

**DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT**

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**HOUSING COUNSELING PROGRAM**

Billing Code 4210-32-C



## Funding Availability for the Housing Counseling Program

### Program Overview

*Program Purpose.* This program supports the delivery of a wide variety of housing counseling services to homebuyers, homeowners, low- to moderate-income renters, and the homeless. The primary objectives of the program are to expand homeownership opportunities and improve access to affordable housing. Counselors provide guidance and advice to help families and individuals improve their housing conditions and meet the responsibilities of tenancy and homeownership.

Agencies funded through this program may also provide Home Equity Conversion Mortgage (HECM) counseling to elderly homeowners who are looking to convert equity in their homes into income that can be used to pay for home improvements, medical costs, living expenses, or other expenses.

*Available Funds.* \$35.56 million in FY03 Funds.

*Application Deadline.* June 25, 2003.

*Match.* No specific ratio is required. However, in order to receive points under Rating Factor 4, applicants are required to demonstrate the commitment of other private and public sources of funding to supplement HUD funding for the applicant's counseling program. HUD does not intend for its housing counseling grants to cover all costs incurred by an applicant.

### I. Application Submission, Further Information and Technical Assistance

*Application Kits.* There is no application kit. Specific application submission requirements are outlined in Section VI.

*Application Due Date.* Completed applications must be submitted on or before June 25, 2003.

*Mailing.* See the General Section of the SuperNOFA for mailing instructions and procedures.

*Application Submission Procedures.* Local Housing Counseling Agencies

(LHCAs) applying under Category 1 and State Housing Finance Agencies (SHFAs) applying under Category 3 must submit an original and two copies of a complete application to the contact person listed for the Homeownership Center (HOC) whose jurisdiction includes the geographic area in which the applicant is proposing to provide services (see Appendix B.) The envelope should be clearly marked "FY 2003 Housing Counseling Grant Application (indicate Category 1 or 3.)"

*National and regional housing counseling intermediaries* applying under Category 2 must submit an original and two copies of a complete application to "Director, Program Support Division, Room 9266, Office of Single Family Housing, HUD Headquarters, 451 Seventh Street, SW., Washington, DC 20410." The envelope should be clearly marked, "FY 2003 Housing Counseling Intermediary Application."

*Colonias and Predatory Lending Grant Applications.* All applicants applying under Categories 4 and 5 must submit an original and two copies of a complete application to the Santa Ana HOC (see Appendix B.) The Santa Ana HOC will be evaluating all applications submitted under Categories 4 and 5. Applications should be sent to the attention of the Program Support Division Director. For Category 4 applicants, the envelope should be clearly marked "FY 2003 Housing Counseling—Colonias Application." For Category 5, the envelope should be marked "FY 2003 Housing Counseling—Predatory Lending Application (indicate your organization type, e.g.: National Intermediary / Regional Intermediary, SHFA, LHCA.)"

*Further Information.* Local housing counseling agencies (LHCAs) and state housing finance agencies (SHFAs) should call the HOC serving their area (See Appendix B for the contact information for the HOCs). National and regional intermediaries should contact HUD Headquarters, Program Support Division at (202) 708-0317 (this is not

a toll-free number). Persons with hearing or speech impairments may access any of these numbers via TTY by calling the toll-free federal Information Relay Service at 1-800-877-8339.

*Satellite Broadcast.* HUD will hold an informational broadcast via satellite for potential applicants to learn more about the program and the application. For more information about the date and time of the broadcast, consult the HUD web site at <http://www.hud.gov/grants>.

### II. Amount Allocated

*Amount Allocated.*—Of the \$39,740,000 appropriated for housing counseling in FY 2003, \$37.561 million is made available for eligible applicants under this SuperNOFA. Specifically, \$35.561 million is available through this NOFA, and \$2 million is available through a separate NOFA for Section 8 Homeownership Voucher Housing Counseling found elsewhere in this SuperNOFA. Of this \$35.561 million, up to \$250,000 is available for counseling services that specifically target Colonias, and \$2.7 million is available for counseling services addressing predatory lending. An allocation of \$1 million of the \$39,740,000 appropriated is available for the Home Equity Conversion Mortgage (HECM) Program, as provided in section 255(k) of the National Housing Act (12 U.S.C. 1715z-20). With the balance of FY03 appropriation, and additional carry-over funding, an allocation of up to \$4 million has been set aside for housing counseling support such as training and tuition assistance for housing counselors, or other HUD counseling initiatives and activities, or both.

*Grant Categories*—HUD will award grants to qualified public or private nonprofit organizations to provide housing counseling services through five grant categories: (1) Local Housing Counseling Agencies (LHCAs); (2) National and Regional Intermediaries; (3) State Housing Finance Agencies (SHFAs); (4) Agencies Serving Colonias; and (5) Predatory Lending.

Grant Categories	Who is Eligible	Total Amount Available
<b>Category 1 – LHCAs</b>	HUD-approved LHCAs	\$12.45 million
<b>Category 2 – Regional and National Intermediaries</b>	HUD-approved regional and national intermediaries	\$18.161 million
<b>Category 3 – SHFAs</b>	SHFAs	\$ 2 million
<b>Category 4 – Colonias</b>	HUD-approved LHCAs, HUD-approved regional and national intermediaries, and SHFAs	\$250,000
<b>Category 5 – Predatory Lending</b>	HUD-approved LHCAs, HUD-approved regional and national intermediaries, and SHFAs	\$2.7 million

HUD-approved LHCAs, HUD-approved national or regional intermediaries, and SHFAs are eligible for funding under Categories 4 and/or 5. Applicants applying under Categories 4 and/or 5 may also apply under one of Categories 1–3, as described below. A separate application must be submitted for each Category under which you apply. See Section VI, “Application Submission,” below for details on where to submit applications, as submission requirements vary by category and applicant type.

**HUD-approved LHCAs**—In addition to Categories 4 and 5, HUD-approved LHCAs may apply for and receive: (1) One grant under Category 1; or (2) one sub-grant from an intermediary or SHFA under Category 2 or 3; but not both. HUD-approved LHCAs that apply under Category 1 are prohibited from also applying for or receiving a sub-grant under Category 2 or 3.

**LHCAs that are not HUD-approved**, but are affiliates or branches of SHFAs or national or regional intermediaries, may receive only one sub-grant from an intermediary under Category 2 or 3, but not both, and/or a sub-grant from an intermediary under Category 4 and/or 5. They are not, however, eligible to apply directly to HUD under Categories 1, 4 or 5.

**HUD-approved national and regional intermediaries**—In addition to Categories 4 and 5, HUD-approved national and regional intermediaries may apply for a grant under Category 2.

**SHFAs**—In addition to Categories 4 and 5, SHFAs may only apply for grants under Category 3.

**Category 1—Local Housing Counseling Agencies (LHCAs.)** \$12.45 million is available from HUD to directly fund HUD-approved LHCAs.

**Award:** No individual LHCA may be awarded more than \$150,000. HUD anticipates that the average award will be approximately \$36,000.

**Funding allocation:** Funding is allocated to each HOC jurisdiction by a formula that incorporates first-time homebuyer and default rates.

Allocations for Category 1 by HOC are as follows:

HOC	Funding allocation
Philadelphia HOC .....	3,679,412
Atlanta HOC .....	3,837,703
Denver HOC .....	2,848,906
Santa Ana .....	2,083,980
<b>Total .....</b>	<b>\$12.45 million</b>

**Category 2—National and Regional Intermediaries.** \$18.161 million is available from HUD to directly fund

HUD-approved national and regional intermediaries.

Awards for HUD-approved national and regional intermediaries may not exceed \$2.5 million and \$750,000, respectively.

**Category 3—State Housing Finance Agencies (SHFA).** \$2 million is available to fund SHFAs that provide housing counseling services directly or serve as intermediaries to affiliates who offer housing counseling services.

**Award:** There is no cap on the award amount that a SHFA, or its affiliates, may receive.

**Funding allocation:** Funding is allocated to each HOC jurisdiction by a formula that incorporates first-time homebuyer and default rates.

Allocations for Category 3 by HOC are as follows:

HOC	Funding allocation
Philadelphia HOC .....	591,070
Atlanta HOC .....	616,498
Denver HOC .....	457,656
Santa Ana .....	334,776
<b>Total .....</b>	<b>\$2 million</b>

**Category 4—Colonias.** \$250,000 is available for housing counseling services that specifically target Colonias.

**Eligible applicants** include (1) HUD-approved LHCAs; (2) HUD-approved

national and regional intermediaries; and (3) SHFAs.

*Award:* There is no cap on the award amount.

*Category 5—Predatory Lending.* \$2.7 million is available for housing counseling services addressing predatory lending. Specifically, grants under this category are designed to: (a) assist victims of predatory lending; and (b) assist clients with identifying and avoiding predatory lending practices, such as loans with unfair and inappropriate terms and conditions, and other unscrupulous practices intended to defraud and/or take advantage of homebuyers / borrowers.

*Eligible applicants* include (1) HUD-approved LHCA's; (2) HUD-approved national and regional intermediaries; and (3) SHFAs.

*Award.* Awards for HUD-approved national intermediaries may not exceed \$450,000. Awards for HUD-approved regional intermediaries and SHFAs may not exceed \$140,000. Awards for HUD-approved LHCA's may not exceed \$40,000.

*Funding Allocation.* \$1.5 million is available for national intermediaries. \$300,000 is available for regional intermediaries and SHFAs. The amount of funding available for LHCA's is \$900,000.

### III. Program Description/Eligibility

*(A) Eligible Applicants—*Eligible SHFAs are entities that satisfy the definition in 24 CFR 266.5 of a "Housing Finance Agency." SHFAs and eligible sub-grantees/affiliates do not need HUD approval in order to receive these funds.

*Eligible LHCA's and intermediaries* are private nonprofit and public organizations, including grass-roots faith-based and other community-based organizations, that secure HUD-approval as an LHCA, or as a national or regional intermediary, as of the publication date of this SuperNOFA, and retain such approval through the term of any grant awarded. For information on securing HUD-approval visit HUD's website at <http://www.hud.gov/offices/hsg/sfh/hcc/hccprof13.cfm>.

Additionally, to be eligible to receive a grant directly from HUD under this Housing Counseling NOFA, all applicants (except SHFAs) must be (1) duly organized and existing as a nonprofit, (2) in good standing under the laws of the state of its organization, and (3) authorized to do business in the states where it proposes to provide counseling services. For example, applicable state licensing, corporate filing, and registering requirements must be satisfied.

An LHCA, intermediary, SHFA or affiliate may use branch offices to provide counseling funded through this NOFA. A branch office is an organizational and subordinate unit of the LHCA, intermediary, or SHFA, not separately incorporated or organized. LHCA's and affiliates of intermediaries and SHFAs may maintain a main office and branch offices in no more than two states, which must be contiguous.

Intermediaries and SHFAs provide sub-grants to affiliates and/or branches. Eligible sub-grantees are not required to be HUD-approved, although HUD-approved LHCA's may apply to an intermediary or SHFA as a sub-grantee. Intermediaries and SHFAs that award sub-grants to affiliates or branches that are not HUD-approved must assure that said organizations meet or exceed the standards, as specified in paragraph 2-1 of HUD Handbook 7610.1, Rev-4, CHG-1, for HUD-approved LHCA's. These organizations will be monitored by HUD, and intermediaries that do not ensure their affiliates'/branches' compliance with HUD standards could be prohibited from participating in the program.

To be eligible for a sub-grant under categories 2 or 3, affiliates or branches must not have directly applied for or received a grant under Category 1 of this NOFA, or another sub-grant from an Intermediary or SHFA under Category 2 or 3 of this NOFA. Affiliates or branches receiving a sub-grant under Category 2 or 3 are also eligible to receive sub-grants under categories 4 and/or 5, but only with the same intermediary or SHFA through which they receive a sub-grant under Categories 2 or 3. If also HUD-approved as an LHCA, affiliates or branches receiving a sub-grant under Categories 2 or 3 are permitted to apply to HUD directly as an LHCA under Categories 4 and/or 5. Similarly, an LHCA that applies directly to HUD under Category 1 may also receive sub-grants from an intermediary or SHFA under Categories 4 and/or 5, but only with the same intermediary or SHFA.

Additionally, to be eligible for a sub-grant, an affiliate must be (1) duly organized and existing as a nonprofit, (2) in good standing under the laws of the state of its organization, and (3) authorized to do business in the states where it proposes to provide housing counseling services. For example, applicable state licensing, corporate filing, and registering requirements must be satisfied.

*(B) Eligible Activities.* Agencies selected as grantees or sub-grantees will only be reimbursed for the eligible activities outlined in this Section.

Grantees or sub-grantees directly providing housing counseling services under Categories 1 through 4 may use their HUD housing counseling funds for one or more of the 8 eligible activities listed below.

Grantees or sub-grantees directly providing housing counseling services under Category 5 (Predatory Lending) may use their HUD housing counseling funds for group sessions and/or one-on-one counseling that clearly and directly assists victims of predatory lending or helps to prevent predatory lending.

(1) Pre-Occupancy Counseling. This includes the following types of one-on-one counseling: pre-purchase; pre-rental; search assistance/mobility; fair housing; budgeting for mortgage or rent payments; money management; and housing care and maintenance. This also may include guidance on: alternative sources of mortgage credit; how to apply for housing assistance; how to identify and avoid predatory lending practices; locating housing which provides universal design and visitability; referrals to community or homeless services, and regulatory agencies; and advocating with lenders for non-traditional lending standards.

(2) Homebuyer Education Programs. These programs are housing related education programs in which educational materials are used in training sessions for multiple participants, including HUD's Homebuyer Education and Learning Program (HELP). For a typical homebuyer education program, participants complete eight to twelve course hours. Agencies that provide this service must also offer individual counseling to complement group sessions.

(3) Post-Purchase/Mortgage Default and Rent Delinquency Counseling. This includes counseling on how to: restructure debt, obtain recertification for rent subsidy, establish reinstatement plans, seek loan forbearance, and manage household finances. This counseling can also include helping victims of predatory lending, educating clients on renter's and landlord's rights, explaining the eviction process, providing referrals to other sources, and assisting clients with locating alternative housing or pursuing loss mitigation strategies.

(4) Post-Purchase/Post-Occupancy Counseling. This includes education programs and counseling activities on property maintenance, personal money management, and relations with lenders and landlords.

(5) Home Equity Conversion Mortgage (HECM) Counseling. HECM counseling assists clients who are 62 years or older

with the opportunity to convert the equity in their homes into income to pay living, medical or other expenses.

(6) Home Improvement and Rehabilitation Counseling. This counseling includes educating the client about: Their loan and grant options; the loan and/or grant application processes; what housing codes and housing enforcement procedures apply for the intended activity; accessibility codes and how to design features to provide accessibility for persons with disabilities; non-discriminatory lending and other funding for persons who modify their dwellings to accommodate disabilities; visitability and universal design; how to specify and bid construction work; how to enter into construction contracts; and how to manage construction contracts, including actions to address the non-performance of contractors.

(7) Displacement and Relocation Counseling. This counseling includes helping clients understand their rights when faced with displacement, explaining the responsibility of the entity causing displacement, assisting clients with understanding eviction proceedings, providing assistance with locating alternate housing, and referring clients to homeless services.

(8) Marketing and Outreach Initiatives. This includes providing general information about housing opportunities, conducting informational campaigns, and raising awareness about critical housing topics, such as predatory lending or fair housing issues. (Note: affirmative fair housing outreach should be directed at those populations least likely to seek counseling services. To do so, it may be necessary to broaden the target areas in order to reach a greater variety of racial and ethnic minorities.)

**Note:** For each of the eight general activities you propose, you must be prepared to meet the needs of all individuals requesting services, including persons with disabilities, regardless of the complexity of the services involved. Additionally, services must be affirmatively marketed to persons with disabilities, including visual and hearing disabilities, as they would be to any other segment of the population not likely to apply for such services.

(C) *Eligible Intermediary/SHFA Activities.* Intermediaries and SHFAs can directly provide the housing counseling services described above in Sub-Section A through branches, or distribute and administer grant funds and provide technical assistance and other services to affiliates, who are eligible to undertake any or all of the eligible housing counseling activities outlined above.

Intermediaries and SHFAs have wide discretion to decide how to allocate their HUD Housing counseling and leveraged funding among their branches or affiliates, with the understanding that a written record must be kept documenting and justifying funding decisions. This record must be made available to affiliates and to HUD. Intermediaries and SHFAs must also execute sub-grant agreements with their affiliates that clearly delineate the mutual responsibilities for program management, including appropriate time frames for reporting results to HUD.

#### IV. Requirements

Agencies selected as grantees or sub-grantees must also comply with the following requirements:

(A) *Threshold Requirements.* The requirements listed in Section V of the General Section of the SuperNOFA apply to this program. Applications will be declared ineligible for any of the following reasons:

- If you or any of your affiliates or branches do not meet the Civil Rights Threshold Requirements set forth in Section V(B) of the General Section of this SuperNOFA.
- If you are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions from any federal department or agency.
- If you are not currently approved by HUD as an LHCA or as a National or Regional Housing Counseling Intermediary, and if you didn't secure approval by the publication date of this SuperNOFA. SHFAs need only satisfy the definition in 24 CFR 266.5 of a "Housing Finance Agency."

(B) *Program Requirements.* Programmatic requirements are outlined in detail in HUD Handbook 7610.1, REV-4, CHG-1, dated October 27, 1997, which can be viewed on HUD's website at <http://www.hud.gov/offices/hsg/sfh/hcc/hccprof7.cfm>.

Additionally, the following also apply:

(1) List of Agencies. Pursuant to section 106(C)(5) of the Housing and Urban Development Act of 1968, HUD maintains a list of all HUD-approved and HUD-funded counseling agencies, including contact information, which interested persons can access. All grantees under Categories 1, 4, and 5 and sub-grantees under Categories 2, 3, 4 and 5 will be placed on this list and must accept subsequent referrals, or when they do not provide the services sought, refer the person to another

agency in the area that does provide the services.

(2) *Accessibility*—All grant recipients and sub-recipients must make counseling offices and services reasonably accessible to persons with a wide range of disabilities and help persons locate suitable housing in locations throughout the applicant's community, target area, or metropolitan area, as defined by the applicant.

(C) *Religious Discrimination.* Grant recipients and sub-recipients are prohibited from discriminating on behalf of or against any segment of the population in the provision of services or in outreach, including those of other religious affiliations.

Additionally, organizations funded under this program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded under this program. If an organization conducts such activities, these activities must be offered separately, in time or location, from the programs or services funded under this part, and participation must be voluntary for the HUD-funded programs or services.

(D) *Code of Conduct.* Entities that are subject to 24 CFR parts 84 and 85 (most nonprofit organizations and state, local and tribal governments or government agencies or instrumentalities who receive federal awards of financial assistance) are required to develop and maintain a written code of conduct (See §§ 84.42 and 85.36(b)(3)). Consistent with regulations governing housing counseling programs, your code of conduct must prohibit real and apparent conflicts of interest that may arise among employees, officers or agents; prohibit the solicitation and acceptance of gifts or gratuities by your officers, employees and agents for their personal benefit in excess of minimal value; and outline administrative and disciplinary actions available to remedy violations of such standards. Self-recusal shall not eliminate a potential or apparent conflict of interest. If awarded assistance under this SuperNOFA, prior to entering into a grant agreement with HUD you will be required to submit a copy of your code of conduct and describe the methods you will use to ensure that all officers, employees and agents of your organization are aware of your code of conduct.

(E) *Performance Measurement.* Grant recipients are required to complete and submit a form HUD-9902, Fiscal Year Activity Report (Appendix A). The information compiled from this report provides HUD with its primary means of measuring your program performance.

(F) *Environmental Requirements.* In accordance with 24 CFR 50.19(b)(9) and (12) of the 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 the related laws and authorities.

(G) *Financial Management Systems.* Applicants selected for funding must provide documentation demonstrating that the applicant's financial management systems satisfy the requirements in the applicable regulations at 24 CFR 84.21(b) and 85.20. Consistent with the requirements of the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-07), if the applicant expended \$300,000 or more in federal awards in its most recent fiscal year, such documentation must include a certification from, or most recent audit by, the applicant's Independent Public Accountant that the applicant maintains internal controls over federal awards; complies with applicable laws, regulations, and contract or grant provisions; and prepares appropriate financial statements. The applicant will have at least thirty (30) calendar days to respond to this requirement. If an applicant does not respond within the prescribed time or responds with insufficient documentation, then HUD may determine that the applicant has not met this requirement and may withdraw the grant offer.

(H) *Indirect Cost Rate.* You must also submit documentation establishing your organization's indirect cost rate. Such documentation may consist of a certification from, most recent audit, or indirect cost rate agreement by, the cognizant federal agency or an Independent Public Accountant. If your organization does not have an established indirect cost rate, you will be required to develop and submit an indirect cost proposal to HUD or the cognizant federal agency as applicable, for determination of an indirect cost rate that will govern your award. Applicants that do not have a previously established indirect cost rate with a federal agency shall submit an initial indirect cost rate proposal immediately after the applicant is advised that it will be offered a grant and, in no event, later than three months after the effective date of the grant. OMB Circular A-122 established the requirements to determine allowable direct and indirect costs and the preparation of indirect cost proposals, and can be found at [www.whitehouse.omb.gov](http://www.whitehouse.omb.gov).

## V. Application Selection Process

(A) *General.* Applications will be evaluated competitively, and ranked against all other applicants that applied in the same funding category. For Category 2, applications by national and regional intermediaries will be scored and ranked in HUD Headquarters. For Category 1, LHCA's, and Category 3, SHFA's, applications will be scored and ranked by the relevant HOC. The Santa Ana HOC will score all applications under Category 4, Colonias, and Category 5, Predatory Lending Grants.

(B) *Factors For Award Used to Rate and Rank Applications.* Information on the application scoring process appears in section VI(B) of the General Section of this SuperNOFA. The Factors for Award, and maximum points for each factor, are outlined below.

These factors will be used to evaluate applications under Categories 1-5, and the maximum number of points for each applicant is 102 points for LHCA's and 100 for all other applicants. LHCA's are eligible for 2 bonus points if they can demonstrate that at least 51% of their proposed services: (1) Will be provided to residents of federally designated Empowerment Zones (EZs), Enterprise Communities (ECs), Urban Enhanced Enterprise Communities (EECs), Strategic Planning Communities, or Renewal Communities (RCs); and (2) are certified to be consistent with the area's strategic plan. Section VI(C)(1) of the General Section of this SuperNOFA, entitled "RC/EZ/EC," contains additional information regarding these bonus points.

HUD may rely on information from performance reports, financial status information, monitoring reports, audit reports and other information available to HUD in making score determinations under any Rating Factor.

### Rating Factor 1: Capacity of the Applicant and Relevant Organizational Staff (35 Points)

HUD uses responses to this Rating Factor to evaluate the readiness and ability of an applicant to immediately begin the proposed work program, as well as the potential for an applicant to cost-effectively and successfully implement the proposed activities indicated under Rating Factor 3.

(A) *(6 points) Knowledge and Experience.* In rating this Section, HUD will consider the degree to which the applicant, and, if applicable, affiliates, has sufficient personnel with the relevant knowledge and experience to implement the proposed activities in a timely and effective fashion.

Specifically, for LHCA's, scoring will be based on the number of years of

recent housing counseling experience of counselors. For intermediaries and SHFA's, scoring will be based on: The number of years of recent housing counseling experience of counselors in affiliates and branches; and the number of years, for key intermediary/SHFA personnel, of recent experience running a housing counseling program consisting of a network of multiple counseling agencies. Related experience, such as experience in mortgage lending, will also be considered, but will not be weighted as heavily as direct housing counseling or housing counseling program management experience.

—Submit the names and titles of employees, including subcontractors and consultants, performing the activities proposed in Rating Factor 3. Clerical staff should not be listed. Describe each employee's, subcontractor's, or consultant's relevant professional background and experience. Experience is relevant if it corresponds directly to projects of a similar scale and purpose. Provide the number of years of experience for each position listed, and indicate when each position was held. Individual descriptions should be limited to one page. List recent and relevant training received.

Applicants for Category 5 should specifically highlight the predatory lending-related experience, both one-on-one and group sessions, of staff to demonstrate that your organization has the knowledge and capacity to effectively utilize a predatory lending grant. Also indicate whether or not relevant staff has received loss mitigation training.

(B) *Past Grantee Performance.* Sections B1 and B2 pertain to the applicant's performance with their FY01 HUD award for the grant period October 1, 2001-September 30, 2002, the most recent complete grant year. If you received no HUD grant for that grant period, the seven points available in Section B1, and the fourteen points available in Section B2, will be allocated to Section B3 (Impact of Leveraged Resources,) for a total of 24 points.

(B1) *(7 points) Quality and Complexity of Services.* In scoring this Section, HUD will evaluate the level of effort and time required to provide the housing counseling services captured in the form HUD-9902 for the time period October 1, 2001 to September 30, 2002. Scoring will be based on the degree to which the applicant demonstrates that, for each type of counseling service delivered, and compared to other

applicants, sufficient time and resources were devoted to ensure that clients received quality counseling. Additionally, scorers will evaluate the extent to which, as compared to other applicants, an agency encouraged and provided one-on-one counseling, which HUD considers the most effective form of housing counseling, instead of over-relying on homebuyer education workshops and other forms of group sessions.

Applicants should carefully document the types and complexity of the services provided with FY01 HUD grant funds, and the outcomes for clients as a result of the counseling. Describe the level of effort and time required to provide the housing counseling services and to meet the needs of your clients. Indicate the average counseling time per client for all types of counseling performed. Also describe follow-up activities, if applicable.

Indicate the number of clients that participated only in Homebuyer Education workshops or other types of classes offered as group sessions. Indicate the number of individuals who participated in group-sessions and also received one-on-one counseling.

**(B2) (14 points) Impact/Outcomes—HUD Grant.** In scoring this Section, HUD will evaluate the applicant's, and if applicable, affiliates' and branches', clients served numbers and performance-related outcomes for the grant period October 1, 2001 to September 30, 2002. Clients served numbers will be scored based on the quantity of clients the applicant was able to serve compared to similar applicants providing similar services. Clients served numbers will be analyzed in the context of budget, costs, spending decisions, the types of services provided, level of effort expended, etc. Outcomes will be scored based on how well the applicant met performance goals.

Indicate the number of clients that you proposed to serve with your HUD grant in Factor 3 of your FY01 Housing Counseling NOFA application (submitted May 3, 2001), and compare it with the number attributed to the HUD grant appearing on the 9902 form submitted with this application, covering October 1, 2001–September 30, 2002, which corresponds to the FY01 application and resulting award. Explain any differences between goals and results, including differences in proposed and actual grant amounts.

If you received no FY01 HUD grant covering October 1, 2001–September 30, 2002, characterize your performance at meeting your goals regarding activities

for that time period, under other sources of funding, such as other federal, state or local grant awards. Explain any differences between goals and results.

While HUD values cost-effectiveness, we are not simply trying to identify and fund the lowest-cost service providers. We realize that costs vary depending on location and types of services provided, and we appreciate that strategic investments, such as investments in training, technology, or more qualified staff, may potentially be an efficient use of resources, but impact counseling volume in the short-term.

So HUD can evaluate your program results, provide a context for, or qualify, the number of clients you indicated, on the form HUD-9902 submitted with this application, that were served with your HUD-grant. Describe the types of counseling conducted. Indicate how location, counseling and client type, and expenses may have impacted client volume, and, if applicable, how they will impact client volume in the future.

Identify specific uses of HUD grant funds, such as staff salaries, other staff costs, training, and travel expenses. Itemize the total costs for each use. Provide the average hourly labor rate for counselors. Justify your expenses and explain why they were reasonable, strategic, and appropriate for the counseling activities identified above.

Intermediaries and SHFAs that received an FY01 HUD award for the grant period October 1, 2001 to September 30, 2002 must also indicate what percentage of their award was passed through directly to affiliates or branches, and explain how funds not passed through were spent.

Provide the following performance outcomes for counseling activities covered by your FY01 HUD grant, for the grant period October 1, 2001 to September 30, 2002:

- The number of individuals receiving pre-purchase counseling that purchased a home;
- The number of individuals receiving pre-purchase counseling that are working toward becoming mortgage ready;
- The number of individuals receiving pre-purchase counseling that, after evaluating their unique financial situation and the costs of homeownership, elected not to purchase a home;
- The number of individuals receiving default counseling that successfully avoided foreclosure;
- For applicants applying under Category 5, the number of victims of predatory lending counseled that were able to have their mortgage modified,

refinanced, or otherwise assisted to avoid foreclosure.

So HUD can evaluate these outcome/results, indicate the outcome goals that you had set for yourself prior to the grant period, October 1, 2001 to September 30, 2002, and characterize your performance at meeting those goals. Compare these outcome goals with your actual performance outcomes. Describe relevant market conditions and other circumstances that you believe affected reported outcome numbers.

**[Note:** The outcomes listed above correspond to the new form HUD-9902 (appendix A), from which these outcome results will be derived in future NOFAs. In future NOFAs, outcomes will be evaluated based on the degree to which the applicant was able to meet the outcome estimates it provided in Factor 5 of the relevant previous application. In other words, applicants will be held accountable for fulfilling performance-related promises made in NOFA applications.]

If you received no FY01 HUD grant, provide these performance outcomes for counseling activities covering October 1, 2001–September 30, 2002, under other sources of funding, such as other federal, state or local grant awards. Indicate how each compares with the outcome goals that you had set for yourself for the activity period, and characterize your performance at meeting outcome goals.

Applicants applying under Category 5 must also describe your organization's direct experience for the grant period October 1, 2001 to September 30, 2002, in assisting individuals, through outreach, in identifying and avoiding predatory lending, and in recognizing victimization. For example, describe outreach and educational efforts, including group workshops, community meetings, mass media, material distribution (provide copies of relevant letters, brochures, etc.), and indicate the number of one-on-one counseling interactions that have resulted from your outreach efforts. Also describe your outreach strategy, including the various types of individuals targeted (e.g. sub-prime borrowers, elderly homeowners with substantial equity in their homes, attorneys, etc.), explain your rationale for targeting specific areas, types of community forums that are effective, methods through which your ideas and materials are disseminated, and all other relevant information.

Also, describe efforts through one-on-one counseling, for the grant period October 1, 2001 to September 30, 2002, to assist individuals in identifying and avoiding predatory lending. Indicate the number of clients that have received



front-end individual counseling related to predatory lending from you, or from your affiliates and/or branches.

Similarly, describe efforts through one-on-one counseling, for the grant period October 1, 2001 to September 30, 2002, to assist victims of predatory lending and indicate the number of clients that received one-on-one predatory lending counseling from you or your affiliates and branches. Also quantify and describe the results of one-on-one counseling pertaining to predatory lending, including the number of victims for whom loans have been successfully restructured, credit fixed and the success of other loss mitigation strategies.

(B3) (3 points) *Impact—Leveraged Resources*—In scoring this Section, HUD will evaluate the applicant's non-HUD funded counseling activities and budget during the grant period October 1, 2001 to September 30, 2002. Scoring will be based on the quantity of clients the applicant was able to serve, compared to similar applicants providing similar services. Clients served numbers will be analyzed in the context of budget, costs, spending decisions, the types of services provided, level of effort expended, etc.

Provide all the information requested in Sections B1 and B2 above, except outcomes, relevant to the non-HUD funded activities recorded on the form HUD-9902 submitted with this application.

Applicants applying under Category 5 should highlight leveraged awards your organization received specifically for work related to predatory lending during the grant period October 1, 2001 to September 30, 2002.

(C) (5 points) *Performance/Grant Requirements*—In scoring this Section, HUD will evaluate how well the applicant satisfied the requirements, including reporting, of their FY01 HUD Housing Counseling grant, for the grant period October 1, 2001 to September 30, 2002. If you did not receive a FY01 HUD grant, base your response on activities and requirements under other sources of funding, such as other federal, state or local grant awards.

- Characterize your performance with regards to the timeliness and completeness with which you satisfied reporting requirements (such as Form HUD 9902.)

- Also indicate whether or not you fully expended grant awards during the grant period October 1, 2001 to September 30, 2002. If not fully expended, provide an explanation as to the reason why the funds were not fully expended and the steps you have taken

to ensure that future funding will be expended in a timely manner.

- Significant findings on biennial reviews conducted by HUD staff will be taken into consideration when scoring this Section. Explain how you have taken steps to address and correct any significant findings, if applicable.

#### **Rating Factor 2: Need/Extent of the Problem (10 Points)**

This factor addresses the extent to which there is a need for funding your proposed activities described in your response to Rating Factor 3.

(A) (6 points) *Needs Data*. In scoring this Section, HUD will evaluate the degree to which the applicant is able to provide current or recent economic and demographic data, and any other evidence, that demonstrates housing counseling need relevant to the target area. Applicants that fail to identify current or recent objective data will receive no points for this factor. Sources for all data provided must be clearly cited. To the extent that the community you serve has documented need in its Consolidated Plan, Analysis of Impediments to Fair Housing Choice (AI), or other planning documents, reference these in your response. Economic and demographic data must include persons with disabilities located in the target area. The U.S. Census Bureau, for example, maintains disability data by state, county and metropolitan statistical area (MSA) at the following website address: <http://www.census.gov/hhes/www/disability.html>.

In scoring this Section, HUD will also evaluate the degree to which the applicant is able to provide current or recent economic and demographic data, and any other evidence, that demonstrates need relative to the activities proposed in Rating Factor 3.

Demonstrate that there is a clear relationship between the community needs outlined above, and your proposed activities. All proposed activities must have corresponding need-related data.

Applicants under category 5 must provide current or recent economic and demographic data, and any other evidence, that demonstrates the prevalence and impact of predatory lending within the target area.

(B) (4 points) *Departmental Policy Priorities*. The Departmental policy priorities are listed in section II of the General Section of the SuperNOFA. Of those listed, the following 4 apply to the Housing Counseling Program for the purpose of this NOFA:

(1) Providing Increased Homeownership and Rental

Opportunities for Low- and Moderate-Income Persons, Persons with Disabilities, the Elderly, Minorities, and Families with Limited English Proficiency.

(2) Providing Full and Equal Access to Grass-Roots Faith-Based and Other Community-Based Organizations in HUD Program Implementation.

(3) Colonias.

(4) Participation of Minority Serving Institutions in HUD Programs.

You will receive one point (up to 4 total) for each of the Departmental policy priorities that your work plan substantively addresses.

#### **Rating Factor 3: Soundness of Approach/Scope of Housing Counseling Services (40 Points)**

This factor addresses the quality and effectiveness of your proposed housing counseling activities.

(A) (2 points) *Work Plan*. In scoring this Section, HUD will consider the quality and completeness of the response.

Describe the proposed housing counseling services and if applicable, intermediary activities, including training, you propose to undertake, and identify the geographic area your services will cover.

*National and Regional Intermediaries and State Housing Finance Agencies* must also provide the following additional information:

(a) Identify which affiliates or branches will receive funding through this grant award. Applicants unable to identify which affiliates will receive sub-grants must explain why this is the case and what process will be used to select grantees. Pursuant to the applicable regulations at 24 CFR 84.82(d)(3)(iii) and 85.30(d)(4), grantees must receive HUD's prior written approval for sub-grants.

(b) Describe the activities of those affiliates, explicitly stating the types of services to be offered.

(c) Describe your legal relationship with your affiliates or branches (*i.e.*, membership organization, field or branch office, subsidiary organization, etc.)

(d) Explain the process that will be used to determine affiliate or branch funding levels, distribute funds, and monitor affiliate performance, including compliance with the civil rights requirements outlined in the General Section of the SuperNOFA.

(B) (6 points) *Employee Allocation/Staff hours*. In scoring this Section, HUD will evaluate whether allocated staff and staff hours are appropriate and sufficient to perform all proposed tasks.

Indicate the names and titles of employees, including subcontractors and consultants, allocated to each proposed activity, as well as the corresponding staff hours for each task. Demonstrate that each employee's experience is related to the tasks they are to perform.

(C) (6 points) *Coordination*. In scoring this Section, HUD will consider the extent to which the applicant can demonstrate they will coordinate proposed activities with other organizations, and with other services and products offered by the applicant's organization, in a manner that benefits their clients.

Describe partnerships and efforts to coordinate proposed activities with other organizations, including, but not limited to, emergency services providers, lending organizations and nonprofit housing providers. Any written agreements or memoranda of understanding in place should be described and copies provided.

National and regional intermediaries should also highlight internal lending operations and loan products available to clients, as well as internal affordable housing programs that can be a resource for clients.

Describe plans to avoid conflicts of interest, such as methods for disclosing to participants that they are free to choose lenders, lending products, and homes, regardless of the recommendations made by counselors, and provide copies of relevant disclosure forms and materials.

Applicants under Category 5 should also describe relevant partnerships and relationships with other organizations, including state and local government regulatory agencies, Legal Aid groups, and other organizations with whom you collaborate on predatory lending cases and issues, or to whom you refer victims.

(D) (13 points) *Quality and Complexity of Services*. In scoring this Section, HUD will evaluate the quality of the proposed housing counseling services, and level of effort and time associated with providing the proposed counseling services to the number of clients you estimate you will serve in Section E. Scoring will be based on the degree to which the applicant demonstrates that, for each type of counseling service delivered, and compared to other applicants, sufficient time and resources will be devoted to ensure that clients receive quality counseling. Additionally, scorers will evaluate the extent to which, as compared to other applicants, an agency will encourage and provide one-on-one counseling, which HUD considers the

most effective form of housing counseling, instead of over-relying on homebuyer education workshops and other forms of group sessions.

Applicants should carefully document the types and complexity of the services to be provided. Describe the level of effort and time you anticipate is required to provide the proposed counseling services to, and meet the needs of, the number of clients you indicate in Section E that you will serve with the proposed grant. Estimate the average counseling time you, and if applicable your affiliates and branches, anticipate per client for all types of counseling offered. Also describe planned follow-up activities, if applicable.

Indicate how many of the clients that you propose to serve with the HUD grant in Section E will participate only in Homebuyer Education workshops or other group sessions. Also estimate the number of clients that will participate in Homebuyer Education workshops or other group session and also received one-on-one counseling. Explain and justify significant changes in the quantity of group sessions and one-on-one counseling sessions you propose to provide, relative to past performance and grant/budget size described in Rating Factor 1.

(E) (13 points) *Efficient Use of Resources—Proposed HUD Grant Activities*. In scoring this Section, HUD will evaluate the number of clients that the applicant, and if applicable, affiliates and branches, estimate will be served under the proposed HUD grant, for the grant period October 1, 2003 to September 30, 2004. Scoring will be based on the quantity of clients the applicant proposes to serve, compared to similar applicants providing similar services. Proposed clients served numbers will also be analyzed in the context of budget, costs, spending decisions, the types of services provided, level of effort expended, etc.

Indicate the number of clients you project will be served by your organization, or, if applicable, affiliates and branch offices, under the proposed HUD grant. Do not provide ranges or percentages, but a specific number of clients.

For applicants applying under Category 5, project the number of clients you propose to serve (no ranges or percentages) through both outreach and other types of group sessions, and individual counseling.

Explain and justify significant changes, relative to past performance and grant/budget size described in Rating Factor 1, in the number of clients you propose to serve. For example,

demonstrate that you have the financial and human resources necessary to adequately serve the additional clients, or describe changes in the types of counseling being delivered, costs, etc.

Provide a context for, or qualify the number of clients you project to serve with the proposed HUD grant. Indicate how location, counseling and client types, and expenses may affect client volume, and whether the impact will be short-term or long-term.

Itemize the costs associated with each specific proposed use of counseling funds, such as staff salaries, other staff costs, and training and travel expenses. Provide the average hourly-labor rate for counselors. Justify your proposed expenses and explain why they are reasonable, strategic, and appropriate for the counseling activities identified above.

Intermediaries and SHFAs must indicate what percentage of their proposed HUD grant will be passed through directly to affiliates or branches, and explain how funds not passed through will be spent.

#### **Rating Factor 4: Leveraging Resources (10 Points)**

HUD housing counseling funding is not intended to fully fund an organization's housing counseling program, or that of its local affiliates and branch offices. All organizations that use housing counseling grant funds are expected to seek other private and public sources of funding for housing counseling to supplement HUD funding. Any agency that does not have other resources available will receive no points for this factor.

Applicants will be evaluated based on their ability to provide evidence that they have obtained additional resources for their housing counseling activities, including: direct financial assistance; in-kind contributions, such as services, equipment, office space, labor; etc. In responding to this Rating Factor, applicants under Categories 4 and 5 should submit evidence of all housing counseling-related leveraged resources, not just the leveraged funds they intend to devote to Colonias or predatory lending, respectively. Resources may be provided by governmental entities, public or private nonprofit organizations, for-profit private organizations, or other entities committed to providing you assistance.

In order to obtain points under this factor, the applicant must demonstrate leveraging by providing letters from entities and/or individuals committing resources to the project that include:

- The identity of the entity or individual committing resources to the project.
- Dollar value of the resources to be committed.
- Types of resources to be committed.
- An indication that the resources will be available during the grant period pertaining to this NOFA, October 1, 2003–September 30, 2004.
- An indication that the award, or a specific portion of it, is intended for housing counseling.
- The signature of an official of the entity legally able to make commitments on behalf of the entity.
- No conditions that would nullify the commitment. (It is, however, acceptable for the commitment to be conditional on HUD funding.)

Additionally, resources provided by the applicant itself, recorded as ‘applicant match’ and ‘program income’ on the form HUD–424, will count as leveraged resources.

Points for this factor will be awarded based on the satisfactory provision of evidence of leveraging and financial sustainability, as described above, and the ratio of requested HUD housing counseling funds to total housing counseling budget. Depending on organization type, the following scales will be used to determine scores for this factor:

Percentage	Points
<b>LHCAs and SHFAs</b>	
1–20 .....	10
21–35 .....	9
36–42 .....	8
43–50 .....	7
51–58 .....	6
59–65 .....	5
66–73 .....	4
74–80 .....	3
81–90 .....	2
91–99 .....	1
<b>National and Regional Intermediaries</b>	
1–10 .....	10
11–15 .....	9
16–20 .....	8
21–25 .....	7
26–30 .....	6
31–35 .....	5
36–40 .....	4
41–45 .....	3
46–50 .....	2
51–99 .....	1

**Rating Factor 5: Achieving Results and Program Evaluation (5 Points )**

This factor emphasizes HUD’s determination to ensure that applicants meet commitments made in their applications and grant agreements and assess their performance to realize

performance goals, and reflects HUD’s goal to embrace high standards of ethics, management and accountability.

The purpose of this factor is for the applicant to identify program outputs and outcomes that will allow you and HUD to measure actual achievements against anticipated achievements. Outputs and outcomes must be objectively quantifiable.

*Submission Requirements for Factor 5.* Applicants must submit an effective, quantifiable, outcome-oriented evaluation plan for measuring performance and determining that output and outcome goals have been met. You must submit a program evaluation plan that demonstrates how you will measure your own program performance. Your Evaluation Plan should identify what you are going to measure, how you are going to measure it, and the steps you have in place to make adjustments to your work plan if performance targets are not met within established timeframes. Specifically, your plan must identify:

—*Outputs.* Outputs are the direct products of your program’s activities that lead to the ultimate achievement of outcomes. Examples of outputs are the number of individual counseling sessions, and the number of group sessions to be provided. Identify interim and full grant term outputs, and timeframes for accomplishing these goals. Your plan must show how you will measure actual accomplishments against anticipated achievements.

—*Work Plan Adjustments.* Describe steps in place to make adjustments to your work plan if outputs are not met within established timeframes or if you begin to fall short of established outputs and timeframes. Intermediaries and SHFAs should indicate if and how the performance of affiliates and branch offices affects current and future sub-grant allocations.

—*Outcomes.* Outcomes are benefits accruing to the families as a result of participation in the program. Outcomes are performance indicators you expect to achieve or goals you hope to meet over the term of your proposed grant. In scoring this Section, HUD will consider the appropriateness of the proposed outcomes given the proposed HUD award, and past performance, and evaluate proposed outcomes in comparison to similar applicants. For the period October 1, 2003–September 30, 2004, provide the following anticipated outcomes for clients as a result of the proposed grant:

- The number of individuals receiving pre-purchase counseling that will purchase a home
- The number of individuals receiving pre-purchase counseling that are working toward becoming mortgage ready
- The number of individuals receiving pre-purchase counseling that, after evaluating their unique financial situation and the costs of homeownership, will elect not to purchase a home
- The number of individuals receiving default counseling that will successfully avoid foreclosure

Applicants applying under Category 5 should indicate the number of victims of predatory lending counseled that will have their mortgage modified, refinanced, or otherwise assisted to avoid foreclosure. [These specific outcomes correspond to the new form HUD–9902. The proposed outcomes you provide will be compared with the results captured in the HUD–9902 you submit in the FY05 NOFA to evaluate the impact you were able to achieve with this award, and the degree to which you were able to meet or exceed your proposed outcomes.]

—*Information Collection.* Describe your strategy for following-up with clients and collecting outcome information.

(C) *Funding Methodology for Categories 1–4.* The following funding formula will be used to calculate award amounts for Categories 1–4. Only applicants who receive a score of 75 points or above will be considered eligible for funding. All eligible applicants will then be funded in proportion to the score they receive.

The formula will work as follows for each category: Every applicant that scores 75 points or above will receive a base award of \$15,000, plus additional funds for every point above the 75 point cutoff. The total number of applicants receiving the base award will be multiplied by \$15,000 and that amount will be subtracted from the total amount available under the category, or in the cases of Categories 1 and 3, available to the HOC. Then, the remaining balance will be divided by the total number of points each applicant scores that are above the 75-point cutoff. The division will result in a dollar value for each point. The number of points that each applicant scores above the 75 point base will be multiplied by that dollar value. The result of that multiplication will be added to the \$15,000 base for the total award amount. For example, an applicant with a score of 85 would receive \$15,000 plus the dollar value for each point times 10 (10 being the

number of points above the 75 point cutoff.)

All grantees will receive the lower of either the award amount determined with the formula, or the amount actually requested by the applicant.

(D) *Funding Methodology for Category 5—Predatory Lending Grants.* Only applicants scoring 75 points or above are eligible for funding under Category 5. However, because of the limited amount of funds available under Category 5, in relation to the potential number of applicants, all applicants scoring 75 points or above are not guaranteed funding.

For national intermediaries, up to the top 4 scoring applicants (scoring 75 points or above) will receive a base award of \$300,000, plus additional funds for every point above the 75 point cutoff. The total number of applicants receiving the base award will be multiplied by \$300,000 and that amount will be subtracted from the total amount available under the category. The remaining balance (\$300,000 if 4 agencies score 75 points or above) available to national intermediaries will be divided by the total number of points each applicant scores that are above the 75 point cutoff. The division will result in a dollar value for each point. The number of points that each applicant scores above the 75 point threshold will be multiplied by that dollar value. The result of that multiplication will be added to the \$300,000 base for the total award amount. Awards for HUD-approved national intermediaries may not exceed \$450,000.

For regional intermediaries and SHFAs, up to the top 3 scoring applicants (scoring 75 points or above) will receive a base award of \$50,000, plus additional funds for every point above the 75 point cutoff. The total number of applicants receiving the base award will be multiplied by \$50,000 and that amount will be subtracted from the total amount available under the category. The remaining balance (\$150,000 if 3 agencies score 75 points or above) available to regional intermediaries and SHFAs will be divided by the total number of points each applicant scores that are above the 75 point cutoff. The division will result in a dollar value for each point. The number of points that each applicant scores above the 75 point threshold will be multiplied by that dollar value. The result of that multiplication will be added to the \$50,000 base for the total award amount. Awards for HUD-approved regional intermediaries and SHFAs may not exceed \$140,000.

All LHCA's will be ranked against each other nationally. Up to the top 30

scoring applicants nationwide scoring 75 points or above will receive a base award of \$20,000. The total number of applicants receiving the base award will be multiplied by \$20,000 and that amount will be subtracted from the total available under the category. Then, the remaining balance (\$300,000 if 30 agencies score 75 points or above) will be divided by the total number of points each of those 30 applicants (potentially) scores that are above the 75-point cutoff. The division will result in a dollar value for each point. The number of points that each applicant scores above the 75 point threshold will be multiplied by that dollar value. The result of that multiplication will be added to the \$20,000 base for the total award amount. Awards for HUD-approved LHCA's may not exceed \$40,000.

All grantees will receive the lower of either the award amount determined with the formula, or the amount actually requested by the applicant.

(E) *Reallocation of Unspent Funds.* If funds designated for a specific grant Category or sub-category remain unspent after the formula has been run and award recommendations determined, HUD may, at its discretion, reallocate those funds to any other funding category or sub-category in this NOFA, or may reallocate those funds to any category under the Section 8 Homeownership / Housing Counseling NOFA also issued with this SuperNOFA. Additionally, HUD may reallocate unspent funds for housing counseling support activities.

(F) *Applicant Debriefing.* Applicants interested in a debriefing should consult the instructions in section XI(A)(4) of the General Section of the SuperNOFA. Requests should be submitted to the person or organization to which you were instructed, in Section VI of this NOFA, to submit your application.

(G) *Grant Period.* Funds awarded shall be available for a period of twelve (12) calendar months. Applicants selected for award must receive prior HUD approval to incur costs prior to the date of the grant agreement. Grantees may incur pre-award costs ninety (90) calendar days prior to the effective date of the grant agreement. All pre-award costs are incurred at the applicant's risk and HUD has no obligation to reimburse such costs if the award is inadequate to cover such costs or the award offer is withdrawn because of the applicant's failure to satisfy the requirements of this NOFA.

(H) *Award Instrument.* HUD expects to use a grant agreement, but it reserves the right to use the award instrument it determines to be most appropriate. All Housing Counseling Program awards

shall be made on a cost reimbursement basis in accordance with the requirements in OMB Circular A-87, Cost Principles for state and local governments and Indian tribal governments; or OMB Circular A-122, Cost Principles for Non-Profit Organizations, as applicable to your organization; and the administrative requirements established in OMB Circular A-102, which was implemented by 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to state, local and federally recognized Indian tribal governments); OMB Circular A-110, which was implemented by 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations); and OMB Circular A-133 which was implemented by 24 CFR parts 84 and 85. If you receive an award you are also required to ensure that any sub-recipients also comply with the above requirements. OMB circulars can be found at <http://www.whitehouse.gov/omb/>.

## VI. Application Submission Requirements

In addition to reviewing the instructions below, all applicants should consult the General Section of this SuperNOFA and review the procedures that affect application submission.

*Application.* Because applications will be handled by various staff members, they must be bound or secured in a binder, and tabbed. Use the checklist below to organize your application. Unless indicated below, all applicants must submit the following:

(1) The standard forms, certifications, and assurances listed in section V(H) of the General Section of the SuperNOFA (collectively, referred to as the "standard forms.")

(2) HUD-approval/Statutory Authority. Each applicant is required to submit a copy of their most recent approval letter or certificate of approval as a housing counseling agency from HUD, unless the applicant is a SHFA that satisfies the definition of a "Housing Finance Agency" in 24 CFR 266.5. SHFAs must submit evidence of their statutory authority to operate as a SHFA, and apply for, and use, any funds awarded.

(3) Form HUD-9902, Housing Counseling Agency Fiscal Year Activity Report, for fiscal year October 1, 2001 through September 30, 2002. In the space provided on the form, indicate the amount of the FY01 HUD grant you received that corresponds with this data. If you did not participate in HUD's

Housing Counseling Program during the period October 1, 2001 through September 30, 2002, this report should be completed to reflect your counseling workload and budget during that period. A copy of this form is included in Appendix A of this NOFA.

(4) National and Regional Intermediaries must provide a list of, and certify to, the states in which they maintain offices, including the national office and all affiliates or branch offices. Provide this information for *all* affiliates and branch offices, not just the ones you propose to fund through this grant.

(5) Narrative statements addressing the Rating Factors in section V(B) above. Responses to the rating factors should provide HUD with detailed quantitative and qualitative information and relevant examples regarding the housing counseling work of your organization.

For applicants applying under Category 4, narrative statements must address how you will meet the needs of clients residing in the Colonias you

target. Similarly, applicants applying under Category 5 must describe predatory lending-related needs and corresponding activities. *The Rating Factors below contain requests for additional information from applicants applying under Categories 4 and 5 (italicized).*

Applicants applying for funding under Category 5 should also address predatory lending needs, issues and activities, if applicable, in their responses to Rating Factors 1—5 while applying under categories 1—4 of this NOFA, to ensure that these activities are fairly considered for grants under Categories 1—4, in the event that an applicant does not receive funding under Category 5.

Please be as specific and direct as possible. For LHCA's, responses to each factor must be limited to 10 double-spaced, size 12 font, single-sided pages. Additional submissions by LHCA's will not be read. These guidelines are also

recommended for National and Regional Intermediaries and SHFAs; however, if you feel you need to include more information to make your case, you should feel free to do so.

#### **VII. Corrections to Deficient Applications**

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

#### **VIII. Authority**

HUD's Housing Counseling Program is authorized by Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x), and is generally governed by HUD Handbook 7610.1, REV-4, CHG-1, dated October 27, 1997.

#### **Appendix A**

Form HUD-9902, Fiscal Year Activity Report

**BILLING CODE 4210-32-P**

**<HDI> APPENDIX B**

Hearing and speech challenged persons may access the telephone numbers listed below by calling the federal Information Relay Service at 1-800-877-8339.

Homeownership Center	States
<p><b><u>PHILADELPHIA</u></b>  <b><u>HOMEOWNERSHIP</u></b>  <b><u>CENTER</u></b>            Mr. John Niebieszczanski            Patrick V. McNamara            Building            SF Program Support Branch            4            477 Michigan Ave. Rm. 1600            Detroit, MI 48226            For technical questions            Contact: Robert Wright            (215) 656-0527 x3406</p>	<p>Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia</p>
<p><b><u>ATLANTA</u></b>  <b><u>HOMEOWNERSHIP</u></b>  <b><u>CENTER</u></b>            Ms. Gayle Knowlson            40 Marietta Street, 8th Floor            Atlanta, GA 30303-2806            Contact: Fellece Sawyer-Coleman            (404) 331-5001, x2675</p>	<p>Alabama, Puerto Rico, Florida, Georgia, Illinois, Indiana, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee</p>
<p><b><u>DENVER</u></b>  <b><u>HOMEOWNERSHIP</u></b>  <b><u>CENTER</u></b>            Ms. Irma Devich            Wells Fargo Building            633 17th Street            Denver, CO 80202-3607            Contact: Irma Devich</p>	<p>Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, Wyoming</p>

(303) 672-5216 x 1980	
<b>SANTA ANA HOMEOWNERSHIP CENTER</b> Mr. Jerrold Mayer 1600 N. Broadway Suite 100 Santa Ana, CA 92706-3927 Contact: Rhonda J. Rivera, Chief 1-888-827-5605 (714) 796-1200 x 3210	Alaska, Arizona, California, Hawaii, Oregon, Idaho, Nevada, Washington

**Housing Counseling Agency  
Fiscal Year Activity Report**

**U.S. Department of Housing  
and Urban Development**  
Office of Housing  
Federal Housing Commissioner

OMB Approval No. 2502-0261  
(exp.04/30/2005)

Read the Instructions and Public Reporting Statement on the back of this form.

1. Counseling agency name and address/telephone/fax/contact person/e-mail   Check here if any of this is new information <input type="checkbox"/>	2. Reporting Year (yyyy)  from Oct 1, _____  to Sep 30, _____
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	All Counseling Activities	HUD Grant Activities
<b>3. Ethnicity of Clients (select only one)</b>		
a. Hispanic		
b. Not Hispanic		
<b>4. Race of Clients</b>		
<b>Single Race</b>		
a. American Indian/Alaskan Native		
b. Asian		
c. Black or African American		
d. Native Hawaiian or Other Pacific Islander		
e. White		
<b>Multi-Race</b>		
f. American Indian or Alaska Native <i>and</i> White		
g. Asian <i>and</i> White		
h. Black or African American <i>and</i> White		
i. American Indian or Alaska Native <i>and</i> Black or African American		
j. Other multiple race		
<b>5. Income Levels</b>		
a. < 50% of Area Median Income (AMI)		
b. 50 - 80% of AMI		
c. 80 - 100% of AMI		
d. >100% AMI		
<b>6. Numbers of Clients Receiving Educational/Outreach Services (if client also receives counseling, please include in count below)</b>		
a. Completed Homebuyer Education Workshop		
b. Completed Post-Purchase Homeowner Workshop		
c. Sought Help with Fair Housing Issue		
d. Sought Help with or Attended Workshop on Predatory Lending		
<b>7. Numbers of Clients Counseled, by Purpose of Visit and Results</b>		
a. Seeking Pre-Purchase Homebuyer Counseling		
Purchased Housing		
Client will be Mortgage Ready within 90 Days		
Client will be Mortgage Ready after 90 Days; Receiving Long-Term Prepurchase Counseling		
Entered Lease Purchase Program		
Decided Not to Purchase Housing; No Further Effort to Prepare Needed		
Other		
Total		
b. Seeking Help with Resolving or Preventing Mortgage Delinquency		
Brought Mortgage Current		
Mortgage Refinanced		
Mortgage Modified		
Received Second Mortgage		
Initiated Forbearance Agreement/Repayment Plan		
Executed a Deed-in-Lieu		
Sold Property/Preforeclosure Sale, Chose Alternative Housing Solution		
Mortgage Foreclosed		



7. Numbers of Clients Counseled, by Purpose of Visit and Results (continued)	All Counseling Activities	HUD Grant Activities
Currently Receiving Foreclosure Prevention/Budget Counseling		
Partial Claim		
Other		
Total		
c. Seeking Help Converting Home Equity into Cash or Seeking Better Mortgage Loan Terms		
Obtained a Home Equity Conversion Mortgage (HECM)		
Received Home Equity or Home Improvement Loan		
Received Consumer Loan (Unsecured)		
Mortgage Refinanced		
Referred to Other Social Service Agency		
Sold House, Chose Alternative Housing Solution		
Counseled on HECM; Decided Not to Obtain Mortgage		
Currently Receiving Counseling		
Other		
Total		
d. Seeking Help in Locating, Securing, or Maintaining Residence in Rental Housing		
Received Housing Search Assistance		
Obtained Temporary Rental Relief		
Referred to Agency with Rental Assistance Program		
Advised on Recertification for HUD/Other Subsidy Program		
Referred to Other Social Service Agency		
Counseled or Referred to Legal Aid Agency for Eviction or Other Fair Housing Assistance		
Found Alternative Rental Housing		
Decided to Remain in Current Housing Situation		
Entered Debt Management/Repayment Plan		
Currently Receiving Counseling		
Other		
Total		
e. Seeking Shelter or Services for the Homeless		
Occupied Emergency Shelter		
Occupied Transitional Housing		
Occupied Permanent Housing with Rental Assistance		
Occupied Permanent Housing without Rental Assistance		
Referred to other Social Service Agency		
Remained Homeless		
Currently Receiving Counseling		
Other		
Total		

8. HUD Grant Activity - Summary Data

HUD Grant No.	HUD Grant Amount	Number of Clients	Amount Invoiced
	Total		

9. Name of Person Authorized to Sign this Report

Title	
Signature	Date

### Instructions for Form HUD-9902, Housing Counseling Agency Fiscal Year Activity Report

This HUD Fiscal Year Activity Report enables a HUD-approved housing counseling agency to report all of its housing counseling activity for clients with housing needs and problems.

**1. Counseling Agency Name & Address** - Enter the official name of your agency in the format you submitted to HUD. If the data you enter is new, check the box indicating this change.

**2. Enter Report HUD Fiscal Year** - This is an annual report covering the HUD Fiscal Year. Indicate the HUD Fiscal Year covered by the report. Even if your agency was approved by HUD for less than the full year report period, include clients counseling during the full report year.

**3. Ethnicity of Clients** Enter number of clients to whom you provided counseling during this period. If your client came in for homebuyer education or fair housing in addition to other types of counseling, do not count them twice.

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic or Latino."

Not Hispanic or Latino - A person not of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

#### 4. Race of Clients Categories -

American Indian or Alaskan Native - A person having origins with any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community recognition.

Asian - A person having origins with any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Black or African American - A person having origins with in of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."

Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**5. Income Levels** - Enter the client's income level based on the percentage of the Area Median Income (AMI), adjusted for family size.

### 6. Number of Clients Receiving Educational or Outreach Services

**Homebuyer Education (6a).** Enter data for clients who completed a homebuyer education course or workshop. Homebuyer education differs from counseling in that it is usually conducted in a group setting and is not tailored to the unique circumstance of the individual. Counseling goes beyond the general education, is more rigorous, and involves one-on-one and longer-term relationships. Note that you will also count the client who receives or is receiving counseling under the prepurchase counseling heading.

**Post-Purchase Homeowner Workshop (6b).** Enter data for clients who completed a post-purchase homeowner education course or workshop. This includes topics such as budgeting and financial management, real estate taxes and insurance, and property maintenance. Please also count the client who supplements education with one-on-one counseling under the appropriate counseling heading.

**Fair Housing (6c).** Enter data for clients who, in addition to seeking other types counseling as described on this form, had issues affecting a protected class as defined under the Fair Housing Act, 42 USC 3601-3631. The law prohibits discrimination on basis of race, color, religion, sex, handicap, or familial status. Remember to include these clients under the appropriate type of counseling sought.

**Predatory Lending (6d).** Enter data for clients who attended a predatory lending workshop or outreach program. Please also count the client who supplements education with one-on-one counseling under the appropriate counseling heading.

### 7. Number of Clients Counseled, by Purpose of Visit and Results.

#### General

**Clients** - Please remember that you report clients as the number of individual households you counseled.

#### Examples:

- a. A **husband and wife** or a **brother and sister** or **three friends** who are mortgagors under the same note count as **one client**.
- b. **Three renting families** who experience the **same problem** with the **same landlord** and come to your agency together for assistance and receive the same problem resolution count as **one client**.

**Columnar Entries** - The report contains two data columns.

- c. **All Counseling Activities** - Enter data covering **all** housing counseling activities, including those performed under one or more HUD housing counseling grant. **Results of**
- d. **HUD Grant Activities** - Enter data covering **only** counseling provided under one or more HUD counseling grants during the report period. Include this data in the "All Counseling Activities" column.

**Other** - Throughout the form, "other" provides a general category into which you place clients who do not fall under any specific category on the form.

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**Instructions for Form HUD-9902 continued**

**Counseling (7a through 7e)** - Enter the number of clients to whom you provided counseling during the report period, by the purpose of their visit and results. This count might include clients who entered your workload the previous report period but who carried over into and received counseling during the current report period. Enter the client count in the box that best describes the status of the clients when they first entered your workload.

**Counseling (7a through 7e) continued** -For each of the five types of counseling sought, enter data for the appropriate results listed. NOTE: You might achieve more than one result for the same client during the report year. In the rare event that there is more than one result, **please report only one**. You should select the result that most closely relates to the counseling received.

**Example:** A mortgagor in default enters into a **forbearance agreement** and later **sells the property**. You report the first result because the counseling enabled the client to seek and enter into forbearance. Also, in the Pre-Purchase Counseling outcomes, enter the client as mortgage ready after 90 days, if the client has entered a homebuyer savings plan, debt management plan, or some other type of long-term financial plan to prepare for homeownership.

**8. HUD Grant Activity - Summary Data** - Enter summary data from the "HUD Grant Activities" column for each grant under which you provided counseling during the report period. In the "Total" row, enter totals for the "No. of Clients" and the "Amount Invoiced" columns.

**9.** An authorized staff person must sign and date the report.

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**Public reporting burden** for this collection of information is estimated to average 1.17 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

This information is collected in connection with HUD's Housing Counseling Program, and will be used by HUD to determine that the grant applicant meets the requirements of the Notice of Funding Availability (NOFA) and to assign points for awarding grant funds on a competitive and equitable basis. The information is required to obtain funding under Section 106 of the Housing and Community Development Act of 1974. The information is considered sensitive and is protected by the Privacy Act which requires the records to be maintained with appropriate administrative, technical and physical safeguards to ensure their security and confidentiality.

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