

**Questions and Answers**  
**Section 202/811**

**Question:** The option I obtained for my project's site, met all of the requirements in accordance with the Section 202 NOFA posted on September 1, 2009, including the requirement to be extended 6 months from the deadline date of November 13, 2009. Since the deadline date for Section 202 applications has now changed to December 14, 2009, will I have to renegotiate my option to extend 6 months from the new date of December 14, 2009?

**Answer:** Because HUD anticipates announcing the Section 202 selected applications prior to May 13, 2010, which is 6 months from the deadline date of November 13, 2009, you will not have to renegotiate your option to purchase or for a long-term leasehold or lease to extend 6 months beyond December 14, 2009. However, your option to purchase or for a long-term leasehold must remain in effect through May 13, 2010, must state a firm price binding on the seller, and be renewable at the end of the 6 month period. Keep in mind though that should HUD not announce the selection by May 13, 2010, in order to make sure that you still have a site under control, you should execute your renewal clause to extend the option.

**Question:** My Phase I Environmental Site Assessment (ESA) met the requirement, as stated in the NOFA posted on September 1, 2009, of being completed within one year of the deadline date of November 13, 2009. Will I now have to have the Phase I updated to meet the requirement of being completed within one year of the new deadline date of December 14, 2009?

**Answer:** As long as the Phase I Environmental Site Assessment (ESA), was prepared in accordance with the ASTM Standards E 1527-05, as amended, and was completed or updated no earlier than November 14, 2008, it will be acceptable.

**Question:** A technical correction to the NOFA has been posted, do I need to download the application and complete a new application?

**Answer:** Applicants who previously submitted an application may elect to revise their application and submit a new one. However, applicants electing this option do not have to download a new application. Applicants submitting a revised application should remember that they must also refax materials that were faxed with the first application using the form HUD 96011 as the cover page to any facsimile transmissions. Applicants must also remember that they must use the facsimile cover page form associated to the application package they are submitting. If an applicant chooses to download a new application package from Grants.gov and start a new application for submission, they must use the facsimile cover page form (form HUD 96011) from the application they have prepared for submission.

**Question:** If program closed and I had previously submitted my application, do I have to resubmit an application to be in the competition?

**Answer:** Applicants that previously submitted an application and do not want to modify their submission, do not have to do anything. HUD has retained the previously submitted applications. Any new submissions will be considered part of the same competition, only with a new revised deadline date.

**Question:** If I previously submitted an application and I submit a revised application, which will HUD review?

**Answer:** HUD will review the last submission received and validated by Grants.gov prior to the deadline date and in accordance with HUD's 2009 Grace Period policy.

**Question:** If I previously submitted faxes, why do I have to resubmit the faxes if I submit another application?

**Answer:** As stated earlier, applicants, making a change in their application must resubmit an entirely new application with all attachments and faxes for an application to be a complete new submission. HUD matches fax transmittals to applications after the application is received and validated from Grants.gov. Previously submitted faxes have already been associated to the prior application submission, so new submissions require new fax transmissions. Applicants should carefully review the instructions found in the technical correction.

**Question:** Can I submit just the updated pages to my application?

**Answer:** No. HUD requires that any revised submission be complete applications including any facsimile transmissions and attachments.

**Question:** If I had not submitted an application before can I submit one now?

**Answer:** If you have not sent in a previous application you can elect to submit an application during this application period. Applications must be received and validated by Grants.gov prior to the application deadline date consistent with HUD's Grace Period policy. Applicants should carefully read the General Section and technical correction to ensure they have allowed adequate time for the Grants.gov registration process and for the submitted application to be processed by Grants.gov. Grace period information and requirements for timely receipt are found in the General Section and Program Section of HUD's NOFA.

**Question:** Your response to the question above as to whether a Phase I ESA would have to be updated to meet the requirement of being completed within one year of the new deadline date of December 14, 2009, was that as long as it was prepared in accordance with the ASTM Standards E 1527-05, as amended, no earlier than November 14, 2008, it would be acceptable. Based on this, would the Phase I ESA still have to be updated if it

was completed more than 180 days but less than one-year prior to the application due date?

**Answer:** As stated in the NOFA, the Phase I ESA must be updated, pursuant to Section 4.6 ASTM Standard E 1527–05, if it was completed more than 180 days but less than one-year prior to the application due date.

## **Questions and Answers**

### **Section 202/811**

**Question:** The option I obtained for my project's site, met all of the requirements in accordance with the Section 811 NOFA published on September 1, 2009, including the requirement to be extended 6 months from the deadline date of November 16, 2009. Since the deadline date for Section 811 applications has now changed to December 17, 2009, will I have to renegotiate my option to extend 6 months from the new date of December 17, 2009?

**Answer:** Because HUD anticipates announcing the Section 811 selected applications prior to May 16, 2010, which is 6 months from the deadline date of December 17, 2009, you will not have to renegotiate your option purchase or for a long-term leasehold to extend 6 months beyond December 17, 2009. However, your option to purchase or for a long-term leasehold must remain in effect through May 17, 2010, must state a firm price binding on the seller, and be renewable at the end of the 6 month period. Keep in mind though that should HUD not announce the selection by May 17, 2010, in order to make sure that you still have a site under control, you should execute your renewal clause to extend the option.

**Question:** My Phase I Environmental Site Assessment (ESA) met the requirement, as stated in the SuperNOFA published in the Federal Register on September 1, 2009, of being completed within one year of the deadline date of November 16, 2009. Will I now have to have the Phase I updated to meet the requirement of being completed within one year of the new deadline date of December 17, 2009?

**Answer:** As long as the Phase I Environmental Site Assessment (ESA), was prepared in accordance with the ASTM Standards E 1527-05, as amended, and was completed or updated no earlier than November 17, 2008, it will be acceptable

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