

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
[Docket No. FR-5332-C-03]
Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2009
Rental Assistance for Non-Elderly Persons with Disabilities;
Correction

AGENCY: Office of the Assistant Secretary for Public and Indian Housing HUD.

ACTION: Notice, correction.

SUMMARY: On April 7, 2010, HUD posted to its website and to www.grants.gov its FY2009 Rental Assistance for Non-Elderly Persons with Disabilities NOFA. The NOFA makes available \$30 million for incremental Section 8 Housing Choice Vouchers (HCV) for non-elderly disabled families served by entities (which this NOFA will limit to public housing agencies (PHAs)) with demonstrated experience and resources for supportive services). This assistance was made available by the Omnibus Appropriations Act, 2009 (Public Law 111-8, approved March 11, 2009). This document corrects the NOFA by (1) clarifying the period of time during which PHAs must meet the PIH Information Center (PIC) reporting requirements; (2) clarifying the requirement that PHAs have achieved as least 15 points under the Section 8 Management Assessment Program (SEMAP); and (3) defining which PHAs "operate a non-HCV program that serves non-elderly disabled families."

FOR FURTHER INFORMATION CONTACT: Questions regarding specific HCV program requirements should be directed to Phyllis Smelkinson by phone at 202-402-4138 or via email at Phyllis.A.Smelkinson@hud.gov or to the NOFA Information Center at 800-HUD-8929 (a toll-free number). Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Information Relay Service at 800-877-8339. The NOFA Information Center is open between the hours of 10:00 a.m. and 6:30 p.m. eastern time, Monday through Friday, except federal holidays.

I. SUPPLEMENTARY INFORMATION

The Omnibus Appropriations Act, 2009, makes available \$30 million for incremental Section 8 HCV for non-elderly disabled families served by entities with demonstrated experience and resources in providing supportive services. On June 22, 2009, (FR 29504), HUD published its proposed NOFA entitled “HUD’s Fiscal Year (FY) 2009 Rental Assistance for Non-Elderly Persons with Disabilities.” HUD solicited public comment in order to permit the Department to better design the distribution of this assistance, particularly as it relates to transitioning non-elderly disabled families out of nursing homes and this NOFA’s tie-in to the Money Follows the Person (MFP) Demonstration program administered by the Department of Health and Human Services (HHS), and to address other threshold issues.

On April 7, 2010, HUD posted to its website and to www.grants.gov its FY2009 Rental Assistance for Non-Elderly Persons with Disabilities NOFA. The NOFA responds to public comments received in response to HUD’s June 22, 2009 proposed NOFA and established the threshold requirements and rating factors that HUD will use to distribute this assistance. HUD noted in its April 7, 2010, NOFA that this assistance was expected to fund approximately 4,000 HCVs; approximately 3,000 of which would enable non-elderly disabled families to access affordable housing (Category 1) and approximately 1,000 of which would enable non-elderly persons with disabilities to transition from nursing homes and other health care institutions into the community (Category 2). Since posting the NOFA, HUD has received a number of questions on specific provisions of the NOFA that require clarification or correction.

II. SUMMARY OF CORRECTIONS

1. PIC Reporting Requirements. In section III.C.2.b.(1), the NOFA established as a threshold requirement that each applicant must meet the PIC reporting requirements of 95 percent under

PIH Notice 2007-29, and that housing authorities (HA) will be assessed for the three month period immediately preceding the month in which the applications under this NOFA are due. MTW agencies would be required to meet a reporting requirement of 85 percent, consistent with existing MTW reporting requirements. HUD has received numerous questions regarding the period of time covered by this threshold. As a result, HUD has decided to add the specific three month period of PIC reporting that will be assessed to determine whether an applicant meets this threshold requirement.

Correction

Section III.C.2.b.(1), at page 8 of the NOFA, is revised to read as follows

(1) Each applicant must meet the PIH Information Center (PIC) reporting requirements of 95 percent under PIH Notice 2007-9 (HA) that will be assessed for the three months preceding the month in which the applications under this NOFA are due. Those months will include April, May and June 2010

2. **SEMAP Requirements Threshold.** In section III.C.2.b.(2), the NOFA established as a threshold requirement that each applicant must have achieved at least 15 points under the Section 8 Management Assessment Program (SEMAP) leasing indicator (24 CFR 985.3(n)) and not be designated as troubled for its most recent assessed fiscal year. Similar to the PIC reporting requirements, HUD has received numerous questions regarding which fiscal years will be assessed in order to meet this threshold. As a result, HUD had decided to add to the NOFA the specific fiscal year end quarters that it will assess in order to determine whether a PHA meets this threshold.

Correction

Section III.C.2.b.(1), at page 8 of the NOFA, is revised to read as follows

(2): Each applicant must have achieved at least 15 points under the Section 8 Management Assessment Program (SEMAP) leasing indicator (24 CFR 985.3(n)) and not be designated as troubled for its most recent assessed fiscal year which includes those fiscal years ending March 31, 2009, June 30, 2009, September 30, 2009, and December 31, 2009.

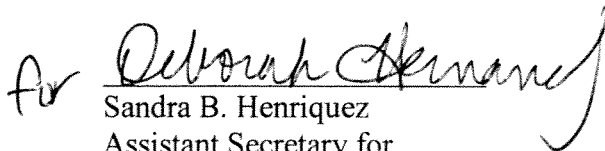
3. **PHA Experience Operating a non-HCV program.** In section IV.B.2.e.(2), HUD provided that the public housing agency (PHA) demonstrate experience, and specifically, that the PHA confirm that it operates a non-HCV program that serves non-elderly disabled families and fully describe that program.” HUD has received a number of questions seeking clarification regarding its use of the term, “non-HCV program.” In response to these questions, HUD has decided to define the term and add the definition in the NOFA.

Correction

Section IV.B.2.e.(2), beginning at page 9 of the NOFA, is revised to read as follows:

(2) The PHA must confirm that it operates a non-HCV program that serves non-elderly disabled families and fully describe that program. A PHA must confirm that at least 20 percent of the families served under the non-HCV program are non-elderly disabled families.

Date: 6/7/10

for 
 Sandra B. Henriquez
 Assistant Secretary for
 Public and Indian Housing

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