or the localities within the allocation area specified in the application. The HUD Office will assign one of the following point totals:

- **50 points.** If the HA's percentage of unmet housing need is greater than 50 percent of the allocation area's unmet need.

- **45 points.** If the HA's percentage of unmet housing need is equal to or less than 50 percent but greater than 40 percent of the allocation area's unmet need.

- **40 points.** If the HA's percentage of unmet housing need is equal to or less than 40 percent but greater than 30 percent of the allocation area's unmet need.

- **35 points.** If the HA's percentage of unmet housing need is equal to or less than 30 percent but greater than 20 percent of the allocation area's unmet need.

- **30 points.** If the HA's percentage of unmet housing need is equal to or less than 20 percent but greater than 10 percent of the allocation area's unmet need.

- **0 points.** If the HA's percentage of unmet housing need is equal to or less than 10 percent of the allocation area's unmet need.

In accordance with Notice PIH 91-45, the HUD Office will notify the Farmers Home Administration (FmHA) of applications it receives and ask that FmHA provide advisory comments concerning the market for additional assisted housing or the possible impact the proposed units may have on FmHA projects. Applications for which FmHA has provided comments expressing concerns about market need or the continued stability of existing FmHA projects, with which HUD agrees, will receive zero points for this criterion.

_____ **Point Total for Threshold Criterion 1**

Reviewer's Signature & Date

Reviewer's Comments:

Supervisory Review

[] Agree with above rating

Supervisor's Signature & Date

ANY CHANGE TO FINAL POINT SCORE MUST BE EXPLAINED. INDICATE NEW SCORE; NAME AND TITLE OF INDIVIDUAL CHANGING THE SCORE AND DATE.

[] Change rating to: _____

Supervisor's Signature & Date

Explanation for change:

FINAL POINT SCORE: _____

FY 1996 FAMILY UNIFICATION NOFA

NAME OF APPLICANT: _____

REVIEWING OFFICE: _____

Threshold Criterion 2: Efforts of HA to Provide Area-Wide Housing Opportunities for Families (60 points).

(i) **Description:** Many HAs have undertaken voluntary efforts to provide area-wide housing opportunities for families. The efforts described in response to this threshold criterion must be beyond those required by federal law or regulation such as the portability provisions of the Section 8 rental voucher and certificate programs. HAs in metropolitan and non-metropolitan areas are eligible for points under this criterion. The HUD Office will assign points to HAs that have established cooperative agreements with other HAs or created a consortium of HAs in order to facilitate the transfer of families and their rental assistance between HA jurisdictions. In addition, the HUD Office will assign points to HAs that have established relationships with non-profit groups to provide families with additional counseling, or have directly provided counseling, to increase the likelihood of a successful move by the families to areas that do not have large concentrations of poverty.

(ii) **Rating and Assessment:** The HUD Office will assign point values for any of the following assessments for which the HA qualifies and add the points for all the assessments (maximum of 60 points) to determine the total points for this Threshold Criterion:

Points

- _____ • **10 points** - Assign 10 points if the HA documents that it participates in an area-wide rental voucher and certificate exchange program where all HAs absorb portable Section 8 families.

- _____ • **10 Points** - Assign 10 points if the HA certifies that its administrative plan does not include a "residency preference" for selection of families to participate in its rental voucher and certificate programs or the HA certifies that it will eliminate immediately any "residency preference" currently in its administrative plan.

- **10 Points** - Assign 10 points if the HA documents that it has established a contractual relationship with a non-profit agency or the local governmental entity to provide housing counseling for families that want to move to low-poverty or non-minority areas. The five HAS approved for the FY 93 Moving to Opportunity (MTO) for Fair Housing Demonstration and any other HAS that receive counseling funds from HUD (e.g., in settlement of litigation involving desegregation or demolition of public housing, mixed population projects) may qualify for points under this assessment, but these HAS must identify all activities undertaken, other than those funded by HUD.

- **10 Points** - Assign 10 points if the HA documents that it requested from HUD, and HUD approved, the authority to utilize exceptions to the fair market rent limitations as allowed under 24 CFR 882.106(a)(4) to allow families to select units in low-poverty or non-minority areas.

- **10 Points** - Assign 10 points if the HA documents that it participates with other HAS in using a metropolitan wide or combined waiting list for selecting participants in the program.

- **10 Points** - Assign 10 points if the HA documents that it has implemented other initiatives that have resulted in expanding housing opportunities in areas that do not have undue concentrations of poverty or minority families.

Point Total for Threshold Criterion 2

Reviewer's Signature & Date

Reviewer's Comments:

Supervisory Review

[] Agree with above rating

Supervisor's Signature & Date

ANY CHANGE TO FINAL POINT SCORE MUST BE EXPLAINED. INDICATE NEW SCORE; NAME AND TITLE OF INDIVIDUAL CHANGING THE SCORE AND DATE.

[] Change rating to: _____

Supervisor's Signature & Date

Explanation for change:

FINAL POINT SCORE: _____

FY 1996 FAMILY UNIFICATION NOFA

NAME OF APPLICANT: _____

REVIEWING OFFICE: _____

(2) Threshold Criterion 3: Coordination Between HA and Public Child Welfare Agency to Identify and Assist Eligible Families.

The application must describe the method that the HA and the public child welfare agency will use to identify and assist Family Unification eligible families. The application must include a letter of intent from the PCWA stating its commitment to provide resources and support for the program. The PCWA letter of intent and other information must be comprehensive and must include an explanation of the method used to identify eligible families, of the PCWA's certification process for determining Family Unification eligible families, of the responsibilities of each agency, of the PCWA assistance provided to families in locating housing units, of the PCWA staff resources committed to the program, of the past PCWA experience administering a similar program, and of the PCWA/HA cooperation in administering a similar program.

YES _____ NO _____

Reviewer's Comments:

Reviewer's Signature & Date

Supervisory Review

[] Agree with above rating

Supervisor's Signature & Date

ANY CHANGE TO FINAL POINT SCORE MUST BE EXPLAINED. INDICATE NEW SCORE; NAME AND TITLE OF INDIVIDUAL CHANGING THE SCORE AND DATE.

[] Change rating to: _____

Supervisor's Signature & Date

Explanation for change:

FY 1996 FAMILY UNIFICATION NOFA

NAME OF APPLICANT: _____

REVIEWING OFFICE: _____

(3) Threshold Criterion 4: Public Child Welfare Agency Statement of Need for Family Unification Program .

The application must include a statement by the PCWA describing the need for a program providing assistance to families for whom lack of adequate housing is a primary factor in the placement of the family's children in out-of-home care, or in the delay of discharge of the children to the family from out-of-home care in the area to be served, as evidenced by the caseload of the public child welfare agency. The PCWA must adequately demonstrate that there is a need in the HA's jurisdiction for the Family Unification program which is not being met through existing programs. The narrative must include specific information relevant to the area to be served, about homelessness, family violence resulting in involuntary displacement, number and characteristics of families who are experiencing the placement of children in out-of-home care or the delayed discharge of children from out-of-home care as the result of inadequate housing, and the PCWA's past experience in obtaining housing through HUD assisted programs and other sources for families lacking adequate housing.

YES _____ NO _____

Reviewer's Comments:

Reviewer's Signature & Date

Supervisory Review

[] Agree with above rating

Supervisor's Signature & Date

ANY CHANGE TO FINAL POINT SCORE MUST BE EXPLAINED. INDICATE NEW SCORE; NAME AND TITLE OF INDIVIDUAL CHANGING THE SCORE AND DATE.

[] Change rating to: _____

Supervisor's Signature & Date

Explanation for change:

FY 1996 FAMILY UNIFICATION NOFA

NAME OF APPLICANT: _____

REVIEWING OFFICE: _____

PART TWO
SCORE SUMMARY

THRESHOLD CRITERIA	FINAL POINT SCORE
#1- Unmet Housing Needs (maximum points = 50)	_____
#2- Efforts to Provide Area Wide Housing Opportunities for Families (maximum points = 60)	_____
#3- Coordination Between HA and Public Child Welfare Agency to Identify and Assist Eligible Families (Yes or No)	_____
#4- Public Child Welfare Agency Statement of Need for family Unification Program (Yes or No)	_____

An application is eligible for the lottery only if the application is scored 30 or more points for Threshold Criterion #1 and scored 10 or more points for Threshold Criterion #2 and if the answers to Threshold Criterion #3 and #4 are Yes.