

Frequently Asked Questions (FAQs) for Notice PIH-2014-09 (HA)

Emergency Safety and Security Funding Notice as it Relates to Consolidated and Further Continuing Appropriations Act, 2015, (“2015 Appropriations Act”) (Public Law 113-235)

PROCEDURE

1. How do I apply for an Emergency Safety and Security grant?

Per Notice PIH-2014-09 (“the Notice”), PHAs seeking Safety and Security funding must submit a completed application package (see Section 10 d. of the Notice for all of the submission requirements that comprise the application package) by overnight delivery (Federal Express, UPS Overnight, USPS Express Mail, etc.) unless other prior arrangements are made with HUD (see contact information at end of FAQ). See item 8 below for link to obtain forms.

2. When are applications due, and if I want to submit early, will I be more likely to be funded?

Per the Notice, all applications are due by close of business EST March 20, 2015. Applications submitted earlier than March 20, 2015 will be treated as if they were received on March 20, 2015 and will not receive preferential treatment. All applications received by close of business on the due date will be reviewed for funding eligibility. If there are more eligible applications than set-aside funding, a lottery will be held to determine which applications are funded.

3. When is HUD’s Fiscal Year? What time period should I use for crime statistics?

HUD’s Fiscal Year runs from Oct 1 to September 30 each year in which HUD funds are appropriated. The PHA should provide the most recent crime data available. If crime data is not available for the current fiscal year, that must be explained in the narrative. The narrative must then be used to evidence that there is a crime emergency in the current fiscal year.

4. If receiving funding, will my housing authority be required to sign an ACC Amendment?

Yes, with the additional requirements that the funds must be obligated in 1 year and must be expended in 2 years. The PHA will also need to demonstrate that there is a current and effective (without any pre-existing liens or encumbrances) declaration of trust (“DOT”) on the property on which the funds will be used.

5. What are the obligation and expenditure dates for this grant?

The funds must be 90% obligated within 1 year and 100% expended in 2 years.

6. We understand that there is a \$250,000 cap on each proposal. Does that mean one proposal submission per housing authority?

The intent of the notice is one proposal per housing authority.

7. My PHA has hired a consultant to prepare our application. Can the consultant submit the proposal on our behalf?

Applications for emergency safety and security funding awarded pursuant to Notice 2014-09 must bear the signature of the executive director of the housing authority or some other housing authority official duly delegated the authority of the executive director. HUD is aware that a housing authority might occasionally retain third-party consultants or contractors to prepare applications for funding on its behalf; this is an acceptable practice, but the application ultimately submitted must originate from the housing authority and carry the signature of an official authorized to act on behalf of the housing authority.

FORMS

8. Where can I find the forms that I will need to complete my application?

Please go to HUD's website at:

http://portal.hud.gov/portal/page/portal/HUD/program_offices/administration/hudclips/forms. You can access all HUD forms on this website by entering the name or number of the form you need under the section labeled "Search HUD's Forms," found on the right hand side of the web page under "Quick Links."

9. My housing authority normally files the HUD-50077CR. Should I fill out a new HUD-50077 for this application?

No. You should submit a copy of the Form 50077CR if your housing authority is a qualified housing authority or Form 50077 if it is a nonqualified housing authority. For a list of qualified PHAs:

<http://portal.hud.gov/hudportal/documents/huddoc?id=PHASLIST-EDITED.XLS>

Furthermore, as long as the information is still current, complete, and otherwise accurate in any and all respects, a copy of the same form previously submitted to the field office would suffice. If you have a question on which form to submit please use the contact information at the end of the FAQ.

10. What should be included on the Emergency Safety and Security grant specific HUD-50075.1?

The 50075.1 should reflect how you intend to use the Emergency Safety and Security funds you are requesting under the appropriate line item in Part I. Part II should clearly indicate on which development the Emergency Safety and Security funds would be used as well as a development breakdown of the distribution of the funds in the event more than one development is addressed in your Emergency Safety and Security proposal.

11. Do work items requested in the proposal need to be included in a previous HUD approved 5 year Capital Fund Action Plan?

No. The Emergency Safety and Security work items are not required to be included in the existing HUD approved 5-year Capital Fund Action Plan because regulations are relaxed in bona fide

emergency situations. See, for example, 24 C.F.R. § 905.200(b)(18), (Eligible activities) which provides, “Capital Fund Activities identified as emergency work, as defined § 905.108, whether or not the need is indicated in the CFP 5-Year Action Plan.” See also § 905.300 (b)(1) which provides “Except in the case of emergency/disaster work, the PHA shall not spend Capital Funds on any work that is not included in an approved CFP 5-year Action Plan and its amendments.”

ELIGIBLE USES

12. Is hiring an outside security or police force an eligible expense?

No. As with any Capital Funds, eligible expenses consist of capital or management improvements. Salaries paid to security or law enforcement personnel are not eligible Capital Fund expenditures. However, salaries for security guards are eligible Operating Fund costs.

13. My agency is going to submit a request for capital and security funding to address building needs for our police department. We will explain in our narrative that a police force able to function at full capacity directly affects the safety and security of our residents. Is this applicable to this funding opportunity?

No. The improvements can only be made to properties that are under a HUD- approved DOT and appropriate covenant to operate as public housing for the benefit of public housing residents.

14. My housing authority has had a problem with drug-related violence for a long time. We think security cameras and brighter lights in the courtyards would reduce this violence. Would this count as an eligible use of funds?

Security cameras and new lights are examples of eligible capital expenditures. However, please be aware that the funds to be awarded pursuant to Notice 2014-09 are for emergency capital needs related to safety and security measures necessary to address crime and drug related activity. Please see paragraphs three and four of the notice. A long-standing problem does not constitute an emergency because it is not unforeseen and unlikely to be unpreventable. Furthermore, any emergency has to have occurred in the fiscal year for which appropriated funds are requested.

15. Can my agency use an existing architectural contract for this?

Yes, to the extent that work to be performed under the contract mitigates an actual emergency within the scope of the Notice. The plan must still be reviewed by a disinterested, independent third party and found to be viable.

16. Is training an allowable expense if it relates to the use of new security related systems and enhancements funded by the grant?

Yes and no - **Initial** training costs that is directly related to improvements made with the grant funds is an allowable expense. **Ongoing** future training would not be an allowable expense.

17. Are Section 8 units, State funded units, or Multifamily units operated by the PHA eligible?

No, only properties covered by a HUD- approved DOT and appropriate covenant to operate as public housing for the benefit of public housing residents.

Where can I go if I have more questions?

Please call Tom Shelton at (202) 708 – 1640 or email SafetyandSecurityQuestions@hud.gov.