

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. 5300-C-21]

**HUD's Fiscal Year (FY) 2009 Notice of Funding Availability (NOFA) for
Section 202 Supportive Housing for the Elderly (Section 202); Technical Correction**

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

ACTION: Notice of Funding Availability for HUD's Fiscal Year (FY) 2009 Supportive
Housing for the Elderly (Section 202); technical correction.

SUMMARY: On September 1, 2009, HUD posted on its website the Notice of Funding
Availability (NOFA) for Section 202 Supportive Housing for the Elderly (Section 202) for Fiscal
Year 2009. This notice makes certain technical corrections to the NOFA in order to foster greater
ease in understanding for potential grant applicants regarding the requirements set forth in this
NOFA, to clarify certain Energy/Green points, and to extend the submission application
deadline.

DATES: The application submission date for the Section 202 Supportive Housing for the
Elderly grant applications under this NOFA, as previously posted on the HUD website, **has been
extended to December 14, 2009.** The original deadline Of November 13, 2009, has been
superseded.

FOR MORE INFORMATION CONTACT: For questions concerning these technical
corrections, please contact Alicia Anderson, Project Manager, Office of Housing Assistance and
Grants Administration, Office of Housing, Department of Housing and Urban Development,
451 Seventh Street, SW., Washington DC, 20410; telephone 202-402-5787 (this is not a toll-free
number); email alicia.anderson@hud.gov. Persons with hearing or speech impairments may

access these numbers via TTY by calling the Federal Information Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION:

On September 1, 2009, HUD posted FY2009 Section 202 Supportive Housing for the Elderly NOFA. Today's publication corrects certain sections of that NOFA. The technical corrections described will be provided on Grants.gov as well. Applicants who have submitted their applications prior to this publication can choose to resubmit an updated application that reflects the corrections and clarifications. The last application received by Grants.gov by the **December 14, 2009 deadline and in accordance with HUD's FY2009 Grace Period Policy** will be the application that is reviewed and rated. Accordingly, the Phase II Environmental Assessment is being moved to January 14, 2010.

Subsequent to publication, it was determined that several sections of the NOFA required revision to correct particulars such as email addresses, tables and exhibits. Also, additional clarification in reference to Energy Star and Green Development was found to be necessary. Because of the integral nature of these corrections, the deadline for application submission has been extended. This notice is intended to disseminate this information to the entire applicant pool as rapidly as possible, to facilitate applicants' recognition and utilization of these changes to the NOFA.

I. Technical Corrections

1. Award Information

(1) On page 6, Section II.A, titled "Available Funds" revise the last sentence of the third paragraph to read as follows:

To view the exact income limits for a particular area of the country you may access the FY2009 Income Limit Documentation System at:

<http://www.huduser.org/datasets/il/il09/index.html>.

2. Eligible Activities

(1) On page 23, Section III.C.4, titled “Energy Star and Green Development” has been revised. To clarify how the applicant can receive up to two points under this policy priority, this section has been revised as follows:

HUD is encouraging grantees to take specific energy-saving actions in furtherance of HUD’s Energy Action Plan described in the August 2006 Report to Congress entitled: “Promoting Energy Efficiency at HUD in a Time of Change,” submitted under section 154 of the Energy Policy Act of 2005 (Pub. L.109-58). (A copy of the report can be obtained at <http://www.huduser.org/publications/destech/energyefficiency.html>.)

Although this is not a requirement, up to 2 points will be provided if the design, construction, rehabilitation, and operation of your project incorporate green development and energy efficient measures. Depending on the applicable project development method and whether the project is a high rise, low rise or group home, to receive up to two points you are to meet one of the identified standards described in the section V of the NOFA General Section published December 29, 2008.

Compliance with the certification requirements for each of the selected standard must be achieved. Please note that any approach to Energy Efficiency and Green Development and Energy Efficiency requires a commitment to continued communication with all applicable parties through all phases of the development and operation of the project. Please refer to the General Section for additional information regarding this policy priority.

The chart in Appendix 1 serves to clarify the application of the Energy Efficiency and Green Development standards detailed in the General Section and the Program NOFA. The check marks are used to indicate the project development method (new construction, gut or moderate rehabilitation) and project type (single family, group home, low-rise multifamily, or high-rise multifamily) that are applicable to each of the identified Energy Efficiency and Green Development standards.

Standards for Multifamily Projects: Generally, standards that are applicable to single family homes, such as Energy Star for Homes, are also applicable to low-rise multifamily projects, up to 3 stories. The ASHRAE standard for the Energy Efficiency point applies to “high rise” multifamily properties with four or more stories.

Green Standard for Mod Rehab Projects: Note that the green standards described in the General Section and the Program NOFA are applicable only to new construction or gut rehabilitation, not to moderate rehabilitation projects. Therefore in order to achieve one (1) point for green development, moderate rehabilitation projects will be required to adopt and implement a Green Maintenance and Operating Plan.

Definition of Gut Rehabilitation – Gut rehabilitation is defined as a project that involves extensive (substantial) rehabilitation in terms of total removal and replacement of all interior (non-structural) systems, equipment, components or features of the existing structure. Gut rehabilitation may also include structural and nonstructural modifications to the exterior of the structure.

3. *Application and Receipt Instructions*

(1) On page 35, Section IV.B.1d (2) titled “Requirements/Certifications/Resolutions,” the Exhibit 7 list is revised to read as follows:

- (a) No relocation statement;
- (b) Identify all persons occupying the property;
- (c) Relocation costs and other services;
- (d) Sources of funds to cover relocation costs source of funds;
- (e) Staff to carry out relocation;
- (f) Occupant move-outs within past 12 months; and
- (g) Issuance of general information notice and advisory services information

(2) On page 36, Section IV.B.1d(3) titled “Forms/Certifications/Resolutions,” the Exhibit 8 list is amended. Revise (j) and add (k) to read as follows:

- (j) HUD-96011 Facsimile Transmittal
- (k) HUD-2994-A You are Our Client! Grant Applicant Survey Optional).

4. *Programmatic Applications Requirements*

(1) On page 53, Section IV.B.2.d. (3)(j). The exhibit (j) designation is given twice; the second is erroneous. The second (j) reference should be listed as (k) to read as follows:

- (k) Form HUD-2994-A, You Are Our Client Grant Applicant Survey

5. *Application Review Information*

(1) On page 63, Section V. A.1.b(2) titled “Rating Factor 1: Capacity of the Applicant and Relevant Organizational Staff (25 points),” in the first full paragraph, second sentence, insert the word “eligible” after the words “percentage of” and before the word “minorities.”

(2) On page 70, Section V. A.3.k.(2) titled “Rating Factor 3: Soundness of Approach (45 points), delete the phrase “persons residing” and insert the phrase “eligible businesses located.”

(3) On page 73, Section V. A. 5 titled “Rating Factor 5: Achieving Results and Program Evaluation (12 points),” revise the last sentence of the paragraph to include reference to an additional exhibit as follows:

Submit information responding to this factor in accordance with Application Requirements in Exhibits 3(h), 4(c), 6(b) and 8(i) of section VI.B.

Dated: _____

David H. Stevens
Assistant Secretary for Housing—
Federal Housing Commissioner

[FR-5300-C-21]

Energy Efficiency and Green Standards for Section 202/811 Competitive Grant Program

One (1) Point for Energy Efficiency						
Standards (Select One)	New Construction or Gut Rehabilitation¹	Mod Rehab	Single Family (Group Homes)	Low Rise Multifamily (up to 3 stories)	High Rise Multifamily (4 or more stories)	Certification Requirements
Energy Star for New Homes <u>and</u> all Energy Star qualified appliances	✓		✓	✓		Completed Project must be certified by Home Energy Rater
ASHRAE 90.1 Appendix G Plus 20% <u>and</u> all Energy Star qualified appliances	✓				✓	Project must be modeled utilizing Appendix G, and EnergyPlus simulation guidelines
Energy Star appliances <u>and</u> Energy Star products		✓	✓	✓	✓	None
One (1) Point for Green Development (Applicable only to applicants that receive the first point for energy efficiency measures)						
Standards (Select One)						
Energy Star Plus Indoor Air Package	✓		✓	✓		Certification by Home Energy Rater upon completion
EPA Advanced Construction	✓		✓	✓		Certification by Home Energy Rater upon completion
LEED for Homes	✓		✓	✓		Provide certification from USGBC upon completion
LEED for New Construction (LEED NC)	✓				✓	Provide certification from USGBC upon completion
National Green Building Standard	✓		✓	✓	✓	Provide certification from NAHB Research Center upon completion
EarthCraft	✓		✓	✓		Meet EarthCraft requirements
Enterprise Green Communities	✓		✓	✓	✓	Provide certification from Enterprise Green Communities upon completion

¹ **Definition of Gut Rehabilitation** – Gut rehabilitation is defined as a project that involves extensive (substantial) rehabilitation in terms of total removal and replacement of all interior (non-structural) systems, equipment, components or features of the existing structure. Gut rehabilitation may also include structural and nonstructural modifications to the exterior of the structure.

Appendix 1

Green Operating and Maintenance (O&M) Plan		✓	✓	✓	✓	None
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