

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
[Docket No. FR-5500-N-31]
Notice of Funding Availability for
Tenant Resource Network Program (TRN)

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Notice of funding availability.

OVERVIEW INFORMATION:

A. Federal Agency Name: Department of Housing and Urban Development, Office of Multifamily Housing Programs

B. Funding Opportunity Title: Tenant Resource Network Program (TRN)

C. Announcement Type: Initial Announcement

D. Funding Opportunity Number: The Federal Register Number is: FR-5500-N-31. The OMB Approval Number is 2502-0601

E. Catalog of Federal Domestic Assistance (CFDA) Number: 14.322, Tenant Resource Network Program

F. Dates: The application deadline date is **December 6, 2011**. Applications submitted through <http://www.grants.gov> must be received by grants.gov no later than 11:59:59 pm eastern time on the application deadline date. See Section IV of the General Section, regarding application procedures, timely filing requirements, and grace period policy.

G. Additional Information.

1. Purpose of the Program: The TRN program has two purposes. One goal of the program is tenant empowerment. HUD will make competitive awards to applicant organizations to assist, inform, educate and engage tenants of eligible project-based Section 8 Housing Assistance Payment (HAP) contract-assisted properties regarding their rights, responsibilities and options in response to a property owner's filing a notice of Opt-Out or mortgage prepayment, a second consecutive "Below 60" physical inspection score (not yet under abatement), or a mortgage maturing within 24 months of publication of this notice. The second purpose of the program is preservation of HUD-assisted affordable housing. The program aims to engage tenants in efforts to preserve eligible properties as affordable housing. TRN is specifically targeting Metropolitan Statistical Areas (MSAs) with the largest numbers of TRN-eligible units, and may provide additional award funds to applicants working in these communities that are disproportionately impacted by the potential loss of assisted housing.

2. Award Information: Awards through cooperative agreement (See Type of Award, below) will be made available in Fiscal Year (FY) 2011 funds under the authority of Section 514 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA) for tenant outreach at properties defined by HUD as TRN-eligible. Awardees may also utilize up to 15% of award funds for administrative activities and up to 15% for property assessments.

3. Anticipated Funding Amounts: Approximately \$10 million dollars will be available for awards under this notice. Each award will be no less than \$200,000 and no more than \$720,000, inclusive of a 20% increase for targeted areas. Applicants may compete to receive more than one award if they apply to work in more than one state. No applicant will receive more than \$2,000,000, or 20 percent of the total amount available in the competition, whichever is smaller. The exact award amount will depend on the number of eligible units an applicant proposes to serve. Those applicants proposing to reach 50 percent or more of all eligible housing units in one of eight designated Targeted Metro Areas may receive an increase of up to 20 percent in the award. Targeted Metro Areas are defined below and properties within these Targeted Metro Areas are listed in the Appendix.

4. Type of Award: TRN awards will be made through cooperative agreements with a period of performance not to exceed 24 months. On a quarterly basis, HUD will make determinations on grant scope, amount and default status based on grantee compliance with financial, reporting and performance requirements detailed in this notice and in the signed cooperative agreement. HUD also reserves the right to periodic field monitoring of grantees. HUD will approve additional properties, on a case-by-case basis. Where properties are added, Workplans and Logic Models will be required to be amended on at least an annual basis. HUD reserves the right to require more frequent updates if the numbers of additional properties are significant as to affect program outcomes or reporting data.

5. Eligible Applicants: Eligible applicants are nonprofit organizations with current IRS 501(c)(3) tax-exempt status. Eligible applicants shall demonstrate a minimum of five years of tenant outreach and organizing activities. The applicant organization and its principal staff and board members may not have an identity of interest with any owner or management entity of any property on their TRN eligible property list. Applicants may partner with small local or regional organizations.

6. Eligible Properties: Eligible properties are listed in the Appendix. TRN-eligible properties are all identified by the Department as high risk of losing their project-based rental assistance, or where tenants' access to rental subsidy may be at risk. If Section 8 is under abatement, HUD will remove these properties from the list.

7. Number of Applications: Applicants may submit multiple applications for funds but HUD will not consider more than one application per state per applicant. A distinct application must be submitted for each state where work is proposed.

8. Cost Sharing or Matching Funds: No match is required. Leveraging of non-HUD funds is encouraged and applicants providing leveraged funds will receive more rating points.

9. Eligible Activities: Eligible activities include property outreach activities described in Section III.C, below.

10. Other Information: HUD is soliciting applications that will make a measurable impact on preserving assisted housing at risk of Opt-Out and safeguarding tenants' access to housing assistance by targeting as many units as possible with an experienced tenant organizing team. The Department will prioritize those TRN applications serving MSAs with disproportionately high numbers of eligible housing units in order to have the largest impact on the current problem. This NOFA supports the Departmental Policy Priority Goals of Sustainability and Using Housing as a Platform for Other Outcomes. Awards will be made to applicants that support these goals, meet threshold funding requirements, and receive the highest number of points based on the scoring criteria in this program NOFA. Threshold funding requirements are found in III.C.2 of the Fiscal Year 2011 HUD **General Section**.

FULL TEXT ANNOUNCEMENT

I. FUNDING OPPORTUNITY DESCRIPTION.

A. Program Description.

1. Definitions.

a. "Identified Properties": Those TRN-eligible properties that the applicant selects as sites where eligible activities will be performed during the 24-month award performance period. Awardees seeking approval of additional properties and units must clearly list these properties in a request to the HUD Program Manager identified in the award document (cooperative agreement). HUD may approve awardees' adding additional newly eligible properties to this list as a response to property circumstances observed by an awardee during the award term.

b. "MAHRA" : The Multifamily Assisted Housing Reform and Affordability Act of 1997 (P.L. 2158, Section 501, Title 5), 42 USC 1437f; as amended by H.R. 2684 (Public Law 106-74), Departments of Veterans Affairs and the Housing and Urban Development, Independent Agencies Appropriations Act, 2000; as further amended by the Mark-to-Market Extension Act of 2001, H.R. 3061 (Public Law 107-342), Departments of Labor, Health and Human Services, and Education Appropriations Act, 2002; as further amended by H.R. 20 (Public Law 110-5) Revised Continuing Appropriations Resolution, 2007 Section 21043, which made changes to Section 579 to extend the statute until October 1, 2011; as further amended FY2011 Department of Defense and Full-Year Continuing Appropriations Act, (Public Law 112-10, enacted April 15, 2011).

c. "Newly Eligible Properties": Those properties that become TRN-eligible during the award term due to a Section 8 contract expiring within 24 months of this NOFA publication, along with evidence of a triggering event or credible written evidence the owner intends to sell the property. Such properties may be identified and recommended for inclusion by the awardee and added at

HUD's discretion to the list of awardee identified properties during the award term. The awardee shall provide evidence of property eligibility to HUD at the time of submission of a required quarterly report. A revised Workplan and an additional identity of interest certification shall be provided at that time by the grantee. HUD must approve the addition of a newly eligible property prior to initiation of any TRN activities at the property. Any newly eligible property must be located in the same state identified by the awardee in their original application that was the basis for the award. Regardless of identified property additions, awardees are expected to perform activities and achieve outcomes described in the original application as well. Ninety (90) days prior to the annual report submission, an updated Logic Model must be submitted for amendment. Additional HUD funds for properties added to the Workplan will not be available, however, grantees may use funds other than HUD funds to support the additional work activities. Awardees will be monitored for compliance to the new Workplan on a quarterly basis and will continue to be reimbursed for eligible expenses on a cost reimbursement basis. Under no circumstance may newly eligible units comprise more than 20 percent of the units served by the grantee during the 24 month performance period.

d. "Owner Options": Section 8 Owner Election Form HUD9624 Renewal Options. At least 120 days prior to Section 8 contract expiration, the property owner is required to submit its Owner Election form (Form HUD9624), informing HUD of its intention to renew its contract subject to certain criteria relative to the property's rent levels, or to Opt-Out of the Section 8 subsidy program (an Opt-Out requires additional notice to HUD and the property residents). TRN grantees are expected to understand the following options and communicate them to tenants, owners and other interested parties. The Owner Options include:

(1) Option 1: Mark-Up-to-Market. Eligible owners in strong market areas may remain in the Section 8 program by increasing rents to comparable market levels.

(2) Option 2: Contract Renewal At or Below Market. Owners may request routine renewals for projects with rents that do not exceed comparable market levels. Nonprofit owners may also pursue a budget-based rent increase in tandem with a transfer or substantial rehab, as described in Chapter 15 of the Section 8 Renewal Policy Guide: Nonprofit Transfer and Capital Repairs.

(3) Option 3A: Mark-to-Market "Lite." Owners may renew at rents reduced from above-market to comparable market levels, without debt restructuring.

(4) Option 3B: Mark-to-Market "Full." Owners may renew at rents reduced from above-market to comparable market levels, with debt restructuring.

(5) Option 4: Exempt. Owners of certain projects may maintain above-market rents.

(6) Option 5: Renewal of Preservation Program Contract, or Demonstration Program Contract. Owners who participated in the Federal Preservation programs (under Title II (ELIHPA) or Title VI (LIHPRHA)) must continue to receive the benefits provided in their use agreements with HUD.

(7) Option 6: Opt-Out. The owner elects to remove its property from the Section 8 subsidy program, by choosing not to renew the Section 8 contract after expiration.

e. “Team Member”: A local, area wide or regional tenant, housing or community organization participating with the applicant in work proposed by this NOFA. Team members may be subrecipients to the applicant. Any pass-thru funds to team members shall be considered a subaward. The eligible applicant will assume full responsibility for all TRN-related activities by the team member(s), and the activities of team members will be evaluated in assessing awardee/grantee performance toward goals. It is not necessary for team members to have 501(c)(3) status, however, applicants must independently certify that neither the entities, nor the principal staff or Board members, have an identity-of-interest with any owner or management entity at any property where work is proposed. An identity of interest relationship exists if any officer, director, board member, or authorized agent of any applicant or team member:

(1) Is also an officer, director, board member, or authorized agent of any property where work is proposed;

(2) Has any financial interest in a property’s ownership or management firm or corporation where work is proposed;

(3) Is a business partner of an officer, director, board member, or authorized agent of an owner or management agent where work is proposed;

(4) Has a family relationship through blood, marriage or adoption with an officer, director, board member, or authorized agent of the owner or management agent at a property where work is proposed; or

(5) Advances any funds or items of value to the owner or management agent at the property where work is proposed.

Team members used in more than one application and/or area should have time percentages listed on each application for the grant under which they will be paid for the time dedicated to each grantee and area in the Management and Quality Control Plan (see Rating Factor 3).

If funds are provided to Team members, then the funding is required to be a subaward and the subaward must be reported under the Transparency Act subrecipient reporting requirements. Subawardees are also required to have a Dun and Bradstreet Universal Numbering system (DUNS) number.

f. “Targeted Metro Areas”: Geographical areas, corresponding to the most current Metropolitan Statistical Areas (MSAs) determined by the Office of Management and Budget, which include a high proportion of TRN-eligible housing units. Specifically, HUD is targeting activity to those MSAs with greater than, or equal to, 800 units (at the time of publication of this notice) at risk of losing their project-based rental assistance due to a Section 8 HAP contract expiring within 24 months of publication of this notice, and a triggering event related to the property’s assistance contract and/or mortgage. Targeted Metro Areas are: Los Angeles/Long Beach, CA; Seattle/Bellevue/Everett, WA; San Diego, CA; Tampa/St. Petersburg/Clearwater, FL; Detroit, MI; Chicago, IL; and Atlanta, GA. Applicants proposing to conduct outreach to

eligible housing units in one or more Targeted Metro Area(s) may be eligible for incentives in the form of application rating points, and/or an increase in the award. See the appendix to this NOFA.

g. “Triggering event”: An event that puts the long-term affordability of an assisted TRN eligible property at risk. For the purposes of TRN, triggering events include the following: an FHA insured or Direct mortgage maturity date within 24 months of the publication of this notice; an owner election to Opt-Out filed by the owner no more than 12 months prior to publication of this notice; a notice of prepayment filed by the owner no more than 12 months prior to publication of this notice; or the receipt of two consecutive Below 60 REAC scores (not yet under abatement), with the most recent score issued no more than 12 months prior to the publication of this notice.

h. “Leveraging”: The combination of multiple sources of funds, including other local and private funds, to finance TRN activities. Applicants may leverage HUD funding with match or cost-sharing in the form of funds or volunteers who may receive fringe benefits from funding sources other than HUD.

2. Purpose of the Program. The TRN program has two purposes. One purpose of the program is tenant empowerment. HUD will make competitive awards to applicant organizations to assist, inform, educate and engage tenants of eligible project-based Section 8 Housing Assistance Payment (HAP) contract-assisted properties regarding their rights, responsibilities and options in response to a triggering event. The second purpose of the program is preservation of affordable housing stock. The program aims to engage tenants in efforts to preserve eligible properties as affordable housing. TRN awardees will provide tenants with tools and strategies to participate meaningfully in decisions about the property’s future, to bring tenant voices into the decision-making process with the owner and other stakeholders, and to ensure tenants have information about their rights in the event that the Section 8 contract is not renewed. TRN is part of the Department’s strategy to meet the need for quality affordable rental homes through preservation of federally assisted housing. TRN-eligible properties are identified as high risk of losing their project-based rental assistance, or where tenants’ access to rental subsidy may be at risk. TRN is specifically targeting MSAs with the largest numbers of TRN-eligible units, and may provide additional award funds to applicants working in these communities that are disproportionately impacted by the potential loss of assisted housing.

3. Program Description. TRN will make awards to qualified nonprofit organizations to provide outreach services to tenants in TRN-eligible properties. TRN awardees must engage in required and intensive outreach and may engage in project assessments and administrative activities. TRN awardees will educate tenants on the particular options, challenges and opportunities posed by each specific triggering event. Tenants will be offered information and training to prepare to participate meaningfully in discussions regarding the future of the property. Awardees may involve tenants in discussions with property owners, managers, and potential purchasers to encourage owners to maintain the units as affordable, to complete needed property improvements, or to transfer the property to an entity that will commit to entering into a long-term assistance contract. In the event that an owner decides to Opt-Out of the property or the

affordability is otherwise lost, TRN awardees will ensure tenants have necessary information about Section 8 vouchers or other affordable housing options.

II. AWARD INFORMATION.

Approximately \$10 million dollars will be made available in FY2011 funds under the authority of Section 514 of MAHRA.

A. Type of Award. TRN awards will be made through cooperative agreements with a period of performance not to exceed 24 months. On a quarterly basis, HUD will make determinations on grant scope, amount and default status based on grantee compliance with financial, reporting and performance requirements detailed in this notice and in the signed cooperative agreement. HUD also reserves the right to periodic field monitoring of grantees. HUD will approve additional properties, Workplans (initial Workplan see Rating Factor 3, revised Workplan is submitted with the cooperative agreement), and/or cooperative agreement amendments quarterly, and on an individual case-by-case basis and Logic Models and annual reports on a yearly basis.

B. Anticipated Funding Amounts. Each award is expected to be no less than \$200,000 and no more than \$720,000. Applicants may receive more than one award if they apply to work in more than one state. Applicants proposing to work in multiple states must submit a distinct application for each state where work is proposed. Applicants submitting applications covering more than a single service area (multiple states), must download a separate application from Grants.gov for each state application to be considered for funding. Do not reuse the same application if you are proposing to work in multiple areas. No applicant will receive more than \$2,000,000, or 20 percent of the total amount awarded, whichever is smaller. The precise award amount will depend on the number of eligible units an applicant proposes to serve. Those applicants proposing outreach to 50 percent or more of eligible units in a given Targeted Metro Area defined in this notice will be eligible for a 20 percent increase in the award for the work conducted in the targeted area. For applications in the state of California, increases will be given for total targeted units in both the San Diego and the Los Angeles MSAs. For response purposes, a state-by-state listing of all TRN-Eligible properties and a listing of properties located in Targeted Metro Areas is provided in the Appendix. Applicants should refer to the below table to determine the maximum TRN award for which they may be eligible. HUD reserves the right to award an applicant less than the maximum allowable award.

| Range of Identified Units | Maximum TRN Award | Award with Targeted Metro Area Increase (if eligible) |
|---------------------------|-------------------|---|
| 400-799 | \$200,000 | N/A |
| 800-1,399 | \$300,000 | \$360,000 |
| 1,400-1,999 | \$400,000 | \$480,000 |
| 2,000-2,499 | \$500,000 | \$600,000 |
| 2,500+ | \$600,000 | \$720,000 |
| | | |

C. Anticipated Start Date. The anticipated start date of award is estimated to be approximately three months after the closing date of this NOFA. Grants will be awarded dependent on the extension of MAHRA.

D. Authority. HUD’s authority for making funds available under this NOFA is The Multifamily Assisted Housing Reform and Affordability Act of 1997 (P.L. 2158, Section 501, Title 5), 42 USC 1437f; as amended by H.R. 2684 (Public Law 106-74), Departments of Veterans Affairs and the Housing and Urban Development, Independent Agencies Appropriations Act, 2000; as further amended by the Mark-to-Market Extension Act of 2001, H.R. 3061 (Public Law 107-342), Departments of Labor, Health and Human Services, and Education Appropriations Act, 2002; as further amended by H.R. 20 (Public Law 110-5) Revised Continuing Appropriations Resolution, 2007 Section 21043, which made changes to Section 579 to extend the statute until October 1, 2011; as further amended FY2011 Department of Defense and Full-Year Continuing Appropriations Act, (Public Law 112-10, enacted April 15, 2011).

III. ELIGIBILITY INFORMATION.

A. Eligible Applicants. Eligible applicants are nonprofit organizations with current IRS 501(c)(3) tax-exempt status. Eligible applicants shall demonstrate a minimum of five years of tenant outreach and organizing work, using some or all of the methods described in “required and intensive outreach,” in part C, and defined on page 10, below. Applicants may work with a local, area-wide or regional team member, such as a local tenant organization, as detailed in the applicant’s staffing plan. This local organization will be considered part of the applicant’s team and will be evaluated as staff or contractor to the applicant. This team member is not required to have 501(c)(3) status and is not required a 5-year record of tenant outreach and organizing. However, the team member must not have an identity of interest with any owner or management of any property where TRN activity is proposed. Applicants may oversee multiple team members and work in multiple states, provided a separate application is submitted for each state in which work will be performed. If applying to work in more than one state, the applicant must submit a distinct application for each state where work is proposed.

B. Cost Sharing or Matching Funds. No match is required. Leveraging of non-HUD funds is encouraged and applicants providing leveraged funds will receive more rating points.

C. Eligible Activities. Applicants shall engage in required and optional activities as described below. The applicant will list identified properties, those TRN-eligible properties the applicant intends to serve, and receive HUD approval. The grantee may add newly eligible properties to the list during the award term, with prior approval from HUD. See Rating Factor 5 and Logic Model for all eligible activities and corresponding outcomes.

Required outreach, described in 1. below, and defined on page 9, is to be performed at all identified properties. No less than 20 percent and no more than 40 percent of the HUD-funded award may be used for required outreach. Property Assessments, described in 2. below, are the methods through which the applicant will identify those properties where intensive outreach is to be performed. No more than 15 percent of the HUD-funded award may be used for property assessments. Intensive outreach, described in 3., below, and defined on page 10, is to be performed at those properties the applicant selects through property assessments. No less than

40 percent and no more than 60 percent of the HUD-funded award may be used for intensive outreach. No less than 35 percent of the properties identified by the applicant shall receive some form of intensive outreach by the grantee during the award period, including some or all of the eligible activities described below. Administrative activities, described in 4., below, may account for no more than 15 percent of the HUD-funded award. Grantees may also perform eligible activities at newly eligible properties during the award period. Under no circumstance may newly eligible units comprise more than 20 percent of the units served by the applicant during the annual award performance period. The table below summarizes the percent of TRN award proceeds that may be used for the four categories of eligible activity.

| TRN Activity | Minimum Activity (as a percent of HUD award) | Maximum Activity (as a percent of HUD award) |
|---------------------------------|---|---|
| Required Outreach with tenants | 20% | 40% |
| Assessments | 0% | 15% |
| Intensive Outreach with tenants | 40% | 60% |
| Administrative | 0% | 15 % |

1. Required Outreach. Required outreach activities are to be performed at all identified properties. No less than 20 percent and no more than 40 percent of the HUD-funded award may be utilized for required outreach as described below. Grantees are required to perform each of the following activities at each identified property;

a. Prepare and Distribute Brochures Appropriate to the Needs of Project Residents. This includes both grantee-created materials and also HUD-translated materials in languages other than English as necessary to ensure communication with all of property residents.

b. Create Contact Mechanism. Provide tenants and owners with a mechanism such as a hotline, or email address through which they can contact the applicant organization or (if applicable) sponsoring organization and team member in order to obtain information about triggering events, their ramifications, and the options for tenants and owners.

c. Conduct a Minimum of Two Meetings in Each Property. The meetings shall introduce the grantee to the property's residents, provide tenants with general information about the triggering event at the property, the relevant owner and tenant options available in response to the event, and how these choices may impact tenants' rights, responsibilities and housing options.

2. Property Assessments. Property assessment activities shall comprise no more than 15 percent of applicant activities or HUD-funded award during the award term. Grantees may conduct assessments on some or all identified properties to determine where intensive outreach will be performed. Such assessments should determine if properties are at high risk of losing their affordability status during the award term, meaning the owner has filed a 120 day Opt-Out notice or has filed for prepayment, or other urgent circumstances explained by the assessment and approved by HUD and if tenants are aware of their rights and options in response to a triggering event. Such assessments may include the following activities:

a. Research on Property Physical Condition. Research activities include analysis of results of property inspections, conducted by the HUD Real Estate Assessment Center (REAC) and published at

<http://www.hud.gov/offices/hsg/mfh/rems/remsinspecscores/remsphysinspscores.cfm> review of proposed rehabilitation or repairs, if owner voluntarily makes such information available to tenants and TRN awardees, and analysis of prior rehabilitation efforts at the property, using information provided by the owner and published in tenant notifications required pursuant to 24 CFR Part 245;

b. Discussions with Tenants, Property Owners and/or Management Agents. The purpose of the discussion is to determine the condition of the property and the stated intentions of the project owner;

c. Review of Publicly Available HUD Data Available Through the Multifamily Assistance and Section 8 Contracts Database. The database is located at

<http://www.hud.gov/offices/hsg/mfh/exp/mfhdiscl.cfm> and Multifamily Portfolio Datasets located at

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/presrv/mfhpreservation regarding the terms and requirements of existing financing and project rental assistance, expiration or maturity dates of contracts, mortgages and use restrictions; and

d. Review of any Publicly Available Notices of the Owner's Intent to Sell the Property. Such notices may include notices submitted to state or local government agencies in compliance with notice requirements that may be in effect in the city or state where identified properties are located.

3. Intensive Outreach. Applicants shall conduct intensive outreach to, at minimum, 35 percent of identified properties. No less than 40 percent and no more than 60 percent of the total HUD-funded award shall be utilized for intensive outreach activities. Applicants shall conduct in-depth outreach, education and engagement activities with tenants residing in those properties prioritized through property assessments. Intensive outreach activities must include at least five of the activities listed below, in addition to those required outreach activities required at all identified properties. At these selected properties, eligible activities include any combination of at least five of the following:

a. Training. Provide one on one or small group training to tenants on tenant rights and responsibilities as a result of the triggering event, forms of HUD rental assistance, and owner options under MAHRA. Such issues could include tenant rights and responsibilities including their rights to be notified of the event, their right to remain in the property, their eligibility for alternative rental assistance and other rights as explained in Chapter 11 of the Section 8 Renewal Policy Guide. The grantee could also discuss various forms of rental assistance in addition to project based assistance. Training could also involve explaining the six options available to owners including Mark-up-to-Market, Mark-to-Market restructuring, or Mark-up-to-Budget for Capital Repairs or Transfers as detailed in Chapter 15 of the Section 8 Renewal Policy Guide.

Such training would also identify the steps necessary to renew the Section 8 contract under the various options.

b. Triggering Event Communications. Provide property-specific information to tenants, in the form of written materials, face-to-face meetings or other communication, on the specific triggering event experienced at the property and the specific ramifications this event poses for the property and the tenants. Meetings may be off-site.

c. Workshops. Hold workshops with tenants to describe the options available to preserve the long-term affordability of the property. The topics to be covered could include; the process for selling a property to a purchaser who would seek a long-term rental assistance contract, the process for undertaking substantial rehabilitation of a property or the process for renewing the Section 8 contract under the various renewal options available under MAHRA and selecting the option that would provide the most benefit to the property and the tenants. Workshops may be off-site.

d. Preparation for Owner Discussions. Assemble and advise tenants on how to engage in discussions or negotiations with owners who are thinking of, or have elected to Opt-Out of the Section 8 HAP Contract, in an effort to prevent an Opt-Out and promote other alternatives for the property.

e. Assistance with Vouchers. Work with tenants in groups and/or one-on-one in properties where owners have opted out, or intend to Opt-Out, to ensure tenants are aware of their right to participate in applicable voucher programs, and the procedure to request vouchers.

f. Rehab discussions. If the owner or tenants will rehabilitate the building, the grantee provides training to the owner and/or tenants on green standards and certification programs applicable to the building location and water sense and energy star appliances.

g. Informational tools. Establish informational tools beyond contact mechanism and brochures to keep tenants informed about triggering events and outreach activities. These tools may include bulletin boards, information stations, newsletters, email listserves, websites and other media.

h. Tenant associations. Provide small-group training sessions on tenant associations. The sessions are for technical assistance in order to create tenant associations to prepare tenants for response to triggering events.

i. Mentoring. Offer one-on-one mentoring to tenants for the purpose of revitalizing an existing tenant organization capable of responding to triggering events and voicing tenants' concerns and preferences in response to such events.

j. Financial Literacy. Provide tenants with training in financial management and fundraising to increase tenants' awareness of the property owners' multifamily finance options, project budgeting and reserves, and other information relevant to the long-term financial viability of the property in which they live and other financial information relevant to tenant empowerment.

4. Administration. Up to 15 percent of the total HUD-funded award may be used for administration activities. Awardees are required to prepare quarterly, annual and final TRN award reports describing activities completed, properties served, and progress toward achieving TRN performance goals. Eligible administration expenditures include: travel, overhead, salary, fringe, quality assurance, training, supplies and other indirect or direct costs approved by HUD.

a. Preparation of quarterly, annual and final HUD award reports. Reports will describe required outreach, property assessments and intensive outreach completed and outcomes of these efforts. If the award is received in the beginning of a quarter, reports must be submitted the following quarter. Grantees must use calendar quarters of, January 1st, April 1st July 1st and October 1st.

b. Participation in TRN training sessions held by HUD.

c. Training and orientation of staff and/or volunteers. Training is limited to those individuals responsible for carrying out eligible TRN activities.

d. Vouchers. Preparation and submission of TRN vouchers, and accounting or tracking award proceeds and expenditures.

e. Procurement. Procurement of necessary supplies as required to effectively conduct TRN activities.

5. Policy Priorities. HUD is encouraging applicants to undertake programs and projects that align with HUD's cross-cutting departmental Policy Priorities. HUD has policy priorities for Fiscal Year 2011 that include Sustainability and Using Housing as a Platform for Other Outcomes. Applicants to this program NOFA can get up to an extra one point per policy priority for responding to the following two policy priorities in their application:

a. Sustainability. A total of one (1) Policy Priority point may be awarded for Sustainability. To receive the Sustainability Policy Priority point, the applicant must choose one of three options:

- (1) Energy efficiency of housing;
- (2) Location-efficiency of housing; or
- (3) Visitability and universal design of housing.

Please see section V.A.1.e.(6) of this NOFA for more details on applying for the Sustainability point.

b. Using Housing As A Platform for Improving Other Outcomes. To receive one (1) Policy Priority point under Using Housing as a Platform for Improving Other Outcomes, grantees must undertake collaborations and/or foster collaborations between owners and tenants with public, private, nonprofit, and community- and faith-based organizations to improve education, health services, economic opportunities, and public safety. To receive a point for meeting this policy priority, the applicant must work with governmental or non-governmental service providers to

provide information on access to high quality early learning centers, access to public benefits and improving the physical environment of HUD-assisted residences, including crime prevention and assessment activities to improve public safety for residents of each property where TRN activity is occurring. Please see section V.A.1.e.(6) of this NOFA for more details on applying for the Using Housing as a Platform point.

Refer to the **General Section** for more information regarding HUD's Strategic Goals and Policy Priorities.

D. Threshold Requirements Applicable to All Applicants. All applicants must comply with the threshold requirements as defined in the **General Section** (Section III.C.), the Program Threshold Requirements and the Program Requirements listed below.

1. In addition, the applicant must meet the eligibility requirements as defined in **General Section** (Section III A.) Eligible Applicants. Applicants that do not meet these requirements will not be eligible to receive an award.

2. DUNS Number Requirement. See **General Section** for current information on DUNS requirements and registration in section III.C.2.b.

3. Active Registration in the Central Contractor Registration CCR. See the **General Section** information about CCR registration requirements in section III.C.2.c.

4. Applicant Eligibility Requirements. If the applicant is not able to meet the eligibility criteria by the time of application deadline, the application will be rejected by HUD during the review process.

5. Resolution of Outstanding Civil Rights Matters. See the **General Section** for details part III.C.2.d.

6. Delinquent Federal Debt. See the **General Section** for details in part III.C.2.g.

7. Conducting Business in Accordance with Core Values and Ethical Standards/Code of Conduct. See the **General Section** for details in part III.C.5.i.

8. Name Check Review. See the **General Section** for further information part III.C.4.b.

9. False Statements. A false statement in the application is grounds for denial or termination of an award and possible punishment as provided in 18 U.S.C. 1001.

10. Debarment and Suspension. In accordance with 24 CFR part 24, no award of federal funds may be made to applicants that are presently debarred or suspended, or proposed to be debarred or suspended, from doing business with the federal government.

11. Pre-Award Accounting System Surveys. HUD may arrange for a pre-award survey of the applicant's financial management system if the recommended applicant has no prior federal support. See the **General Section** for further details in part III.C.4.a.

E. Program Threshold Requirements.

- 1. Minimum Number of Units.** Applications must propose outreach to a minimum of 400 TRN-eligible units.
- 2. Minimum Years of Experience.** The applicant must have at least 5 years of experience in tenant outreach and organizing.
- 3. Identity of Interest.** The applicant and its principal staff and Board of Directors or governing body, must certify there is no identity of interest with any owner or management entity of housing on their property list.
- 4. Required Outreach.** All activities listed in Section III.C.2., Required Outreach above, must be proposed by grantee in all properties.
- 5. Intensive Outreach.** Grantees must propose at least five Intensive Outreach activities, listed in Section III.C.4., above, to at least 35% of properties.

F. Program Requirements

- 1. Targeting.** TRN is specifically targeting MSAs with the largest numbers of TRN-eligible units, and will provide incentives in the form of application rating consideration and additional award funds to applicants working in these communities that are disproportionately impacted by the potential loss of assisted housing.
- 2. Award Distribution.** TRN awards will be distributed as reimbursements for actual costs incurred by award recipients for eligible activities, as demonstrated through monthly vouchers and supplemental evidence of expenditures.
- 3. Abatement.** If a property either on the applicant's list or identified as newly eligible receives a 2nd below 60 REAC assessment during the award period, the TRN activity at that property shall be suspended or not begin until a definitive determination is made by HUD related to a property improvement plan or abatement of the Section 8 contract. The appendix to this NOFA only includes eligible properties where work may start immediately.
- 4. Activities.** Activities (including required and intensive outreach items) and activity outcomes must be measured with the Logic Model.
 - a. If a decision is made to abate the Section 8, the role of the TRN grantee will be to assist in informing the tenants of the building of the relocation process. In such a case, the TRN grantee

will cooperate with the relocation contractor to ensure tenants are informed of their rights and responsibilities related to the relocation.

b. Grantee conducts meetings or workshops in all identified properties within 3 months of award.

c. Grantees provide pre and post-tests for all workshops in order to demonstrate learning and document successful instructional methods.

d. Grantees must notify tenants of their options and train them to apply for a Housing Choice Voucher in the event of an Opt-Out.

e. In the case of Opt-Out, grantee may partner with local housing counseling agencies to train tenants on finding affordable housing options in mixed income communities of opportunity that are not impacted by high concentrations of poverty, racial segregation or formerly de jure segregated public or assisted housing.

f. Grantee must teach tenants how to create a tenant organization or association.

g. Grantee must work with owners of at least 50 percent of identified properties to put a plan in place, approved by the project residents or an elected tenant leadership group, preserve the property as affordable housing for 5 to 20 years. This plan must address physical needs of the project.

h. Grantee must mentor and train team members and document progress if team members have skill gaps in topics such tenant organizing, community outreach, technical skill, program management, HUD-assisted programs and/or grants management.

5. Affirmatively Furthering Fair Housing. Section 808(e)(5) of the Fair Housing Act imposes a duty on HUD to affirmatively further the purposes of the Fair Housing Act in its housing and urban development programs. Accordingly, HUD requires recipients of HUD funds, including those awarded and announced under HUD's FY2011 funding notices not specifically exempted, to take affirmative steps to further fair housing. To affirmatively further fair housing, your proposed activities must help overcome impediments to fair housing choice that are identified in the Analysis of Impediments to Fair Housing Choice (AI) produced by the state and/or local government(s) in which your program activities occur, the effects of those impediments, and any other impediments in housing or urban development activities you may identify. State and local governments produce an AI as a condition of receipt of certain HUD funds, and a copy must be made available for inspection by the public. (See, for example, HUD's rule at 24 CFR. §§ 91.225(a)(1); 91.5.) In addition, the proposed activities must address at least one of the following objectives: (1) help overcome any impediments to fair housing choice related to the assisted program or activity itself; (2) promote racially, ethnically, and socioeconomically diverse communities; or (3) promote housing-related opportunities that overcome the effects of past discrimination because of race, color, national origin, religion, sex, disability, and familial status. Applicant will include their plan for affirmatively furthering fair housing in their Statement of Work, described in Rating Factor 3. For examples see the **General Section** (Section III.C.5.b).

6. Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP).” Executive Order 13166 seeks to improve access to federally assisted programs and activities for individuals who, as a result of national origin, are limited in their English proficiency. Recipients obtaining federal financial assistance from HUD shall take reasonable steps to ensure meaningful access to their programs and activities to LEP individuals. As an aid to recipients, HUD published *Final Guidance to Federal Financial Assistance Recipients: Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). This guidance is available at http://www.justice.gov/crt/lep/guidance/HUD_guidance_Jan07.pdf. For more information on LEP, please visit <http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>.

7. Compliance with Fair Housing and Civil Rights laws. See the **General Section** part III.C.5.a. for details.

8. Effective Communication for Persons with Disabilities. The recipient shall take appropriate steps to ensure effective communication with persons with hearing, visual, and other communication-related disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 24 CFR part 8. This may include furnishing appropriate auxiliary aids where necessary to afford a person with disabilities with an equal opportunity to participate in and enjoy the benefits of a program or activity receiving federal financial assistance (24 CFR 8.6(a)(1)).

9. Accessible Locations for Meetings and Workshops. All meetings or workshops must be held in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, recipients and subrecipients must give priority to alternative methods of product delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and its implementing regulations at 24 CFR Part 8.

10. Ensuring the Participation of Small Businesses, Small Disadvantaged Businesses, and Women-Owned Businesses. HUD is committed to ensuring that small businesses, small disadvantaged businesses, and women-owned businesses participate fully in HUD’s direct contracting and in contracting opportunities generated by HUD financial assistance. See **General Section** for more details in part III. C.5. e.

11. Accessible Technology. Section 508 of the Rehabilitation Act (Section 508) requires HUD and other federal departments and agencies to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allow, regardless of the type of medium, persons with disabilities to access and use information and data on a comparable basis as is made available to and used by persons without disabilities. Section 508’s coverage includes, but is not limited to, computers (hardware, software, word processing, email, and Internet sites), facsimile machines, copiers, and telephones. See the **General Section** for more details in part III.C.5.f.

12. Executive Order 13279, “Equal Protection of the Laws for Faith-Based and Community Organizations.” HUD is committed to full implementation of Executive Order 13279. The Executive Order established fundamental principles and policymaking criteria to guide federal agencies in formulating and developing policies that have implications for faith-based and

community organizations, to ensure the equal protection for these organizations in social service programs receiving federal financial assistance. Consistent with this order, HUD has reviewed all departmental policies and regulations that have implications for faith-based and community organizations and has established a policy to provide full and equal access to grassroots faith-based and other community organizations in HUD program implementation. HUD revised its program regulations in 2003 and 2004 to remove the barriers to participation by faith-based organizations in HUD funding programs (68 FR 56396, September 30, 2003; 69 FR 41712, July 9, 2004; and 69 FR 62164, October 22, 2004). Copies of the regulatory changes can be found at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

13. Real property Acquisition and Relocation. Except as otherwise provided by federal statute, HUD-assisted programs or projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA) (42 U.S.C. 4601), and the government wide implementing regulations issued by the U.S. Department of Transportation at CFR part 24. The Uniform Act's protections and assistance apply to acquisitions of real property and displacements resulting from the acquisition, rehabilitation, or demolition of real property for federal or federally assisted programs or projects. See **General Section** for more details in part III.C.5.h.

14. Prohibition Against Lobbying Activities. Applicants are subject to the provision of Section 319 of the Public Law 101-121 (approved October 23, 1989) (31 U.S.C. 1352) (the Byrd Amendment). See the **General Section** for details in part III.C.5.j.

15. Additional Nondiscrimination and Other Requirements. Applicants must comply with all requirements described in the **General Section** starting with part III.C.5.

16. Participation in HUD-Sponsored Program Evaluation. As a condition of the receipt of financial assistance under a HUD program NOFA, all successful applicants will be required to cooperate with all HUD staff or contractors who perform HUD-funded research or evaluation studies.

17. Drug-Free Workplace. Applicants awarded funds from HUD are required to provide a drug-free workplace. See the **General Section** for more information in part III.C.5.p.

18. Conflicts of Interest. If you are a consultant or expert who is assisting HUD in rating and ranking applicants for funding under HUD NOFAs published in FY2011, you are subject to 18 U.S.C. 208, the federal criminal conflict-of-interest statute, and the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, if you have assisted or plan to assist applicants with preparing applications for NOFAs published in FY2011, you may not serve on a selection panel and you may not serve as a technical advisor to HUD. Persons involved in rating and ranking HUD FY2011 NOFAs, including experts and consultants, must avoid conflicts of interest or the appearance of such conflicts. Persons involved in rating and ranking applications must disclose to HUD's General Counsel or HUD's Ethics Law Division the following information, if applicable; how the selection or non selection of any applicant under FY2011 NOFAs will affect the individual's financial interests, as provided in 18 U.S.C. 208, or how the application process involves a party with whom the individual has a covered relationship under 5 CFR 2635.502. The person must disclose this information before participating in any matter

regarding an FY2011 NOFA. If you have questions regarding these provisions or concerning a conflict of interest, you may call the Office of General Counsel, Ethics Law Division, at 202-708-3815 (this is not a toll-free number).

19. Safeguarding Resident/Client Files. In maintaining resident and client files, HUD funding recipients shall observe state and local laws concerning the disclosure of records that pertain to individuals. Further, recipients are required to adopt and take reasonable measures to ensure that resident and client files are safeguarded. Here are some guidelines for the proper protection of personally identifying information or sensitive data.

a. Secure Storage of Data. Access to data stored on computers or in email must be restricted using strong passwords using special characters and numbers. Computer desktops storing sensitive information must be locked with a password when not in use. Laptops must be locked and stored when not in use.

b. Securing Data on Backup or Removable Storage Devices. Removable media must be stored safe from theft or unauthorized access.

c. Securing Paper Files. Application, financial and administrative data including personally identifiable or confidential information that is kept in paper format must be secured in a location that prevents theft and unauthorized access.

IV. APPLICATION AND SUBMISSION INFORMATION:

A. Addresses to Request Application Package. This section describes how applicants may obtain application forms and request technical assistance.

1. Application and Forms. Copies of the published NOFA and application and additional forms for HUD programs made available at grants.gov can be found in the application and instructions download at http://www.grants.gov/applicants/find_grant_opportunities.jsp for this NOFA.

2. Technical Assistance and Resources for Electronic Grant Applications. Assistance is available from:

a. Grants.gov Customer Support. 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. The customer support center is open 24 hours per day, 7 days per week, except federal holidays. The customer service representatives will assist applicants in accessing the information and addressing technology issues.

b. HUD's NOFA information Center. Applicants that do not have internet access and need to obtain a copy of a NOFA can contact HUD's NOFA Information Center toll-free at 800-HUD-8929. Persons with hearing or speech impairments may access this number via TTY by calling the Federal Relay Service at (800) 877-8339. The NOFA Information Center is open between the hours of 10:00 a.m. and 6:30 p.m. eastern time, Monday through Friday, except federal holidays.

c. HUD staff. HUD staff will be available to provide applicants with general guidance and technical assistance about this notice or about individual program NOFAs. However, HUD staff is not permitted to assist applicants in the preparation of applications. Following the selection of applicants, but before the announcement of awards, HUD staff is available to assist in clarifying or confirming information that is a prerequisite to the offer of an award by HUD. If you have a program-related question, follow the instructions in Section VII of the Program Section entitled “Agency Contact(s)” in this NOFA.

c. Webcasts. HUD provides technical assistance and training on its programs announced through broadcasts. The NOFA broadcasts are interactive and allow potential applicants to obtain a better understanding of the threshold, program, and application submission requirements for funding. Participation in this training opportunity is free of charge. The NOFA webcast schedule can be found on HUD’s website at <http://portal.hud.gov/hudportal/HUD?src=/webcasts/schedule>.

e. HUD-Sponsored Training. TRN awardees will be required to attend HUD-sponsored training on program requirements, activities and performance goals. Details on this training will be made available after award decisions have been communicated to awardees.

B. Content and Form of Application Submission.

1. Required Application Components. Applicants must submit the following application exhibits and carefully follow the electronic submission process detailed in this notice and the General Section. All required forms, including SF424, HUD96011, HUD96010 HUD Logic Model and HUD424CBW, will be available online as part of the NOFA instructions download and application download. Required exhibits include:

a. Form SF424. Applicants must include the nine digit zip code (zip code plus four digits) associated to the applicant’s address in box 8d of the SF424.

b. Abstract. This three page (double-spaced, 12-point font, single-sided pages) narrative will provide an overall summary of the applicant and the proposal. The abstract shall include:

(1) The applicant name, address, phone number, email address, fax number and website (if applicable).

(2) The name, address, phone number, email address and fax number of the person most familiar with the application (point of contact).

(3) A statement identifying whether the applicant will be working with local team members (as defined in this Notice).

(4) A statement identifying if the applicant is applying for multiple TRN awards or one award.

(5) A statement indicating if the applicant is requesting a Targeted Metro Area incentive, and whether the applicant is requesting:

- (a) An increase in the award for proposing to conduct required outreach activities to 50 percent or more of the TRN eligible units located in a particular Targeted Metro Area; and/or;
- (b) A statement that identifies if the applicant is proposing to conduct 50 percent or more of its outreach activities in one or more targeted Metro areas.

(6) A statement of outcomes and goals the applicant intends to achieve with the TRN program.

c. Narrative. Applicants must submit a response to the elements in Rating Factor 1. The narrative should be no more than 12 pages (double-spaced, 12-point font, single-sided pages) and must comprehensively describe their relevant experience, capacity and technical skill.

d. List of Identified Properties. The applicant is required to submit a precise list of those properties where TRN outreach is proposed, by name. The list should include a summary at the top of the document clearly listing the number of properties the applicant proposes to serve, and the total number of units (both Section 8 assisted and unassisted) these properties include. This list may not include any proposed “newly eligible” properties; only those properties currently on the HUD-generated list in the Appendix may be selected for this exhibit.

e. Narrative on Newly Eligible Properties, if applicable. See Rating Factor 2 for details.

f. Targeted Metro Area Statement, if applicable. If applying for additional award funds, the list should clearly demonstrate the number of units in identified properties that fall within one of the Targeted Metro Areas identified in the Appendix, and the list should demonstrate that the applicant is proposing to conduct required outreach at all of the properties where work is proposed. The list should also clearly demonstrate if 50 percent or more of the TRN-eligible units are covered in the Targeted Metro Area.

g. Proposed Statement of Work. Applicants must submit a proposed Statement of Work (SOW) of no more than 10 pages (double-spaced, 12-point font, single-sided pages) that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the award period. The outline should identify all activities and tasks to be performed and by whom (e.g., Employees, Board members or governing body, contractors, local team members, and/or tenants if applicable), and the products and deliverables that will be provided to HUD and when. The SOW should also include a timeline of activities, (include interim implementation steps) and outcomes, staff allocation over the term of the project; staff acquisition and training; and activities of affiliates, local team members, staff and volunteers. The applicant must describe its project in detail and explain how it will support the relevant goals and policy priorities contained in the **General Section**.

h. Grant Application Detailed Budget Form (HUD424CBW). The HUD424CBW must show the total cost of the project and indicate other sources of funds that will be used for the project. While the costs are based on estimates, the budget narrative may include information obtained from local costs. Applicants must round all budget items up to the nearest dollar amount. A written budget narrative must accompany the proposed budget explaining each budget category

listed and must explain each cost category. Where there are travel costs for subcontractors or consultants, the narrative must demonstrate that the costs (per diem rates) are consistent with Federal Travel Regulations (41 CFR 301.11).

i. Management and Quality Control Plan. See Rating Factor 3 for details on proposed plan.

j. Narrative on Cost Sharing, if applicable. See Rating Factor 4 for details on leveraging.

k. Form HUD96011, “Third Party Documentation Facsimile Transmittal,” The Facsimile Transmittal form can be used to submit any letters of support from local government organizations based in the geographical region where TRN activities are proposed. The Facsimile Transmittal Form should be used when the applicant does not have the capability of converting the letters to .pdf and attaching them to the application using the attachments form found in the Application download. Letters of support are not required but will be evaluated for application rating scores. See **General Section** on use of this form in part IV.B.6.d. (b). and Rating Factor 4 in this NOFA.

l. HUD Logic Model for TRN (HUD96010). Applicants must complete and submit this form, and select from the list of activities and outcomes it offers. Instructions and a Microsoft Excel form are provided in the forms appended to the Instruction Download on http://www.grants.gov/applicants/apply_for_grants.jsp. Training on using the Logic Model may be accessed at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/training/odgmotraining. The Logic Model will contain the minimum mandatory activities and outcomes as defined in this NOFA. Applicants should select the program requirements plus any additional activities they are undertaking including the elements related to the policy priorities identified in this NOFA.

m. Requirement for Performance Measures (collected in Logic Model).

(1) TRN Outputs. As part of the application submission, applicants will propose a timeline of specific activities (outputs) to be accomplished each quarter for the two-year award term. HUD will review and approve this timeline. The timeline must match the Logic Model. An example of an “output” would be holding a workshop or training session with tenants or executing outreach activities. Other outputs are listed in Program Requirements under Activities. Each awardee will have to show they have met 50 percent or more of the targets for outputs as set forth in the SOW for the particular quarter.

(2) TRN Outcomes. In addition to outputs, applicants will be held accountable to particular outcomes. An example of an outcome would be improved tenant awareness of rights and responsibilities following attendance at a workshop or an owner to renewing their Section 8 contract. Applicants will be expected to meet their goals over the award term. The applicant’s SOW must provide a plan to achieve these goals and to track progress with The Logic Model. See Rating Factor 5 for more details on the Logic Model.

n. Narratives on Sustainability and/or Using Housing as a Platform for Other Outcomes. (Only if applicable). To apply for Policy Priority Points follow instructions in section V.A.6. of this NOFA.

o. HUD2990, Certification of Consistency with the RC/EZ/EC-II Strategic Plan (Only, if applicable) (Must be signed by the official authorized to certify the RC/EZ/EC-II). Follow instructions in section V.A.7. of this NOFA.

p. HUD2995, Certification of Consistency with Sustainable Communities Planning and Implementation If applicable, the HUD2995 form must be signed by the Designated Point of Contact for designated Preferred Sustainability Status Community or the HUD Regional Administrator in cases where the applicant would otherwise be self-certifying. See the **General Section** for details.

q. Current IRS 501(c)(3) letter confirming nonprofit organization status of the applicant organization.

r. Identity of Interest Certification. A certification, signed by an authorized signatory of the applicant, that the applicant entity on behalf of all team members, principal staff and Board of Directors possess no identity of interest with any owner or manager of HUD-assisted housing on their TRN eligible property list. If a local organization team member is included in the application, a separate certification for this entity and its principal Board and staff shall also be included. When newly eligible properties are submitted for the portfolio during the grant term, additional certifications on identity of interest must be submitted with the request. Certifications should verify that the applicant's officer, director, board member, or authorized agent of any applicant or team member:

(1) Is not also an officer, director, board member, or authorized agent of any property where work is proposed;

(2) Has no financial interest in a property's ownership or management firm or corporation where work is proposed;

(3) Is not a business partner of an officer, director, board member, or authorized agent of an owner or management agent where work is proposed;

(4) Does not have a family relationship through blood, marriage or adoption with an officer, director, board member, or authorized agent of the owner or management agent at a property where work is proposed; and/or

(5) Does not advance any funds or items of value to the owner or management agent at the property where work is proposed.

s. HUD2880, Applicant/Recipient Disclosure/Update Report. You must complete this report if you are applying for assistance from HUD for a specific project or activity and you have received, or expect to receive, assistance from HUD in excess of \$200,000 during the during the fiscal year.

t. Faith-Based EEO Survey (SF424 Supplement, Survey on Ensuring Equal Opportunities for Applicants), if applicable.

u. Acknowledgment of Application Receipt (HUD2993), only needed for applicants receiving a waiver to the electronic application requirement.

v. SFLLL, Disclosure of Lobbying Activities (if applicable).

w. Registration Steps To Take To Submit an Electronic Application. See the **General Section** starting in part IV.B.2. A summary of submission requirements and time frames is presented in the table below:

| What to submit | Required Content | Required Form/Format | When to submit |
|--|--|--|--|
| Registration Requirements | Described in Section IV.B.2. of the General Section | Online request | Immediately upon reading this NOFA |
| Application | (requirements listed below) | (requirements listed below) See General Section for specific details. | By NOFA application deadline. Recommend submission 72 hours prior to deadline. |
| SF-424, Application for Federal Financial Assistance | All mandatory fields must be completed | Form SF-424, available on Grants.gov | NOFA deadline |
| Abstract | Narrative Summary | Maximum 3 pages; Microsoft Word Document saved as 2007 or earlier and attached to your application | NOFA deadline |
| Rating Factor 1 Capacity, Relevant Organizational Experience and Past Performance | Narrative | Maximum 12 pages; Microsoft Word Document saved as 2007 or earlier and attached to your application | NOFA deadline |
| Rating Factor 2 Need/Extent of the Problem | List of identified properties and narrative on newly eligible properties, targeted metro statement | Microsoft Word or Excel Document saved as 2007 or earlier and attached to your application | NOFA deadline |

| | | | |
|---|--|---|----------------------|
| Rating Factor 3 Soundness of Approach (Initial Workplan) | Statement of Work Form HUD424CBW Detailed Budget Form Management and Quality Control Plan | SOW Maximum 10 pages Microsoft Word or Excel Document saved as 2007 or earlier and attached to your application; Form HUD424 CBW found at Grants.gov and Management and Quality Control plan Microsoft Word or Excel Document saved as 2007 or earlier and attached to application | NOFA deadline |
| Rating Factor 4 Leveraging | Narrative on cost sharing or other commitment documents, community support letters | Microsoft Word Document saved as 2007 or earlier and attached to your application; 3rd Party Documentation Facsimile Transmission | NOFA deadline |
| Rating Factor 5 Achieving Results and Program Evaluation | Logic Model | Form HUD96011 used if you do not have capacity to create .pdf documents capturing supporting 3rd Party signatures or 3rd party signatures in documents. At Grants.gov | NOFA deadline |
| Policy Priorities | Narrative on sustainability, narrative on using housing as a platform for other outcomes | Narrative explaining how you will meet the policy priorities in a Microsoft Word document saved as 2007 or earlier and attached to your application. The policy priorities must also be captured in your Logic Model document. | NOFA deadline |
| Bonus Points | HUD 2990 HUD 2995 | Found at Grants.gov in the application instructions download | NOFA deadline |
| Proof of nonprofit status | See Section IV.B.1.q of this NOFA | IRS 501(c)(3) letter of designation attached as .pdf document using the attachments form in the electronic application or faxed using form HUD96011 | NOFA deadline |
| Identity of Interest Certification | See Section IV.B.1.r of this NOFA | Microsoft Word, Excel or .pdf document saved as 2007 or earlier and attached to your | NOFA deadline |

| | | | |
|----------------|---|---|----------------------|
| | | application | |
| HUD2880 | All mandatory/applicable fields must be completed | Available at Grants.gov and found in the application download | NOFA deadline |

C. Timely Receipt Requirements. Your completed application must be received Grants.gov no later than 11:59:59 p.m. eastern time on the application deadline date of **December 6, 2011**. Following receipt the application will go through a validation process. If the application fails the Grants.gov validation process, it will be rejected. Please see the FY2011 **General Section** for instructions for timely receipt, including actions to take if the application is rejected. Applicants should carefully read the section titled “INSTRUCTIONS ON HOW TO DOWNLOAD AND APPLICATION PACKAGE AND APPLICATION INSTRUCTIONS” in the FY2011 **General Section**. This section contains information on using Adobe Reader, HUD’s timely receipt policies, including HUD’s grace period policy, and other application requirements.

D. Intergovernmental Review/State Points of Contact (SPOC). HUD has determined that Executive Order 12372, “Intergovernmental Review of Federal Programs,” does not apply to the TRN program.

E. Funding Restrictions.

1. HUD will not fund ineligible activities or applicants.
2. No less than 20 percent and no more than 40 percent of the HUD-funded award may be used for required outreach.
3. No more than 15 percent of the HUD-funded award may be used for property assessments.
4. No less than 40 percent and no more than 60 percent of the HUD-funded award may be used for intensive outreach.
5. Administrative activities may account for no more than 15 percent of the HUD-funded award.
6. Under no circumstance may newly eligible units comprise more than 20 percent of the units served by the applicant during the annual award performance period.
7. HUD will not fund duplication of work in states or Targeted Metropolitan Statistical Areas.

F. Other Submission Requirements.

1. Applications must be received by Grants.gov no later than the established deadline date and time. See the Section IV of the **General Section** for further information on timely receipt and grace period policy. Applicants interested in applying for funding under this NOFA must submit their applications electronically or request a waiver from the electronic application requirement. Applicants may request a waiver of the electronic application requirement. Waiver requests must be submitted in writing (via letter or facsimile) following of the publication of this Notice, but no later than 15 days prior to the deadline. All paper applications must be received by the deadline date via overnight US Mail or United Parcel Service and must be delivered to

Headquarters by 4:00 pm eastern time. HUD will respond to a waiver request within 15 days of receipt via fax or mail. HUD's waiver policy is found in 24 CFR 5.1005.

The request must be addressed to the Assistant Secretary for Housing at the following address:

Carol J. Galante, Acting Assistant Secretary for Housing-Federal Housing Commissioner
Department of Housing and Urban Development
451 Seventh Street, SW., Room 9100
Washington, DC 20410-8000.

Waiver requests submitted by fax must be sent to Aretha Williams, Acting Director for Housing Assistance and Grant Administration (202) 708-3104 (This is not a toll-free number). To email waiver requests, please send to Aretha.M.Williams@hud.gov. Waiver requests must provide the basis upon which the request is made, specifically addressing why electronic submission is not possible. The basis for waivers for cause may include, but is not limited to:

(a) Lack of available Internet access in the geographic location in which the applicant's business office is located; or

(b) Physical disability of the applicant that prevents the applicant from accessing or responding to the application electronically. The waiver request must include an email, fax number, telephone number, name and mailing address where responses can be directed. HUD will not consider a waiver request that does not conform to the above requirements. To avoid delays, waiver requests should be sent by email, fax or United States Postal Service Express Mail. You, the applicant, should retain a receipt for the mailing showing the date submitted to the Postal Service. HUD will acknowledge receipt of the waiver request by email or fax. HUD will not make determinations or respond to waiver requests via telephone. If an applicant intends to file multiple funding requests for different developments, each request for waiver to the application submission process must be filed separately. HUD will inform applicants by email, fax or mail whether or not their waiver request has been approved. If HUD approves the waiver request, the approval notification will provide specific submission instructions.

V. APPLICATION REVIEW INFORMATION

A. Review Criteria.

1. Factors for Award Used to Evaluate and Rate Applications. The points awarded for the rating factors 1-6 will be up to 100 points with the option for 4 bonus points totaling 104.

a. Rating Factor 1. Capacity of the Applicant and Relevant Organizational Experience (Up to 38 points) (Minimum for Funding Eligibility. (28 Points) This factor focuses on outreach experience and technical skills of the applicant. In rating this factor, HUD will consider specific organizational experience in conducting the work to be performed under eligible activities for this program, including tenant outreach, engagement and training activities.

(1) Up to 21 points). Applicant must respond in narrative format to the following:

(a) Applicants must demonstrate that they have at least five years of relevant experience working with tenants in affordable and/or HUD-assisted housing.

(b) Applicants may include samples of outreach or educational materials generated and distributed to tenants as part of prior efforts. If outreach services will be provided in multiple languages, applicants should specify the anticipated languages and discuss the ability to provide services in these languages, as well as any concrete experience in conducting outreach in languages other than English.

(c) Describe the extent to which the applicant's organization and staff, including (if applicable) team member/s, have had success in providing information, outreach and technical assistance services to tenants and/or tenant organizations in affordable housing properties.

(d) Applicants must provide specific examples that clearly describe how these prior outreach efforts were completed on time or why they were not completed on time.

(e) Applicants must provide specific examples that clearly describe how these prior outreach efforts were completed within budget or why they were not completed within budget.

(f) Describe the extent to which the applicant's organization and staff possess (including team members, if applicable) expertise on HUD Multifamily housing programs and policies. In the case of an applicant applying jointly with a local team member, the extent to which the application appropriately identifies which organization possesses expertise on HUD Multifamily housing programs and identifies how the organization proposes to share such knowledge with the team member.

(g) Applicants must also identify the qualifications of key staff that will manage the program.

In rating this factor, HUD will take into account the type and length of experience in tenant outreach, quality of materials previously provided, success of previous projects and cost and time effectiveness of previous activities/projects. HUD will consider currentness of experience in tenant outreach and organizing, demonstration of a wide range of work topics such as: Section 8 contract renewal, Owner Options, mortgage prepayments, sale or transfer of assisted properties, and repair/rehab financing options. HUD will assess management capability in managing projects of size proposed, managing activities at multiple properties and balancing the landlord and tenant needs without lawsuits, landlord shutting down negotiations or loss of affordable housing units.

(2) (Up to 7 points). Describe recent experience (within five years) on projects where participation or representation of tenants in the leadership of the applicant and/or team member organizations were present. Show that tenants residing in assisted housing served in a leadership role of the applicant organization, which may include serving as senior staff, on the Board of Directors or other governing body, constituting an advisory committee or other key role. Applicants shall supply the names, roles, organization type and building name/s associated with of all tenants involved in such leadership roles.

The number of tenants involved and level of tenant involvement will be rated in this section.

(3) (Up to 10 Points). Demonstrate record/experience in management of awards in which applicant and team member/s (if applicable) participated. The applicant must provide specific dates, amounts, names and descriptions of all federal, state, municipal or private foundation awards that have been completed and describe whether the award activities were successfully completed, in the past 5 years by the applicant, within the period of performance without extensions. To receive 10 points, applicant must demonstrate successful completion of award activities for all awards of equivalent size and scope to TRN. Applicants may receive partial points for this factor for demonstrating experience with grants of similar size and scope to TRN. Applicants demonstrating that a greater number of awards have been successfully completed during the past 5 year period will receive higher points for this section.

(4) Past Performance. (0 to -5 points). The extent to which your performance over the past 5 years evidences that you will not be able to successfully manage the grant funds. In evaluating applications for funding, HUD will take into account applicant and team members' past performance in managing funds, including, but not limited to, the ability to account for HUD funds appropriately; timely use of funds received from HUD programs; timely submission and quality of reports to HUD; timelines for completion of activities and receipt of promised matching or leveraged funds on prior HUD awards; and the number of properties to be served or targeted for assistance. HUD may consider information available from HUD's records; the name check review; public sources such as newspapers, Inspector General or Government Accountability Office reports or findings; or hotline calls, negative letters of recommendation or other complaints that have been proven to have merit. HUD may deduct up to 5 points for past performance. One point may be deducted from the application score for applicant/team members with problems within five years in each of the following categories:

- Accounting of funds;
- Timely use of funds;
- Timely reporting on funds;
- Use and receipt of matching/leveraged funds; and
- Audits/articles/ feedback on work.

If applicant does not have problems in these categories (in the past five years) HUD will not deduct any points, leaving a score for this section of 0 (zero).

b. Rating Factor 2. Need/Extent of the Problem. (0 or 5 Points).

Applications that propose to conduct required outreach activities (as defined in Section III of this Notice) in 50 percent or more of the TRN-eligible units in a given Targeted Metro Area will receive 5 points under this factor. Applications that propose to conduct required outreach activities in 49 percent or fewer of the TRN-eligible units in a given Targeted Metro Area will receive 0 points under this factor. HUD will review the work activities submitted under Rating Factor 3: Soundness of Approach to verify that the required activities are planned appropriately. HUD will also consider the applicant's required list of identified properties, and Targeted Metro Area statement, to verify that the applicant will serve 50 percent or more of the TRN-eligible

units in the selected Targeted Metro Area. To receive points for applications in the state of California, 50 percent or more of the TRN-eligible units must be covered in either the San Diego MSA or the Los Angeles MSA or both.

c. Rating Factor 3. Soundness of Approach. (up to 40 points). This factor addresses the specific activities proposed to be carried out by the applicant in undertaking its work program, and the extent to which the applicant's approach will meet the program goals of TRN described in this Notice. In responding to this factor, applicants must identify what outreach activities and services will be and where they will be undertaken, and their projected, measurable, outputs and outcomes. In rating this factor, HUD will evaluate the specific activities to be undertaken, the timeframe proposed for the activities and their relevancy in meeting TRN objectives. The documents submitted for this rating factor are the initial Workplan. A revised Workplan may be necessary at the time of cooperative agreement submission if HUD requires changes after application review based on unit availability or recommended change in activities proposed. In rating this factor HUD will consider the following elements:

(1) (Up to 19 points) Proposed Statement of Work (SOW). The SOW must be feasible to enable the applicant to sufficiently provide required activities at all identified properties, and at least five intensive outreach activities at a minimum of 35 percent of the identified properties, while responding to the needs of tenants in properties that become newly eligible during the award period. The Proposed SOW shall include the following components:

(a) A discussion of the proposed project assessment activities the applicant will utilize to select properties where intensive outreach is to be conducted.

(b) A discussion of proposed activities for required and intensive outreach.

(c) A description of the specific deliverables to be submitted to HUD for reporting purposes.

(d) Other work products to be created, distributed, or published (e.g. informational literature and translation) during the 24-month award period.

(e) A schedule for all anticipated work over the 24-month award period, including a schedule for performing required outreach, project assessments and intensive outreach at all identified properties. If applying for policy priority points, described under Rating Factor 5, below, please include activities related to sustainability and/or using housing as a platform in the schedule as well.

(f) A plan for meeting the TRN outcomes and performance measures listed in this Notice and the Logic Model, through which the applicant will measure progress of activity in support of TRN program goals.

(g) The methodology with which the applicant collects performance data to track progress during the course of the award for the specific activities proposed in the scope of work.

(h) A description of how grantee will engage owners and management agents.

(i) A description of how grantee will engage tenants.

(j) A description of how the grantee will identify and share where tenants will find affordable housing in communities of opportunity and avoid high concentrations of poverty or racial segregation. Applicant will discuss activities for affirmatively furthering fair housing here.

Points will be assigned based on the timeline and potential impact of proposed activities to be completed, the attention given to implementation steps, the consistency of proposed activities with organizational expertise and capacity, and the specific activities and tasks in the SOW and budget. The SOW will also be measured on based on comprehensiveness of the topics required, and robustness of the plan to meet and measure TRN goals.

(2) (Up to 9 Points). Budget Form and Budget Information. Applicants must include a budget form and budget information which includes all activities in Targeted Metro Areas and non-targeted Metro Areas. HUD will also assess the soundness of an applicant's approach by evaluating the thoroughness and reasonableness of the budget including information on proposed program cost categories. The budget should include all indirect and direct costs. As part of the response, the applicant must prepare a detailed budget that:

(a) Achieves the goals identified in the proposed SOW;

(b) Ties the tasks in the SOW to the proposed budget costs and in a cost-effective way;
and

(c) Is justifiable for all cost categories in accordance with the cost categories indicated in the HUD-424 CBW.

If an applicant is selected for an award under TRN, staff will request that the applicant include its approved indirect cost rate as part of the negotiations with HUD. If the applicant does not have a Federally-approved indirect cost rate, HUD will use the rate provided by the selected applicant as a provisional rate. If HUD is the cognizant federal agency, HUD will ask the applicant to submit an indirect cost rate proposal and HUD will establish a final rate after award. If HUD is not the cognizant federal agency, HUD will ask the applicant to submit an Indirect Cost Rate Proposal to their cognizant federal agency for approval or negotiation of final indirect cost rate. Upon receipt of the final indirect cost rate, HUD may amend the award to reflect the results of that rate. For further information see HUD's training on the website:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/grants/training/odgmoctraining

The budget narrative (budget information) should include a brief discussion of the extent to which the proposed program is cost effective in achieving the anticipated results of the proposed activities. If the applicant proposes to conduct activities in an area other than the applicant's current targeted MSA, region, state or locality, HUD will look at the cost effectiveness of proposed travel to and from the applicant's location(s) to the targeted area(s), personnel expenses, which may include living or per diem expenses, and telecommunications expenses and make a final determination of cost effectiveness based on the above listed items.

The budget will be rated on the basis that costs are reasonable, consistent, allowable and also allocable under OMB supplement requirements and federal cost principles.

- (4) **(Up to 12 Points). Management and Quality Control Plan.** HUD will evaluate this subfactor based upon the extent to which the applicant has an effective plan in place to successfully manage the TRN award. Applicants should identify how they will collect and retain receipts for their costs as well as the costs of subawardees, how they are collecting data to provide when submitting a regular report to HUD, and how they are going to perform ongoing self-evaluations and quality assurance activities to ensure that the program is meeting the target goals and objectives as well as obtaining tenant and landlord feedback through surveys and other data gathering. If the applicant is submitting multiple applications, you must address how you will manage multiple awards in this Management Plan. HUD will rate applications on a sliding scale according to the criteria in (i) below. Partial points will be awarded for quality responses matching criteria in parts (ii) and/or (iii) below.

(a) (12 points). The application clearly identifies management and oversight activities as well as direct assistance activities, provides for a clear schedule for the performance of the work, identifies deliverables, and methods used for data collection, storage and evaluation. The applicant must describe how they will manage simultaneous demands from multiple properties, and if applying for multiple awards, also describe how it will manage multiple awards. The Workplan must describe records management procedures to ensure protection of privacy information, prevention of computerized records from cyber attack or hacking; storage of data and records and how violations will be handled and reported to HUD, the HUD-Office of the Inspector General or the appropriate Federal, State or Local law enforcement agency. The responses to a. through f., below, should include not only how you manage a single award but if you apply for multiple awards, also describe how you will manage those awards. The Management and Quality Control Plan includes all of the following a-f:

(i) Staff and job titles associated with each activity at each property, methodology for staffing and percentages of time by each staff member dedicated to performance of the work;

(ii) Procedures to ensure work can be completed on time and within budget, even if there are changes in staff or local requirements that may impact the timeline of TRN activities and/or federal or state requirements impacting property renovations, relocation, environmental requirements and/or regulatory items that may impact the timeline in the proposed Workplan;

(iii) Description of how employees and subrecipients and/or local team members are held accountable for performance, including any provisions for sanctions or return of funds;

(iv) Description of financial controls including how the organization will retain receipts in case of a third party review of financial records and systems, and how often the review will be conducted;

(v) Procedures for expanding the scope of the financial or audit review when fraud or patterns of deficiency may exist;

(vi) Quality control of methodology for pre and post-tests of tenant participants in grantee activities.

(b) (6 points). The application only contains management oversight and activity schedule, including deliverables, quality control standards; protections for privacy, records management and storage and electronic recordkeeping; and tools in place for testing, surveying and conducting self-evaluations and customer feedback on work performed and the attainment of knowledge. The plan contains records management of quality control documents and identifies a procedure to report any violation of law or regulation, any known false statement, fraud or program abuse to HUD, the HUD-Office of the Inspector General or the appropriate Federal, State or Local law enforcement agency.

(c) (1 point). The application only contains a management activity schedule and identifies some quality control tools, but is general in nature and does not provide specifics with timelines or detailed procedures. The plan identifies a procedure to report any violation of law or regulation, any known false statement, fraud or program abuse to HUD, the HUD-Office of the Inspector General or the appropriate Federal, State or Local law enforcement agency.

d. Rating Factor 4. Leveraging. (up to 5 points). This factor addresses your ability to secure other funding sources and community resources that can be combined with HUD's program resources to achieve program purposes. Applicant must have at least 20% match and proof of firm commitment contingent on award, in the form of a letter from sources.

Points will be given for leveraging that demonstrates strong community support (funds only, no in-kind donations except for volunteer placement). If a cost-sharing arrangement is to be considered for this factor, the applicant must submit a written statement of intent from the cost-sharing entity along with an estimated dollar value of this contribution. Volunteer activity and estimated dollar value must be included in this section. For each commitment document, HUD will evaluate the commitment for completeness and add the amounts that are acceptably documented. Acceptable documentation is signed by an official with authority to commit funds; specific dollar amounts and type of funding must be listed. NOTE: Percentage calculations will be rounded to the nearest whole number (e.g. 19.4 percent will be rounded down to 19 percent and 19.5 will be rounded to 20).

The application must contain written evidence of firm commitments towards the proposed Workplan from other funding sources (e.g., private, local community, and government sources) and the dollar value totals **over 20 percent** of the award amount as determined by HUD. The letters must be dated no earlier than the posting date of this NOFA on www.Grants.gov and the application deadline date.

The letter of support must indicate the type of support provided, the commitments made, the start and end dates or the length of time the commitments will be in place. The letter of commitment may indicate that it is subject to the applicant receiving an award of funds from HUD. The letter should also provide a brief assessment of the past work performed by the applicant and any of its partners.

e. Rating Factor 5. Achieving Results and Program Evaluation. (up to 10 points). This factor evaluates the applicant's proposed system for evaluating progress toward key activities (outputs) and program goals (outcomes). HUD will carefully review the applicant's HUD Logic Model (completed Form HUD96010, Program Outcome Logic Model) in this rating factor.

(1) (Up to 10 Points) The applicant must consider the TRN performance measures provided in this notice and clearly state how it plans to measure, verify and assess progress toward meeting these outcomes. The criteria for review are identified in the logic model matrix found in **the General Section**. The applicant's Logic Model must list all required outreach activities along with corresponding outcomes. The applicant's Logic Model must also list all proposed intensive outreach, property assessment, policy priority and other eligible activities and corresponding outcomes for each activity. Listed below are all required and optional activities to be selected for the Logic Model:

(a) Required Outreach

(1) Activities (all must be selected. See Section III.C.1 for more detail)

(a) Prepare and distribute brochures appropriate to the needs of project residents at all identified properties. In the Logic Model these are measured both by the materials produced and the households reached.

(b) Create contact mechanism such as a hotline or email address at/for all identified properties.

(c) Conduct a minimum of two meetings in all identified properties.

(2) Outcomes Expected from Required Outreach:

(a) Tenants demonstrate increased knowledge of the purpose of the TRN program and tenant rights and responsibilities by at least a 25% increase in post-test score compared to pre-test score from the time of initial exposure to the program to the end of the performance period at each identified property.

(b) 90 percent of owners of identified properties indicate a willingness to renew the Section 8 contract for minimum of 5 years as indicated in a letter signed by the owner to the tenant association or tenants.

(b) Intensive Outreach

(1) Activities (must select at least five)

(a) One-on-one or small group training on tenants rights in case of opt-out. Number of sessions and number of participants will be measured in the Logic Model.

(b) Provide information to communicate Triggering Events and ramifications for the specific properties chosen.

(c) Workshops with tenants to describe the options available to preserve the long-term affordability of the property.

(d) Hold meetings to prepare for owner discussions in case of opt-out or threat of opt-out of the HAP contract of the property(ies). Number of owner discussions and tenant discussions are measured in the Logic Model as well as number of participating tenants in preparatory discussions.

(e) Providing assistance with voucher preparations in one-on-one meetings or with small groups of tenants.

(f) Holding rehab discussions in the case of rehab in order to provide information on green standards and certification programs. Number of discussions will be measured in the Logic Model.

(g) Establish informational tools including, but not limited to bulletin boards, information stations, newsletters, email listserves, websites and other media.

(h) Providing technical assistance to tenants for creation of tenant associations that would be able to respond to triggering events. In the Logic Model this is measured as creating tenant associations.

(i) One-on-one mentoring to existing tenant associations to increase capacity for response to triggering events. Number of mentoring sessions will be measured in the Logic Model.

(j) Training on Financial Management to tenants in order to increase awareness of owners' multifamily finance options, project budgeting and reserves and other information relevant to the long-term financial viability of the property.

(2) Expected Outcomes for Intensive Outreach (Some outcomes in this category may be related to activities for Required Outreach as well. Outcomes may relate to multiple activities).

(a) 51 percent of owners of identified properties demonstrate knowledge of owner rights and responsibilities, and relocation requirements, environmental requirements if conducting rehabilitation activities and if tenant ownership is to occur as determined by survey instrument.

(b) 51 percent of all tenants in identified properties engage in the preservation process by attending workshops on options for the property; as documented in sign in sheets;

(c) 75 percent of tenants participating in trainings indicate an increased understanding of rights and options and being a part of a tenant organization, as documented in pre and post surveys administered no later than 30 days from meeting;

(d) In the event of an Opt-Out, within 30 days from initial meetings, households eligible for vouchers demonstrate an understanding of the process to request vouchers by achieving an increase in post-test scores compared to pre-test scores.

(e) 90 percent of owners of identified properties indicate a willingness to renew the

Section 8 contract for minimum of 5 years as indicated in a letter signed by the owner to the tenant association or tenants;

(f) 50 percent of owners of identified properties indicate a willingness to execute a rental assistance contract for a total of 20 years, as indicated in a letter signed by the owner to the tenant association or to tenants;

(g) 50 percent of owners of identified properties agree to put in place a plan from the owner, approved by a over 50 percent of project households (or an elected tenant leadership group), to address rehab needs and operate as affordable housing for an additional 20 years;

(h) In the event of two consecutive Below 60 REAC scores, owner submits satisfactory plan to HUD to address property condition;

(4) Policy Priorities. If applying for policy priority points, applicants must address one or more of the activities to receive policy priority points.

(a) Housing as a Platform Expected Activities. Applicants seeking policy priority points under this policy priority must collaborate with public, private, nonprofit, and community and faith-based organizations to improve education, health services, economic opportunities, and public safety, either:

(1) Make agreements with police department(s) for training and inspections of identified properties to maintain/improve the physical environment and design of HUD-assisted residences, giving attention to physical safety and crime prevention; and/or

(2) Partner and coordinate with quality early learning programs or schools to increase access to high quality early learning programs and services; and/or

(3) Partner with local Program Coordinating Committee and/or Human Services Agencies to increase access to public benefits (such as Temporary Assistance for Needy Families and Supplemental Security Income) through outreach and other means.

(b) Housing as a Platform Expected Outcomes. Applicants seeking policy priority points under this policy priority must identify one or more of the following outcomes:

(1) If applicable partnership is formed, show a decrease in the number of incidents filed with the police department(s) from the previous year as a result of the training of tenants and safety inspections conducted;

(2) If applicable partnership is formed, show an increase in the number of persons living in TRN properties enrolled and receiving in public benefits;

(3) If applicable partnership is formed, show an increase in numbers of children living in TRN properties enrolled in early learning programs;

(c) Sustainability Expected Activities. Applicants seeking policy priority points under this policy priority must undertake the following activities:

(1) If promoting energy efficiency, meet with owners and tenants in identified properties to make an agreement for green certified rehabilitation of units or for those not doing rehab, by helping tenants create a healthy maintenance plan for the property.

(2) If promoting location efficiency, document that at least 75% of the units in the identified properties in the application submission are within one half mile of frequent transit service.

(3) If promoting universal design and visibility, ensure that elements of visitability and universal design (Subgoal 4C) are incorporated into the planned rehabilitation of the Section 8 housing.

(d) Sustainability Expected Outcomes. Applicants seeking policy priority points under this policy priority must identify one or more of the following outcomes.

(1) The number of units that meet universal design standards;

(2) The number of show an increase in units certified as meeting Green Building standards;

(3) The number of units with a Healthy Maintenance Plan.

NOTE: Applicants may select up to three additional outputs and outcomes to reflect their SOW (excluding policy priority items) in the Logic Model by selecting “Other” and then identifying the specific activity, unit of measure and associated outcome or outcomes.

f. Bonus Points.

(1) RC/EZ/EC-II (Up to 2 Bonus Points). HUD will award two bonus points to each application that includes a completed form HUD2990 certified by person authorized to certify on behalf of the RC/EZ/EC or Chair of the governing body of the RC/EZ/EC-II, that the over 50 percent of proposed activities/projects in the application furthers or supports the strategic plan for an empowerment zone (EZ) that was designated by HUD or the U.S. Department of Agriculture (USDA); the tax incentive utilization plan for an urban or rural renewal community that was designated by HUD (RC); or the strategic plan for an enterprise community that was designated in round II by USDA (EC-II); and that the proposed activities/projects will be conducted within the RC/EZ/EC-II identified above and are intended to serve the residents. For the purposes of receiving bonus points, the applicant organization is not required to set up an office within the RC/EZ/EC, but must conduct specific activities within the RC/EZ/EC-II and those activities must benefit the residents of the RC/EZ/EC-II. To receive the points, the form must be signed and dated anytime from the date of the publication of the funding opportunity on

Grants.gov to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. For ease of reference in this notice, all of the federally designated areas are collectively referred to as “RC/EZ/EC-IIs” and residents of any of these federally designated areas as “RC/EZ/EC-II residents.”

(2) Preferred Sustainable Communities Status Bonus Points. (Up to 2 points). To be eligible to receive bonus points, an applicant is required to obtain a certification from the Designated Point of Contact for the designated Preferred Sustainability Status Community using form HUD2995 which verifies that the applicant has met the above criteria. The form will certify the nexus between the proposed activities of the applicant and the Livability Principles as they are being advanced in the Preferred Sustainability Status Community. It must be signed and dated anytime from the date of the publication of the funding opportunity on www.Grants.gov to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. If the applicant is from the agency that holds Point of Contact status in a particular Preferred Sustainability Status Community, the form HUD2995 must be certified by the appropriate HUD Regional Administrator in consultation with field staff. Please see the **General Section** for more details.

B. Reviews and Selection Process:

1. Threshold Compliance. Only applications that meet all of the program threshold requirements, program requirements and those requirements in the **General Section** (Section III.C.2.) will be eligible to receive an award of funds from HUD.

2. Corrections to Deficient Applications. After the application deadline, and in accordance with the electronic submission grace period described in this notice, HUD may not, consistent with its regulations in 24 CFR part 4, subpart B, consider any unsolicited information that an applicant may want to provide. After HUD receives an application, HUD may contact an applicant to clarify an item in its application or to correct curable (correctable) technical deficiencies. HUD may not seek clarification of items or responses that improve the substantive quality of an applicant’s response to any rating factors or which correct deficiencies which are in whole or part of a rating factor, including items that impact RC/EZ/EC-II bonus points. In order not to unreasonably exclude applications from being rated and ranked, HUD may contact applicants to ensure proper completion of the application, and will do so on a uniform basis for all applicants.

Examples of curable (correctable) technical deficiencies include inconsistencies in the funding request, failure to submit the proper certifications (identity of interest or others) that do not impact the score of an applicant, 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. In the case of an applicant that received a waiver of the regulatory requirement to submit an electronic application, the technical deficiency may include failure to submit an application that contains an original signature.

If HUD finds a curable deficiency in the application, HUD will notify the applicant in writing by describing the clarification or technical deficiency. HUD will notify applicants by email, facsimile, or via the U.S. Postal Service, return receipt requested. Clarifications or corrections of technical deficiencies in accordance with the information provided by HUD must be received by HUD within 14 calendar days of the date of receipt of the HUD notification. (If the deadline date falls on a Saturday, Sunday, or federal holiday, then the applicant’s correction must be received by HUD on the next day that is not a Saturday, Sunday, or federal holiday.) In the case of electronic

submissions to Grants.gov, any clarifications or cure items must be submitted electronically using the facsimile telephone number and form HUD96011, Facsimile Transmittal, contained in the last application package submitted to HUD. The additional information provided by facsimile will be matched to the electronic application in HUD's files.

When submitting technical deficiency cure items, please place in the in the box labeled Name of Document Submitting in form HUD96011 the following information: Technical Cure plus the name of the document. If the name of the document is long and you need space to fit the document name, just label the Technical Cure as TC followed by the document name. When submitting a facsimile, applicants must follow the facsimile requirements found elsewhere in this notice. If the deficiency is not corrected within the above time frame, HUD will reject the application as incomplete, and it will not be considered for funding. In order to meet statutory deadlines for the obligation of funds or for timely completion of the review process, program NOFAs may reduce the number of days provided for receipt of a response to a HUD request for clarification or correction to a technical deficiency. Please be sure to carefully read the **General Section** and this program NOFA for any additional information and instructions. An applicant's response to a HUD notification of a curable deficiency should be provided in accordance with the instructions in the deficiency notification.

Applicants that submit a paper application with the wrong DUNS number will be treated as a technical deficiency and the applicant will be able provide a corrected SF424 to the location indicated in the waiver approval within the specified cure period and in accordance with the notification of the need to cure the application. Failure to correct the deficiency and meet the requirement to have a DUNS number and active registration in the CCR will render the application ineligible for funding. All applicants are advised to check and maintain their DUNS numbers and CCR registrations with posting of this General Section so any updates or changes are completed well in advance of application deadline dates.

3. Rating Panels. To review and rate applications, HUD may establish panels that may include persons not currently employed by HUD. HUD may include these non-HUD employees to obtain particular expertise and outside points of view, including views from other federal agencies.

4. Rating. HUD Headquarters will review and rate your application in accordance with the Reviews and Selection Process in the **General Section** part V.B. Your application will be either rated or technically rejected at the end of technical review. If your application meets all program eligibility requirements after completion of technical review, it will be rated according to the rating factors in Section V.A, above. HUD will evaluate and rate all applications for funding that meet the threshold requirements. Funding will be made in rank order. The Department may use any remaining funds to select the next highest rated application. In the case of a tie, priority will be given to those applications serving targeted MSAs with disproportionately high numbers of eligible housing units, or (when both serve the targeted areas) those serving the most units in the targeted areas. If two applications cover the same geographical area or units, the highest rated applicant will receive the award. If a higher-rated application includes some overlapping units to another application, the lower rated applicant will lose the units. If an applicant remains with fewer than 400 units, the applicant will be disqualified.

C. Anticipated Announcement and Award Dates. The date of award should be approximately six months after the closing date of this NOFA. Funds are subject to authority and appropriations to conduct the program.

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notices:

1. Negotiation. After selection, HUD requires that all selected applicants participate in negotiations to determine the specific terms of the cooperative agreement, the content of the Workplan (SOW, budget and Management and Quality Control Plan) and the Logic Model. Costs may be denied or modified if HUD determines that they are not allowable, allocable, and/or reasonable. In cases where HUD cannot successfully conclude negotiations with a selected applicant or a selected applicant fails to provide HUD with requested information, an award will not be made to that applicant. In this instance, HUD may offer an award, and proceed with negotiations with the next highest-ranking applicant.

2. Adjustments to Funding.

a. Maximum TRN awards. Maximum awards will correspond to the number of identified units in an application, as follows:

| Range of Identified Units | Maximum TRN Award | Award with Targeted Metro Area Additional (if eligible) |
|---------------------------|-------------------|---|
| 400-799 | \$200,000 | N/A |
| 800-1,399 | \$300,000 | \$360,000 |
| 1,400-1,999 | \$400,000 | \$480,000 |
| 2,000-2,499 | \$500,000 | \$600,000 |
| 2,500+ | \$600,000 | \$720,000 |

The above award sizes are maximum levels.

3. Performance and Compliance Actions of Funding Recipients. HUD will measure and address the performance and compliance actions of funding recipients in accordance with standards and sanctions available to the program. HUD reserves the right to withdraw funds if the applicant activity is not commensurate with award amount or if performance is substandard or in default as determined by HUD, also described in the cooperative agreement. Examples of substandard performance are: meeting less than 50% of performance goals for outputs and outcomes in more than one consecutive review period, retaining a cumulative output percentage at 50% for one year or causing the cumulative output to decrease, using less than required minimum or more than required maximum percentages of award funds for prescribed activities, use of award funds for a purpose other than as authorized by the cooperative agreement or any other material breach of the cooperative agreement, or any misrepresentation in the application submission that, if known to HUD, would have resulted in the award not being provided.

4. Remedies for noncompliance.

a. Termination of Award. HUD may terminate an awardees' cooperative agreement upon confirmation of any of the following reasons:

- 1) Noncompliance with program requirements;
- 2) Failure to achieve 50 percent of the approved TRN Workplan for two consecutive quarters;
- 3) Lack of capacity to deliver the TRN activities described in its approved Workplan;
- 4) Failure to achieve outcomes described in the Workplan;
- 5) Fraud or Misuse of award funds; or
- 6) HUD determines that there is other good cause.

b. Withdrawal Requirements. All terminations by HUD, or an agency's withdrawal, must be in writing.

c. Unexpended Funds. In the event of an award termination, the unexpended funds may be awarded to other high performing grantees or used by HUD in a future Notice of Funding Availability for purposes described in this Notice or required by statute

d. Other Action. Nothing in this section prohibits HUD from seeking any other remedy against a recipient available to HUD by statute or otherwise.

5. Code of Conduct. See the **General Section** part III.C.5.i.

6. Debriefing. Applicants requesting to be debriefed must send a written request to the HUD Headquarters contact person for the TRN program, Claire Trivedi, at 451 7th Street, SW, Room 6138 Washington, D.C. 20410. Please see Section VI.A.5. of the **General Section** for a further discussion of the time frame in which the debriefing request may be submitted.

B. Administrative and National Policy Requirements.

1. Audit Requirements. Grantees that expend \$500,000 or more in federal financial assistance in a single year (this can be program year or fiscal year) must be audited in accordance with the OMB requirements as established in 24 CFR Part 84. Additional information regarding this requirement can be accessed at the following website: <http://harvester.census.gov/sac>

2. Other Matters.

a. Relocation. See the **General Section**.

b. OMB Circulars and Government-wide Regulations Applicable to Financial Assistance Programs. See the **General Section**.

c. Prohibition Against Lobbying Activities. See the **General Section**.

d. Procurement of Recovered Materials. See the **General Section**.

e. Executive Order 13279 Equal Protection of the Laws for Faith-Based and Community Organizations. See the **General Section**.

f. Salary Limitation for Consultants. See the **General Section**.

g. Executive Order 13132, Federalism. See the **General Section**.

C. Reporting

1. Program Outcome Logic Model. If the actual award amount differs from the proposed award, Grantees are required to submit an updated Form HUD 96010, Program Outcome Logic Model, and a corresponding budget, before the grant agreement will be executed. HUD may require negotiations on the content of the Logic Model before issuing an award. Additionally, Grantees will be required to submit an updated Form HUD 96010, Program Outcome Logic Model, reflecting actual achievements, with each quarterly, midterm and final report, in accordance with the reporting requirements of the grant agreement. The information in this form provides the primary means through which HUD will monitor the ongoing performance of the grantee.

When submitting eLogic Model® reports on a quarterly, semiannual, or annual basis each report should show the results that occurred during that reporting period. When reporting, be sure to show noncumulative data in the post column and cumulative data in the YTD column. All final reports should provide a final eLogic Model® performance for the entire period of the award. Grantees must follow the instructions in the eLogic Model® on how to use the eLogic Model® and how to label files when reporting.

2. Use of Form HUD27061-H, Race and Ethnic Data Reporting Form, to Report Race and Ethnicity Data for Beneficiaries of HUD Programs. HUD requires recipients that provide HUD program benefits to individuals or families to report data on the race and ethnicity of those receiving such benefits. Recipients that provide benefits to individuals during the period of performance, whether directly, through subrecipients, or through contractual arrangements, must report the data using form HUD-27061-H, Race and Ethnic Data Reporting Form, found on Grants.gov.

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

a. Recipient Reporting to Meet the Requirements the Federal Financial Assistance Accountability and Transparency Act of 2006, as amended.

(1) Prime Awardee Reporting. Prime recipients of HUD financial assistance are required to report subawards made either as pass-through awards, subrecipient awards, or vendor awards in the federal government wide website www.fsr.gov or its successor system.

Starting with awards made October 1, 2010, prime financial assistance awardees receiving funds directly from HUD are required to report subawards and executive compensation information both for the prime award and subawards, including awards made as pass-through awards or awards to vendors, where both the initial award is \$25,000 or greater or the cumulative award will be \$25,000 or greater if funding incrementally as directed by HUD in accordance with OMB guidance. The reporting of award and subaward information is in accordance with the requirements of Federal Financial Assistance Accountability and Transparency Act of 2006, as amended by section 6202 of Public Law 110-252, hereafter referred to as the “Transparency Act” and OMB Guidance issued to the Federal agencies on September 14, 2010 (75 FR 55669) and in OMB Policy guidance. The prime awardee will have until the end of the month plus one additional month after a subaward or pass-through award is obligated to fulfill the reporting requirement. The Transparency Act requires the creation of a public government wide website in which the following subaward data will be displayed:

- (a) Name of entity receiving award;
- (b) Amount of award
- (c) Funding agency;
- (d) North American Industry Classification System (NAICS) code for contracts/CFDA program for financial assistance awards;
- (e) Program source;
- (f) Award title descriptive of the purpose of the funding action;
- (g) Location of the entity (including Congressional district);
- (h) Place of Performance (including Congressional district);
- (i) Unique identifier of the entity and its parent; and
- (j) Total compensation and names of top five executives.

For the purposes of reporting into the FFATA Subaward Reporting System (FSRS) reporting site, the unique identifier is the DUN and Bradstreet Universal Numbering System (DUNS) number the entity has obtained from Dun and Bradstreet, and for Prime awardees the DUNS number registered in the Central Contractor Registration as required by HUD regulation 24 CFR 5.1004.

(2) Prime Awardee Executive Compensation Reporting. Prime awardees must also report in the government wide website the total compensation and names of the top five executives in the prime awardee organization if:

- (a) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and
- (b) Compensation information is not readily available through reporting to the Securities Exchange Commission (SEC.)

(3) Subaward Executive Compensation Reporting. Prime awardees must also report in the government wide website the total compensation and names of the top five executives in the subawardees, pass-through or vendor organization if:

(a) More than 80% of the annual gross revenues are from the Federal government, and those revenues are greater than \$25 million annually; and

(b) Compensation information is not readily available through reporting to the Securities Exchange Commission (SEC.)

(4) Transparency Act Reporting Exemptions. The Transparency Act exempts any subawards less than \$25,000 made to individuals and any subawards less than \$25,000 made to an entity whose annual expenditures are less than \$300,000. Subawards with a cumulative total of \$25,000 or greater are subject to subaward reporting beginning the date the subaward total award amount reaches \$25,000. Any other exemptions to the requirements must be approved by the Office of Management and Budget.

4. Compliance with Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), hereafter referred to as “Section 872.” Section 872 requires the establishment of a government wide data system to contain information related to the integrity and performance of entities awarded federal financial assistance and making use of the information by federal officials in making awards. It is anticipated that the federal data system will be known as the Federal Awardee Performance and Integrity Information System (FAPIIS). Only federal officials and the entity will be able to view the information in the FAPIIS system.

Further, each recipient of federal funds with a cumulative value greater than \$10 million and their direct (i.e., first-tier) subrecipients would be required to report to the FAPIIS system. The data collection requirements include information about certain civil judgments, criminal convictions, and outcomes of administrative proceedings that reached final disposition within the most recent 5-year period and were connected with the award or performance of a federal or state award. Recipients and first-tier subrecipients must report information at least semi annually to maintain the currency of the information. Section 872 also requires that an entity be allowed to submit comments to the data system about any information that system contains about the entity. Use of the FAPIIS system requires a DUNS number and current valid registration in the CCR for HUD awardees and first-tier subrecipients.

Prior to making a funding decision, the federal official authorized to make the award is required to determine whether the entity is qualified to receive an award, taking into consideration any information about the entity that is in the data system. OMB is in the process of issuing regulations regarding federal agency implementation of Section 872 requirements. A proposed rule was published in the Federal Register on February 18, 2010, by OMB seeking public comments no later than April 19, 2010.

HUD’s terms and conditions to its FY2011 awards will contain requirements related to meeting Section FFATA and Section 872 requirements.

VII. AGENCY CONTACTS

A. Programmatic Information: For program related information contact Claire Trivedi, U.S. Department of Housing and Urban Development; 451 7th Street, SW, Room 6138; Washington, DC 20410; telephone 202-708-3000 (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TDD/TTY by calling the Federal Relay Service at 1-800-877-8339 (toll-free number). For email requests send to: Claire.m.trivedi@hud.gov .

B. General Questions: General questions regarding this notice should be directed to the NOFA Information Center between the hours of 10:00 a.m. and 6:30 p.m. eastern time at (800) HUD-8929. Persons with hearing or speech impairments may access this number via TDD/TTY by calling the Federal Relay Service at 1-800-877-8339 (toll-free number).

C. Electronic Application Questions: For technical questions about electronic application registration or submission, call the Grants.gov Help Desk at 1-800-518-GRANTS. Persons with hearing or speech impairments may access this number via TDD/TTY by calling the Federal Relay Service at 1-800-877-8339 (toll-free number). The help desk can also be reached by email at: support@grants.gov. See **General Section** for more information on this topic starting in section IV.

VIII. OTHER INFORMATION

A. Satellite Broadcast: HUD will hold an informational broadcast via satellite for potential applicants to learn more about the program, the TRN Logic Model requirements, and the application. For more information about the date and time of the broadcast, consult the HUD webcast page.

B. Public Access, Documentation, and Disclosure: Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) (42 U.S.C. 3545) and the regulations codified at 24 CFR part 4, subpart A, contain a number of provisions regarding public access, documentation and disclosure, including publication of recipients of HUD funding. Please see the **General Section** part VI for more information on this topic.

C. Paperwork Reduction Act: The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2502-0601. 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 currently valid OMB control number. Public reporting burden for the collection of information is estimated to average 41.25 hours per annum per respondent for the application and award administration. This includes the time for collecting, reviewing, and reporting the data for the application, semi-annual reports and final report. The information will be used for applicant selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

D. Environmental Impact.

This NOFA does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing, rehabilitation, alteration, demolition, or new construction, or establish, revise or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c)(1), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

E. Executive Orders and Congressional Intent

1. Executive Order 13132, Federalism. Executive Order 13132 prohibits, to the extent practicable and permitted by law, an agency from promulgating policies that have federalism implications and either impose substantial direct compliance costs on state and local governments and are not required by statute, or preempt state law, unless the relevant requirements of Section 6 of the executive order are met. This notice does not have federalism implications and does not impose substantial direct compliance costs on state and local governments or preempt state law within the meaning of the executive order.

2. Eminent Domain. Section 409 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010 (Pub L. 111-117), prohibits the use of funds to support any federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Section 409 provides that public use shall not be construed to include economic development that primarily benefits private entities. Use of funds for mass transit, railroad, airport, seaport, or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118), shall be considered a public use for purposes of Section 409.

F. Public Access, Documentation, and Disclosure.

1. Documentation, Public Access, and Disclosure Requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to its FY2011 NOFAs are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations (24 CFR part 15).

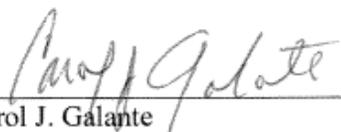
2. Form HUD2880, "Applicant/Recipient Disclosure/Update Report" ("HUD Applicant Recipient Disclosure Report" on Grants.gov). HUD will also make available to the public, for 5 years, all applicant disclosure reports (form HUD2880) submitted in connection with an FY2011 NOFA. Update reports (also reported on form HUD2880) will be made available along with the

applicant disclosure reports, but in no case for a period of less than 3 years. All reports, both applicant disclosures and updates, will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations (24 CFR part 5).

3. Publication of Recipients of HUD Funding. HUD's regulations at 24 CFR part 4 provide that HUD will publish a notice in the Federal Register to notify the public of all funding decisions made by the Department to provide: Assistance subject to Section 102(a) of the HUD Reform Act; and assistance provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) noncompetitive basis.

G. Section 103 of the HUD Reform Act: HUD's regulations implementing Section 103 of the HUD Reform Act, codified at 24 CFR part 4, subpart B, apply to this funding competition. Employees involved in the review of the applications and involved in funding decisions are prohibited by the regulations from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions or otherwise giving an applicant an unfair competitive advantage. Please see the **General Section** part VIII.H for additional information.

Dated: 10.17.11



Carol J. Galante
Acting Assistant Secretary for Housing –
Federal Housing Commissioner

[FR-5500-N-31]

APPENDIX of TRN-Eligible Properties

This listing is of all TRN-eligible properties, organized by state and also by TRN Targeted MSAs. It is time sensitive as it depends on the number of Opt-out notices, below 60 REAC scores (not yet under abatement) and mortgage maturity dates that fall within the 12 month period prior to publication or the 24 month period following publication of this notice.