

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

**FAIR HOUSING INITIATIVES
PROGRAM (FHIP)**

Billing Code 4210-32-C

FUNDING AVAILABILITY FOR THE FAIR HOUSING INITIATIVES PROGRAM (FHIP)

PROGRAM OVERVIEW

Purpose of the Program. To increase compliance with the Fair Housing Act (the Act) and with substantially equivalent State and local fair housing laws.

Available Funds. For FY 2002, approximately \$20,250,000 is allocated to three (3) Initiatives as follows:

A. Private Enforcement Initiative (PEI) \$11,825,000 million.

B. Education and Outreach Initiative (EOI) \$6,325,000 million.

C. Fair Housing Organizations Initiative (FHOI) \$2,100,000 million.

Eligible Applicants. Eligibility requirements are described in detail under each of the funded Initiatives and Components, set forth below, and eligible applicants may include: Qualified Fair Housing Organizations (QFHOs); Fair Housing Enforcement Organizations (FHOs); public or private for-profit or not-for-profit organizations or institutions, or other public or private entities that are working to prevent or eliminate discriminatory housing practices; faith-based community-based organizations, State and local governments or their agencies; and Fair Housing Assistance Program (FHAP) agencies (as defined in Section IV of this NOFA).

Application Deadline. May 22, 2002.

Match: No matching funds are required for the Education and Outreach or Private Enforcement Initiatives. However, sponsored organizations under FHOI must meet the requirements described in Section IV (D) below.

ADDITIONAL INFORMATION

If you are interested in applying for funding under the Fair Housing Initiatives Program (FHIP), please review carefully the General Section of this SuperNOFA (hereafter, the General Section), the FHIP Authorizing Statute (Sec. 561 of the Housing and Community Development Act of 1987, as amended) and the FHIP Regulations (24 CFR 125.103–501).

I. Application Due Date, Further Information, and Technical Assistance

A. *Application Due Date.* You must submit completed applications for all Initiatives and Components by 6 p.m., Eastern Time, on or before May 22, 2002 at HUD Headquarters building, at the address shown below.

See the General Section of this SuperNOFA for specific procedures governing the method of application submission (e.g., mailed applications,

express mail, or overnight delivery). In addition, review all information on delivery services permitted into HUD Headquarters building without escort.

B. *Address for Submitting Applications.* Your application consists of an original signed application form (SF 424) and all items listed in the Checklist (See Section IV and Appendix C for all submission requirements). Submit your completed application (one original and five copies) to: FHIP SuperNOFA 2002 [Specify the Initiative/Component to which you apply], FHIP/FHAP Support Division, Office of Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 5224, Washington, DC 20410.

When you submit your application, please provide the following information at the front top left corner of the mailing envelope: your organization's name, name of contact person, mailing address (including zip code), telephone number (including area code), and fax number. Applicants for more than one Initiative or Component must submit six copies for each Initiative or Component for which you apply. See General Section of the NOFA for further information on Consolidated Application Submissions.

C. *For Further Information and Technical Assistance.* You may contact Myron P. Newry or Denise L. Brooks of the FHIP Division, at 202-708-0800 (this is not a toll-free number). Persons with hearing or speech impairments may contact the Division by calling 1-800-290-1617 (this is a toll-free number). Contained in Appendix A of this NOFA is a Question and Answer section, please review this for answers to some of your questions.

Satellite Broadcast. HUD will hold an information broadcast via satellite for prospective applicants to learn more about the program and preparing applications. For more information about the date and time of this broadcast, you should consult the HUD web site at <http://www.hud.gov/grants>.

II. Amounts Allocated

In Fiscal Year 2002, \$20,250,000 was appropriated for the Fair Housing Initiatives Program. This amount is being made available on a competitive basis to eligible organizations responding to this NOFA. The amount available for each Initiative or Component and the maximum amount of funds that can be awarded for each grant are specified as follows:

(A) *Private Enforcement Initiative (PEI).* Approximately \$11,825,000 million is allocated; maximum award is

\$275,000 per grant; project duration is 12 to 18 months.

(B) *Education and Outreach Initiative (EOI).* Approximately \$6,325,000 million is allocated to the Regional/Local/Community-Based Program and a National Program. The maximum award is \$100,000 for the Regional/Local/Community-Based Program and the project duration is 12 months. The maximum award for the National Program is \$1,000,000 and the project duration is 12 months for the Media Campaign Component and 24 months for the Fair Housing Awareness Component. EOI has four Components: Regional/Local/Community-Based Programs:

(1) EOI—General Component. Approximately \$3,500,000 million is allocated.

(2) EOI—Disability Component. Approximately \$825,000 is allocated. National Program:

(3) Media Campaign Component.

Approximately \$1,000,000 is allocated.

(4) Fair Housing Awareness Component. Approximately \$1,000,000 is allocated.

(C) *Fair Housing Organizations Initiative (FHOI).* Approximately \$2,100,000 is allocated; project duration is three years. Maximum award is \$1,050,000 allocated over a three year period at up to \$350,000 per year.

III. Program Description; Eligible Applicants; Eligible Activities

A. *Program Description.* The Fair Housing Initiatives Program (FHIP), 24 CFR part 125, assists fair housing activities that increase compliance with the Fair Housing Act (the Act) and with the substantially equivalent fair housing laws administered by state and local government agencies [Fair Housing Assistance Program Agencies (FHAP)]. Applications submitted for funding under EOI are required to describe a complaint referral process that should result in referrals to HUD of fair housing complaints and other information regarding discriminatory housing practices. Applications selected for funding under PEI and FHOI must comply with the *Mandatory Referral* requirement described in Section IV(B) of this NOFA.

B. *Changes to this year's NOFA.* To improve the FHIP NOFA, a number of changes have been made this year. There are 2 new EOI National Program Components: the Media Campaign and the Fair Housing Awareness Components. The project duration for EOI Regional/Local/Community-Based Program and the National Program Media Campaign awards is 12 months and for the National Program's Fair

Housing Awareness Component 24 months. For FHOI, the project duration is 3 years. Changes also have been made in how the applications are rated.

For EOI: See Section V (D) "Factors for Award Used to Evaluate and Rate Regional/Local Community-Based Applications" of this NOFA on changes to EOI—General.

For FHOI: HUD has determined that rural areas and areas with immigrant populations (especially racial and ethnic minorities who are not English speaking or have limited English proficiency) are underserved. These underserved areas include: the Colonias, rural areas, or areas that contain large concentrations of persons protected under the Act where either no public or private fair housing enforcement organization exists or the jurisdiction is not sufficiently served by one or more public or private fair housing enforcement organizations.

For PEI: We have increased the award cap from \$250,000 to \$275,000. In addition, we have eliminated the requirement that applicants with current PEI grants be excluded from participating in this year's NOFA.

Finally, for PEI and FHOI, a total of 5 points will be deducted if the applicant is an organization that has received FHIP funding in the past to conduct enforcement-related activities has not complied with the program requirements regarding mandatory referrals and reimbursement of the Federal government for compensation resulting from FHIP-funded enforcement activity. If you have received PEI funds previously, your application should clearly state how you have complied with this requirement.

Other Changes. This year HUD will take into account an applicant's past performance in evaluating applications for funding. HUD will assess performance ratings for applicants who have received FHIP funding in 1998, 1999, or 2000. If the applicant has received a "poor" performance rating for its most recent performance rating from its Government Technical Representative, its application is ineligible for FY 2002 competition. An applicant that does not agree with its determination of ineligibility for the FY 2002 competition because of "poor" performance must address to HUD's satisfaction the factors resulting in the "poor" performance rating before the FHIP application deadline. If the "poor" performance rating is not resolved to the Department's satisfaction before the application deadline, the application remains ineligible. HUD is interested in increasing the performance level of all

grantees; therefore, applicants who are deemed ineligible because of a "poor" performance rating have the right and are encouraged to seek technical assistance from HUD to correct their performance in order to be eligible for future NOFA competition. All other applicants who have not received FHIP funding, or have received FHIP funding prior to 1998 will be evaluated on past performance as outlined in Rating Factor 1.

Finally, applicants must submit with their application a written code of conduct and a description of the methods you will use to ensure that all officers, employees and agents of your organization become aware of your code of conduct (See General Section). [Additional clarification is provided in Appendix A, Most Frequently Asked Questions.]

Bonus Points: See General Section III (C) "Factors For Award Used to Evaluate and Rate Applications" for information on how Bonus Points will be awarded under this SuperNOFA.

C. Ineligible Activities. You are reminded to read carefully the eligibility requirements for each Initiative and Component. Enforcement-related activities are not eligible for funding under EOI and there is a limit on the amount of education-related activities that can be funded in an enforcement grant (PEI or FHOI). No awardee may use FHIP funds to settle a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (24 CFR 125.104(f)).

D. Priorities. Immigrant populations (especially racial and ethnic minorities who are not English speaking or have limited proficiency in English) often face formidable barriers because of discriminatory housing practices. It is especially important that fair housing services be directed to these underserved and immigrant populations and to the specific types of discrimination they may encounter. All applicants are encouraged to address the fair housing needs of these populations.

For FHOI, HUD will fund applications that purpose to provide services in underserved areas (See Section III (B)(1)(b) of this NOFA).

HUD expects applicants to address all forms of housing discrimination covered under the Fair Housing Act. In addition, since the September 11, 2001 attacks in the United States, incidents of bias based on religion and national origin have been on the rise. Applicants should specifically address discrimination under the Fair Housing Act based on national origin and religion and describe education and outreach efforts to these vulnerable

communities to provide information about their fair housing rights.

Finally, HUD has determined there is a need to ensure equal opportunity and access to housing in communities across the nation. Applicants submitting applications to the Education and Outreach National Program's two Components (Media Campaign Component and Fair Housing Awareness Component) must address this need. For the Media Campaign Component, applicants are required to provide a centralized and coordinated effort for the development and implementation of a fair housing media campaign designed to educate the public about their fair housing rights. The Fair Housing Awareness Component will provide education and outreach to promote public awareness on predatory lending.

(A) *Private Enforcement Initiative (PEI).* This Initiative assists private, tax-exempt fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Act and substantially equivalent State and local fair housing laws. As a condition of funding, you will be required to refer to HUD all cases arising from FHIP-funded enforcement activities (see Mandatory Referrals, Section IV below).

(1) *Eligible Applicants.* Eligible applicants are fair housing enforcement organizations (FHOs) with at least one year of experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims in the two years prior to the filing of this application (24 CFR 125.401(b)(2)) and qualified fair housing enforcement organizations (QFHOs) with at least two years of enforcement-related experience, as noted above, within the three years prior to filing this application, (24 CFR 125.103). You must certify, in the Statement of Eligibility that you submit with this application, that your organization is an FHO or a QFHO and document in the Statement of Eligibility that your organization has the required one or two years of enforcement-related experience. Remember, if you fail to submit the completed Statement of Eligibility (Appendix C), this will be a technical deficiency and you will have 14 days to provide the requested materials (Section V of the General Section of the SuperNOFA). All applicants claiming QFHO and FHO status are required also to submit with their application a copy of its Letter of Determination from the Internal Revenue Service (IRS) in support of its 501(c)(3) tax-exempt status. However, failure to provide this document with your application is a

technical deficiency and you will have 14 days to provide the requested information (Section V of the General Section of the SuperNOFA).

(2) *Eligibility of Successor Organization.* HUD recognizes that QFHOs and FHOs may merge with each other or other organizations. The merger of a QFHO or an FHO with a new organization, that has a separate Employer Identification Number (EIN), does not confer QFHO or FHO status upon the successor. To determine whether the successor organization meets the eligibility requirements for this Initiative, HUD will look at the enforcement-related experience of the successor organization (based upon the successor organization's EIN). The successor organization is not eligible to apply under this Initiative unless it establishes in the Statement of Eligibility that it is a private, tax-exempt organization with the requisite two years for a QFHO or one year experience for an FHO.

(3) *Eligible Activities* include:

(a) Complaint intake of allegations of housing discrimination, testing, evaluating testing results, or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(b) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(c) Mediated agreements or other voluntary resolution of allegations of fair housing discrimination after a complaint has been filed; and

(d) Costs and expenses of litigating fair housing cases, including expert witness fees.

(B) *Education and Outreach Initiative (EOI).* This Initiative assists projects that inform the public about the rights and obligations under the Act and substantially equivalent State and local fair housing laws. Under this Initiative, you must develop a complaint referral process so that activities funded under this Initiative will result in referrals to HUD of fair housing complaints and other information regarding possible discriminatory housing practices. Applications are solicited for the EOI-Regional/Local/Community-Based Program—in which activities are conducted on a regional/local/community-based level and in a National Program. You may submit your application for the Regional/Local/Community-Based General Component or Disability Component or the National Program's Media Campaign Component or Fair Housing Awareness Component depending upon its focus.

(1) *Eligible Applicants.* Eligible applicants are QFHOs; FHOs (under this Initiative an FHO is not bound by the requirement to have engaged in enforcement-related activity for at least one year, (24 CFR 125.103); public or private, for-profit or not-for-profit organizations or institutions and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices (this category includes entities that will be established as a result of receiving an award under this FHIP NOFA); faith-based or community-based organizations; State or local governments or their agencies; and agencies that participate in the FHAP (see the list of FHAP agencies at Appendix D). If you are a disability advocacy group, faith-based or community-based organization or traditional civil rights organization, you are encouraged to apply under this Initiative.

(2) *Eligible Activities.* The following are eligible activities for EOI: conducting educational symposia; distributing existing fair housing materials throughout your project area; providing outreach and information on fair housing through printed and electronic media; and providing outreach to persons with disabilities and/or their support organizations and service housing providers, and the general public regarding the rights of persons with disabilities under the Act. When conducting your outreach activities, we encourage the use of existing, locally or nationally available fair housing materials; except that you may modify those existing materials in languages other than English.

The Components for the Regional/Local/Community-Based Program are described below:

Disability Component. Applications that emphasize the fair housing needs of persons with disabilities, so that persons with disabilities, housing providers and the general public better understand the rights and obligations under the Act and more fully appreciate the forms of housing discrimination that persons with disabilities may encounter, should submit their applications to the EOI—Disability Component. Although the Component has a disability focus, the funded activities must provide education and outreach to all persons protected under the Act.

General Component. Applications for all other fair housing education and outreach activities should be submitted to the EOI-General Component. One point will be awarded for applications from faith-based or community-based organizations or organizations that

propose to either partner or sub-contract with faith-based or community-based organizations in conducting their work programs. Applicants who are submitting applications in conjunction with a faith-based or community-based organization must include in their application a letter of firm commitment from that faith-based or community-based organization. This letter of firm commitment must: (1) identify the faith-based or community-based organization; (2) identify the activities/tasks to be undertaken by the faith-based or community-based organization under this project; and (3) be signed by the individual or organization with legal authority able to make commitments for the organization.

Finally, up to three points will be awarded for applications specifically addressing housing discrimination based on national origin and religion since the September 11, 2001 attacks, as described in Section III(D), Priorities, of this NOFA.

The Components for the *National Program* are described below:

Media Campaign Component.

Activities for funding must provide a centralized, coordinated effort for the development and implementation of a fair housing media campaign designated for FY 2003 Fair Housing Month activities. Additional information on the EOI-National Program is contained within this NOFA under the Factors for Award—National Program Media Campaign Component.

Fair Housing Awareness Component.

Grantees must conduct a national campaign to educate the public on the dangers of abusive lending practices that target specific neighborhoods or vulnerable segments of the population. Additional information on the EOI National Program is contained within this NOFA under the Factors for Award—National Program Fair Housing Awareness Component.

(C) *Fair Housing Organizations Initiative (FHOI).*

This Initiative provides assistance to projects that establish or build the capacity of organizations to become viable fair housing enforcement organizations that conduct fair housing enforcement activities in underserved areas (as defined in Section IV) with large concentrations of persons protected by the Act. This is accomplished with the assistance of a sponsoring organization. It is the sponsoring organization that submits the application under this Initiative. The sponsored organization whose enforcement capacity is established or enhanced by funding under this Initiative, will be allowed to participate in this Initiative for three

years contingent upon annual performance reviews. Funds are allocated under this NOFA for 3 years and may be distributed to the sponsored organization by the sponsoring organization. The sponsoring organization may expend FHIP funds for administrative costs as described below. HUD has targeted for funding under this Initiative projects that will provide fair housing enforcement services to the Colonias, rural areas, or to areas with large concentrations of individuals who fall within one or more categories protected under the Act and who are immigrants (especially racial and ethnic minorities who are not English speaking or have limited English proficiency).

(1) *Eligible Applicants.* Only the sponsoring organization is eligible to apply under this Initiative. The sponsoring organization must be a qualified fair housing enforcement organization (QFHO) with at least 2 years of experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims in the 3 years prior to the filing of this application, as defined at 24 CFR 125.103. You must certify in the Statement of Eligibility that you submit with this application that your organization is a QFHO. Remember, if you fail to submit the completed Statement of Eligibility (Appendix C), this will be a technical deficiency and you will have 14 days to provide the requested materials (see Section V of the General Section of the SuperNOFA on technical corrections that do not affect scoring). You are also required to submit a copy of your IRS tax-exempt status with your application. However, failure to provide this document with your application is a technical deficiency, and you will have 14 days to provide the requested information (see Section V of the General Section of the SuperNOFA).

Eligibility of Successor Organization. HUD recognizes that a QFHO may merge with one or more organizations. The merger of a QFHO into a new organization, that has a separate Employer Identification Number (EIN), does not confer QFHO status upon the successor organization. To determine whether the successor organization meets the eligibility requirements for this Initiative, HUD will consider the enforcement-related experience of the successor organization (based upon the successor organization's EIN). The successor organization is not eligible to apply under this Initiative unless it can establish that it is a private, tax-exempt organization with the requisite 2 years of experience as a QFHO.

(2) *Eligible Activities.* The proposed activities must build the enforcement capacity of the sponsored organization so that it can undertake all of the following activities by the conclusion of year 3 of the grant cycle:

(a) Complaint intake of allegations of housing discrimination, testing, evaluating testing results or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(b) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(c) Mediation or other voluntary resolution of allegations of fair housing discrimination after a complaint has been filed; and

(d) Costs and expenses of litigating fair housing cases, including expert witness fees.

(3) *Administrative Costs for the Sponsoring Organization.* The sponsoring organization may use no more than 15 percent of the annually awarded funds to cover its costs to administer the grant

IV. Program Requirements

(A) Requirements for All Initiatives.

In addition to the Threshold Requirements in Section II(B) of the General Section of this SuperNOFA, your FHIP-funded program application must also meet the following requirements:

(1) *Protected Basis.* All FHIP-funded projects must address housing discrimination based upon race, color, religion, sex, disability, familial status, or national origin.

(2) *Broad-Based and Full-Serviced.* Your organization must conduct a broad-based and full-service enforcement project that addresses discrimination against all persons protected by the Fair Housing Act on the basis of race, color, religion, sex, disability, familial status, or national origin.

(3) *Performance Measures and Products.* Your application must demonstrate how your project activities will support HUD goals, identify performance measures/outcomes in support of those goals, describe your proposed record-keeping and evaluation systems, and identify current (baseline) conditions and target levels of the performance measures that you plan to achieve. Your application also must contain a strategy for generating project products, with related timelines and milestones. In addition, you must include in your application and work

plan program measures to ensure that promises made in your application for persons to be assisted, timelines and budgets to be followed, and results to be achieved can be accounted for and independently assessed to ensure performance goals have been met.

Applicants who have included means of assessing progress, tracking performance goals and achievements against promises made in the application will receive higher rating points. If selected for funding, your final performance measures will be negotiated between you and HUD as part of your executed grant agreement.

(4) *Reports and Meetings on Performance Measures and Products.* You are required to report quarterly on the status of project products against your approved milestones and timelines and meet at least semi-annually with HUD to ensure that project activities satisfy grant requirements. In your final grant report, you must describe the status of performance measures in a spreadsheet format or other manner specified by the Department.

(5) *Single Award Limitation/Preference Must Be Stated.* You may submit applications under all Initiatives and Components for which your organization is eligible but you will receive only one grant with the exception that successful FHOI applicants may receive a grant award under one of the other Initiatives. If you submit more than one application for funding, you must clearly state your preference in two places in each application you submit: (i) the Transmittal Letter and (ii) the Cover Page. The Selecting Official may disregard your preference if it is in the best interest of the Program to do so. Failure to submit your preference at the time of application will be treated as a technical deficiency, which may be corrected as noted in Section V of the General Section of this SuperNOFA.

(6) *Independence of Awards.* HUD will review each application separately and without reference to other applications submitted by you or others. You may submit one application to each of the Initiative/Components outlined in this NOFA. However, each application you submit must be independent and capable of being implemented without reliance on the selection of other applications submitted by you or other applicants.

(7) *Project Starting Period.* For planning purposes, assume a start date no later than thirty days after completion of negotiations. Negotiations are estimated to start on or before September 30, 2002.

(8) *Page Limitation and Formatting Requirements.* All pages in your application must be numbered consecutively from beginning to end. The maximum number is 10 pages per factor. This does not include any attachments that may be required under each factor (for example, the proposed statement of work and budget required under Factor 3: Soundness of Approach). The narrative pages must be double-spaced and you are required to use 12 point typesize. You must respond fully to each factor to obtain maximum points. Failure to: provide narrative responses to all factors or omitting requested information will result in less than the maximum points available for the given Rating Factor for Award or subfactor. Failure to provide double spaced, 12 point typesize narrative responses will result in five points being deducted from your overall score (one point per factor).

(9) *Training funds.* Your proposed budget must set-aside funds to participate in HUD-sponsored or approved training (\$3,000 for EOI and PEI annually; and \$6,000 annually for FHOI). Requests to attend HUD-approved training must be submitted to the GTR for approval in advance of the requested training. Do not include amounts over the \$3,000 or \$6,000 (as appropriate) for the training set-aside in this category. If applicants do not include these funds in the budget and you are selected for an award, HUD may modify your budget, reallocating the appropriate amount for training.

(10) *Payment Contingent on Completion.* Payment of FHIP fund is made on a reimbursement basis. Payments are contingent on the satisfactory and timely completion of your project activities and products as reflected in your grant or cooperative agreement. Requests for funds must be accompanied by financial and progress reports.

(11) *Accessibility Requirements.* All activities, facilities, and materials funded by this Program must be accessible to persons with disabilities (24 CFR 8.2, 8.4, 8.6, and 8.54).

(12) *Copyright Materials.* You may copyright any work that is eligible for copyright protection subject to HUD's right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as required in 24 CFR 84.36.

(13) *Complaints Against Grantees/Cooperative Agreements.* Each FHIP grantee/cooperative agreement is overseen by a HUD Grant Officer. Complaints from the public against FHIP grantees should be forwarded to the Grant Officer. The Grant Officer's

name and contact information is provided in the grant/cooperative agreement. If, after notice and consideration of relevant information, the Grant Officer concludes that there has been inappropriate conduct, such as a violation of FHIP program requirements, grant, or cooperative agreement terms or conditions or any other applicable statute, regulation or other requirement, HUD will take appropriate action in accordance with 24 CFR 84.62. Such action may include: written reprimand; consideration of past performance in awarding future FHIP applications; repayment to HUD of funds received under the grant; or temporary or permanent denial of participation in the FHIP in accordance with 24 CFR part 24.

(14) *Avoiding Double Payments.* If you are awarded funds under this NOFA, you (and any subcontractor or consultant) may not charge or claim credit for the activities performed under this project to any other Federal project.

(15) *Ineligible Activities.*

(a) *Fair Housing and Free Speech.* None of the amounts made available under this NOFA may be used to investigate or prosecute under the Act any activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action that is protected by the First Amendment to the U.S. Constitution. This includes activities engaged in for the purpose of achieving or preventing action by a government official or entity.

(b) *Insurance Testing.* HUD will fund organizations who conduct insurance-related enforcement work under the FHIP, but no project will focus exclusively on this issue.

(16) *Key Personnel.* If your organization is selected for award, you must certify to HUD (HUD Form 40076) whether any staff member identified in the proposal or proposed to be hired (including signator on the SF-424) has been convicted of a felony or crime involving fraud or perjury. In advising HUD, you must specify the crime(s) for which the person was convicted, the date entered, and the penalty received and submit a copy of the report from the police or court documenting the conviction. Depending upon the facts, HUD may place special conditions upon the grantee or the particular person's participation in grant funded activities.

(17) *Definitions.* The definitions that apply to this FHIP section of the NOFA are as follows:

Broad-based proposals those that include activities that are not limited to a single fair housing issue; instead, they cover multiple issues related to housing discrimination covered under the Act,

such as: rental, sales and financing of housing. (See also Full Service Projects below)

Colonias (See General Section).

Complainant means the person (including the Assistant Secretary) who files a complaint under Section 810 of the Act.

Disability advocacy groups mean organizations that traditionally have provided for the civil rights of persons with disabilities. This would include organizations such as Independent Living Centers, and cross-disability legal services groups. Such organizations must be experienced in providing services to persons with a broad range of disabilities, including physical, cognitive, and psychiatric/mental disabilities. Such organizations must demonstrate actual involvement of persons with disabilities throughout their activities, including on staff and board levels.

Enforcement proposals are potential complaints under the Act that are timely, jurisdictional, and well-developed, that could reasonably be expected to become enforcement actions if an impartial investigation finds evidence supporting the allegations and the cases proceeded to a resolution with HUD involvement.

Fair Housing Act means Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3600-3620).

Fair Housing Assistance Program (FHAP) Agencies mean State and local government agencies that administer laws substantially equivalent to the Act, as described in 24 CFR part 115 and receive FHAP funds.

Fair Housing Enforcement Organization (FHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

Faith-based and Other Community-based Organizations (See General Section).

Full-service projects must include the following enforcement-related activities in your project application: interviewing potential victims of discrimination; analyzing housing-related issues; taking complaints; testing; evaluating testing results; conducting preliminary investigations; conducting mediation; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about fair housing laws.

Meritorious claims mean enforcement activities by an organization as defined in 24 CFR 125.103.

Operating budget means your organization's total planned budget expenditures from all sources, including

the value of in-kind and monetary contributions, in the period for which funding is requested.

Qualified Fair Housing Enforcement Organization (QFHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

Regional/Local/Community-Based Activities are defined at 24 CFR 125.301(a) & (d).

Rural Areas, according to the Rural Housing and Economic Development Program of Community Planning and Development (CPD), may be defined in one of five ways:

(i) A place having fewer than 2,500 inhabitants (within or outside of metropolitan areas).

(ii) A county with no urban population (i.e., city) or 20,000 inhabitants or more; territory, persons and housing units in the rural portions of 'extended cities.'

(iii) The rural portions of extended cities in the United States as identified by the U.S. Census Bureau.

(iv) Open country which is not part of or associated with an urban area. The United States Department of Agriculture (USDA) describes open country as a site separated by open space from any adjacent densely populated urban area. Open space includes undeveloped land, agricultural land, or sparsely settled areas, but does not include physical barriers (such as rivers or canals) public parks, commercial and industrial developments, small areas reserved for recreational purposes, and open space set aside for future development.

(v) Any place with a population not in excess of 20,000 and that is not located in a Metropolitan Statistical Area.

Traditional Civil Rights Organizations mean non-profit organizations or institutions and/or private entities with a history and primary mission of securing Federal civil rights protection for groups and individuals protected under the Act or substantially equivalent State or local laws and that are engaged in programs to prevent or eliminate discriminatory housing practices.

Underserved Areas mean jurisdictions that contain large concentrations of persons protected under the Act and where either no public or private fair housing enforcement organizations exist or the jurisdiction is not sufficiently served by one or more public or private enforcement fair housing organizations. (See definitions of Colonias, Faith-based and Community-based organizations above).

Underserved Populations mean groups of individuals who fall within one or more of the categories protected

under the Act and who are also: (1) Of an immigrant population (especially racial and ethnic minorities who are not English-speaking or with limited English proficiency), (2) in rural populations, (3) persons living in the Colonias, (4) the homeless, and (5) persons with disabilities who can be historically documented to have been subject to discriminatory practices not having been the focus of Federal, State or local fair housing enforcement efforts.

(18) *Grant/Cooperative Agreements*. The type of funding instrument HUD may offer a successful applicant will be a grant/cooperative agreement which sets forth the relationship between HUD and the grantee where the principal purpose is the transfer of funds, property, services, or anything of value to accomplish a public purpose. The agreement will identify the eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violations of the agreement. HUD will monitor your progress using provisions of your grant/cooperative agreement to ensure that you have achieved the objectives set out in your agreement. Failure to meet such objectives would be the basis for HUD determining your agreement in default and exercising available sanctions, including suspension, termination, and/or the recapture of your grant/cooperative agreement funds. Also HUD may refer violations or suspected violations to enforcement offices within HUD, the Department of Justice, or other enforcement authorities.

(19) *Reallocation of Funds*. If after all applications within funding range have been selected or obligations are completed in an Initiative and funds remain available, the selecting official or designee will have the discretion to reallocate leftover funds in rank order between Initiatives as follows:

(a) for EOI, any remaining funds from any component will be reallocated first within the Initiative; if after reallocating funds within the Initiative left over funds remain, they shall be reallocated to PEI then to FHOI;

(b) for PEI, any remaining funds will be reallocated to EOI then to FHOI;

(c) for FHOI, left over funds will be reallocated to PEI then to EOI.

Reallocated funds will be awarded within Initiative as described in Section V of this NOFA.

(20) *Affirmatively Furthering Fair Housing*. A separate AFFH submission is not required for FHIP because the purpose of the program is to further fair housing.

(21) *Conducting Business in Accordance with Core Values and Ethical Standards*. (See General Section.

Refer also to the discussion on Code of Conduct above).

(22) *Product Information*. Press releases and any other product intended to be disseminated to the public must be submitted to the Government Technical Representative (GTR) 2 weeks before release for approval and acceptance.

(23) *Ensuring the Participation of Small Businesses, Small Disadvantaged Businesses, and Women Owned Businesses*. See General Section.

(B) *Additional Requirements For PEI and FHOI*

(1) *Mandatory Referrals*. You must refer to HUD all cases arising from FHIP-funded enforcement activities. In all FHIP-funded cases where you find a basis for filing a complaint on behalf of a complainant other than your organization, you must file the complaint with HUD unless the complainant declines to do so in writing. In addition to filing complaints with HUD, a complainant may file a civil action in Federal or State Court.

(2) *Outreach Expenses*. The funds awarded for enforcement grants may be used for outreach and education activities (hereafter, outreach activities) in order to promote awareness of your project's services, as follows: under FHOI, you may provide for up to 10 percent of the requested funds for the sponsored organization to be used for outreach activities; under PEI, you may designate up to 5 percent of the requested funds for outreach activities.

(3) *Tester Requirements*. Testers in your FHIP-funded testing activities must not have prior felony convictions or convictions of crimes involving fraud or perjury. All testers must receive training acceptable to HUD or be experienced in testing procedures and techniques. Testers and the organizations conducting tests, and the employees and agents of these organizations may not:

(a) Have an economic interest in the outcome of the test; except to the extent that they could recover damages as provided by law;

(b) Be a relative related by adoption, blood, or marriage of any party in a case;

(c) Have had any employment or other affiliation, within the past year, with the person or organization to be tested; or

(d) Be a licensed competitor of the person or organization to be tested in the listing, rental, sale, or financing of real estate.

(4) *Review and Approval of Testing Methodology*. If your SOW proposes testing, other than rental housing testing, HUD may require copies of the following documents to be reviewed and approved by HUD prior to your carrying out the testing activities:

(a) The testing methodology to be used,

(b) The training materials to be provided to testers, and

(c) Other forms, protocols, cover letters, etc., used in the conduct of testing and reporting of results.

The testing methodology and training materials that you submit to HUD for review and approval are for enforcement purposes and will remain confidential.

(5) *Conflict of Interest and Use of Settlement Funds.*

(a) You may not solicit funds from or seek to provide fair housing educational or other services or products for compensation either directly or indirectly to any person or organization that has been the subject of FHIP-funded testing by your organization during the 12-month period following the test. This does not preclude providing training or technical assistance that is court ordered or contained in a negotiated settlement. HUD reserves the right to impose additional provisions addressing potential conflicts of interest.

(b) You must reimburse the United States for FHIP-funded activities whenever you receive funds as the result of enforcement activities funded in whole or in part by the FHIP program, including testing. You must provide information about reimbursements and/or potential reimbursements in a report that you submit to HUD (see Reports below). Terms for reimbursing the United States will be specified in your grant or cooperative agreement. This reimbursement requirement does not apply to compensation received as a result of a judgment in Federal or State Court. Calculate your reimbursement on a per complaint basis. Identify the complaint, then subtract the amount of non-FHIP funds from the amount of FHIP funds used to resolve the complaint. The difference is the amount owed. For example:

FHIP grant of \$15,000 (\$10,000 which is for testing: 20 tests @ \$500 each). One test results in a \$15,000 conciliation/settlement. Additional expenses paid from non-FHIP funds: \$100.

Total FHIP funds for the settlement activity that resulted in collected funds: \$400.00 Calculation
\$500 (Amt. of FHIP funds in activity resulting in conciliation/settlement) – \$100 (Non-FHIP funds used in the same activity)

Total \$400 to be repaid to HUD.

(6) *Reports.* You must provide reports in a format (which may be computer-generated), at a frequency and with contents specified by HUD. At a minimum, the report must include the

number and basis of complaints filed with HUD, with a FHAP agency, or in Federal/State Court as well as the number and terms of settlements or other outcomes achieved. If HUD does not prescribe a format or frequency, you will provide a narrative report within 90 days after all grant activities have ended or at the end of each 12-month period of the grant, whichever comes first. You do not have to disclose the terms of settlements or judgment that a court or other tribunal orders be kept confidential. You will also be required to provide status reports on case referrals you have made to HUD or a FHAP agency. These reports are for enforcement purposes and will remain confidential.

(7) *Enforcement Log.* You are required to record information about the funded project in a case tracking log (or Fair Housing Enforcement Log) in a format prescribed by HUD. Such information must include: the number of complaints of possible discrimination you have received; the protected basis of these complaints; the issue, test type, and number of tests utilized in the investigation of each allegation; the respondent type and testing results; the time for case processing, including administrative or judicial proceedings; the cost of testing activities and case processing; the entity to which the case was referred; and the resolution and type of relief sought and received. You must agree to make this log available to HUD. This log will be considered confidential for enforcement purposes.

(8) *Attachments.* All PEI and FHOI applicants must submit a Statement of Eligibility. All applicants must submit resumes, or position description in lieu of resume, of all key personnel; for those who have received funding for other projects, a copy of the most recent performance assessment from the funding source, if it was a HUD funded project, the most recent SF 269. In addition, FHOI, and PEI applicants must submit the Internal Revenue Service's, Letter of Determination declaring your Section 501(c)(3) status as a tax-exempt organization.

(C) *Additional Requirements for Education and Outreach Initiative*

Complaint Referral Process. EOI activities do not end with the delivery of educational activities. Their purpose is to enable persons who believe they have experienced housing discrimination to file complaints for investigation and relief. EOI applicants must develop a process for referring fair housing complaints to HUD or substantially equivalent entities under the Act. HUD expects this complaint

referral process will result in referrals to HUD of fair housing complaints and other information regarding discriminatory housing practices.

(D) *Additional Requirements for Fair Housing Organizations Initiative*

Sponsored organization's viability and fair housing enforcement capacity. Over the duration of the grant, the sponsored organization must demonstrate its capacity to become a viable, fair housing enforcement organization that conducts fair housing-related enforcement activities and leverages non-FHIP resources. These are the performance measures that, if not met, may result in termination of the grant, and your description for achieving these measures will be considered when HUD evaluates your application. We will look for this description in your response to Rating Factor 3: Soundness of Approach. Specifically, the application must address:

(a) Fair Housing-related enforcement activities. The sponsored organization must conduct all enforcement-related activities by the conclusion of year 3 of the grant: complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims. Your application must identify which activities the sponsored organization will conduct at the end of the grant year 1, 2 and 3. Your performance measures will be based upon this description, and failure to meet them may result in termination of your grant or cooperative agreement.

(b) Organizational resources. The sponsored organization must not rely exclusively on FHIP funding. At the conclusion of each grant year, the sponsored organization must show increasing support from sources other than what is awarded under this program. Specifically, at the conclusion of year 1, no less than 5% of the funds supporting the sponsored organization's fair housing enforcement-related activities must be funded from non-FHIP funds; at the conclusion of year 2, no less than 10% of the funds supporting the sponsored organization's fair housing enforcement-related activities must be from non-FHIP funds; and at the conclusion of year 3, no less than 20% of the funds supporting the sponsored organization's fair housing enforcement-related activities must be from non-FHIP funds. Your application must state how you will meet these requirements. Your performance measures will be based upon these requirements, and failure to meet them may result in termination of the grant.

V. Application Selection Process

(A) Screening/Threshold Review

Only applications that satisfy all of the applicable requirements under this NOFA will be considered for funding. Applicants meeting any of the following conditions are ineligible.

(1) *General Section Requirements and Procedures.* If you do not meet the Threshold Requirements set forth in Section II (B) of the General Section of this SuperNOFA.

(2) *Debarment and Suspension.* If your organization is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal debarment or agency.

(3) *Maximum award.* If you request funding in excess of the maximum allowed under the Initiative or Component for which you are applying your application is ineligible. Any amount over the maximum award, even if less than one dollar, will be considered a request in excess of the maximum award. In addition, inconsistencies in the amount requested and/or miscalculations that result in amounts over the maximum award will be considered excessive.

(4) *Research Activities.* If 25% or more of your project is aimed solely and primarily at research. Also, your application should not require any surveys or questionnaires.

(5) *Eligibility Applicants.* If you do not meet the eligibility requirements for PEI and FHOI. For PEI, you must be a FHO or a QFHO and document in the Statement of Eligibility that your organization has the required one or two years of enforcement-related experience. For FHOI, you must be a QFHO.

(6) *Tax Exempt Status.* If you are not a tax-exempt, nonprofit, charitable organization. For PEI and FHOI, you must be a 501(c)(3) tax exempt organization as determined by the Internal Revenue Service (IRS). Your application must include a copy of your Letter of Determination from the Internal Revenue Service, dated prior to the deadline date of this NOFA, in support of your 501(c)(3) tax-exempt status.

(7) *Media-based Applications.* Applicants who submit applications under the EOI National Program Media Campaign must have as its primary responsibility advertisement and media and have at least 5 years of experience as an advertisement/media organization, or if the applicant is not a media organization, it must include as part of its proposal a subcontract with an established media/advertising or public relations organization, that has

experience in conducting national media campaigns. Applicants that fail to meet this requirement or include such subcontract arrangements in their proposals will be ineligible for funding. Further, for-profit awardees must adhere to OMB Circular A-122.

(8) *Poor Performance.* HUD will assess performance ratings for applicants who have received FHIP funding in 1998, 1999, or 2000. If the applicant has received a "poor" performance rating for its most recent performance rating from its Government Technical Representative, its application is ineligible for FY 2002 competition. An applicant that does not agree with its determination of ineligibility for the FY 2002 competition because of "poor" performance must address to HUD's satisfaction the factors resulting in the "poor" performance rating before the FHIP application deadline. If the "poor" performance rating is not resolved to the Department's satisfaction before the application deadline, the application remains ineligible. HUD is interested in increasing the performance level of all grantees; therefore, applicants who are deemed ineligible because of a "poor" performance rating have the right and are encouraged to seek technical assistance from HUD to correct their performance in order to be eligible for future NOFA competition.

(9) *Suits Against the United States.* Your application is ineligible if as a current or past recipient of FHIP funds, your organization used any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).

(10) *Other Litigation.* Your application is ineligible if any recipient under this Program used any funds provided by HUD to settle a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (24 CFR 124.104).

(B) *Rating and Ranking.* Although all rating factors are organized the same way for all FHIP Initiatives, there are differences in application requirements and rating criteria, which are indicated throughout the Rating Factor instructions. Your application for funding will be evaluated competitively against all other applications submitted under one of the following Initiatives or Components:

- (1) Private Enforcement Initiative (PEI)
- (2) Education and Outreach Initiative
 - (a) Regional/Local/Community-Based Program:
 - i. General Component (EOI—GC)
 - ii. Disability Component (EOI—DC)
 - (b) National Program:

- iii. Media Campaign Component
- iv. Fair Housing Awareness Component

- (3) Fair Housing Organizations Initiative (FHOI)

All eligible applications will be reviewed and points awarded based upon: (1) your narrative responses to the Factors for Award and accompanying materials (e.g., resumes) and (2) bonus points, if entitled. The maximum number of points to be awarded for the Rating Factors is 100. See Section III (C) of General Section for discussion on Bonus Points. Applications with a score of seventy (70) points or more will be considered of sufficient quality for funding. The Selecting Official will not select for award any application with a score below seventy (70) points. Generally, applications of sufficient quality for funding will be selected in simple rank order under each Initiative or Component. HUD reserves the right to select applicants out of rank order to achieve greater geographic distribution of awards under each Initiative or Component, as described in Section V (C) below. Selections under each Initiative or Component will continue to be made until either all allocated funds have been obligated or until no applications of sufficient quality remain.

(B) Tie Breaking

When two or more applications have the same total overall score, the application with the higher score under Rating Factor 3: Soundness of Approach will be ranked higher. If this does not break the tie, the application with the higher score under Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience will be ranked higher. If this does not break the tie, the application requesting the lower amount of FHIP funding will be ranked higher.

(C) Achieving Geographic Diversity of Awards

(1) *PEI and EOI.* HUD reserves the right to select applications out of rank order under geographic diversity, to ensure that, to the extent possible, applications from more states for each Initiative or Component are selected for funding. If the Selecting Official exercises this discretion, it shall be applied to all qualified applications (applications of sufficient quality for funding—applications that received a score of 70 or more points) in each Initiative or Component in which the Selecting Official applies geographic diversity. The geographic diversity provision will be applied as follows: when there are two or more applications

of sufficient quality from the same state, the application(s) with the lower score(s) will be moved to the end of the qualified queue. The applications moved to the end of the qualified queue will retain their rank order. If sufficient funds remain, it is possible that applications moved to the end of the queue may be selected for award.

(2) *FHOI*. The geographic diversity selection procedures described in paragraph V(C)(1) will be used for FHOI for activities proposed in the same state.

(D) *Factors for Award Used to Evaluate and Rate PEI, FHOI and EOI Regional/Local Community-Based Applications*. The factors for rating and ranking applications and the maximum points for each Rating Factor are described below. Failure to provide the required information under the appropriate Factor will result in a lower score for that Factor—for example, information in the Project Abstract, although useful for obtaining a concise summary of the proposed activities is not considered in the rating of applications. Please respond fully to the criteria in each Rating Factor and sub-factor and, when directed, provide other information in support of your response. The Factors for Award are set out as follows:

In general. This section applies to all PEI, FHOI, and EOI Regional/Local Community-Based applicants. Your responses to each Rating Factor and including the “In Addition” section below must not exceed 10 page Rating Factor requirement.

In Addition. This section identifies issues to which you must respond, if required, by the particular Initiative or Component for which you are applying.

Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience (20 Points)

You must describe staff expertise and your organization’s ability to complete the proposed activities within the grant period. You must also provide performance assessments conducted by your funding sources, including HUD, that have been done of your organization’s performance of these activities. Such performance assessments must be signed by or attached to a transmittal signed by the authorized representative of the funding source(s).

In General. HUD recognizes that, in carrying out the proposed activities, you may have persons already on staff, plan to hire additional staff, or rely on subcontractors or consultants to perform specific tasks. You must describe your staffing plan and the extent to which

you plan to add staff (employees) or contractors.

(a) (5 Points) *Number and expertise of staff (this includes subcontractors and consultants)*. You must show that you will have sufficient, qualified staff who will be available to complete the proposed activities. Provide the following information for all staff assigned to or hired for this project, not just key personnel (those persons identified in attachments to Rating Factor 3: Soundness of Approach):

(i) Identify, by name and/or title, all persons that will be assigned to the project. You must describe the knowledge and experience of the proposed overall project director and day-to-day program manager in planning and managing large and complex interdisciplinary programs. Indicate the percentage of time that key personnel will devote to your project. To receive maximum points, your day-to-day program manager must devote a minimum of 75% of his/her time to the project. You may demonstrate capacity by thoroughly describing your prior experience in fair housing. You should indicate how this prior experience would be used in carrying out your proposed activities. Your application must clearly identify those persons that are on staff at the time this application is filed, and those persons who will be assigned at a later date; describe each person’s duties and responsibilities and their expertise (including years of experience) to perform project tasks; indicate whether the staff person is assigned to work full-time or part-time (if part-time, indicate the percentage of time each person is assigned to the project).

(ii) Attach resumes, or position description in lieu of resumes, for all key personnel. (Resumes do not count against the ten-page limit.)

(iii) Describe the qualifications to be considered in the selection of staff or contractors (and their staff) that will be assigned or hired at a later date, when you expect they will begin working on the project and how project activities will be carried out until then. Assume a start date of September 30, 2002.

(iv) Describe the racial/ethnic diversity of project staff and the applicant’s governing board. If there is no diversity, please explain. No explanation of the lack of diversity will result in less points being awarded.

(v) Include a chart showing availability of all named personnel during the proposed period of activity.

(b) (10 Points) *Organizational experience*. In responding to this subfactor, you must show that your organization has: (i) Conducted a past

project or past projects similar in scope and complexity to the project proposed in this application (whether FHIP-funded or not), or (ii) engaged in activities that, although not similar, are readily transferable to the proposed project. Experience will be judged in terms of recent, relevant and successful experience of your staff to undertake eligible activities. In rating this factor, HUD will consider experience within the last 3 years to be recent, experience pertaining to the specific activities to be relevant, and experience producing specific accomplishments to be successful. The more recent the experience and the more experience your own staff members who work on the project have in successfully conducting and completing similar activities, the greater the number of points you will receive for this rating factor. If the applicant organization has not engaged in projects similar to the scope and activities proposed in the application, two (2) points will be deducted.

In addition. If you are applying for funding under PEI or FHOI, provide the following information when responding to this subfactor:

(i) Respond completely to all questions in the Statement of Eligibility. (A copy of a blank Statement of Eligibility appears in the Appendix C to this NOFA.) For PEI, you must clearly state whether you are a QFHO or an FHO. You must provide information that establishes that your organization has engaged in each of the enforcement-related activities, for at least one year (if you are an FHO) or two years (if you are a QFHO). For FHOI, you must be a QFHO.

(ii) Describe the procedure you will use to ensure that testers comply with the requirements in Section IV (B) (3) of this program NOFA.

(iii) If you propose to conduct testing (other than rental or accessibility testing) projects proposing testing in the specific areas (for example, if testing is for sales of housing, your application should outline your sales testing experience) should document that, at a minimum, you have conducted successful testing in those areas. Provide a general description of when and where the tests occurred, the entities tested, and the overall results of the tests, including complaints filed and the settlements or remedies secured.

FHOI. Provide a statement of organizational capacity and experience of the sponsored organization.

In general. (c) (5 Points) *Performance on past project(s)*. You must describe your organization’s past performance in conducting activities relevant to your

proposal, in the past three years (including FY 1998–2000 FHIP grants), demonstrating good financial management and documenting timely use of funds, timely reporting and submissions of tasks and deliverables. HUD may supplement information you provide with relevant information on hand or available from public sources such as newspapers, Inspector General or General Accounting Office Reports or Findings, hotline complaints that have been proven to have merit, or other such sources of information. In evaluating past performance, the following points will be deducted from your score under this rating sub-factor:

- 5 points will be deducted if you obtained any “fair performance” assessment;
- 3 points will be deducted if you obtained any “good performance” assessment; and
- 0 points will be deducted if you obtained any “excellent performance” assessment.

For other Federal, State and local programs, include an assessment/review of the work performed under past projects. Attach a copy of the funding entity’s performance assessment/review of this project, if applicable. The following will apply to funding received from other Federal, State and local programs:

- 3 points will be deducted for failing to meet target dates and schedules for performance; and
- 2 points will be deducted for failure to meet measurable program outputs and outcomes.

If you do not have a past performance assessment or prior experience, you should include information such as meeting target dates, meeting program outputs and successful outcomes for projects similar in scope and size and give a description of the purpose of the project and what was accomplished. If audit reports are available, submit a copy of the most recent report. Those applicants that do not submit an audit report will receive a lower score for this sub-factor than those that do.

In addition. (a) If you have received an FHOI or a PEI award under the FY 1998, 1999 or 2000 FHIP NOFA, you must:

(i) Discuss your compliance with the mandatory referral requirement of all cases arising from FHIP-funded activities requirement, as described in the FY 1998, 1999, and 2000 NOFAs. Three (3) points will be deducted for this subfactor if you do not show in your application compliance with the requirement.

(ii) Discuss your compliance with the requirement to reimburse the Federal government for compensation received from FHIP-funded enforcement activities. If you have not reimbursed the Federal government for such compensation, explain why you have not. Also, state whether you reported to HUD any likely compensation that may result in such reimbursement. Two (2) points will be deducted for this sub-factor if you have not complied with the requirement.

Rating Factor 2: Need/Distress/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed activities to address a documented fair housing problem in the target area. You will be evaluated on the information that you submit that describes the fair housing need in the geographic area you propose to serve, its urgency and how your project is responsive to that need. You must also describe whether you and/or your project are not served by a State or local FHAP agency.

(a) (15 Points) *Documentation of Need.* To justify the need for your project, you must describe the following:

- (1) The fair housing need, including:
 - (a) Geographic area to be served;
 - (b) Populations protected by the Act that will be served—your project must serve all persons protected by the Act; and
 - (c) The presence of housing discrimination, segregation and/or other indices of discrimination in the project area based upon race, color, religion, sex, national origin, familial status, or disability. You must submit data and studies that support this indication.

(2) The urgency of the identified need. For example:

- (a) The consequences to persons protected by the Act if your application is not selected for funding;
- (b) The extent to which the organizations provide the services identified in your application;

(3) Other sources that support the need and urgency for this project. For example, use reports, statistics, or other data sources that are sound and reliable, including but not limited to, HUD or other Federal, state or local government reports analyses, relevant economic and/or demographic data, including those that show segregation, foundation reports and studies, news articles, and other information that relate to the identified need. Chapter V of the *Fair Housing Planning Guide, Vol. 1* has other suggestions for supporting documentation. You may access the

Guide from the HUD web at “www.hud.gov.”

If the fair housing needs you have identified are not covered under the Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AI) or if your locality does not have a CP or AI, you should so indicate, and use other sound data sources to identify the level of need and the urgency in meeting the need. If your application addresses needs that are identified in the AI, you will receive more points than applicants located in an area with an AI that do not relate their program to the identified needs in the AI. For you to receive maximum points for this factor, there must be a direct relationship between your proposed activities, community needs, and the purpose of the program funding.

To the extent possible, the data you use should be specific to the area where the proposed activity will be carried out. You should document needs as they apply to the area where activities will be targeted, rather than the entire locality or state. If the data presented does not specifically represent your target area, you should discuss why the target areas were proposed.

(4) The link between the need and your proposed activities:

- (a) how the proposed activities augment or improve upon on-going efforts by public and private agencies, organizations and institutions in the target area, and/or
- (b) why, in light of other on-going efforts, the additional funding you are requesting is necessary.

In addition, with respect to (a) Documentation of Need, the following apply to specific FHIP Initiatives or Components:

EOI—Disability Component. Your project must serve all persons protected by the Act.

FHOI. HUD has targeted for funding under this Initiative, projects that will provide fair housing enforcement services to underserved areas and to areas with large concentrations of individuals who fall within one or more categories protected under the Act who are immigrants (especially racial and ethnic minorities who are not English-speaking or have limited English proficiency). Although HUD has targeted these areas, you are still required to justify the need for the sponsored organization by: (i) demonstrating the presence of housing discrimination, segregation and/or other indices of discrimination in the project area based upon race, color, religion, sex, national origin, familial status, or disability and submit data and studies that support your claim; and (ii) explain

why the project area is underserved and why the proposed sponsored organization is needed. Your proposal must serve all persons protected by the Act.

(b) (5 Points) *Underserved Areas*. Up to five points will be awarded when the applicant *and* project area are not served by a State or local FHAP agency. In instances where the applicant is located in an area not served by a FHAP agency but the project activities are conducted in various geographic areas, some that are not served by a State or local FHAP agency, points will be awarded as follows:

5 points will be awarded if more than 80% of the activities are conducted in areas not served by a State or local FHAP agency.

4 points will be awarded if more than 60% but less than 80% of the activities are conducted in areas not served by a State or local FHAP agency.

3 points will be awarded if more than 40% but less than 60% of the activities are conducted in areas not served by a State or local FHAP agency.

2 points will be awarded if more than 20% but less than 40% of the activities are conducted in areas not served by a State or local FHAP agency.

1 point will be awarded if less than 20% of the activities are conducted in areas not served by a State or local FHAP agency.

You must indicate whether (a) you are located in an area that is served by a State or local FHAP agency (see Appendix C for a list of FHAP agencies); (b) the activities you propose will be conducted in a project areas served by a State or local FHAP agency; and (c) explain why the project area is underserved and/or why the proposed organization or activity is needed.

Attachments. None required.

Rating Factor 3: Soundness of Approach (40 Points)

You must describe your project in detail, demonstrate how your project activities will support HUD goals, propose suggested performance measures/outcomes in support of these goals, and identify current baseline conditions and target levels of the performance measures that you plan to achieve. Also attach a SOW and budget. Your proposed activities must support HUD's goals.

(1) (4 Points) *Support of HUD Goals*. Describe how your proposed project will further and support HUD. For FY 2002 FHIP applications, address the following:

A. *EOI*. (i) Applicants that are faith-based and other community-based organizations that propose to either

partner or sub-contract with faith-based and other community-based organizations in conducting their work programs will receive one point under this sub-factor. Please describe the following:

(I) Project purpose.

(II) Persons to be served.

(III) Geographic area to be served.

(IV) Proposed activities and who will conduct these activities, e.g., you or a subcontractor(s) or consultant(s).

(V) The methodology you will use to carry out these activities and tasks.

(a) Applicants who partner or sub-contract with faith-based or community based organization in conducting their work program and submit a referral process will receive two points.

(b) Applicants who partner or sub-contract with faith-based or community-based organization in conducting their work program and do not submit a referral process will receive one point.

(ii) Up to three points will be awarded for applications specifically addressing housing discrimination based on national origin and religion since the September 11, 2001 attacks, as described in Section III(D), Priorities, of this NOFA. Please describe the following:

(I) Project purpose.

(II) Persons to be served.

(III) Geographic area to be served.

(IV) Proposed activities and who will conduct these activities, e.g., you or a subcontractor(s) or consultant(s), and (V) The methodology you will use to carry out these activities and tasks.

(a) Applicants who target outreach activities to specifically address discrimination under the Fair Housing Act based on national origin and religion since the September 11, 2001 attacks and submit a referral process will receive three points.

(b) Applicants who target outreach activities to specifically address discrimination under the Fair Housing Act based on national origin and religion since the September 11, 2001 attacks and do not submit a referral process will receive two points.

B. *PEI, FHOI, and EOI—Disability*

Should discuss their project purpose and proposed activities, persons to be served, geographic areas and methodology.

In addition. If you apply under the:

EOI. Describe how activities or final products can be used by other organizations and agencies. Also, describe the elements of the complaint referral process you will develop as a task under this grant. Explain how this referral process will result in an increased number of referrals to HUD.

FHOI. Over the course of the grant, the sponsored organization must conduct fair housing-related enforcement activities and leverage non-FHIP resources. These are the performance measures that, if not met, may result in termination of the grant, and your description for achieving these measures will be considered when evaluating your application.

PEI/FHOI. Describe a procedure to ensure that referrals of all complaints are made as required by this NOFA. Your description should include safeguards to ensure that referred complaints are fully jurisdictional under the Act and supported by credible and legitimate evidence that the Act has been violated.

You may conduct limited outreach activities (for PEI and for FHOI), as described in section IV (B)(2). This must be reflected clearly in your SOW and Budget.

(2) (5 Points) *Performance Objectives and Measures*. Identify and discuss the specific methods and measures you will use (in addition to HUD reporting requirements) to measure progress, evaluate program effectiveness, and identify program changes necessary to improve performance. Describe how you will obtain, document and report the information. You will receive higher points under this subfactor if your application clearly states a specified set of performance criteria and outcomes that can be measured. Clearly identify the results of the proposed activities and what you will use to measure performance. The expected outcomes of your proposed activities should support HUD's strategic goal of "Ensuring Equal Opportunity and Access to Housing." You will receive fewer points if you fail to develop measurable objectives with respect to your stated activities.

Information Requirements. For PEI and FHOI, your application must include a description of the enforcement proposals to be referred to HUD. Your description must explain the information (see 24 CFR 121.2) you intend to collect and analyze, the type of complaints you anticipate referring to HUD for enforcement purposes, and describe the procedure you will implement for referring such complaints. If you propose a testing program, you must explain how you plan to structure the tests, train investigators, conduct investigations, etc. This description should make clear the safeguards to be used to ensure that complaints referred to HUD are fully jurisdictional under the Act and supported by credible and legitimate evidence that the Act has been violated. Describe the procedures you will put in

place to ensure that referrals of all complaints are sent to HUD. Failure to provide this description of your procedure will result in the reduction of 2 points for this subfactor.

(3) (15 Points) *Proposed Statement of Work (SOW) and Financial Management.* The SOW and budget are attachments that will not count toward the 10-page limit on the narrative response to this factor. However, points will be assigned based on the relevance of proposed activities to stated needs, attention to implementation steps, proposed activities consistent with organizational expertise and capacity and accuracy of the SOW and budget. See Section VI for submission requirements.

Statement of Work—Submit a proposed SOW that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the grant period. Your outline should identify all activities and tasks to be performed and by whom (e.g., you, a subcontractor, or partner), and the products that will be provided to HUD and when. You should also include a schedule of your activities and products (with interim implementation steps), staff allocation over the term of the project; staff acquisition and training; and activities of partners and/or subcontractors. The tasks identified in the SOW should be related to the proposed budget (See Appendix C for sample SOW).

Financial Management Capacity. Describe and provide documentation to support your organization's financial management system. In addition, provide documentation about your capabilities in handling financial resources and maintenance of an adequate accounting and internal control procedures.

(4) (16 Points) *The Budget Form and the Budget Information*—HUD will also assess the soundness of your approach by evaluating the quality, thoroughness, and reasonableness of the budget and financial controls of your organization, including information on your proposed program cost categories. As part of your response, you must prepare a budget that: (1) is reasonable and cost-effective in achieving the goals identified in your proposed SOW; (2) relates tasks in the SOW to the proposed budget costs; (3) is cost-effective; (4) is quantifiable based on the Need identified in Factor 2; and (5) documents and justifies all cost categories in accordance with the cost categories indicated in the Budget Narrative Workplan that is discussed in more detail in paragraphs (a) through (j) below.

Cost Effectiveness of Program. Discuss and provide supportive facts concerning the extent to which your proposed program is cost effective in achieving the anticipated results of the proposed activities. Also, indicate how the proposed project is quantifiable based on the needs identified in Rating Factor 2.

FHOI Provide a statement of transfer of programmatic and management responsibilities from the sponsoring to sponsored organization by the end of grant year 3.

In addition:

Your Non-Construction Programs SF-424A 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 only on estimates, the budget narrative work plan must include information such as quotes obtained from various vendors, or you may rely on historical data. Applicants must round all budget items to the nearest dollar.

A written budget narrative must accompany the proposed budget. It must explain and attach back-up documentation for each cost category. Generally, estimated costs for high-cost items or subcontractors/consultants should be supported by bids from at least three (3) sources. Where there are travel costs for subcontractors/consultants, you must show that local subcontractors/consultants are not available and that the combined travel costs (per diem rates should be consistent with Federal Travel Regulations 41 CFR 301.11) and rates and fees of the out-of-town subcontractors/consultants do not exceed the rates and fees charged by local subcontractors and consultants. The narrative (counted toward the 10 page limit) and supporting documentation (not counted toward the 10 page limit) must address the following for maximum points.

(a) *Direct Labor*—by position or individual, specify the estimated hours per position, the rate per hour, estimated cost per staff position and the total estimated direct labor costs;

(b) *Fringe Benefits*—by staff position, identify the rate, the salary base on which the rate was computed, estimate the cost per position, and the total estimated fringe benefits cost;

(c) *Material Costs*—indicate the item, unit costs per item, the number of items to be purchased, estimated cost per item, and the total estimated material costs;

(d) *Transportation Costs*—where use of a local private vehicle is proposed, costs must indicate the proposed number of miles (travel costs should be

consistent with Federal Travel Regulations), rate per mile of travel identified by item, and estimated total private vehicle costs. Where air transportation is proposed, costs should identify the destination(s), number of trips per destination, estimated air fare and total estimated air transportation costs. If other transportation costs are listed, you should identify the other method of transportation selected, the number of trips to be made and destinations, the estimated costs, and the total estimated costs for any other transportation costs.

(e) *Per Diem*—you must identify per diem or subsistence costs per travel day, the number of travel days, and the estimated costs for per diem/subsistence, which should total estimated transportation costs. You must use the Federal Travel Regulation for per diem rates for cities listed under "Transportation Costs" in your costs estimates.

(f) *Equipment charges*—must identify the type of equipment, quantity, unit costs and total estimated equipment costs;

(g) *Consultant Costs*—indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant and total estimated costs for all consultants;

(h) *Subcontract Costs*—identify each proposed subcontract and amount (each proposed subcontract must include a separate budget that identifies proposed costs by cost categories). If applicable, your project budget must include any costs related to subcontract(s) with the FHAP agencies and disability advocacy and/or traditional civil rights organizations that account for activities related to the subcontractor's role in the project. Your application must include a separate detailed budget for each subcontract.

(i) *Other Direct Costs*—listed by item, quantity, unit costs, total for each item listed, and total direct costs for the award; and

(j) *Indirect Costs*—identify your approved indirect cost rate base to which the rate applies and total indirect costs. If you do not have an accepted, federally negotiated indirect cost rate, you may use direct cost for all of your program costs. Alternatively you may develop a proposed indirect cost rate in accordance with Office of Management and Budget (OMB) Circular A-122, Cost Principles and Procedures for Non-Profit Organizations, and provide supportive documentation on this calculation. You must establish your approved indirect cost rate base in accordance with Circular A-122. Organizations that have previously

established indirect cost rates should not include direct costs in their indirect category.

Rating Factor 4: Leveraging Resources (10 Points Maximum)

This factor addresses your ability to secure additional resources to support your project. Points will be awarded on the basis of the percentage of non-FHIP resources you have identified and how firm the commitment is for those resources.

Firm Commitment of Leveraging. HUD encourages you to secure resources from sources other than what is requested from this program. Community resources may include funding or in-kind contributions, such as work space or services or equipment, allocated to the purpose(s) of your proposal. Resources may be provided by governmental entities (including other HUD programs), public or private non-profit organizations, for-profit private organizations, or other entities willing to work with you. In order to secure points you must establish leveraging of resources by providing letters of firm commitment from the organizations and/or individuals who will support your project. Each letter of firm commitment must: (i) Identify the organization and/or individual committing resources to the project, (ii) identify the sources and amounts of the leveraged resources (the total FHIP and non-FHIP amounts must match those in your proposed budget submitted under Factor 3), and (iii) describe how these resources will be used as part of your SOW. The letter must be signed by the individual or organization official legally able to make commitments for the organization. If the resources are in-kind or donated goods, the commitment letter must indicate the dollar value of those resources (Do not include indirect costs within your in-kind resources. In-kind and matching contributions and Program Income must be in accordance with part 84.23 and 84.24). No points will be awarded for general letters of support endorsing the project from organizations and/or individuals (including elected officials) in your community. The commitment is firm even if the offer is contingent upon HUD making an award under this program NOFA.

For PEI and EOI, if your project will not be supported by non-FHIP resources, then you will not receive any points under this factor. Points will be assigned for PEI and EOI based on the following scale:

2 points will be awarded if your project will be supported by non-FHIP resources, but those funds are less than

5% of the project's total costs are from non-FHIP resources.

4 points will be awarded if at least 5% and less than 10% of the project's total costs are from non-FHIP resources.

6 points will be awarded if at least 10% and less than 20% of the project's total costs are from non-FHIP resources.

8 points will be awarded if at least 20% and less than 30% of the project's total costs are from non-FHIP resources.

10 points will be awarded if at least 30% of the project's total costs are from non-FHIP resources.

For FHOI, 3 points will be awarded if more than 5%, but less than 10% of the project's total cost are from non-FHIP resources.

5 points will be awarded if at least 10% and less than 20% of the project's total costs are from non-FHIP resources.

7 points will be awarded if at least 20% and less than 30% of the project's total costs are from non-FHIP resources.

10 points will be awarded if at least 30% of the project's total costs are from non-FHIP resources.

Rating Factor 5: Coordination, Self-Sufficiency and Sustainability (10 Points)

This factor addresses the extent to which you develop interrelationships, provide increased independence and empowerment, and generate organizational and project self-sufficiency.

1. *Coordination*—You are encouraged to join together and pool all available resources in a common, coordinated effort. You should relate your activities with other organizations in the project area, participate or promote participation in the project area's Consolidated Planning process (including Analysis of Impediments to Fair Housing Choice), and create partnerships with other activities in the community. In evaluating this factor, HUD will consider the extent to which you demonstrate:

(a) You have coordinated your activities with other known organizations that are not directly participating in your proposed work activities, but with which you share common goals and objectives and are working toward meeting these objectives in a holistic and comprehensive manner.

(b) The extent to which your application implements practical solutions within the grant term to result in assisting beneficiaries of grant program funds in achieving independent living, economic empowerment, educational opportunities, housing choice or improved living environments;

(c) The extent to which your application addresses outreach activities to promote awareness of project activities. At a minimum, your application should discuss procedures you will use to promote awareness of the services provided by your proposal.

2. *Self-Sufficiency*—You should demonstrate the extent to which your application develops solutions that result in increased independence and empowerment for those in your target areas. Such increased independence can result from such benefits as reducing discrimination practices, increasing awareness of the Act; increasing homeownership; eliminating barriers to housing choice or overcoming the impediments identified in the AI. For the EOI—Disability Component, you should demonstrate how the activities will assist the Department in implementing the Olmstead Supreme Court decision.

3. *Sustainability*—You should demonstrate the extent to which your program can become financially self-sustaining thereby decreasing your dependence on Federal funding and relying more on State, local and private funding so your activities can be continued after your grant award period is completed.

E. Factors for Award Used To Evaluate and Rate Applications for the National Education and Outreach Initiative Program

The factors for rating and ranking applicants and the maximum points for each factor, are provided below. The maximum number of points awarded any application is 100. Bonus points are not available for this category of funding.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner, and the applicant's ability to develop and implement large information campaign projects as appropriate, on a national scale. The rating of the "applicant" or the "applicant's organization and staff" for technical merit or threshold compliance, unless otherwise specified, will include any sub-contractors, consultants, sub-recipients, and members of consortia that are firmly committed to the project.

(5 Points) General Description of Applicant Organization and Relevant Experience.

In rating this factor, HUD will consider the extent to which the applicant demonstrates:

(a) The qualifications of the applicant organization; the type of organization (e.g., public, private, non-profit, for profit); and the organization's general areas of activity or line of business.

(b) If the applicant has managed large, complex, interdisciplinary projects, the applicant must include information on them in its response.

(c) Awards and major accomplishments of the applicant organization must be described. HUD will also consider any documented evidence, such as performance reviews, newspaper articles, or monitoring findings that may reflect positively or negatively upon the ability of the applicant and its proposed staff to perform the work.

(d) The applicant's capability in handling financial resources with adequate financial control procedures and accounting procedures. In addition, HUD will consider findings identified in applicants' most recent audits; accuracy of mathematical calculations; and other available information on financial management capability.

(i) For the Media Campaign Component—Applicants must describe their ability to effectively develop, implement, and manage a media campaign on a national scale. (Applicants must be or include as part of their proposal a subcontract with an established media/advertisement organization that has experience in conducting national media campaigns.) Applicants for FHIP program funding must specifically describe their experience in developing or carrying out programs to prevent or eliminate discriminatory housing practices. Applicants must discuss their and/or subcontractor's ability to implement a coordinated national marketing awareness campaign, especially in the areas of fair housing, discrimination, public health, and housing. In responding to this subfactor, the applicant must describe the extent to which its and/or subcontractor's past activities have resulted in successful national media campaigns as appropriate, especially with respect to developing and implementing innovative strategies resulting in positive public response.

(ii) For the Fair Housing Awareness Component—Applicants must describe their ability to develop, implement and manage a national campaign to raise the public's awareness of subtle abusive and deceptive discriminatory housing loans and mortgage lending practices. You must describe your ability to understand

fair housing issues/policies/practices. In responding to this subfactor, describe your knowledge of the sub-prime lending market and your past experience in developing and implementing innovative strategies in combating subtle abusive and deceptive lending practices on a nationwide basis.

(10 Points) Specific Description of Staff for Proposed Activities. The applicant must demonstrate that it has or will have sufficient personnel or will be able to quickly access qualified experts or professionals to deliver the proposed activities timely and effectively, including the readiness and ability of the applicant to immediately begin the proposed work program. Also the applicant must demonstrate relevant knowledge and experience of the overall proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing programs for which funding is being requested. To demonstrate that the applicant has sufficient qualified personnel, the applicant must submit the proposed number of staff hours for the sub-contractor, employees and experts to be allocated and availability of proposed staff to the project, the titles and relevant professional background and experience of each employee and expert proposed to be assigned to the project, and the roles to be performed by each identified employee and expert. Highly competitive applications must demonstrate that proposed staff has at least 3 years of recent and relevant experience to undertake eligible program activities or projects similar in scope or nature and directly relevant to the work activities proposed. Finally, applicants should describe their or their sub-contractor's expertise in languages other than English and in reaching the informational needs of non-English speaking audiences.

(5 Points) Consideration of Past Performance. Your past experience in terms of your ability to attain measurable progress in the implementation of your most recent and similar activities where your performance has been assessed. HUD will take into account your past performance in managing funds, including the ability to account for funds appropriately; timely use of funds received either from HUD or other Federal, state or local programs; meeting performance targets for completion of activities and number of persons to be served or targeted for assistance. HUD will use information related to these measures based on information on hand or available from public sources such as newspapers, Inspector General or

Government Accounting Office Reports or Findings, hotline complaints that have been proven to have merit, or other such sources of information. In evaluating past performance, the following will apply to Fiscal Years 1998, 1999, and 2000 FHIP grantees:

5 points will be deducted if you obtained any "fair performance" assessment;
2 points will be deducted if you obtained any "good performance" assessment; and
0 points will be deducted if you obtained any "excellent performance" assessment.

For other Federal, State and local programs, include an assessment/review of the work performed under past projects. Attach a copy of the funding entity's performance assessment/review of this project, if applicable. The following will apply to funding received from other Federal, State and local programs:

3 points will be deducted for failing to meet target dates and schedules for performance; and
2 points will be deducted for failure to meet measurable program outputs and outcomes.

If you do not have a past performance assessment or prior experience you should include information such as meeting target dates, meeting program outputs and successful outcomes for projects similar in scope and give a description of the purpose of the project and what was accomplished. If audit reports are available, submit a copy of the most recent report. Those applicants that do not submit an audit reports will receive a lower score for this sub-factor than those that do.

Rating Factor 2: Need/Approach to the Problem (20 Points)

This factor addresses the extent to which the applicant documents and defines the national need that its proposed activities and methods are intended to address, and how its proposal offers the most effective approach for dealing with that national need. In responding to this factor, an applicant will be evaluated on the following:

(1) The extent to which the applicant defines, describes, and documents the national need the application intends to address, which demonstrates a grasp of the elements of the problem, its pervasiveness at the national level, and an understanding of the necessary mass media vehicles. The applicant's description of the national need will be used to evaluate the depth of the applicant's understanding of the

problem as an indication of ability to address the problem; and

(2) If the applicant has experienced staff or if the applicant proposes to use a contractor subgrantee, the extent to which the applicant provides a rationale for how it will utilize its staff or a contractor or subgrantee to incorporate its proposed activities, methods, and media techniques will most effectively deal with the national need described by the applicant in response to subfactor (1), immediately above. To the extent possible, applicants should demonstrate effectiveness in terms of scope and cost.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and cost-effectiveness of the applicant's proposed work plan. The SOW must address the strategy, quality and time frames needed to carry out the project and all activities as proposed.

(5 Points) Measuring Performance Results. Applicants must describe their specific methods and measures to assess progress, evaluate program effectiveness, and identify program changes necessary to improve performance to ensure that commitments made and results to be achieved can be accounted for and independently assessed to ensure performance measurements are met. Applicants who have identified inputs and outcome measurements and included means for assessing these measures, tracking and monitoring performance goals and achievements against commitments made in the application will receive higher points than those that do not.

(15 Points) Statement of Work. Submit a proposed SOW that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the grant period. Your outline should also include a schedule of proposed activities and products (with interim implementation steps), staff allocation over the term of the project, staff acquisitions and training, and activities of partners and subcontractors.

For the Media Campaign Component—HUD anticipates that products will be available in at least 3 languages plus English. Deliverables may include Public Service Announcements (PSAs) for radio and television in both majority and minority markets, and posters and other graphic materials. Graphic materials may include, but are not limited to, enlarged reproductions of several print PSAs, separately produced and printed posters for national public dissemination, and the development of ad slicks to market

in newspapers and magazines nationwide. The applicant should plan on using a clipping service or other appropriate means to collect information on frequency and scope of the placement of ads.

For the Fair Housing Awareness Component—HUD anticipates that all proposed activities will be conducted in a manner that will reach and benefit those members of the public vulnerable to subtle abusive and deceptive mortgage lending practices (e.g. languages, formats, locations, distribution, use of minority media). Applicants may target such tactics as: Loan flipping, multiple refinancing transactions over short periods of time, balloon payments, insurance packing and other predatory lending tactics. Deliverables may include Public Service Announcements (PSAs) for radio and television, and posters and other graphic materials. Graphic materials may include, but are not limited to; enlarged reproductions of several print PSAs, and separately produced and printed posters for national public dissemination.

In evaluating this factor, HUD will consider the extent to which you submit and describe your:

(10 Points) Work Plan. Applications should include work plans that: (a) Clearly describe the specific activities and tasks to be performed, the sequence in which the tasks are to be performed, noting areas of work which must be performed simultaneously, estimated completion dates, and the work and program deliverables to be completed within the grant period, including specific numbers of quantifiable end products and program improvements the applicant aims to deliver by the end of the award agreement period as a result of the work performed;

(b) Provide national media market coverage, specific protected class focus, as well as focus on persons underserved (ethnic and racial minorities, especially those who are non-English speaking or who are not proficient in English); and

(c) Describe the immediate benefits of the project and how the benefits will be measured. Applicants must describe the methods they will use to determine the effectiveness of their national marketing strategies.

(d) Ensure that your application adheres to Performance Measures as outlined in Section IV(A)(2).

(10 Points) Budget Form and Budget Information. A written budget narrative must accompany the proposed budget. The narrative (counted toward the 10 page limit) and supporting documentation (not counted toward the

10 page limit) must address the following for maximum points:

(1) Cost estimates of salary levels, staff assignments, number of staff hours, and all other budget items are reasonable, allowable, and appropriate for the proposed activities;

(2) The proposed program is cost effective in achieving its anticipated results, as well as in achieving significant impact; and

(3) The proposed program is effective by explaining and attaching back-up documentation for each cost category. Generally, estimated costs for high-cost items or subcontractors/consultants should be supported by bids from at least three (3) sources. Where there are travel costs for subcontractors/consultants, you must show that local subcontractors/consultants are not available and that the combined travel costs (per diem rates should be consistent with Federal Travel Regulations) and rates and fees of the out-of-town subcontractors/consultants do not exceed the rates and fees charged by local subcontractors and consultants. A breakdown of each cost category is listed in Section V(D) of this NOFA.

In addition: (4) The proposed activities will be conducted in a manner (e.g., languages, formats, locations, distribution, use of majority and minority media) that will reach and benefit all members of the public, especially members of target groups identified in the individual program sections of this National NOFA;

(5) How proposed activities will yield long-term results and innovative strategies or "best practices" that can be readily disseminated to other organizations and State and local governments; and

(6) The proposed Media Campaign and Fair Housing Awareness Components make available activities, training and meeting sites, and information services and materials in places and formats that are accessible to all persons including persons with disabilities.

Rating Factor 4: Leveraging Resources (10 Points Maximum)

This factor addresses the ability of the applicant to secure other resources, which can be combined with HUD's program resources to achieve program purposes. In evaluating this factor HUD will consider:

The amount of non-FHIP resources you have identified and how firm the commitment is for those resources. HUD encourages you to secure resources from sources other than what is requested from this program. Resources may include funding or in-kind

contributions, such as workspace, donated media announcements, or equipment allocated to the purposes of your proposal. Resources may be provided by governmental entities (including other HUD programs) public or private non-profit organizations, for profit private organizations, or other entities willing to work with you in accordance with the proposed FHIP activities. If your project will not be supported by non-FHIP resources, then you will not receive any points under this factor. Points will be assigned based on the following scale:

2 points will be awarded if your project will be supported by non-FHIP resources, but those funds are less than 5% of the project's total costs are from non-FHIP resources.

4 points will be awarded if at least 5% and less than 10% of the project's total costs are from non-FHIP resources.

6 points will be awarded if at least 10% and less than 20% of the project's total costs are from non-FHIP resources.

8 points will be awarded if at least 20% and less than 30% of the project's total costs are from non-FHIP resources.

10 points will be awarded if more than 30% of the project's total costs are from non-FHIP resources. You must establish leveraging of resources by providing letters of firm commitment from the organizations and/or individuals committing resources to the project. Each letter of firm commitment must: (i) Identify the organizations and/or individuals committing resources to the project; (ii) identify the sources and amounts of the leveraged resources (the total FHIP and non-FHIP amounts must match those in your proposed budget submitted under Factor 3), and (iii) describe how these resources will be used as part of your SOW. The letter must be signed by the individual or organization official legally able to make commitments for the organization. If the resources are in-kind or donated goods, the commitment letter must indicate the dollar value of these resources. No points will be awarded for general letters of support endorsing the project from organizations and/or individuals (including elected officials) in your project area(s).

Rating Factor 5: Coordination, Self-Sufficiency and Sustainability (10 Points)

This factor addresses the extent to which you develop interrelationships, provide increase independence and empowerment, and generate organizational and project self-sufficiency.

1. *Coordination*—You should address the extent to which your program

provides materials, training or services and implements a coordinated process of addressing the national need by using HUD funding resources and other available resources. You must also describe how they plan to use their affiliated branches, or partner with other organizations, to distribute materials or services developed under this National NOFA for use at the local level. In evaluating this factor, HUD will consider:

(a) The extent to which you have developed interrelationships to help build nation-wide efforts that coordinates the resources of multiple applicants and programs. HUD encourages multiple entities to join together and pool all available resources in a common, coordinated effort to obtain national geographic coverage. Describe in your proposal how your project activities will be coordinated with other organizations and linked with: (i) Other on-going HUD-funded program activities; (ii) Other on-going national, Federal, State, local or privately funded activities.

(b) The extent to which your application addresses outreach activities to promote awareness of project activities. This includes: (i) a discussion of how your methods or approaches will ensure that project activities and materials are distributed nationally, regionally, and locally to groups and organizations, (ii) identification of such groups and organizations in your project area, and (iii) an explanation of how your project will promote national coordination with various groups or organizations. At a minimum, your application should discuss procedures you will use to promote awareness of the services provided by your proposal.

2. *Self-Sufficiency*—You should demonstrate the extent to which your application develops solutions that result in increased independence and empowerment for those on a national level. Such increased independence can result from such benefits as reducing discrimination practices; increasing awareness of the Act; increasing homeownership; or eliminating predatory lending practices.

3. *Sustainability*—You should demonstrate the extent to which your program can become financially self-sustaining thereby decreasing your dependence on Federal funding and relying more on state, local and private funding so your activities can be continued after your grant award period is completed.

(F) Applicant Notification and Award Procedures

(1) *Notification*. No information about the review and award process will be available to you during the period of HUD evaluation, which begins on the closing date for applications under this NOFA and lasts approximately 90 days thereafter, except to advise you, in writing or by telephone, if HUD determines that your application is ineligible or has technical deficiencies which may be corrected as described in Section V of the General Section of the SuperNOFA and Section VII of this NOFA.

(2) *Negotiations*. If you are selected, HUD will require you to participate in negotiations to determine the specific terms of your cooperative or grant agreement. HUD will follow the negotiation procedures described at Section III of the General Section of the SuperNOFA. The selection is conditional and does not become final until the negotiations between the applicant and the Department are successfully concluded and the grant or cooperative agreement is signed and executed. HUD will negotiate only with the person identified in the application as the Director of the organization or if specifically identified in the application, the Project Director. HUD will not negotiate with any third party (i.e., a subcontractor, etc.).

(3) *Funding Instrument*. HUD expects to award a cost reimbursable or fixed-price cooperative or grant agreement to each applicant selected for award. Upon completion of negotiations, HUD reserves the right to use the funding instrument it determines is most appropriate.

(4) *Adjustments to Funding*. As provided in Section III of the General Section of the SuperNOFA, HUD may approve an application for an amount lower than the amount requested, fund only portions of your application, withhold funds after approval, reallocate funds among activities and/or require that special conditions be added to your grant agreement, in accordance with 24 CFR 84.14, the requirements of this SuperNOFA, or where:

(a) HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;

(b) An ineligible activity is proposed in an otherwise eligible project;

(c) Insufficient amounts remain to fund the full amount requested in the application, and HUD determines that partial funding is a viable option;

(d) The past record of key personnel warrants special conditions; or,

(e) Training funds are not reserved for FHIP training.

(5) *Performance Sanctions.* A grantee or subcontractor failing to comply with the requirements set forth in its grant agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in the FHIP, and denial of further participation in programs of HUD or any Federal agency.

(6) *Applicant Debriefing.* Beginning not less than 30 days after the awards for assistance are announced in the **Federal Register**, and for not longer than 120 days, HUD will, upon receiving written request from the applicant, provide a debriefing to the requesting applicant. Materials provided during the debriefing will be the applicant's final scores for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which assistance was provided or denied. Applicants requesting a debriefing must send a written request to Annette Corley, Public Trust Officer, U.S. Department of Housing and Urban Development, FHIP/FHAP Support Division, 451 7th Street SW, Room 5224, Washington, DC 20410. HUD will not release the names of applicants or their scores to third parties. Selections do not become final until final negotiations with HUD are successfully concluded.

VI. Application Submission Requirements

In addition to the forms, certifications and assurances required of applicants to all HUD programs, which can be found in the General Section of the SuperNOFA, you must submit with each FHIP application, the forms, certifications and assurances described below and found at Appendix B.

In General

When applying under any Initiative or Component you must submit the following:

(A) *Transmittal Letter.* Your transmittal letter must identify: (1) The dollar amount requested, (2) the specific FHIP Initiative, or in the case of EOI, whether for the Regional/Local Community Based Program or the National Program, and the specific Component (General or Disability, Media Based or Fair Housing Awareness), for which you are applying, and (3) your preference for selection, if you are applying to more than one Initiative or Component (does not apply for FHOI).

(B) *Cover Page.* Respond to Applicant's Preference for Award which identifies your rank order preference if submitting more than one application. Failure to submit the Cover Page will result in a correctable Technical Deficiency as outlined in Section V of the General Section of this NOFA.

(C) *Narrative Statement.* Respond completely to the instructions under each of the five Factors for Award and include the related items, such as resumes, SOW, and budget. Failure to provide the required information in the appropriate Factor will result in a lower score for that Factor—for example, information in the Project Abstract, although useful for developing a project synopsis, will not be considered when evaluating applications. The narrative responses must not exceed 10 pages per factor (required attachments are not counted); text must be double-spaced and pages numbered consecutively (starting with Factor 1 through the end of Factor 5). Please use 12 typesize for your narrative responses.

(D) Applicants must develop, maintain, and submit a written code of conduct as noted in the General Section.

Listed below are requirements by Factor for the Regional/Local Community Based Programs:

Award Factor 1: Capacity of Applicant and Relevant Organizational Experience—Narrative, Performance Assessments/Evaluation of Past Projects if Applicable

In addition:

For PEI and FHOI Applicants:

(1) *Testing Experience.* You must document your prior testing experience (see Factor 1: Capacity of the Applicant and Relevant Organizational Experience),

(2) *Letter of Determination from IRS* of your 501(c)(3) tax-exempt status, and

(3) *Statement of Eligibility.*

Award Factor 2: Need/Distress/Extent of the Problem

Narrative. Reference or submit data and studies that indicate the presence of housing discrimination, segregation and/or other indices of discrimination in the project area based upon race, color, religion, sex, national origin, familial status or disability, and explain why the project area is underserved and why the proposed organization is needed. Do not attach copies of reports, computer print-outs, etc. If you have tables or exhibits include them. Make sure they are referenced in the text. Attachments not mentioned in the text will not be reviewed necessarily.

Award Factor 3: Soundness of Approach—Narrative, Statement of Work, Budget Form(s), Budget Narrative

You MUST submit a certification from an Independent Public Accountant or your cognizant government auditor on your financial management and audit information. Failure to submit this information will result in points being deducted from your application. In addition, you must describe the information you intend to collect and analyze, the type of complaints you anticipate referring to HUD for enforcement purposes, and describe the procedure you will implement for referring such complaints.

In addition: Depending upon the Initiative or Component for which you are seeking funding, you must respond to the following points in your narrative responses:

(a) For EOI Applicants, You must describe the elements you will use to develop the process for referring fair housing complaints to HUD.

(b) For FHOI Applicants,

(1) The sponsored organization must conduct all of these enforcement-related activities by the conclusion of year 3 of the grant: complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims. The application must specify which activities will be conducted in year 1, year 2, and year 3. Even though HUD has targeted for award projects that assist rural and immigrant populations, you must explain why the proposed fair housing enforcement organization is needed.

(2) Performance Measures. You must address the following:

(i) the sponsored organization's capacity to become a viable, fair housing enforcement organization that conducts fair housing related enforcement activities and leverages non-FHIP resources.

(ii) that the sponsored organization will meet the required performance measures for sponsored organizations and how these measures will be achieved.

Award Factor 4: Leveraging Resources—Narrative. Letter(s) of Firm Commitment

Award Factor 5: Coordination, Self-Sufficiency and Sustainability—Narrative

No attachments are required.

Listed below are the requirements by Factor for the EOI—National Program Components.

Award Factor 1: Capacity of Applicant and Relevant Organizational Experience—Narrative

Performance Assessments/Evaluation of Past Projects if applicable.

Award Factor 2: Need/Distress/Extent of the Problem—Narrative

Reference and submit data and studies that indicate the need for a centralized, coordinated fair housing media designed to educate the public about their fair housing rights. Do not attach copies of reports, computer print-outs, etc. If you have tables or exhibits include them. Make sure they are referenced in the text. Attachments not mentioned in the text will not be reviewed necessarily.

Award Factor 3: Soundness of Approach—Narrative

SOW. Budget Form(s), Budget Narrative. You MUST submit a certification from an Independent Public Accountant or your cognizant government auditor on your financial management and audit information.

Award Factor 4: Leveraging Resources—Narrative

Letter(s) of Firm Commitment.

Award Factor 5: Coordination, Self-Sufficiency and Sustainability—Narrative

No attachments are required.

Audit Information—Unless you are a new Federal applicant, you must submit a certification from an Independent Public Accountant or your cognizant government auditor, stating that the financial management system you employ meets prescribed standards for fund control and accountability required by: OMB Circular A–133, Audits of States, Local Governments and Non-Profit Organizations; OMB Circular A–110 (as codified at 24 CFR part 84), Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and other Non-Profit Organizations; and/or OMB Circular A–102 (as codified at 24 CFR Part 85) Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally-Recognized Indian Tribal Governments. This information must contain the name and telephone number of the Independent Auditor, cognizant Federal auditor, or other audit agency, as applicable. Failure to submit this information will result in points being deducted from your application. This information must be provided before HUD will enter into a grant or cooperative agreement.

VII. Corrections to Deficient Applications

Section V of the General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VIII. Environmental Requirements

In accordance with 24 CFR 50.19(b)(3), (4), (9), (12), and (13) of HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under related laws and authorities.

IX. Authority

Section 561 of the Housing and Community Development Act of 1987, as amended, (42 U.S.C. 3616) established the Fair Housing Initiatives Program (FHIP) and the implementing regulations are found at 24 CFR part 125.

APPENDIX A—FREQUENTLY ASKED QUESTIONS

Q. If data, tables, exhibits, and studies are submitted with the application, will they be counted toward the 10 page limit requirement?

A. Yes. Summarize the points you want to make in the 10 page narrative statement from the data tables, exhibits, and studies.

Q. In previous years, FHIP applicants were not required to submit the Certification of Consistency with the Consolidated Plan. Is the Certification required this year?

A. Yes.

Q. Where can I find a copy of the Application Kit?

A. There is no Application Kit for the FY2002 FHIP SuperNOFA. The NOFA clearly describes the requirements for completing a successful application and all forms and certifications needed to complete the application are included in the General and FHIP Sections of the SuperNOFA.

Q. What are the maximum number of narrative pages that can be submitted for each Rating Factor?

A. The maximum number is 10 pages per Rating Factor. This does not include any attachments that may be required under each factor (for example, the proposed statement of work and budget required under Factor 3: Soundness of Approach). The narrative pages must be double-spaced and you are required to use 12 typesize. Points will be deducted from your application if this criteria is not met.

Q. The FHIP SuperNOFA refers to QFHOs and FHOs. What is the difference between them?

A. These terms are defined in the FHIP regulations. Both organizations must be private, tax-exempt, charitable organizations that have engaged in enforcement-related activities. The amount of enforcement-related experience is an eligibility requirement for PEI, least one year for and FHOI, at least two years. (See 24 CFR 125.103 for QFHO and 24 CFR 125.401(b)(2) for FHO.)

Applicants to PEI and FHOI are required to complete the Statement of Eligibility—where they self-identify as a QFHO or an FHO and provide information, including dates of enforcement-related activities. The information you provide should enable HUD to determine if your organization meets at least the one or two year enforcement-related experience requirement.

Q. May an applicant subcontract out a percentage of its activities to subcontractors or consultants, if it is selected for a FHIP award?

A. Yes. However, when the expenditures to a particular subcontractor, partner, subgrantee, or consultant exceed 10% of the grant amount, an itemized budget is required.

Q. Is an organization “engaged in testing for fair housing violations” if it hires an organization to subcontractor or consultant in conducting its testing program?

A. Yes, so long as the applicant analyzes the test results, and undertakes some oversight or selection of testing operations.

Q. Does the SuperNOFA identify what makes an application ineligible?

A. Yes. See the eligibility requirements for each Initiative and Section IV(B) of the FHIP NOFA, and the Threshold Criteria in Section V(A).

Q. Can an applicant propose to do an Analysis of Impediments (AI)?

A. No. The applicant can identify activities to be carved out of the AI but not to do planning to develop AI.

Q. Are there major differences between this year’s SuperNOFA and last year’s?

A. Yes, those differences are explained in Section III of the FHIP NOFA.

Q. At what point may a FHOI “sponsored organization” apply under any FHIP Initiative?

A. A sponsored organization is eligible after three (3) years to apply for funds under EOI and, depending upon its record of conducting enforcement-related activities, may be eligible to apply for funds under PEI.

Q. What are maximum awards?

A. Maximum award is the maximum amount that will be awarded under the Initiative for which you are applying. If you request an amount over this maximum amount, your application will be declared ineligible.

Q. Where do you send completed applications?

A. All completed applications must be received by the FHIP/FHAP Support Division Office in Washington, DC. These applications should be mailed or sent by an express service to the address stated in the SuperNOFA under the Section Address for Submitting Applications.

Q. What is the best method of knowing that the appropriate person has received my application? Should I follow up with a call?

A. Include with your completed application a complete copy of the Acknowledgment of Application Receipt. Be sure to include your correct mailing address and the person to whom the Acknowledgment should be sent. HUD will not acknowledge the receipt of applications over the telephone (see General Section for return receipt requirements).

Q. What is the website address?

A. <http://www.hud.gov/grants>

Q. What is the due date?

A. The due date is outlined in this NOFA under Section I, Application Due Date.

Q. If I have a technical question, can I call HUD?

A. Yes, technical questions should be directed to Laretta A. Dixon, Myron P. Newry, or Denise L. Brooks of the [FHIP/FHAP Support Division at (202) 708-0800

(this is not a toll-free number).] Persons with hearing or speech impairments may call 1-800-290-1617 (this is a toll-free number).

Technical assistance does not extend to helping you to write your individual application, but to clarify general application and program requirements.

Q. What is meant by geographic diversity?

A. See comments above in Section V.

Q. As an FHOI applicant, are education and outreach expenses required to come out of my 15% administrative costs?

A. No. The education and outreach expenses can be accounted for in the budget of the organization being established or enhanced.

BILLING CODE 4210-32-P

APPENDIX B

FHEO FIELD STRUCTURE - OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY

<u>FHEO OFFICES</u>	<u>DIRECTORS</u>	<u>TELEPHONE NO.</u>	<u>AREA COVERED</u>
BOSTON Hub Thomas P. O'Neill Federal Bldg. 10 Causeway Street, Room 375 Boston, MA 02222-1092	Marcella Brown	(617) 565-6977	MA, CT, ME, VT, NH, RI
NEW YORK CITY Hub 26 Federal Plaza New York, NY 10278-0068	Stanley Seidenfeld	(221) 264-1290	NY, NJ
PHILADELPHIA Hub The Wanamaker Building 100 Penn Square East Philadelphia, PA 19107-3380	Wanda S. Nieves	(215) 656-0647	PA, MD, VA, DC, WV, DE
ATLANTA Hub 5 Points Plaza 40 Marietta Street, SW Atlanta, GA 30303-3388	Gregory King	(404) 331-5001	GA, AL, MS, FL, PUERTO RICO, KY, TN, SC, NC
CHICAGO Hub Ralph H. Metcalfe Federal Building 77 West Jackson Boulevard Chicago, IL 60604-3507	Barbara Knox	(312) 353-7776	IL, MN, MI, WI, OH, IN
FORT WORTH Hub 1600 Throckmorton Street Fort Worth, TX 76113-2905	Thurman Miles (Acting)	(817) 978-9271	TX, AR, OK, LA, NM
KANSAS CITY Hub Gateway Tower II 400 State Avenue Kansas City, KS 66101-2406	Robbie Herndon	(913) 551-6958	KA, MO, NE, IA

DENVER Hub

633 17TH Street
Denver, CO 80202-3607

Sharon Santoya
(Acting)

(303) 672-5434

CO, UT, WY,
SD, ND, MT

SAN FRANCISCO Hub

Phillip Burton Federal Bldg.
450 Golden Gate Avenue
San Francisco, CA 94102-3448

Chuck E. Hauptman (415) 436-6569

CA, HI, NV,
AZ, Guam

SEATTLE Hub

Seattle Federal Office Bldg.
909 1st Avenue, Suite 200
Seattle, WA 98104-1000

Judith Keeler (206) 220-5170

WA, OR, ID

INCLUDE ALL TASKS SHOWN ON THIS FORM**STATEMENT OF WORK FOR**

The applicant, _____, agrees to undertake the following activities in accordance with its FY 2002 application for funding under the _____ Initiative--_____Component (if applicable) for a ____-month project commencing _____, 2002 in the geographic area of _____. For FHOI, provide a timetable for transfer of activities/responsibilities from the sponsoring to the sponsored organization.

APPENDIX C - FORMS

Forms that must be filed with all FHIP applications, in addition to the forms listed in the **General Section** are included below:

ADMINISTRATIVE ACTIVITIES			
ACTIVITIES	TASKS	SUBMITTED BY	SUBMITTED TO
1.			GTR/GTM
2.			GTR/GTM
3.			GTR/GTM
4.			GTR/GTM
5.			GTR/GTM
6. Complete HUD-2880 Disclosure Statements	Submit Disclosure Statement. If no changes occur, submit statement of no change with final report	When changes occur	GTR/GTM
7. Complete SF-269A Financial Status Report and Written Quarterly Status Reports on All Activities	Submit SF-269A and Copy of Written Report	Quarterly	GTR/GTM
8. Voucher for Payment	Submit payment request to LOCCS	Per Payment Schedule	GTR/GTM
9. Complete Listing of Current or Pending Grants/Contracts/Other Financial Agreements	Submit Listing for Recipient and any contractors	45 Days and At end of Grant	GTR/GTM
10. Prepare summary of First Year (24 month grants)	Submit summary of first year accomplishments.	395 days	GTR/GTM

ADMINISTRATIVE ACTIVITIES			
ACTIVITIES	TASKS	SUBMITTED BY	SUBMITTED TO
11. Prepare and Submit Draft of Final Report	Submit Draft of Report. Report Summary should include objectives, accomplishments and results. Complaint and testing activities should summarize data on complaints received and tests conducted by basis and issue and outcomes including Number of credible, legitimate Complaints Filed with HUD, State or local Fair Housing Agency, Department of Justice or Private Litigator; and Types of Relief/Results.	One month before end of grant term.	GTR/GTM
12. Complete Final Report and Provide Copies of All Final Products Not Previously Submitted	Submit a copy of the Final Report and All Final Products not previously submitted to GTR and GTM.	Within 90 days after end of grant term.	GTR/GTM
13. Submit 2 copies of Final Report and all Final Program Products produced under the Grant (with diskette, where feasible) to HUD.	Activities and database entry sheet(s) to HUD Copy of HUD database entry sheet(s) or detailed description of items submitted to GTR and GTM	Within 90 days after end of grant term.	GTR/GTM/

KEY PERSONNEL

Title _____

Name _____

PROGRAM ACTIVITIES			
ACTIVITIES	TASKS	SUBMITTED BY	SUBMITTED TO
1. Contact HUD and/or other information sources to obtain any appropriate materials prior to development of new materials	List of materials requested	90 days	GTR/GTM. Submit one copy of all final products to HUD
2. Review/refine referral process to refer potential victims to HUD, DOJ, a state or local agency, or a private attorney	Copy of Referral Process. All audit-based enforcement actions should be referred to HUD.	45 days	GTR/GTM
3. Intake and process complaints, including testing and referral. Complete Enforcement Log which details complaints received; dates; the protected basis of these complaints; the issue, test type, and number of tests utilized in the investigation of each allegation; the respondent type and testing results; the time for case processing, including administrative or judicial proceedings; the cost of testing activities and case processing; to whom the case was referred; and resolution/type of relief sought and received. (PEI and FHOI PROJECTS ONLY)	Submit copy of Enforcement Log and a Report on number of enforcement proposals referred to HUD.	Quarterly	GTR/GTM

PROGRAM ACTIVITIES			
ACTIVITIES	TASKS	SUBMITTED BY	SUBMITTED TO
4. Non-rental Testing methodology and tester training must be received/approved by HUD.	Submit testing methodology and tester training to HUD for review and approval.	60 days	GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM
			GTR/GTM

BUDGET NARRATIVE WORKPLAN FORMAT

Name of Organization:

Budget Period: _____ months

Position or Individual	Estimated Hours	Rate Per Hour	Estimated Cost	Federal Cost	In-Kind
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
TOTAL DIRECT LABOR	\$			\$	\$
Fringe Benefits	Rate	Base	Estimated Cost	Federal Cost	In-Kind
F.I.C.A.		\$	\$	\$	\$
Unemployment Insurance ¹		\$	\$	\$	\$
Health Insurance ²		\$	\$	\$	\$
Workers Compensation ¹		\$	\$	\$	\$
TOTAL FRINGE BENEFITS	\$			\$	\$
Materials	Quantity	Unit Cost	Estimated Cost	Federal Cost	In-Kind
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
TOTAL MATERIALS	\$			\$ *	\$
Local Travel	Mileage/Fare	Rate/Mi.	Estimate Cost	Federal Cost	In-Kind
		\$	\$	\$	\$
		\$	\$	\$	\$
SUBTOTAL LOCAL TRAVEL	\$			\$	\$

* Materials/Equipment prices must be supported by vouchers/cash register receipts of same or similar item or lease quotes from vendor at time of budget negotiation

¹ Rates may vary by State.

² Rates may vary by organization.

Air Travel Destination	Number of Travelers	Roundtrip Fare	Estimated Cost	Federal Cost	In-Kind Cost
	\$	\$	\$	\$	\$
Subtotal Air Travel	\$			\$	\$
Other Travel Items	Quantity	Unit Cost	Estimated Cost	Federal Cost	In-Kind Cost
		\$	\$	\$	\$
		\$	\$	\$	\$
Subtotal Other Travel	\$			\$	\$
Per Diem Subsistence	Number of Travelers	Number of Days/Rate Per Day	Estimated Cost	Federal Cost	In-Kind Cost
			\$	\$	\$
Per Diem Subsistence	\$			\$	\$
TOTAL TRAVEL	\$			\$ *	\$
Equipment	Quantity	Unit Cost	Estimate Cost	Federal Cost	In-Kind Cost
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
TOTAL EQUIPMENT COSTS	\$			\$ **	\$
Consultants	Days	Rate Per Day	Estimated Cost	Federal Cost	In-Kind Cost
Qq		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
TOTAL CONSULTANTS	\$			\$ ***	\$

* All travel must be grant related and rates not exceed the Federal rate

** Lease/purchase of equipment must be supported by three quotes at time of budget negotiation

***Daily rate for FY 2002 cannot exceed GS 15 Step 10, unless a waiver is obtained from Grant Officer

Subcontracts	Rate/Service	Quantity	Estimated Cost	Federal Cost	In-Kind Cost
			\$	\$	\$
TOTAL SUBCONTRACTS	\$			\$ *	\$
Other Direct	Quantity	Unit Cost	Estimated Cost	Federal Cost	In-Kind Cost
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$
TOTAL OTHER DIRECT	\$			\$	\$
Indirect	Rate	Base	Estimated Cost	Federal Cost	In-Kind Cost
	**		\$	\$	\$
TOTAL INDIRECT	\$			\$	\$
	Total Estimated Cost			Total Federal Cost	Total In-Kind Cost
TOTAL COSTS	\$			\$	\$
Amount To Enter on Form 424 Funding Matrix	\$			\$	\$

*When individual subcontract fees exceed 10% of your grant amount, an itemized budget is required.

** If you have a Federally negotiated indirect rate, you should use that rate and the appropriate base in this section. In all other instances, you should include your current overhead rate, if any, which has been tailored to your organization's operating budget. The rate and base used here is illustrative only and you must use your organization's rate.

Cover Page FY 2002 FHIP Application

Check Initiative/Component (only one box) for which the application is being submitted.
Submit a separate application for each Initiative/Project for which funding is sought.

Applicant Name _____

Initiative/Component	Catalog of Federal Domestic Assistance No.
Private Enforcement Initiative	14-410
Education and Outreach Initiative/Regional-Local-Community Based Program	14-409
General Component	14-409
Disability Component	14-409
National Program Media Campaign Component	14-409
National Program Fair Housing Awareness Component	14-409
Fair Housing Organizations Initiative	14-413

If you submit more than one application, you must indicate in the table below all Initiatives for which you are applying. In addition, if you apply for funding under more than one Initiative or Component, you must state your priority for selection and submit your preference in the table below. If you fail to submit your preference, your application will be deemed technically deficient.

Applicant's Preference for Award

Initiative/Component	Applied (Yes or No)	Rank-Order Preference
Private Enforcement Initiative		
EOI-Regional/Local/Community based Disability Component		
EOI-Regional-Local/Community based General Component		
EOI-National Program Media Campaign Component		
EOI-National Program Fair Housing Awareness Component		
Fair Housing Organizations Initiative		

Checklist for Completeness of Application

Use this checklist to ensure that your application includes all required items

Copy of SF-424 (Place a copy of the SF-424 and attached HUD-424-M (Matrix) on top of application package. See **General Section** for procedures on Consolidated Applications.

Transmittal Letter

Cover Page

Checklist for Completion of Applications

Project Abstract Outlining Project Activities

Code of Conduct

Factor No. 1 Narrative

Factor No. 1 Attachments: Performance Assessment/Evaluation of Past Performance, Statement of Eligibility, Tester Experience, Letter of Determination from IRS on 501(c)(3), if applicable.

Factor No. 2 Narrative

Factor No. 3 Narrative

Factor No. 3 Attachments: Statement of Work, Budget Form(s), Budget Narrative, Audit Information.

Factor No. 4 Narrative.

Factor No. 4 Attachments: Letter(s) of Firm Commitment

Factor No. 5 Narrative.

Responses to Additional Requirements for Specific Initiative/Project

Application Forms and Certifications

SF-424 Application for Federal Assistance and HUD-424-M (Matrix)

SF-424-A Budget Information - Non-construction Programs

SF-424 B Standard Assurances - Non-construction Programs

Applicant Disclosure Report (HUD-2880)

Certification of Payments to Influence Federal Transactions (HUD-50071)

OMB SF-LLL Disclosure of Lobbying Activities

Certification for a Drug-Free Workplace (HUD-50070)

Certification of Consistency with the EZ/EC Strategic Plan (HUD-2990), if applicable

Certification of Consistency with the Consolidated Plan (HUD-2991)

Certification Regarding Debarment and Suspension (HUD-2992)

List of Current or Pending Financial Agreements

Acknowledgment of Application Receipt (HUD-2993)

Client Comments and Suggestions (HUD-2994)

Certification of Key Personnel (HUD 40076)

Code of Conduct

STATEMENT OF ELIGIBILITY

The Completed Statement of Eligibility is required for all the Private Enforcement and Fair Housing Organizations Initiatives applicants. (You may attach additional pages if necessary.) Failure to complete and submit this Statement of Eligibility with the application will be deemed a 'technical deficiency'. (See Section V of the General Section of the SuperNOFA)

++++
Check Appropriate Box: (Note: Only QFHOs are eligible for FHOI)

PRIVATE ENFORCEMENT INITIATIVE

FAIR HOUSING ORGANIZATIONS INITIATIVE

1) What is your organizational Status?

Is your organization a private, tax-exempt, nonprofit, charitable organization?

YES

NO

If yes, have you attached a copy of the "Letter of Determination" from the Internal Revenue Service confirming your status as a 501(c)(3) tax-exempt organization.

YES

NO

2) Are you a Qualified Fair Housing Organization (QFHO) or a Fair Housing Organization (FHO) with at least one year's experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorius claims? If you check "no", you are not eligible under this initiative. If you check "yes", you must answer the remaining questions.

YES

NO

Please check whether you are a QFHO or an FHO as noted.

QFHO (entity with at least 2 years of enforcement-related experience)

FHO (entity with at least 1 year of enforcement-related experience)

3) Is your project broad-based and full service? If you check "no", your organization is not eligible to apply under this initiative. If you check "yes", you must answer the remaining questions.

YES

NO

4) Briefly describe your experiences in each of the following fair housing enforcement activities. Your organization must have engaged in each of these activities for at least one year in the two years preceding the filing of this application. It is not necessary that the activities were conducted simultaneously nor for consecutive/continuous years, as long as each activity has been conducted for at least one year within the past two years. (Do not limit this description to FHIP funded enforcement activities.)

When responding to the following, include dates, so that HUD can readily determine whether you have met the "at least one year" requirement.

- a) Number of complaints received and processed, by basis (e.g. race, color, religion, sex, disability, familial status, and national origin) and issue (e.g. rental, sales, lending).
- b) Number of complaints referred to HUD for investigation.
- c) Describe your testing program, types of tests (rental, sales, lending, insurance, and basis (e.g. race, color, religion, sex, disability, familial status, and national origin)), including number of tests conducted (both individual and systemic).
- d) Describe the investigative experience, apart from testing, conducted by your organization.
- e) Summarize the complaint outcomes, including judicial and administrative findings; number of pending complaints; and number of awards and amount to plaintiffs of monetary/non-monetary relief.

5) Has your organization used FHIP funds for the payment of expenses in connection with litigation against the United States?

YES

NO

6) Has your organization used FHIP funds to settle a claim, satisfy a judgment or fulfill a court order in any defensive litigation?

YES

NO

Signature of Authorized Representative

Date

***Certification is for FY 2002 NOFA**

All Current or Pending Grants/Contracts/Other Financial Agreements

All applicants are required to list all current or pending grants, contracts, or other financial agreements. The listing must include the name and address of the funding source, a brief description of the project services/activities, the start and end dates for the grant or contract, and the amount of the contract or grant. This list must be updated during the negotiations for any award under the FY 2002 FHIP, as provided for in the grant agreement schedule of articles.

A sample listing is provided below.

A blank form is provided for your use also, or you may submit the information in any convenient format.

Sample Format

Listing of Current and Pending Grants/Contracts/Other Financial Agreements

Name and Address of Entity or Organization	Brief Description of Services/Activities Provided	Dollar Amount of Grant or Contract	Start Date and Expiration Date

If the current or pending grant is a FHIP grant, please include your FHIP grant number.

Listing of Current and Pending Grants/Contracts/Other Financial Agreements

Name and Address of Entity or Organization	Brief Description of Services/Activities Provided	Dollar Amount of Grant or Contract	Start Date and Expiration Date

If the current or pending grant is a FHIP grant, please include your FHIP grant number.

APPENDIX D**FHAP AGENCY NAMES****NEW ENGLAND REGION**

CONNECTICUT

State Agency: Connecticut Commission on Human Rights and Opportunities
Hartford, CT 06106

MASSACHUSETTS

State Agency: Massachusetts Commission Against Discrimination
Boston, MA 02108

Localities: Boston Fair Housing Commission
City of Boston Office of Civil Rights
Boston, MA 02201

Cambridge Human Rights Commission
Cambridge, MA 02139

MAINE

State Agency: Maine Human Rights Commission
Augusta, ME 04333-0051

RHODE ISLAND

State Agency: Rhode Island Commission for Human Rights
Providence, RI 02903-3768

VERMONT

State Agency: Vermont Human Rights Commission
Montpelier, VT 05633-6301

NEW YORK/NEW JERSEY REGION

NEW YORK

State Agency: New York State Division of Human Rights
New York, NY 10027

Localities: Rockland County Commission on Human Rights
Pomona, NY 10970

MID-ATLANTIC REGION

DELAWARE

State Agency: Delaware Division of Human Relations,
Wilmington, DE 19801

MARYLAND

State Agency: Maryland Commission on Human Relations
Baltimore, MD 21202

PENNSYLVANIA

State Agency: Pennsylvania Human Relations Commission
Harrisburg, PA 17101-2702

Localities: Pittsburgh Human Relations Commission
Pittsburgh, PA 15219

Reading Commission on Human Relations
Reading, PA 19601

York City Human Relations Commission
York, PA 17403

VIRGINIA

State Agency: Virginia Department of Professional and Occupational Regulation,
Fair Housing Administration, Real Estate Board
Richmond, VA 23230-4917

WEST VIRGINIA

State Agency: West Virginia Human Rights Commission
Charleston, WV 25301

Localities: Charleston Human Rights Commission
Charleston, WV 25301

Huntington Human Relations Commission
Huntington, WV 25701

DISTRICT OF COLUMBIA

District of Columbia Office of Human Rights
Washington, DC 20001

SOUTHEAST/CARIBBEAN REGION

FLORIDA

State Agency: Florida Commission on Human Relations
Tallahassee, FL 32302

Localities: City of Bradenton
Community Development Department
Bradenton, FL 34205

Lee County Office of Equal Opportunity
Fort Myers, FL 33901

Jacksonville Equal Opportunity Commission
Jacksonville, FL 32202

Orlando Human Relations Department
Orlando, FL 32801

Palm Beach County Office of Human Rights
West Palm Beach, FL 33401

Pinellas County Office of Human Rights
Clearwater, FL 33756

St. Petersburg Human Relations Department
St. Petersburg, FL 33701

Tampa Office of Human Rights
Tampa, FL 33602

Hillsborough County Board of County Commissioners
Tampa, FL 33602

KENTUCKY

State Agency: Kentucky Commission on Human Rights
Louisville, KY 40202-0069

Localities: Lexington-Fayette Urban County Human Rights
Commission
Lexington, KY 40507

Louisville and Jefferson County Human Relations
Commission
Louisville, KY 40202

GEORGIA

State Agency: Georgia Commission on Equal Opportunity
Atlanta, GA 30303-1605

NORTH CAROLINA

State Agency: North Carolina Human Relations Commission
Raleigh, NC 27603

Localities: City of Charlotte/Mecklenburg County Community Relations
Committee (Charlotte)
Charlotte, NC 28202

City of Charlotte/Mecklenburg County Community Relations
Committee (Mecklenburg County)
Charlotte, NC 28202

City of Asheville
Asheville, NC 28802

Asheville/Buncombe County Community Relations Council
Asheville, NC 28801

Durham Human Relations Commission
Durham, NC 27701

Greensboro Human Relations Department
Greensboro, NC 27402

New Hanover County Human Relations Commission
Wilmington, NC 28401

Orange County Human Relations Commission
Hillsborough, NC 27278

Winston-Salem Human Relations Commission
Winston-Salem, NC 27105

TENNESSEE

State Agency: Tennessee Human Rights Commission
Nashville, TN 37243

Localities: City of Knoxville Department of Community
Development
Knoxville, TN 37902

SOUTH CAROLINA

State Agency: South Carolina Human Affairs Commission
Columbia, SC 29240

MIDWEST REGION

ILLINOIS

Localities: Springfield Community Relations Commission
Springfield, IL 62701

INDIANA

State Agency: Indiana Civil Rights Commission
Indianapolis, IN 46204-2255

Localities: Elkhart Human Relations Commission
Elkhart, IN 46516

Fort Wayne Metropolitan Human Relations Commission
Fort Wayne, IN 46802

Gary Human Relations Commission
Gary, IN 46402

Hammond Human Relations Commission
Hammond, IN 46320

South Bend Human Relations Commission
South Bend, IN 46617

MICHIGAN

State Agency: Michigan Department of Civil Rights
Lansing, MI 48913

OHIO

State Agency: Ohio Civil Rights Commission
Columbus, OH 43205-1379

Localities: Dayton Human Relations Council
Dayton, OH 45402

Parma Law Department
Parma, OH 44129-5593

Shaker Heights Fair Housing Review Board
Shaker Heights, OH 44120

SOUTHWEST REGION

LOUISIANA

State Agency: Louisiana Public Protection Division
Baton Rouge, LA 70801

OKLAHOMA

State Agency: Oklahoma Human Rights Commission
Oklahoma City, OK 73105

TEXAS

State Agency: Texas Commission on Human Rights
Austin, TX 78723

Localities: Austin Human Rights Commission
Austin, TX 78701

Department of Human Relations
Corpus Christi, TX 78401

City of Dallas Fair Housing Office
Dallas, TX 75201

Fort Worth Human Relations Commission
Fort Worth, TX 76102

Garland Office of Housing and Neighborhood Services
Garland, TX 75040

GREAT PLAINS

IOWA

State Agency: Iowa Civil Rights Commission
Des Moines, IA 50319

Localities: Cedar Rapids Civil Rights Commission
Cedar Rapids, IA 52401-1256

Davenport Civil Rights Commission
Davenport, IA 52801

Des Moines Human Rights Commission
Des Moines, IA 50309

Dubuque Human Rights Department
Dubuque, IA 52001-4932

Sioux City Human Rights Commission
Sioux City, IA 51101

Waterloo Commission on Human Rights
Waterloo, IA 50703

Mason City Human Rights Commission
Mason City, IA 50401

KANSAS

Lawrence Human Relations Commission
Lawrence, KS 66044

Community and Neighborhood Services Department
Olathe, KS 66061

Salina Human Relations Department
Salina, KS 67401

City of Topeka Human Relations Commission
Topeka, KS 66603

MISSOURI

State Agency: Missouri Commission on Human Rights, Department of Labor
Jefferson City, MO 65109

Localities: Kansas City (MO) Human Relations
Kansas City, MO 64106

NEBRASKA

State Agency: Nebraska Equal Opportunity Commission
Lincoln, NE 68509-4934

Localities: Lincoln Commission on Human Rights
Lincoln, NE 68508

Omaha Human Relations Department
Omaha, NE 68183-0502

ROCKY MOUNTAINS

COLORADO

State Agency: Colorado Civil Rights Division
Denver, CO 80202

NORTH DAKOTA

State Agency: North Dakota Department of Labor
Bismarck, ND 58505-0340

UTAH

State Agency: Utah Anti-Discrimination Division
Salt Lake City, UT 84114

PACIFIC/HAWAII REGION

ARIZONA

State Agency: Civil Rights and Conflict Resolution Section
Arizona Attorney General's Office
Phoenix, AZ 85007-2926

Localities: City of Phoenix Equal Opportunity Department
Phoenix, AZ 85003

CALIFORNIA

State Agency: California Department of Fair Employment and Housing
Sacramento, CA 95812

HAWAII

State Agency: Hawaii Civil Rights Commission
Honolulu, HI 96813

NORTHWEST/ALASKA REGION

WASHINGTON

State Agency: Washington State Human Rights Commission
Olympia, WA 98504-2490

Localities: King County Office of Civil Rights
Seattle, WA 98104-2628

Seattle Human Rights Department
Seattle, WA 98104-1849

Tacoma Human Rights Department
Tacoma, WA 98402