

***DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**
[Docket No. FR-5415-N-27]
Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2010
Fair Housing Initiatives Program (FHIP)

AGENCY: Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

ACTION: Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2010.

SUMMARY: This NOFA announces the availability of funding for approximately \$40,755,000 for HUD's Fair Housing Initiatives Program for FY 2010. Section 561 of the Housing and Community Development Act of 1987, as amended, (42 U.S.C. 3616) established FHIP. The implementing regulations are found at 24 CFR Part 125. HUD's FY 2010 Notice of Funding Availability Policy Requirements and General Section (**General Section** posted on www.Grants.gov on June 7, 2010, establishes threshold and other critical application submission requirements that affect this NOFA. Applicants for this assistance are, therefore, directed to review the 2010 **General Section** for information prior to submitting an application.

DATES: The application deadline date shall be on or before December 21, 2010. Applications must be received by 11:59:59 pm on the application deadline date and meet HUD timely receipt requirements (See the FY 2010 General Section). Paper submissions must meet the timely receipt requirements in the waiver approval notification sent by HUD.

FOR FURTHER INFORMATION CONTACT: Questions regarding specific program requirements should be directed to the agency contact identified in this program NOFA. Questions regarding the FY 2010 **General Section** should be directed to the Office of Departmental Grants Management and Oversight at 202-708-0667 (this is not a toll-free number) or the NOFA Information Center at 1-800-HUD-8929 (toll-free). Persons with **hearing or speech** impairments may access these numbers via TTY by calling the Federal Information Relay Service at 1-800-877-8339. 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.

OVERVIEW INFORMATION:

A. FEDERAL AGENCY NAME: Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity

B. FUNDING OPPORTUNITY TITLE: HUD's Fair Housing Initiatives Program (FHIP) for FY 2010

C. ANNOUNCEMENT TYPE: Initial Announcement

D. FUNDING OPPORTUNITY NUMBER: The OMB Approval Number is 2529-0033. The Federal Register number for this NOFA is FR-5415-N-27.

E. CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER(S): Fair Housing Initiatives Program (FHIP): Private Enforcement Initiative (PEI) 14.418; Education and Outreach Initiative (EOI) 14.416, Fair Housing Organizations Initiative (FHOI) 14.417.

F. DATES:

1. Electronic Applications. Applications submitted through <http://www.grants.gov> must be received by Grants.gov no later than 11:59:59 pm eastern time on the application deadline date. Applicants need to be aware that following receipt, applications go through a validation process in which the application may be accepted or rejected. Please allow time for this process to ensure that you meet the timely receipt requirements. Please see the **General Section** (see section IV.C.4) for instructions for timely receipt, including actions to take if the application is rejected. The **General Section** contains information on using Adobe Reader, HUD's timely receipt process, and other application information.

2. Paper Applications. Paper applications submitted as a result of HUD granting a waiver to electronic submission requirements, must be received by HUD by the application deadline date and time requirements as specified in the approval notification by HUD that a waiver has been granted. There is no grace period associated to paper application submissions. Applications submitted to the HUD Headquarters Building are subject to scanning, and therefore must be received to allow for scanning. Scanning facilities close at 5 pm eastern time.

G. ADDITIONAL INFORMATION

1. Funding Breakdown. FHIP funds are used to increase compliance with the Fair Housing Act. This year there are three initiatives: Private Enforcement, Education and Outreach, and the Fair Housing Organizations Initiatives. Please see the chart located in Section III. A. of this NOFA for more information on each of these Initiatives. Approximately \$40,755,000 in FY 2010 funds and any potential recapture from previous fiscal years are allocated to the three Initiatives as follows:

a. Private Enforcement Initiative (PEI) \$26,000,000;

There are three PEI components:

- (1) General Component, \$5,000,000;
- (2) Performance Based Funding Component, \$16,500,000 and
- (3) Mortgage Rescue Component, \$4,500,000.

b. Education and Outreach Initiative (EOI) \$6,755,000

There are two Programs with sub-components as follows;

(1) *Regional/Local/Community-Based Program:*

- (a). General Component - \$1,255,000;
- (b). Lending Component - \$2,000,000;
- (c). Higher Education Component - \$500,000.

(2) *National-Based Programs:*

- (a). National Media Campaign Component, \$2,000,000.
- (b). National Lending Training Component: \$1,000,000

c. Fair Housing Organizations Initiative (FHOI) \$8,000,000.;

- (1) Continued Development Mortgage Rescue Scams Component, \$4,500,000;
- (2) Establishing New Organizations Component (ENOC), \$2,500,000; and

(3) Continued Development General Component, \$1,000,000.

2. Civil Rights/Affirmatively Furthering Fair Housing Requirements

a. Threshold Requirement: Resolution of Outstanding Civil Rights Matters

If you, the applicant:

(1) have received a charge from HUD concerning a systemic violation of the Fair Housing Act or have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex, national origin, disability or familial status; (2) are a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public interest pursuant to 42 U.S.C. 3614(a); (3) have received a letter of findings identifying systemic noncompliance under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, or Section 109 of the Housing and Community Development Act of 1974; (4) have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law proscribing discrimination in housing based on sexual orientation or gender identity; or (5) have received a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a state or local law proscribing discrimination in housing based on lawful source of income; and

(a) The charge, cause determination, lawsuit, or letter of findings referenced in subparagraphs 1, 2, 3, 4, or 5 above has not been resolved to HUD's satisfaction before the application deadline, then you, the applicant, are ineligible for funding. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the deadline are sufficient to resolve the matter.

(b) Examples of actions that would normally be considered sufficient to resolve the matter include, but are not limited to:

- (i) Current compliance with a voluntary compliance agreement signed by all the parties;
- (ii) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- (iii) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- (iv) Current compliance with a consent order or consent decree; or
- (v) Current compliance with a final judicial ruling or administrative ruling or decision.

A. Other Civil Rights Requirements

1. Affirmatively Furthering Fair Housing (AFFH).

Under section 808(e)(5) of the Fair Housing Act, HUD has a statutory duty to affirmatively further fair housing (see section III.C.5.d. of the **General Section** for more information).

Actions taken should be designed to address impediments to fair housing choice that are identified in the Analysis of Impediments to Fair Housing Choice of the jurisdiction(s) in which the program activities occur; remedy discrimination in housing and urban development activities; promote diverse, integrated living patterns; and promote housing-related opportunities that overcome the effects of past discrimination based upon race, color, national origin, religion, sex, disability, and familial status. Consistent with the Department's FHIP rule at 24 CFR 125.105, applicants must describe practices in the proposed service area that adversely affect the achievement of the goal of fair housing; specify activities to address these adverse practices to be conducted with FHIP

funds, including the final product(s) and/or any reports to be produced; and describe the expected long-term results. Applicants will provide this information in their responses to the Rating Factor Two.

2. Compliance with Fair Housing and Civil Rights Laws.

(a) With the exception of federally recognized Indian tribes and their instrumentalities, (a) applicants and their sub recipients must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II of the American Disabilities Act; Section 109 of the Housing and Community Development Act of 1974; (b) if the applicant's state or local government has passed a law or laws proscribing discrimination in housing based on sexual orientation or gender identity, or a law or laws proscribing discrimination based on lawful source of income, the applicant and any proposed sub-recipients must comply with those laws,

(b) If the applicant is conducting programs or activities with funds received under a HUD program NOFA in a state or local jurisdiction that has passed a law or laws proscribing discrimination in housing based upon sexual orientation or gender identity, or a law or laws proscribing discrimination in housing based on lawful source of income, the applicant and its sub-recipients must comply with those laws of the states or localities in which the programs or activities are conducted;

(c) If you are a federally recognized Indian tribe, you must comply with the nondiscrimination provisions enumerated at 24 CFR 1000.12, as applicable.

3. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency (LEP)."

Executive Order 13166 seeks to improve access to federally assisted programs and activities for individuals who, as a result of national origin, are limited in their English proficiency. Applicants obtaining federal financial assistance from HUD shall take reasonable steps to ensure meaningful access to their programs and activities to LEP individuals. As an aid to recipients, HUD published *Final Guidance to Federal Financial Assistance Recipients: Title, VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* (LEP Guidance) in the Federal Register on January 22, 2007 (72 FR 2732). For assistance and information regarding LEP obligations, go to http://www.justice.gov/crt/lep/guidance/HUD_guidance_Jan07.pdf . For more information on LEP, please visit <http://www.hud.gov/offices/ftheo/promotingfh/lep.cfm>.

4. Accessibility Requirements

All grant recipients and sub-recipients must use training facilities and services that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, recipients and sub-recipients must give priority to alternative methods of product delivery that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and its implementing regulations at 24 CFR Part 8, and Title III of the Americans with Disabilities Act.

5. Accessible Technology

Section 508 of the Rehabilitation Act (Section 508) requires HUD and other federal departments and agencies to ensure, when developing, procuring, maintaining, or using electronic and information technology (EIT), that the EIT allow, regardless of the type of medium, persons with disabilities to access and use information and data on a comparable basis as is made available to and used by persons without disabilities. Section 508's coverage includes, but is not limited to, computers (hardware, software, word processing, email, and Internet sites), facsimile machines, copiers, and telephones. Among other things, Section 508 requires that, unless an undue burden would result to the federal department or agency, EIT must allow individuals with disabilities who are federal

employees or members of the public seeking information or services to have access to and use of information and data on a comparable basis as that made available to employees and members of the public who are not disabled. Where an undue burden exists to the federal department or agency, alternative means may be used to allow a disabled individual use of the information and data. Section 508 does not require that information services be provided at any location other than a location at which the information services are generally provided. HUD encourages its funding recipients to adopt the goals and objectives of Section 508 by ensuring, whenever EIT is used, procured, or developed, that persons with disabilities have access to and use of the information and data made available through the EIT on a basis comparable as is made available to and used by persons without disabilities. This does not affect recipients' required compliance with Section 504 of the Rehabilitation Act and, where applicable, the Americans with Disabilities Act. Applicants and recipients seeking further information on accessible technology should go to <http://www.section508.gov/>.

B. Fair Housing Initiatives Program (FHIP) Funding.

1. Award Agreements. HUD expects to award a cost reimbursable cooperative agreement or grant agreement to each applicant selected for award. Upon completion of negotiations, HUD reserves the right to use the funding instrument it determines is most appropriate. Once negotiations are completed, the executed grant agreement governs the execution of the grant or cooperative agreement. If a cooperative agreement is determined to be most appropriate, HUD will have substantial involvement in the decision making. This will include involvement in the direction of fair housing media campaigns, structure and development and the final approval of fair housing curricula, final approval on all directions of flexible enforcement activities undertaken by PEI-Performance Based grantees and approval of all document schedules.

2. Eligible Applicants. Eligible applicants are Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs), see 24 CFR 125.103; public or private, not-for-profit organizations or institutions and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; agencies of State or local governments; and agencies that participate in the Fair Housing Assistance Program (FHAP).

3. FHIP Initiatives and Components.

Performance for all FHIP grantees is based upon the FHIP Performance Assessment that references all of the following items: (1) Quality of Project Management, (2) Quality of Tasks/and Grant Activities, (3) Timeliness, and (4) Thoroughness of Quarterly Reports.

a. Private Enforcement Initiative (PEI). This Initiative assists private, tax-exempt fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act. There are three components under this Initiative:

General Component (PEI-G)

(1) General Component. Eligible applicants are Fair Housing Enforcement Organizations (FHOs) or Qualified Fair Housing Organizations (QFHOs) with at least one or two years experience, respectively, in complaint intake, investigation and fair housing testing. (See Chart in Section III.A. for additional and specific eligibility requirements).

(2) Performance-Based Funding Component. (PBFC):

Applicants who are present and/or former PEI grantees, over a three (3) year period, based upon appropriations. PBFC applicants must be QFHOs (And) meet the requirements as specified in this NOFA (See chart on Section III.A. for all eligibility requirements). Once an applicant is

funded under PBFC and their performance is assessed by the HUD Government Technical Representative (GTR) as anything less than “Excellent”, within the three (3) year period, then the grantee is both:

- (a) prohibited from drawing down funds on their current grant, and
- (b) prohibited from receiving PBFC funding in the second or third grant year, if applicable. An “Excellent” Rating for PBFC must be above 90 points on a 100 point scale.

(3) **Mortgage Rescue Component (P-MRC)**: Eligible applicants are QFHOs and FHOs who have the organizational capacity to combat abusive mortgage practices in their communities. P-MRC has the same eligibility as PEI-G with additional distinct requirements. (See chart on Section III.A. for all eligibility requirements).

b. Education and Outreach Initiative (EOI). This Initiative assists organizations that inform the general public about their rights and obligations under the Fair Housing Act. Under this Initiative, there are two programs with a total of five components. They are the EOI - Regional/Local/Community-Based Program (R/L/C-B) which includes the General Component, Lending Component, Higher Education Component; and the EOI - National-Based Program which includes the National-Media Campaign Component and the National Training Component. (See chart in section III. A. for all eligibility requirements).

All EOI applicants are required to describe a referral process that will result in referral of fair housing complaints to HUD or Fair Housing Assistance Program (FHAP) substantially equivalent agencies. If funded, the grantee will be required to develop and implement the complaint referral process referenced in the application.

c. Fair Housing Organization Initiative (FHOI): This Initiative provides funding to QFHOs, FHOs, and nonprofit groups organizing to build their capacity in fair housing enforcement, establish new fair housing enforcement organizations and/or provide fair lending enforcement.” Under this component, these enforcement organizations will conduct fair housing enforcement activities in underserved areas (as defined *in* “Program Definitions”) rural areas and/or areas with new immigrants (especially racial and ethnic minorities who are not English speaking or have limited English proficiency. There are three components under this FHOI Initiative: the (1) Establishing New Organizations Component, the (2) Continued Development General Component and the (3) Continued Development Mortgage Rescue Scams Component.

(1) **Establishing New Organizations Component (ENOC)**: Under this component HUD provides assistance to a FHIP qualified sponsoring organization that will establish a sponsored organization or to an organization to become a viable fair housing enforcement organization that will conduct fair housing activities in underserved areas (as defined in Section I.B. “Program Definitions” of this NOFA) ; rural areas and/or areas with new immigrants (especially racial and ethnic minorities who are not English-speaking or have limited English proficiency). If you are sponsoring an organization, the sponsoring organization must submit the application and must certify that the sponsored organization has the ability to become a FHO. The period of performance for the award of funds to assist in establishment of an organization is 12-18 months. Total funding is awarded to the sponsoring organization who will then distribute funding to the sponsored organization, based upon HUD’s performance criteria. If performance for the sponsored organization falls below “Fair”, the sponsoring organization will immediately notify the HUD GTR of the performance shortfalls and suspend all funding payments to the sponsored organization. The HUD GTR will then conduct a monitoring review of both the sponsored and sponsoring organizations to determine if payment should be reinstated or terminated

(2) Continued Development Mortgage Rescue Scams Component (CDC-MRS) :This component will assist organizations that provide assistance to victims of fraud and lending abuse (for example, through counseling, loan workouts, etc.) to build their capacity to provide fair lending assistance and bring Fair Housing Act enforcement actions.

(3) Continued Development General Component: This component will assist QFHOs, FHOs, other private nonprofit fair housing enforcement organizations and nonprofit groups in building their fair housing capacity in areas with high concentrations of mortgage scam activities. This component will also assist organizations in setting up fair housing satellite offices in other jurisdictions to enlarge their operations.

Start Date. For planning purposes, assume a start date no later than February 1, 2011.

FULL TEXT OF ANNOUNCEMENT

I. Funding Opportunity Description

A. Authority. Section 561 of the Housing and Community Development Act of 1987, as amended, (42 U.S.C. 3616) established FHIP. The implementing regulations are found at 24 CFR Part 125. The Department of Housing and Urban Development (HUD) Fiscal Year 2010 Appropriations Act (Public Law 111-117) provides FY 2010 funds for FHIP. If you are interested in applying for funding under the FHIP NOFA, please review carefully the **General Section** posted on www.Grants.gov on June 7, 2010, and the FHIP Authorizing Statute (Sec. 561 of the Housing and Community Development Act of 1987, as amended).

B. Other Program Information

1. **Program Definitions.** The definitions that apply to this FHIP NOFA are:

- a. Broad-based proposals are those that address more than one type of housing transaction covered under the Fair Housing Act. Examples of covered housing transactions include the rental, sales, or financing of housing. (See also Full Service Projects below.)
- b. Fair Housing Act means Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601-3620).
- c. Fair Housing Assistance Program (FHAP) agencies, as described in 24 CFR 115, means State and local fair housing enforcement government agencies that receive FHAP funds to administer laws deemed substantially equivalent to the Fair Housing Act.
- d. Fair Housing Enforcement Organization (FHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.
- e. Full-service projects must include the following enforcement-related activities in the project application: interviewing potential victims of discrimination; taking complaints; testing; evaluating testing results; conducting preliminary investigations; conducting mediation; conciliations; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about fair housing laws.
- f. Jurisdiction under the Fair Housing Act is established when the complaint is filed in a timely manner; the complainant has standing; the respondent and the dwelling involved (where the complaint involves a provision or denial of a dwelling) are covered by the Fair Housing Act; and the subject matter and the basis of the alleged discrimination constitute illegal practices as defined by the Fair Housing Act...

g. Meritorious claims means enforcement activities by an organization that resulted in lawsuits, judgments, consent decrees, legal settlements, HUD or substantially equivalent agency (under 25 CFR 115.6) conciliations and organization initiated settlements, with the outcome of monetary awards for compensatory and/or punitive damages to plaintiffs or complaining parties, or other affirmative relief, including the provision of housing (24 CFR 125.103).

h. Mortgages with unacceptable terms or conditions or resulting from unacceptable practices means a mortgage or a group or category of mortgages with one or more terms or conditions as specified under 24 CFR Section 81.2.

i. Mortgage fraud/mortgage rescue fraud means the use deceptive or misleading practices to sell services that promise foreclosure relief to homeowners, and then the failure to deliver those services. Mortgage rescue fraud involves the ability to make a quick profit through fees or mortgage payments collected from the homeowner, but which are not passed on to the lender. Sometimes, ownership of the property is transferred by deceiving the homeowner.

j. Operating budget means an organization's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the period for which funding is requested.

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

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

m. Rural Areas means any of the following:

(1) A non-urban place having fewer than 2,500 inhabitants (within or outside of the metropolitan areas).

(2) A county or parish with an urban population of fewer than 20,000 inhabitants.

(3) Territory, including its persons and housing units, in rural portions of "extended cities." The Census Bureau identifies the rural portions of extended cities.

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

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

n. Statement of Work (SOW) means a document that accurately reflects all the tasks necessary to do the work, all the steps needed for good management control and specificity regarding work to be done and deliverables, and that provides a basis for mutual understanding of the requirements and tasks.

o. Technical Evaluation Panel (TEP) means a panel whose mission is to accomplish sound, impartial and comprehensive evaluation of proposals consistent with the guidelines of the Notice of Funding Availability.

p. Underserved Areas means jurisdictions where there are no Fair Housing Initiatives Program or Fair Housing Assistance Program agencies and where either no public or private fair housing enforcement organizations exist or the jurisdiction is not sufficiently served by one or more public or private enforcement fair housing organizations and there is a need for service.

q. Underserved Populations means groups of individuals who fall within one or more of the categories protected under the Fair Housing Act and who are:

- (1) of an immigrant population (especially racial and ethnic minorities who are no English-speaking or have limited English proficiency);
- (2) in rural populations,
- (3) homeless,
- (4) persons with disabilities (physical or mental) or
- (5) persons in areas that are heavily populated with minorities and there is inadequate protection and ability to provide service from the State or local government or private fair housing organizations.

II. Award Information

For Fiscal Year 2010, \$42,500,000 is appropriated for the Fair Housing Initiatives Program (FHIP). This appropriated amount may be supplemented by recaptured FHIP funds awarded in previous years. Of this amount, approximately \$40,755,000 is being made available on a competitive basis to eligible organizations responding to this FHIP NOFA. For a program breakdown by Initiative/Component, eligible applicant, funding, and project period, see the chart in Section III. A

A. Award Instrument. The type of funding instrument HUD may offer a successful applicant which sets forth the relationship between HUD and the awardee will be a grant or cooperative agreement, where the principal purpose is the transfer of funds, property, services, or anything of value to the awardee to accomplish an eligible public purpose. A Cooperative Agreement shall be used when substantial involvement by HUD includes agency collaboration or participation; or close agency oversight and control beyond routine Federal stewardship of funding in the management of the project. The agreement will identify the eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violations of the agreement, reporting requirements including sub-recipient reporting requirements under the Federal Financial Assistance Accountability and Transparency Act of 2006, and integrity requirements under Section 872 of the Duncan Hunter Defense Authorization Act of 2009. HUD will determine the type of instrument under which the award will be made and monitor progress to ensure that the grantee has achieved the objectives set out in the agreement.

If funds are provided subject to a Cooperative Agreement, HUD will also exercise the right to have substantial involvement by conducting monitoring reviews, requesting quarterly reports, approval of all proposed deliverables documented in the applicant's Work Plan or Statement of Work (SOW), and determining whether the agency meets all certification and assurance requirements.

HUD will conduct its performance assessment for cooperative agreements as well as grants, in part, by using the Logic Model (HUD96010) submitted by the applicant and approved by HUD in the award agreement (Rating Factor 5). If upon completion of this assessment by the Government Technical Representative (GTR) a determination is made that the above requirements have not been met, the grantee will be obligated to provide additional information or make modifications to its work plan and activities, as necessary, in a timeframe to be established by the GTR.

B. Project Starting Period. For planning purposes, assume a start date no later than March 1, 2011. See Section III A. below for the period of performance for each component.

III. Eligibility Information

A. Eligible Applicants and Activities

The following chart details each FHIP Initiative/Component and the approximate Funding Available along with Eligible Applicants and Activities:

Initiative/Component	Allocation Amount Available	Applicant Eligibility	Project Period	Award Caps	Applicant Eligible Activities
<u>Private Enforcement Initiative (PEI) - General Component:</u> Assists private, tax-exempt non-profit fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act.	\$5,000,000	Fair Housing Enforcement Organizations (FHOs) with at least one year of experience in complaint intake, complaint investigation, testing for fair housing violations, and enforcement of meritorious claims in the two years prior to the filing of the application (24 CFR 125.401(b)(2)) and Qualified Fair Housing Enforcement Organizations (QFHOs) with at least two years of enforcement related experience as noted above, and meritorious claims in the three years prior to filing this application (24 CFR 125.103)	12-18 months	Up to \$325,000	Eligible activities include, but are not limited to: (1) Intake of allegations of housing discrimination, testing, evaluating testing results, and providing other investigative work to provide a just resolution for housing discrimination; (2) Identification and investigation of systemic housing discrimination, through testing and other investigative methods; (3) Mediation or other voluntary resolution of allegations of fair housing; and (4) litigating fair housing cases, including procuring expert witnesses.
<u>Private Enforcement Initiative (PEI) - Performance Based Funding Component (PBFC):</u> Assists private, tax-exempt fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act.	\$16,500,000	QFHOs (with at least two years of enforcement related experience) who have (1) received Excellent performance reviews for past FHIP PEI awards made in two FYs (FY pertains to the year for which the funding was appropriated) beginning with FY 2004 through FY 2008; and (2) have received a minimum score of 95 on the most recent of the two of these performance reviews by the FHEO Government	36 months	Up to 325,000 per year for three-year duration, based upon appropriation. Fiscal year 2008 and 2009 PB grantees will still receive their previously awarded amount and will not be funded at the	For a list of eligible PEI-PBFC activities see PEI-General activities above. PEI-PBFC applicants should structure their activities to allow for flexibility from year to year. HUD will allow applicants under the PEI-PBFC to modify their activities with the approval of the GTR each year based upon changing demographics and/or need.

Initiative/Component	Allocation Amount Available	Applicant Eligibility	<u>Project Period</u>	<u>Award Caps</u>	<u>Applicant Eligible Activities</u>
		<p>Technical Representative.</p> <p>Eligible PBFC applicants must also receive a minimum score of 95 from the FY '10 Technical Evaluation Panel (TEP) to be considered for funding.</p>		higher levels.	
<p><u>Private Enforcement Initiative (PEI) Mortgage Rescue Component</u> Assist private, tax-exempt fair housing enforcement organizations to investigate and provide testing to protect persons in protected classes and neighborhoods with a high concentration of persons in protected classes from mortgage rescue scams.</p>	\$4,500,000	<p>Fair Housing Enforcement Organizations (FHOs) with at least one year of enforcement related experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims in the two years prior to the filing of the application (24 CFR 125.401(b)(2)) and Qualified Fair Housing Enforcement Organizations (QFHOs) 24 CFR 125.401(b)(1).</p>	12-18 months	Up to \$500,000	<p>Eligible activities include: (1) Intake and investigation of allegations of lending discrimination, or providing other investigative and complaint support for administrative and judicial enforcement of fair lending laws, related to the prevention of mortgage default in foreclosure, mortgage modifications and mortgage refinance; (2) investigation of possible violations and enforcement pursuant to other equal opportunity or fair lending statutes that accompany a suspected fair housing violation; (3) Assisting clients with loan workouts, refinancing, or modifications necessary as the result of a violation of the Fair Housing Act; and (4) education and outreach activities may include: providing education and counseling to persons who may have encountered lending discrimination in services, terms, strategies, or schemes related to the prevention of mortgage default or foreclosure.</p>

Initiative/Component	Allocation Amount Available	Applicant Eligibility	<u>Project Period</u>	<u>Award Caps</u>	<u>Applicant Eligible Activities</u>
<u>Education and Outreach Initiative (EOI)-Regional/Local/Community-Based General Component:</u> Open to applicants for fair housing education and outreach activities.	\$1,255,000	QFHOs, FHOs, other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968 This includes agencies of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act or other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.	12-18 months	Up to \$125,000	Eligible activities may include, but are not limited to conducting educational symposia or other training; developing innovative fair housing activities or materials into languages applicable to your community throughout your project area; providing outreach and information on fair housing through printed and electronic media; developing and distributing FH brochures, PSAs for radio, television, and newspaper advertisements. Applicants may also address the fair housing needs of persons with disabilities, the education of consumers about fair housing, financial literacy, credit management, and how to avoid high cost loans and abusive lending practices that violate the Fair Housing Act.
Education and Outreach Initiative Regional/Local Community Based –Higher Education Component	\$500,000	Same as above for EOI Applicants must be accredited colleges or universities or community colleges, or student leadership organizations that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.	12	Up to \$100,000	Eligible activities are (1) educating students about the Fair Housing Act and their rights under the law through lectures, workshops, seminars, and/or conferences; (2) developing and implementing internships or employment opportunities for students; and/or (3) develop and implement curricula for students to pursue careers in fair housing law and investigations.
<u>Education and Outreach Initiative Regional/Local/Community Based – Lending Component</u>	\$2,000,000	QFHOs, FHOs, other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968, This includes agencies of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act or other public or private entities that are formulating or carrying out programs to prevent or eliminate	12-18 months	Up to \$125,000	Eligible activities include fair housing and lending workshops, community meetings and conducting individual counseling activities to assist homeowners at risk for discrimination as a member of a protected class under the Fair Housing Act. Other activities may include coordinating information for consumers about their fair housing.

Initiative/Component	Allocation Amount Available	Applicant Eligibility	<u>Project Period</u>	<u>Award Caps</u>	<u>Applicant Eligible Activities</u>
		discriminatory housing practices			

Initiative/Component	Allocation Amount Available	Applicant Eligibility	<u>Project Period</u>	<u>Award Caps</u>	<u>Applicant Eligible Activities</u>
<u>Education and Outreach Initiative (EOI) –National- Based Program— National Media Campaign Component:</u>	\$2,000,000	QFHOs, other fair housing enforcement organizations, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968. Applicants must have at least five years of experience as an advertising, media or public relations organization or must partner with an advertising and media services organization with at least five years of experience as an advertising, media or public relations organization. Applicants must provide a centralized coordination interactive media-based effort for the development, implementation, and distribution of a fair housing media campaign with emphasis on a fair housing public service announcement.	12-18 months	Up to \$2,000,000	Eligible activities may include: interactive media to communicate online (via the internet) to promote a fair housing PSA, but activities should also include offline media such as seminars, conferences, symposia, developing and distributing brochures, PSAs, and radio, television and newspaper advertisements (in various languages). The above activities must be conducted on a national level, and all materials created must demonstrate an explicit connection to furthering the nondiscrimination provisions of the Fair Housing Act.
<u>Education and Outreach National Program - National Lending Training Component</u>	\$1,000,000	QFHOs, other fair housing enforcement organizations, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968.	12-18 months	Up to \$1,000,000	Develop and provide nationwide fair housing training and also develop a complementary web-based fair housing and/or fair lending training program for Housing Counseling agencies and fair housing organizations on fair housing issues in lending.
<u>Fair Housing Organizations Initiative (FHOI)— Continued Development Mortgage</u>	\$4,500,000	QFHOs, FHOs, other private nonprofit fair housing enforcement organizations and nonprofit groups organizing or building their capacity to provide	12 – 18 months	\$500,000	In addition to the activities under the PEI-Mortgage Rescue Component, applicants may propose to perform, education, training, technical assistance, and other services to enhance the capacity of existing organizations to investigate

Initiative/Component	Allocation Amount Available	Applicant Eligibility	<u>Project Period</u>	<u>Award Caps</u>	<u>Applicant Eligible Activities</u>
<u>Rescue Scams Component</u>		fair housing enforcement for the purpose of supporting the continued development or implementation of initiatives which enforce the rights granted under Title VIII of the Civil Rights Act of 1968 as amended.			and enforce fair lending laws, and to provide advocacy and direct assistance to victims of fair housing and fair lending laws applied to fraudulent or predatory mortgage rescue schemes.
<u>Fair Housing Organizations Initiative (FHOI) Establishing New Organizations Component</u>	\$2,500,000	QFHOs, FHOs, other private nonprofit fair housing enforcement organizations and nonprofit groups, particularly in areas of the country which are currently underserved by fair housing enforcement organizations. This includes those areas with large concentrations of protected classes.	12-18 months	Up to \$1,250,000	Eligible activities are those that establish a single organization to become a viable fair housing enforcement organization that will conduct fair housing activities in underserved areas as defined in Section I.B., program definitions, of this NOFA. HUD is interested in serving rural areas and/or areas with new immigrants, especially racial and ethnic minorities who are not English-speaking or have Limited English Proficiency.
<u>Fair Housing Organizations Initiative – Continued Development General Component</u>	\$1,000,000	QFHOs, FHOs, other private nonprofit fair housing enforcement organizations and nonprofit groups building their capacity.	12-18 months	Up to \$750,000	Eligible activities are those that build the capacity of an organization to become a viable fair housing enforcement organization Examples of activities for continued development of existing organizations may include: (1) change from a fair housing education organization to one which will include an enforcement staff and (2) access more sources of expertise or technical assistance, such as persons with legal or investigative skills in lending to work in the organization, or (3) open a satellite office in another location to increase enforcement.

B. Cost Sharing or Matching. No matching funds are required for the Education and Outreach, Private Enforcement, or Fair Housing Organizations Initiatives. However, applicants will be rated on the extent to which non-FHIP resources are leveraged in the proposed FHIP assisted program and activities.

C. Other

1. HUD assesses the final performance of applicants who have received FHIP funding in grant years 2006-2008. If a prospective applicant received FY 2006, 2007, or 2008 FHIP funds and received a rating of “Poor” for its most recent of these FHIP performance rating from its Government Technical Representative (GTR), its FY 2010 FHIP application will be determined to be ineligible. An applicant that disagrees with its determination of ineligibility for the FY 2010 competition because of a “Poor” performance rating must adequately address the factors resulting in the “Poor” performance rating to HUD’s satisfaction before the FHIP application deadline date. If the applicant wishes to appeal their “Poor” performance rating, applicants may submit their appeal to HUD’s Headquarter Office of Fair Housing and Equal Opportunity for review. As part of the appeal process, the applicants should submit a copy of the reasons for the “Poor” performance rating and what the applicant has done to resolve those issues. All appeals should be addressed to Mr. Aztec Jacobs, Director, Office of Programs, 451 7th Street, SW, Washington, DC 20410, Room 5220. All appeals must be submitted 20 days of the publication of this NOFA.

2. An “Excellent” Rating must be above 90 points on a 100 point scale.

3. Applicants for the PBFC only, will be required to submit a Statement of Work (SOW) and a separate budget for each proposed year of the agency’s activities, for a period of three fiscal years commensurate with the level of funding and based upon appropriations. HUD realizes that circumstances in communities may change after approval of the SOW. HUD will review requests for changes if there are changes in the community

4. Eligibility of Successor Organizations for PEI. HUD recognizes that QFHOs and FHOs may either merge with each other or other organizations. The merger of a QFHO or an FHO with a new organization that has a separate Employer Identification Number (EIN) does not confer QFHO or FHO status upon the successor organization. To determine whether the successor organization meets eligibility requirements for this Initiative, HUD will look at the enforcement-related experience of the successor organization (based upon the successor organization’s EIN). The successor organization must establish in its application that it is a private, tax-exempt organization with the requisite two years of enforcement related experience for a QFHO or one year experience for an FHO to be eligible to apply under the PEI Initiative. For the PEI Performance Based Funding Component, when QFHOs merge with another QFHO during the period of performance, HUD will look at the enforcement related experience of the merged organization to determine continued eligibility status as a QFHO. When QFHOs merge with a FHO with one year experience or less, HUD will assess the eligibility of the new organization under the PEI-Performance Based Funding Component, as only QFHOs are eligible. If HUD determines that the organization is eligible, then HUD will issue a new award agreement and require submission of a Code of Conduct for the new organization as well as an establishment of the new LOCCS account. In addition, the new organization must secure a new DUNS number and have an active registration in CCR before HUD will make the award to the new organization or allow additional funds to be drawn.

5. Education and Outreach Initiative National Based Program – National Media Campaign Component. QFHOs, other fair housing enforcement organizations, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of

1968. Applicants must have at least five years of experience as an advertisement/media or public relations organization or must partner with an advertising and media services organization with at least five years of experience as an advertisement/media or public relations organization. Applicants will be ineligible if they fail to meet these requirements.

6. Education and Outreach National Based Program Training Program. Applicants must develop and implement a fair housing training curriculum and a web-based training that provides nationwide fair housing training to Housing Counseling agencies, fair housing organizations, and consumer advocates in areas hardest hit by the foreclosures crisis. Activities should include providing basic lending education such as: mortgage lending – loan terms, structure of loans, the mortgage process, and understanding loan modification techniques. Training should also cover the basics of fair lending discrimination, mortgage legal aid assistance, mortgage workouts, and fair lending enforcement along with fraud prosecution and how and when to make referrals to HUD and/or other federal, state or local law enforcement agencies.

7. Fair Housing Organizations Initiative – Continued Development Mortgage Rescue Scam Component. Applicants must have extensive experience with foreclosure prevention, predatory lending, mortgage fraud and abuse by counseling clients, providing legal or enforcement assistance and assisting clients with loan workouts, refinancing, and mortgage modifications. These organizations must be seeking to build or enhance their fair lending enforcement capacity under this component. Applicants must address fraudulent or predatory mortgage rescue scam that may be targeted to persons in protected classes under the Fair Housing Act or neighborhoods with a high concentration of such persons. Such schemes may include activities under the Act such as: (a) bait and switch, (b) loan flipping, (c) loan packing, (d) mortgage servicing scams, and (e) equity stripping or skimming. Tactics of fraudsters may include: (a) bombarding vulnerable owners with phone calls, flyers and posters to build trust after learning of mortgage delinquencies through published reports, (b) isolating victims from legal advice and from their lenders by assuring victims that they will handle all details of their mortgage delinquency, and (c) having owners sign paperwork without telling victims what they are signings. Applicants must have at least three years of significant experience assisting persons in the pursuit of their rights under deceptive practices laws and consumer protection statutes, other than the Fair Housing Act or substantially equivalent laws or Equal Credit Opportunity Act.

8. Tax Exempt Status. Applicants for the PEI and FHOI Initiatives, must be a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service (IRS) prior to the application deadline date to be eligible for funding. Please provide an IRS report showing 501(c)(3) status. This requirement is not applicable to EOI applicants.

9. Private Enforcement Initiative - Mortgage Rescue Component – applicants must address one or more mortgage rescue scam activities against persons protected under the Act such as: (1) bait and switch schemes, (2) loan flipping, (3) loan packing, (4) mortgage servicing scams, and (4) equity stripping. Tactics used may include: (1) bombarding vulnerable owners with phone calls, flyers and posters to build trust after learning of mortgage delinquencies through published reports, (2) isolating victims from legal advice and from their lenders by assuring victims that they will handle all details of their mortgage delinquency, and (3) having owners sign paperwork without telling victims what they are signings.

10. Single Audit Requirement. All applicants who have expended \$500,000 or more in Federal financial assistance within a single year (this can be a program or fiscal year) must be audited in accordance with the OMB A-133 requirements as established in 24 CFR Part 84 and 24 CFR Part 85.

11. Reimbursement Requirement. PEI and FHOI grantees are required to reimburse the Federal government the amount of the grant from all financial settlements, conciliations, and agreements

reached as a result of their use of FHIP funds. The grantees however may choose to use the funds as program income to further fair housing activities rather than returning these funds to HUD. Using these funds for this purpose must be pre-approved in writing by the Government Technical Representative assigned to the grant.

12. Maximum award. Applicants are ineligible for funding if they have requested funding in excess of the maximum amount allowed under the Initiative or Component for which they applied. In addition, inconsistencies in the requested amount and/or miscalculations that result in amounts over the maximum award amounts will be considered excessive; therefore the application will be considered ineligible.

13. PEI and FHOI Limitations for Education & Outreach –There is a 15 percent limit on the dollar amount allowed for education and outreach related activities that can be funded in an enforcement award. If you exceed the limit, points will be deducted in the rating process and if awarded, funds will be adjusted to maintain the required limitation.

14. Fair Housing Organizations Initiative – Establishing New Organizations Initiative. ENOC sponsoring organizations are only eligible to receive up to 15% of the funding under the grant for administrative expenses associated with establishing the sponsored organization. In addition, the sponsoring organization must submit a statement outlining:

(a) what is expected of the sponsored organization, and

(b) the mission of the sponsored organization and a timeline for creation and independence.

15. Name Check Review. See the **General Section** (section III.4.b)

16. Suits Against the United States. An application is ineligible for funding if, as a current recipient of FHIP funds (within the last three years), the organization used any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).

17. Other Litigation. An application is ineligible for funding if the organization used funds provided by HUD (within the last three years) under this Program to settle a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (42 U.S.C. 3616 note Sec. 561 (i)).

18. Dun and Bradstreet Numbering System (DUNS) Numbering Requirement. Refer to **General Section** for information regarding the DUNS requirement. You will need to obtain a DUNS number to apply for funding via grants.gov as well as receive an award from HUD. The DUNS number used in the application must be for the applicant organization identified in Box 8a on the HUD424, Application for Federal Financial Assistance. Applicants must be registered with the central Contractor Registration (CCR) to receive and award of funds from HUD. CCR registration is also part of the grants.gov registration requirement. CCR registration is also part of the grantss.gov registration requirement.

19. Research Activities. Applicants are ineligible for funding if any of their project is aimed at research.

20. Eligible Activities. All of the activities and costs within the Statement of Work (SOW) and budget **must be** fair housing related activities, and must demonstrate a connection to furthering the nondiscrimination provisions of the Fair Housing Act

21. Fair Housing Assistance Program (FHAP) FHAP agencies under a suspension based on agency performance, as designated under 24 CFR Part 115.210(b) at time of application are ineligible for funding.

22. Minimum Technical Evaluation Panel (TEP) Score. HUD convenes a Technical Evaluation Panel (TEP) to review applications against the Rating Factors in this NOFA to determine a score.

Applicants must receive a minimum TEP score of 75 to be considered for funding, except for the PEI Performance Based Funding Component where a minimum score of 95 is necessary to be considered for funding.

23. Application Preference. Applicants may submit multiple applications to the FHIP NOFA. For those who submit multiple applications, you may receive multiple awards. However, PEI-PBFC awards that are current and those who receive FY 2010 PBFC awards are not eligible to receive another award under PEI General. Finally, PEI General and PEI- PB grantees are not eligible to receive another award under EOI-G.

24. Independence of Awards. The application submitted must be independent and capable of being implemented without reliance on the selection of other applications. Applicants applying under one of the FHIP Initiatives may not use the performance (e.g., performance review rating or successfully completed activities) of another organization to meet the requirements of Rating Factor 1. HUD will judge each application independently on its own merit against the rating factors and its knowledge of past performance and the name check review.

25. Fair Housing Act/Protected Classes. All FHIP-funded projects must address housing discrimination because of race, color, religion, sex, disability, familial status, and/or national origin and further the nondiscrimination provisions of the Fair Housing Act. HUD is determined to ensure equal opportunity and access to housing in all communities across the nation. All services and activities must be available to the protected class members. Your application description of proposed activities must reflect the commitment to address housing discrimination affecting all of the above protected classes.

26. Narratives to Rating Factors- Applicants that submit applications with zero (0) rating factors addressed will be deemed ineligible for review by the Technical Evaluation Panel (TEP).

27. Administrative Costs. Eligible administrative costs include leases for office space, under the following conditions:

- (1) The lease must be for facilities not requiring rehabilitation or construction;
- (2) No repairs or renovations of the property may be undertaken with Federal funds; and
- (3) Properties in the Coastal Barrier Resource System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased with Federal funds.

28. Performance Measures and Products. For all Initiatives and Components. Applicants must submit in their application an eLogic Model[®] (Form HUD96010), which provides outputs and outcomes. Applicants are also to identify the tools they will use to identify program progress against their proposed outputs and outcomes. (See reporting requirements for using the Logic Model and the frequency of the reporting.) The form is located in the Instruction Download at http://www07.grants.gov/applicants/apply_for_grants.jsp for the FHIP. The eLogic Model[®] form is a Microsoft Excel[®] form, which provides a drop down list from which the applicant selects the responses that best fits their proposed program of activities/outputs and outcomes. If applicants do not have access to Excel, please contact the Office of Departmental Grants Management and Oversight at 202-708-0667. Requests for assistance to obtain a workable eLogic Model[®] must be made at least 15 days prior to the deadline to allow the ability to fulfill the request. Training on the eLogic Model[®] is available on HUD's webcast website at <http://portal.hud.gov/portal/page/portal/HUD/webcasts/archives>

29. Testing Requirements for PEI and FHOI Applicants. All applicants that propose testing must review the FHIP Regulation at 24 CFR 125.107 and reflect these requirements in their application. Applicants must ensure that each test conducted meets the quality standards in a written quality assurance statement adopted by the applicant. At a minimum, these quality

standards must ensure that the applicant's testing methodology for each test will be analyzed objectively to determine if the test showed (1) differential treatment; (2) no differential treatment; or if the results of the test were (3) inconclusive. If a FHIP grant is awarded, grantees must ensure quality, reliability, and accuracy in the test analysis phase of the project. Thus, grantees must explain how they will ensure quality, reliability and accuracy and how they will complete their analysis. A grantees' test analysis must include a written narrative statement to the GTR that recommends a next course of action. The Enforcement Log must describe how quality standards have been applied and maintained. The report must include a summary of the test findings and recommendations for follow-up to complete tests. The report will also include the identities of the entities tested, the date and duration of the testing activity, location(s) of tests conducted, overall number of tests conducted, summary of assessments and results for each test target, a detailed critical assessment of the design and operation of the enforcement testing project, the number of tests that were conclusive and those that were not conclusive, and actions and recommendations that were made

30. Review and Approval of Testing Methodology. If your application proposes testing, other than rental housing testing, HUD may require you to submit copies of the following documents to HUD for review and approval prior to you carrying out the testing activities.

- (a) The testing methodology to be used;
- (b) The training materials to be provided for testing; and
- (c) Other forms, protocols, cover letters, etc., used in the conduct of testing and reporting of results.

If HUD approved your testing methodology for FY 2008 and FY 2009, you do not need to resubmit your testing methodology, unless your methodology approved by HUD is being revised. If changes are being considered or you have not had your testing methodology previously approved by HUD, you must submit a request for approval in your application. HUD will re-approve testing methodologies after 3 years.

31. Training Funds. The proposed budget must set aside funds in the amount of \$8,000 for EOI, PEI and FHOI components and \$8,000 annually for 36-month duration subject to the availability of appropriations for PBFC. These funds must be utilized to participate in HUD mandatory sponsored or approved training. Also, sponsoring organizations should set aside \$8,000 annually for ENOC sponsored organizations to participate in HUD mandatory sponsored or approved training.

Do not specify amounts over \$8,000 for training set-aside in this category. If an applicant has not included this funds allocation in the budget and the applicant is selected for an award, HUD will modify the applicant's budget, reallocating the appropriate amount for training.

32. Sponsoring Organization Certification – FHOI-ENOC. Sponsoring Organization Certification – FHOI ENOC. If you are sponsoring an organization, you must submit the application and must certify that the sponsored organization has the ability to become a FHO. The period of performance for the award of funds to assist in establishment of an organization is 12-18 months. Total funding is awarded to the sponsoring organization which then distributes funding to the sponsored organization based upon performance. If performance for the sponsored organization falls below "Good", the sponsoring organization will immediately notify the HUD GTR of the performance shortfalls and suspend all funding. The HUD GTR will conduct a monitoring review of the sponsored and sponsoring organizations to ensure all financial and management systems are adequate. If HUD makes the determination that financial and management systems of the sponsored organization are not adequate, HUD may provide

technical assistance or terminate the grant. The sponsoring organization may expend FHIP funds for administrative purposes as described above.

IV. Application Submission and Timely Receipt Information

A. Obtaining an Application

If you are interested in applying for funding under this program, please review carefully the following information: Applications can be downloaded from the web at: http://www.grants.gov/applicants/apply_for_grants.jsp. All applications must be submitted electronically. The information required to submit an application is contained in the program section of this NOFA and the General Section. If you have difficulty accessing the information, you may call the Grants.gov helpline toll-free at 800-518-GRANTS or e-mail support@grants.gov. Helpline customer representatives will assist you in accessing the information. The Grants.gov help desk is open 7 days a week, 24 hours a day, except federal holidays. HUD recommends calling the Help Desk rather than emailing, because determining the basis for the problem may take a conversation with the Grants.gov Support Customer Service Representative. Grants.gov provides customer support information on its website at <http://www.grants.gov/contactus/contactus.jsp>. You may request general information from the NOFA Information Center at 800-HUD-8929 or 800-HUD-8339 (TTY) between the hours of 10 a.m. and 6:30 p.m. eastern time, Monday through Friday, except on federal holidays. When requesting information, please refer to the name of the program you are interested in.

B. Content and Form of Application Submission

All applicants must read and adhere to Initiative and Component specific submission requirements. Applicants are encouraged to review the chart entitled “Summary of Initiatives/Components.” You must submit a completed electronic application for the specific Initiative and component for which you are applying on or before the deadline date. Applicants not meeting the timely receipt requirements will have their applications returned without further review by the Technical Evaluation Panel.

1. For All Applicants. The maximum length of the narrative response is eight (8) pages per factor. The narrative pages must be double-spaced. This includes all text, titles and headings. (However, you may single space footnotes, quotations, references, captions, charts, forms, tables, figures and graphs). You are required to use 12 point font. You must respond fully to each rating factor to obtain maximum points. Failure to provide narrative responses to all factors other than factor five or omitting requested information will result in less than the maximum points available for the given rating factor or sub-factor. Failure to provide double-spaced, 12point font narrative responses will result in a one point deduction, per factor, or four points being deducted from your overall score [exception Factor 5].
2. Checklist. The checklist below outlines all items to be included in the application:

Complete Application Package Contains	Required Form and Content
Application for Federal Assistance	Form HUDSF424 (per required form). Applicants must include the nine digit zip code (zip code plus four digits) associated to the applicant’s address in box 8d of the SF424. Also, along with the Initiative, include the Component to which you are applying in box 12.
Survey for Ensuring Equal Opportunity for Applicants	HUDSF424 Supplement (“Faith Based EEO Survey (HUDSF424SUPP)”; (per required form)
Budget information	Form HUDSF424CB and HUDSF424CBW)(“HUD Detailed Budget Form and Worksheet”); (per required form)
Disclosure of Lobbying Activities	HUDSFLLL, if applicable; (per required form)
Applicant-Recipient Disclosure Update Report	HUD2880 (“HUD Applicant Recipient Disclosure Report”); (per required form)
Certification of Consistency with RC/EZ/EC-II’s Strategic Plan	HUD2990 (per required form)
Acknowledgement of Applicant receipt (Required only if you are granted waiver to the electronic application requirement)	HUD2993 (per required form)
Program Outcome Logic Model	HUD96010 (per required form)
Facsimile Transmittal Form	HUD96011 (per required form)
Race and Ethnic Data Reporting Form	HUD27061 (per required form – post award)
Narrative for Rating Factors 1-4	Format described in Sections V.A. of this NOFA;
Statement of Work	Format described in this NOFA.
Narrative Budget Work Plan	Format described in this NOFA
Commitment letters from third parties contributing funds or in-kind resources	No specific form or format, but content is specified under Rating Factor 4; Third parties’ affirmations of amounts of their commitments

Affirmatively Furthering Fair Housing Work Statement	Summary of how the applicant will address their obligation to affirmatively further fair housing. The summary shall contain information on how the project will help overcome impediments to fair housing choice. The summary should also contain information on targeted groups by race, color, national origin, religion, sex, age, disability, or familial status and the impediments to fair housing choice they face. Applicants should describe how they will review their policies and procedures to determine whether they imposed impediments to fair housing choice. Finally, applicants should identify partners they are working with to affirmatively further fair housing. No specific form or format.
Affirmatively Furthering Fair Housing Plan	Plan and timeline for how applicant will address their obligation to affirmatively further fair housing.
Project Abstract	In addition to meeting the requirements for Rating Factors One and Two, you should also include project activities, areas of concentration and persons to be served and amount requested, as applicable.
Addendum to Abstract -- Correction of Poor Performance (as appropriate)	Written documentation that performance issues and concerns have been cured to the satisfaction of the regional office; or an appeal to Headquarters Office outlining that all performance issues and concerns have been cured. No specific form or format.

C. Receipt Date and Time. Applications must be received by no later than 11:59.59 pm Eastern Time on the application deadline date of December 21, 2010. Applicants need to be aware that following receipt, applications go through a validation process in which the application may be accepted or rejected. Please allow time for this process to ensure that you meet the timely receipt requirements. Please see the 2010 **General Section** for instructions for timely receipt, including actions to take if the application is rejected Applicants should carefully read the APPLICATION AND SUBMISSION INFORMATION in the 2010 **General Section**.

This section contains information on using the most current Adobe Reader, timely receipt policies, and other application required information.

D. Intergovernmental Review. Intergovernmental Review is not applicable to this program.

E. Other Submission Requirements.

This section describes how you may obtain application forms and additional information about the FHIP.

All applicants must read and adhere to Initiative-specific submission requirements. Applicants are encouraged to review the chart entitled “Summary of Initiatives/Components.” If you cannot access the toll-free number or experience problems, you may use (215) 825-8798 (This is not a toll-free number). Applicants must follow the directions provided in the **General Section** (section IV.B.6.d.(3)(b)) for faxing information as part of their application submission. When attaching files to the application using the attachments form, applicants must strictly adhere to the file naming requirements in the **General Section** (see section IV.B.6.d. (1) through (2)). Failure to do so will result in the application being rejected by the Grants.gov system with a “VIRUS DETECT” error message.

Electronic delivery via Grants.gov is HUD’s required method for application submission. Applicants interested in applying for FHIP funding must submit their applications electronically or request a waiver from the Assistant Secretary of FHEO. The request must state the basis for the waiver. HUD’s regulation on waivers, found in 24 CFR part 5, states that waivers can be granted for cause. Applicants must submit their waiver requests, in writing at least 15 days prior to the application deadline, to Assistant Secretary for Fair Housing and Equal Opportunity, 451 7th Street, SW; Room 5100, Washington, DC, 20410. A copy of all waiver requests must simultaneously be submitted to Myron P. Newry, Director, FHEO-FHIP Division, (same address as above), Room 5226. If you are granted a waiver, the notification will provide instructions on where to submit the application and how many copies are required. HUD will not accept a paper application without a waiver being granted. If you receive a waiver of the electronic application submission requirement, your paper copy application must be received by HUD in room 5226 no later than 4:30 pm eastern time on the application submission deadline date. HUD applications are scanned. The scanning facility at HUD Headquarters closes at 5:00 pm eastern time. Applicants must allow adequate for the application to be scanned through this facility. Applications not received in 5226 by the 4:30 pm Eastern Time deadline date shall be deemed ineligible. There is no grace period for paper application submissions,

1. Indirect Cost Rate. If you are awarded FHIP funds, HUD staff will request that you provide your federally approved indirect cost rate during budget negotiations. If you do not have a federally approved indirect cost rate and HUD is the cognizant agency, HUD will submit a request within 30 days after award to establish a rate. For information on indirect cost rates, you can review HUD’s training on <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

2. Retainer Fees. FHIP recipients are under specific restrictions regarding establishment of retainer agreements and recovery of legal fees from HUD-funded cases. Data on fees, settlements, and verdicts are matters of public record. Awardees must provide this information to HUD on an annual basis. Neither the grantee nor the individual(s) on whose behalf any action is filed, can request that HUD waive these provisions

3. Office of Management and Budget (OMB) Circular A-133. For-profit awardees are not allowed to earn a profit and must adhere to OMB Circular A-133. See the General Section for OMB Circular requirements for grantees.

V. Application Review Information

A. Criteria for PEI, FHOI, and EOI (other than the National-Based Program)

Applications. The criteria for rating and ranking applications, as well as the maximum points for each Rating Factor, are provided below. The maximum number of points awarded any application is 100. An additional two Bonus Points may be applicable for activities conducted within the RC/EZ/EC. The activities must benefit the residents of the RC/EZ/EC. (**General Section V.A.1.a.** for information on RC/EZ/EC bonus points)

1. Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience (up to 40 points).

You must describe staff expertise and your organization's ability to complete the proposed activities within the grant period.

You must describe your staffing plan and the extent to which you plan to add staff (employees) or contractors. If your application proposes using contractors you must submit a statement showing how you will evaluate and provide oversight for each sub-contractor. Those who do not provide this information will have fewer points awarded.

a. Number and expertise of staff (including staff of the contractors and consultants). (Up to 20 points for current FHIP grantees and up to 25 Points for New Applicants). You must provide a complete summary of staff expertise that will show sufficient, qualified staff that will be available to complete the proposed activities. This summary should include: Names of staff person(s), amount of time in hours each will spend on project, number of years of fair housing testing and/or training experience for each person, titles of staff persons, and a brief paragraph on each staff member which outlines what each staff member brings to the project. Do not include Social Security Numbers. Do not include resumes or other lengthy or detailed documents. Points will be assessed on how your staff assists you in your activities listed under your SOW. Points under this sub factor will be given to those organizations that provide a staffing plan on how their staff will be involved in this endeavor and what role each will play. Further, more points will be given to organizations that show that staff play a key role in assisting HUD meet its Affirmatively Furthering Fair Housing goal and other Strategic Goals and sub goals. Points will be assessed on how your staff assists you in affirmatively furthering fair housing. More points will be given to those organizations that provide a plan on how their staff will be involved in this endeavor and what role each will play. Applicants should show within this subfactor, that key personnel will be actively participating in aligning their proposed activities to HUD's Strategic Goals. Your application must also clearly identify those persons that are staff as of the application deadline date, and those persons who will be assigned at a later date. Further, any changes to personnel identified in Rating Factor 1, need to be preapproved by HUD.

For PEI and FHOI Applicants Only: To receive maximum points for PEI and FHOI, your day-to-day program manager must devote a minimum of 75 percent of his/her time to this project. PEI and FHOI applicants, whose day-to-day managers do not have at least 75 percent of their time dedicated to the project, will be awarded less points under this sub-factor. You may not designate more than one person to meet this 75 percent criterion. Indicate whether

designated staff person(s) are assigned to work full-time or part-time (if part-time, indicate the percentage of time each person will devote to the project). Project Manager's of EOI projects must have one person devote at least 50 percent of his or her time to the project and reside in or near the metropolitan area(s) where the project will be carried out. Those that do not, will receive fewer points for this subfactor.

For the EOI-Higher Education Component – You must provide a description of the proposed staff's experience in providing civil rights related educational and outreach activities. In addition, you must show that you will have sufficient staff or faculty who will be available to: (1) conduct successful education and outreach activities, (2) develop an academic curricula or courses for fair housing in conjunction with local fair housing groups, (3) be able to implement the curricula or courses at your college or university, (4) be able to conduct lectures seminars, symposia on fair housing, and (5) develop service learning opportunities for students with established fair housing groups.

b. Organizational Experience. (up to 15 points for current FHIP grantees and up to 15 points for new applicants). In responding to this sub-factor, you, the applicant, must show that your organization has:

(1) Conducted past project(s) similar in scope and complexity (whether FHIP-funded or not) to the project proposed in your application, or

(2) Engaged in activities that, although not similar, are readily transferable to the proposed project. You must provide a listing of all affiliate and/or subsidiary organizations, and identify which of these organizations will assist you in the development and/or implementation of any portion of your proposed FY 2010 FHIP funded project. If you do not have any affiliates or subsidiaries, you should state this in your application.

All Applicants. Your experience will be judged in terms of recent, relevant and successful experience of your staff to undertake eligible activities. In rating this factor, HUD will consider experience within the last three years to be recent, experience pertaining to the specific activities to be relevant, and experience producing measurable accomplishments to be successful. The more recent the experience and the more experience that your own staff members who work on the project have in successfully conducting and completing similar activities and assisting HUD in carrying out its Strategic Goals and subgoals, the greater the number of points you will receive for this rating factor.

PEI and FHOI Applicants If you are applying for funding under PEI and FHOI, you must provide the following information when responding to this sub-factor:

(1) If you propose to conduct testing (other than rental or accessibility testing), provide a brief narrative that describes the conduct of successful testing in those subject areas.

(2) Describe the actions you have taken to comply with the requirement that you reimburse the Federal government for compensation received or likely to be received from FHIP-funded enforcement activities or that the compensation received be used as program income to further fair housing activities. If you are a current grantee and you have not addressed this requirement to reimburse the Federal government or use the funds as program income to further fair housing activities, please explain. Two (2) points will be deducted from this sub-factor if you have not addressed this program requirement in your narrative response to this Rating Factor.

FHOI-Continued Development Mortgage Rescue Scams Component Applicants You must describe your organization's experience in working with consumers that are protected under the Fair Housing Act who are impacted adversely by the home mortgage crisis or who have been

harmed by mortgage fraud, predatory home purchase loans, or fraudulent or predatory mortgage rescue scams. Also, you must describe your organization's experience in addressing mortgage abuse, predatory lending, and mortgage/foreclosure rescue schemes, particularly as it relates to legal assistance, loan workouts and enforcement. Applicants must have at least three years of significant experience assisting persons in the pursuit of their rights under deceptive practices laws and consumer protection statutes, other than the Fair Housing Act or Equal Credit Opportunity Act. Please note that although your experience must include the enforcement of deceptive practices and consumer protection laws, as well as the provision of education, counseling, and financial assistance to consumers, the activities you propose in the narrative response to Rating Factor 3 must concern fair housing and fair lending enforcement and the prevention of housing and lending discrimination with mortgage default and foreclosure.

FHOI Establishing New Organizations Component Applicants - You must provide a statement of your organization's capacity to and experience in establishing or building the capacity for fair housing related activities in your own or other organizations, as well as a list of persons who will work on the project, along with their experience in developing the new organization.

FHOI Continued Development General Component Applicants You must show your organization's current experience (including your current staff's experience) in carrying out enforcement activities similar in scope or complexity to the project proposed to be undertaken. If you are building the capacity of your organization by entering into another jurisdiction or opening a satellite office, you must show how your existing organization will assist in this endeavor. For example, you should provide details on how your new location will assist HUD in meeting its Strategic Goals and sub-goals. For the new location, please identify the census tract you expect to draw from and what the impact will be on the community

PEI- Mortgage Rescue Component Applicants You must describe your organization's enforcement experience in working with consumers in classes protected under the Fair Housing Act who are impacted by the home mortgage crisis, mortgage fraud, and fraudulent or predatory mortgage/foreclosure rescue schemes.

EOI – Lending Component – Applicants must show that they have engaged in projects conducting fair housing and/or lending workshops, community meetings and conducting individual counseling activities to assist homeowners at risk for foreclosure and mortgage abuse.

EOI- Higher Education Component – Applicants under this component must describe: (1) their ability to implement, support, and work with community groups to provide quality fair housing education and outreach in your targeted area(s), (2) how they will develop academic curricula or courses for fair housing, and (3) how you will assist HUD in meeting its Strategic Goals and subgoals.

c. Performance On Past Projects. (Up to 5 Points for current FHIP grantees and 0 points for new applicants). HUD will assess your organization's past performance in conducting activities relevant to your application. The past performance assessment of current FHIP grantees will be based on your most recent performance assessment by the HUD Government Technical Representative (GTR) for the past three (3) completed fiscal years (FY 2006 through FY 2008). Performance is based upon: (1) Quality of Project Management, (2) Quality of Tasks/and Grant Activities, (3) Timeliness, and (4) Thoroughness of Quarterly Reports.

HUD staff will provide this information to the Technical Evaluation Panel (TEP) that will evaluate your application. Based on your past performance, your application will receive under this rating sub-factor:

- (1) 5 points if you received an "Excellent" performance assessment;

(2) 3 points if you received a “Good” performance assessment; and

(3) 1 point if you received a “Fair” performance assessment.

d. Transfer of Performance. Applicants submitting applications under PEI and EOI may not use another organization’s performance review for assessment under this sub-factor. If you do, you will receive 0 points under this sub-factor and sub-factor b, above.

2. Rating Factor 2: Need/Distress/Extent of the Problem (up to 40 points).

This factor addresses the extent to which there is a need for funding the proposed activities to address documented fair housing problems in target area(s). Applicants should also address the specific methods that you intend to employ to meet the goals to ensure open, diverse and equitable communities. Using these methods you should show how you assessed the need in your targeted area and how you can relate them to HUD’s strategic goals and subgoals. Your methods should also describe the current conditions that characterize the target area of the grant application, with an emphasis on the barriers to affirmatively furthering fair housing or if you are addressing the mortgage rescue scam or lending components the impact of foreclosure on a local housing market. You will be evaluated on the information that you submit that describes the fair housing need in the geographic area you propose to serve, its urgency and how your project is responsive to that need, and your affirmatively furthering fair housing plan.

Applicants should document and use any relevant information from various studies done by HUD or any other reliable source to respond to this factor. Other reliable sources of information can be used to support this rating factor. You must use sound data sources to identify the level of need in the geographic area and the urgency, and where applicable, provide website addresses for each data source (e.g., Consolidated Plan, Analysis of Impediments to Fair Housing Choice (AI), fair housing studies, HMDA, etc.). Do not include copies of the reports or other supporting materials in your application. Applicants that provide copies of detailed studies, Consolidated Plans or Analysis of Impediments for their referenced project area will have points deducted from this factor based upon the eight page submission requirement limit. Instead, you should reference these reports, statistics, or other data sources you used that are sound and reliable. This includes but is not limited to, HUD or other Federal, State or local government reports, analyses, relevant economic and/or demographic data foundation reports, and studies, news articles, and other information that relate to the identified need. This information should include evidence of segregation. Again, provide any website where these reports may be found. Chapter II of the Fair Housing Planning Guide, Vol. 1 has other suggestions for supporting documentation. You may access the Guide from the HUD website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

To the greatest extent possible, the data used should be specific to the geographic area where the proposed activity will be conducted. You should document needs as they apply to the specific area(s) where you proposed activities will be targeted and your proximity to the target area, not the entire locality or State. If the data presented does not specifically address the target area, you should describe why the target area was proposed and the relationship of this data to that target area.

To receive maximum points for this factor there must be a direct relationship between the purpose of the program proposed for FHIP funding, your proposed activities, the outcomes to be accomplished, the fair housing needs of the community or communities including how you plan to address the Affirmatively Furthering Fair Housing needs of the community. Applicants must describe their organization’s knowledge of and proximity to the targeted (service) area as well as

the urgency of the fair housing needs. Applicants will not receive the full 40 points under this rating factor unless they address the target area's impediments to fair housing choice as documented in the applicable Analysis of Impediments. Furthermore, applicants should address the need for language assistance services in languages other than English by describing the target population's language needs.

To justify the need for your project, you must describe:

- (1) The urgency of the identified need. For example:
 - (a) Any potential imminent adverse consequences to persons in protected classes covered under the Fair Housing Act if your application is not selected for funding;
 - (b) The extent to which other organizations provide the services identified in your application;
 - (2) The link between the need and your proposed activities, such as:
 - (a) How the proposed activities fill gaps, augment, or improve upon on-going fair housing efforts by public and private agencies, grassroots faith-based and other community-based organizations and other organizations and institutions in the target area,
 - (b) Why, in light of other on-going fair housing efforts, the additional funding you are requesting is necessary; and
 - (c) The presence of housing discrimination, high segregation indices or other evidence of discrimination prohibited by the Fair Housing Act within the project area.

FHOI- ENOC Applicants Only: You must describe the following:

- (i) Populations and census tracts that will be served. HUD intends to fund projects that will provide fair housing enforcement services to underserved populations
- (ii) The presence of housing discrimination, segregation and/or the Segregation Index referenced in the General (Section Submit a brief summary of any data and studies that support your claim along with the census tracts covered; and
- (iii) Why the project area is underserved and why the proposed organization is needed.

Your proposed activities must serve all persons protected by the Fair Housing Act.

FHOI-Continued Development Mortgage Rescue Scams Component applicants only: In addition, to the submission requirements, describe the following:

- (i) The number of owner-occupied residential foreclosure (and percentage of total owner-occupied residential units) in its proposed service area;
- (ii) The presence of mortgage fraud, mortgage abuse, especially fraudulent or predatory foreclosure rescue schemes in the service area and how those schemes have been targeted to or adversely affected persons protected under the Fair Housing Act or neighborhoods with a high concentration of persons in classes protected under the Fair Housing Act; and
- (iii) The effect of those schemes on persons in classes protected under the Fair Housing Act and neighborhoods with a high concentration of persons in classes protected under the Fair Housing Act.

PEI- Mortgage Rescue Component Applicants Only: The applicant must also describe the following:

- (i) The number and percentage of foreclosures in their service area;
- (ii) The presence of mortgage fraud, mortgage abuse, predatory lending and foreclosure rescue schemes in the service area and how those schemes have targeted persons protected under the Fair Housing Act; and
- (iii) The effect of those activities on the individuals as well as the community.

For the EOI- Lending Component – applicants must show that their targeted area(s) are areas hardest hit by the foreclosure and mortgage rescue scams especially those developed for the Neighborhood Stabilization Program. Applicants must also describe:

- (i) The service area covered by census tract;
- (ii) The number and percentage of foreclosures in their service area;
- (iii) The presence of mortgage fraud, mortgage abuse, predatory lending and foreclosure rescue schemes in the service area and how those schemes have been targeted persons protected under the Fair Housing Act; and
- (iv) The effect of those activities on the individuals as well as the community.

For the EOI Higher Education Component – Applicants must show the need and benefit of providing education and outreach activities to students and faculty in their targeted area(s).

3. Rating Factor 3: Soundness of Approach (up to 8 points). For each policy priority you must discuss the relationship of your activities to HUD’s Strategic Goals and subgoals. You must assure that your project addresses performance measures/outcomes in support of these goals and provide a SOW and budget to establish a numerical baseline and targets for those measures. Applications will also be rated on sustainable development not only to benefit your jurisdiction, but for the benefit of our nation.

a. Support of Policy Priorities (up to 5 points). This NOFA requires applicants to address the following policy priorities to receive policy priority points:

(1). Affirmatively Furthering Fair Housing (up to 3 points). HUD is interested in funding housing and community development activities that afford residents an opportunity to live in a variety of neighborhoods and not be confined to affordable housing choices in areas of high poverty or areas that are not racially or ethnically diverse. Recognizing that housing and community development efforts must address a complex network of social and economic factors in order to promote more diversity, inclusive communities, HUD seeks to encourage its grantee to undertake comprehensive and innovative strategies to affirmatively further fair housing. To earn full points for this Policy Priority, applicants must go beyond the minimum affirmatively furthering fair housing requirements of this NOFA to which they are applying and demonstrate a history of success at affirmatively furthering fair housing, including a description of measurable outcomes the applicant has achieved. To receive the full three (3) points under this Policy Priority an applicant must respond to at least three of the activities listed below and explain how success will be measured during the grant performance period. Points will be assessed based upon your success in the following activities: (a) Analyzing and eliminating housing discrimination in your jurisdiction, (b) promoting fair housing choice for all persons, (c) Providing opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability or national origin; (d) promoting housing that is structurally accessible to, and useable by, all persons, particularly persons with disabilities, and (e) fostering compliance with the nondiscrimination provisions of the Fair Housing Act. Applications will also be rated on sustainable development not only to benefit your jurisdiction, but for the benefit of the region. The outcomes include: (a) identification and working with governmental officials to develop plans to remove discriminatory barriers to housing choice and (b) effective engagement of FHIPs in development of site and neighborhood standards.

(2). Capacity Building and Knowledge Sharing (up to 2 points). HUD recognizes that successful program implementation can occur only in partnership with effective grantees. Working with our partners to align programs is fundamental to building resiliency in difficult

economic times. Capacity building is therefore critical to strengthen the capacity of HUD's partners – especially state and local governments. Capacity building is the development of core skills within partner organizations. Increased technical capabilities and knowledge sharing will allow HUD's partners to participate in decision making and planning process, coordinate on cross-programmatic, place-based approaches, and ensure that expertise is institutionalized. Capacity building is featured in HUD's Strategic Plan for FY 2010-2015, Goal 4 (See Section 1.C). Specifically, Subgoal 4E reads, "Build the capacity of local, state and regional public and private organizations." HUD seeks to fund grantees that undertake activities that build enduring capacity of partners and mechanisms for knowledge sharing. To earn policy priority points, applicants should focus on the following activities: (a) Strengthening the capacity of state and local partners, including governments and nonprofit organizations, to affirmatively further fair housing, implement HUD's programs, participate in decision making and planning processes to ensure racially diverse communities, and coordinate on cross-programmatic, place-based approaches through grant making and technical assistance to eliminate discriminatory barriers, and (b) Support knowledge sharing and innovation by disseminating best practices, peer-to-peer learning experiences and helping to incubate and test new ideas for the creation of diverse communities. To receive additional points for this policy priority, grantees must go beyond the threshold requirements of this NOFA. Successful applicants must detail how the applicant will provide knowledge-sharing experiences to their relevant organizations such as owners of assisted and private market housing, local communities, transportation agency staff, education community staff and others that influence the decision of placement of housing and education and transportation facilities within your community. Further, show in the program design and implementation that will provide long-term benefits and increase capacity to test and educate the public on fair housing, financial literacy and affirmative marketing.

b. Proposed Statement of Work (SOW) and Information Requirements (up to 2 points).

The SOW and budget are attachments to the application that will not count toward the eight (8)-page limit on the narrative response to this rating factor. They are mandatory submission items and the TEP will assign points to the application based on the SOW and budget as specified in the NOFA's discussion of the Rating Factors. The TEP will pay particular attention to the Rating Factor narrative's specification of implementation steps, the consistency of proposed activities with organizational expertise and capacity, and the accuracy of the SOW and budget.

SOW - Submit a proposed SOW that comprehensively outlines in chronological order the administrative, programmatic, and evaluation activities and tasks to be performed during the grant period.

Your outline should identify all activities and tasks to be performed and by whom (e.g., your organization, a subcontractor, or a partner), as well as the products to be generated, and when they will be provided to HUD. To receive maximum points, you must include a schedule of your activities and products (with interim implementation steps), staff allocation over the term of the grant; staff acquisition and training; and activities of partners and/or subcontractors.

Applicants must provide an estimate of the numbers of clients to be served.

PEI Performance Based Funding Component Applicants Only. Applicants for the PBFC will also be required to submit a Statement of Work (SOW) and a separate budget for each actual year of the agency's activities for a period of three fiscal years commensurate with the level of funding and based upon appropriations.

For the Fair Housing Organizations Initiative – Continued Development Mortgage Rescue Scam Component Applicants - Applicants must identify the time each staff member will spend with persons protected under the Fair Housing Act on foreclosure prevention, predatory lending, mortgage fraud and abuse by counseling clients, providing legal or enforcement assistance and assisting clients with loan workouts, refinancing, and mortgage modifications. These organizations must be seeking to build or enhance their fair lending enforcement capacity under this component. Applicants must address one or more mortgage rescue scams activities against persons protected under the Fair Housing Act such as: (1) bait and switch schemes, (2) loan flipping, (3) loan packing, (4) mortgage servicing scams, and (5) equity stripping. Tactics used may include: (1) bombarding vulnerable owners with phone calls, flyers and posters to build trust after learning of mortgage delinquencies through published reports, (2) isolating victims from legal advice and from their lenders by assuring victims that they will handle all details of their mortgage delinquency, and (3) having owners sign paperwork without telling victims what they are signing. Applicants must show the time allocated to each proposed activity against persons protected under the Fair Housing Act and tie these activities to the outcomes referenced in the eLogic Model.

For the Fair Housing Organizations Initiative – Establishing New Organizations Component Applicants Your SOW must show the responsibilities of the sponsored and the sponsoring organization and the time each organization will spend on each activity proposed in your application.

For the Private Enforcement Initiative - Mortgage Rescue Component Applicants must address one or more mortgage rescue scams activities against persons protected under the Act such as: (1) bait and switch schemes, (2) loan flipping, (3) loan packing, (4) mortgage servicing scams, and (5) equity stripping. Tactics used may include: (1) bombarding vulnerable owners with phone calls, flyers and posters to build trust after learning of mortgage delinquencies through published reports, (2) isolating victims from legal advice and from their lenders by assuring victims that they will handle all details of their mortgage delinquency, and (3) having owners sign paperwork without telling victims what they are signings. Applicants also must be QFHOs or FHOs. For the EOI General, Higher Education and Lending Components Applicants HUD anticipates that products may be available in various languages. In addition to English, products must be developed in one other language. The languages may include French, Korean, Laotian, Vietnamese, Chinese (any Chinese language), Arabic, and Spanish. If other languages are necessary, please provide a justification in Rating Factor 2. Deliverables may be brochures, Public Service Announcements (PSAs) for radio in both majority and minority markets and posters and other graphic materials. Graphic materials may include but are not limited to enlarged reproductions of existing HUD printed PSAs and HUD materials. Provide information on media markets coverage with specific protected class focus, as well as those with Limited English Proficiency and a method for distribution of the finished product.

c. The Budget Form and Narrative Budget Work Plan (up to 1 point). HUD will also assess the soundness of your approach by evaluating the quality, thoroughness, and reasonableness of the budget and financial controls of your organization, including your proposed program cost categories. As part of your response, you must prepare a budget that is:

- (1) reasonable in achieving the goals identified in your proposed SOW;
- (2) related to the activities and tasks in the SOW – in terms of cost categories and dollar levels;

(3) cost-effective in the implementation of the SOW, and

(4) Quantifiable based on the need(s) identified in Rating Factor 2.

d. Financial Management Capacity. Describe your organization's financial management system and your Board's role in financial management or oversight. In addition, discuss your organization's capabilities in handling financial resources, disseminating payments to third parties, e.g. contractors, and maintaining adequate accounting and internal control procedures.

e. Grant Application Detailed Budget Worksheet (HUD424CBW). The HUD424CBW must show the total cost of the project and indicate other sources of funds that will be used for the project. A Written Narrative Budget Work sheet must accompany the proposed budget explaining each budget category listed and must explain each cost category. While the costs are based only on estimates, the Budget Narrative Work Plan may include information obtained from various vendors, or the applicant may rely on historical data. The TEP will review information obtained from various outside vendors listed on your HUD424CBW more favorably than historical data. Applicants must round all budget items to the nearest dollar amount.

Failure to provide a written Narrative Budget Work Plan will result in 0 point being given for your subfactor 3.c. score. The written narrative must explain each cost category you list. Where there are travel costs for contractors/consultants, you must show that the combined travel costs (per diem rates) are consistent with Federal Travel Regulations (41 CFR 301.11) and travel costs for the applicant's contractors and/or consultants do not exceed the rates and fees charged by local contractors and consultants. The narrative (which does not count toward the eight page limit for Rating Factor 3) must address the Grant Application Detailed Budget. The budget narrative should include a brief discussion of how your proposed program is cost effective in achieving the anticipated results of the proposed activities in the targeted area. Applicants seeking funding to conduct activities in an area other than the applicant's State or locality must discuss the cost effectiveness of where the activities will be conducted in relation to the location of the organization. HUD will look at the cost effectiveness of your travel to and from your organization's location to the targeted area(s); expenses for out-stationed personnel, contracts and sub-grantees; and other direct costs, which may include relocation and telecommunications expenses; HUD will then make a final determination of cost effectiveness (based on these listed items

4. Rating Factor 4: Leveraging Resources (up to 2 points)

This factor addresses your ability to secure additional resources to support your project. Points will be awarded on the basis of the percentage of non-FHIP resources submitted in the form of firm commitments or documented collaborative efforts you have with Fair Housing Assistance Program (FHAP) agencies.

Firm Commitment of Leveraging or Collaboration. HUD requires you to secure resources from sources other than what is requested under this FHIP NOFA. Leveraging of community resources may include funding or in-kind contributions, such as workspace or services or equipment, allocated to the purpose(s) of your proposal. Contributions or cash from the applicant, affiliates, subsidiaries, divisions, or employees of the applicant do not qualify as in-kind contributions. Cash or funds from an applicant's previously established investment account(s) may qualify as in-kind resources; however, support documentation must be provided. Resources may be provided by governmental entities (including other HUD programs if such costs are allowed by statute), public or private nonprofit organizations, faith-based organizations, for-profit or civic private organizations, or other entities' planned contributions. In order to

obtain points for leveraging third party resources you must provide signed letters of firm commitment or signed agreements from the organizations and/or individuals who will provide financial or in-kind support for your project, on the respective organization’s letterhead. “Collaboration” refers exclusively to activities you are conducting or plan to conduct with Fair Housing Assistance Program agencies. In order to get a maximum of one point for collaboration applicants must provide a letter of firm commitment from a FHAP or a document signed by authorized representatives of the FHAP agency and your organization, such as a memorandum of understanding, or on their letterhead, stating their intent to work with you on your project The FHAP agency must serve the area where the current or proposed activities are to be conducted. In instances where FHAP agencies are applicants and submitting letters on their own behalf, the FHAP agency must state that FHAP funds are not being used for FHIP collaboration without prior approval by the FHAP GTR. See **General Section** (section IV.B.S.6.d.) for instructions on how third party documents are to be submitted to HUD via the electronic submission process.

For all applicants, each letter of firm commitment or documents must:

- a. State definitively a commitment to provide funding or in-kind resources (although the commitment may be on the condition that your organization receives a FHIP award);
- b. Identify the organization and/or individual committing resources to the project and state the timeline for use of these funds in relation to the project. Further, the letter must identify any affiliation with the applicant;
- c. Identify the sources and amounts of the leveraged resources (the total FHIP and non-FHIP amounts must match those in your proposed budget submitted under Rating Factor 3); and
- d. Describe how these resources will be used under your SOW; and
- e. Be dated and signed by the individual or organization official legally able to make commitments for the organization on the organization’s official letterhead.

If the resources are in-kind or donated goods, the firm commitment letter must indicate the fair market value of those resources and describe how this fair market value was determined. Do not include indirect costs as a part of any in-kind resources. In-kind leveraging contributions, as well as Program Income must comply with 24 CFR 84.23 and 84.24 requirements. Goods and services secured with FHIP funds cannot be used for in-kind or donated services (for example, services of a current staff person on a FHIP-funded project).

There will be no points awarded for general letters of support endorsing the project from organizations, including elected officials at the local, State, or national levels, and/or individuals in your community. If your project will not be supported by non-FHIP resources, then you will not receive any points under this factor. Points will be assigned for each Initiative based on the following scale:

PEI-PBFC Applicants Each letter must state the total dollar amount of funding or in-kind resources to be donated to the fair housing project, and specify the amount to be used during each of the three years of this project.

Points Awarded	Leveraging Resources
One	Less than 30 percent of total project costs from non-FHIP resources OR A letter of firm commitment from a FHAP

	agency
Two	30 percent or more of total project costs from non-FHIP resources OR Less than 30% of total project costs from non-FHIP resources AND a letter of firm commitment from a FHAP

5. Rating Factor 5: Achieving Results and Program Evaluation (10 Points)

Under this Rating Factor, HUD will assess the extent to which your application demonstrates how you will measure the results of the work of your organization as set out in your budget and Statement of Work (SOW). The submission requirement for this Rating Factor is HUD's eLogic Model[®] (HUD-96010). Instructions on use of the eLogic Model[®] are provided in the form itself. The form is part of the Instructions download found at http://www07.grants.gov/applicants/apply_for_grants.jsp. A narrative response is not required for this Rating Factor as all applicants must use the eLogic Model[®] form. Applicants that submit narrative responses rather than use the eLogic Model[®] form found in the instructions download or provided by HUD will receive no points under this Rating Factor. Applicants who have identified outputs and outcome measurements and methods for assessing those against commitments made in the application, will receive higher points than those that do not. Please see the Logic Model Assessment Matrix found in Attachment 1 of the **General Section**. The only submission requirement for this Rating Factor is HUD's Logic Model (HUD96010).

If applicants do not have access to Excel, please contact the Office of Departmental Grants Management and Oversight at 202-708-0667. Requests for assistance to obtain a workable eLogic Model[®] must be made at least 15 days prior to the deadline to allow the ability to fulfill the request.

Applicants should also review the Logic Model training which can be found at <http://www.hud.gov/offices/adm/grants/training/training.cfm>.

a. Needs. HUD will review the proposed activities/outputs and outcomes (as the units of measurement you select for evaluating the impact of your proposed project) in relation to the needs of your intended audience or target populations;

b. Output. The Logic Model has a prepared list of activities, outcomes, and indicators associated with Fair Housing. Some examples of activities and outputs for PEI and EOI applicants can be found at <http://hud.gov/offices/adm/grants/fundsavail.cfm>. Applicants must select one or more activities from the listing of "Fair Housing Services Provided" that will be undertaken by their organization. You must select from the list "Fair Housing Services Provided" and may not add additional services to that list to receive points under this Rating Factor. HUD will review the direct products of the applicant's activities that lead to the ultimate achievement of outcomes.

c. Outcome. Applicants must choose from this list of "Year 1, Year 2, or Year 3" outcomes that are provided as part of the FHIP NOFA, as appropriate, or applicants may choose "Other" outcomes. If "Other" outcomes are identified, applicants must provide a brief statement to describe these activities or outcomes. Applicants who do not either select from the list "Outcomes and Indicators" or select "Other", but fail to provide a brief description of the

outcomes they identify will not receive points under this Rating Factor. Successful applicants will assess progress and track performance in meeting the goals and objectives outlined in the work plan.

d. Accountability can be achieved using specific measurement tools to assess the impact of your activities. Examples include:

- Pre/Post Tests;
- Customer/Client Satisfaction Survey;
- Follow-up Survey;
- Observational Survey; or
- Functioning scale.

Applicants must also reference policy priorities as noted in your response to Rating Factor 3(a) and relate them to your project's goals, as appropriate.

e. Management Questions. Grantees must submit answers to the management questions, if applicable.

f. In completing the eLogic Model[®] form, applicants must enter the Applicant Legal Name as it appears in box 8a of the SF-424, Application for Federal Assistance, the applicant DUNS number that corresponds to the Applicant Legal Name, and the Component the Logic Model submission is addressing. The applicant should complete all mandatory fields on the eLogic Model[®] Worksheet Cover Page.

C. Criteria for the EOI National-Based Programs Only

The criteria for rating and ranking applications and the maximum points for each Rating Factor are provided below. The maximum number of points awarded any application is 100. Bonus points are not available for this category of funding.

1. Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience (up to 40 points)

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

You must describe staff expertise and your organization's ability to complete the proposed activities within the grant period. HUD recognizes that, in carrying out the proposed activities, you may have persons already on staff, plan to hire additional staff, or will rely on contractors or consultants to perform specific tasks. You must describe your staffing plan and the extent to which you plan to add staff (employees) or contractors. If your application proposes using contractors you must provide a statement showing how you will evaluate and provide oversight for each contractor.

a. Number and expertise of staff (this includes contractors and consultants) (up to 20 points for current FHIP grantees and up to 25 points for new applicants). You must show that you will have sufficient, qualified staff that will be available to complete the proposed activities. The following information must be provided for all staff not just key personnel (those persons identified in SOW in Rating Factor 3: Soundness of Approach) assigned to or hired for this project.

Identify all persons that will be assigned to the project by name and/or title and hours. Project Manager's of EOI National projects must devote at least 50 percent of his or her time to the project. Those that do not, will receive zero (0) points for this sub-factor. You must describe the knowledge and experience of the proposed overall project director or day-to-day program manager (whose duties and responsibilities are to manage all program and administrative activities as outlined in the SOW and ensure that all timelines are met), in planning and managing national projects similar in scope and complex interdisciplinary programs. You may demonstrate capacity by thoroughly describing your organization's and staff's prior experience in conducting national and/or regional/local internet media campaigns or national training programs. You should indicate how this prior experience will be used in carrying out your proposed activities. Your application must clearly identify those persons that are on staff at the time of this application, and those persons who will be assigned or hired at a later date; describe each person's duties and responsibilities and their expertise (including years of experience) to perform project tasks; indicate whether the staff person is assigned to work full-time or part-time (if part-time, indicate the percentage of time each person is assigned to the project). Points will be assessed on how your staff assists you in affirmatively furthering fair housing. More points will be given to those organizations that provide a plan on how their staff will be involved in this endeavor and what role each will play. Further, more points will be given to organizations that show that staff play a key role in assisting HUD meet its Strategic Goals and subgoals. Applicants should show within this sub-factor that key personnel will be actively participating in aligning their proposed activities to HUD's Strategic Goals.

Whether the applicant has experienced staff or proposes to use a contractor the application must, provide a rationale for how it will utilize its staff or a contractor to implement its proposed activities, methods, and how these media or training techniques will most effectively deal with the national need described by the applicant in response to the need described in Rating Factor 2. To the extent possible, applicants should demonstrate effectiveness in terms of scope and cost.

b. Organizational experience. (up to 15 points for current FHIP grantees or new applicants) In responding to this sub-factor, you must show that your organization has the ability to effectively develop, implement, make modifications as necessary, and manage an interactive online and offline media campaign on a national scale or partner with an organization that has this capacity or that you have comparable experience to undertake a national fair housing training program. Applicants for FHIP program funding must specifically describe their experience in developing or carrying out programs to prevent or eliminate discriminatory housing practices. For the National Media Campaign Component, applicants must discuss their ability to implement a coordinated national interactive online and offline marketing awareness campaign, especially in the areas of fair housing discrimination, and fair lending. Further, applicants should provide some innovative strategies for communicating fair housing. Points for innovative strategies will be assessed on: (1) new approach(s) to reaching the targeted populations, (2) new and/or innovative marketing techniques, (3) how to coordinate and combined multiple messaging systems, and (4) positive outcomes reached. In responding to this sub-factor, the applicant must describe the extent to which its past activities have resulted in successful national media campaigns, as appropriate, especially with respect to developing and implementing innovative strategies resulting in positive public response. Your experience will be judged in terms of recent, relevant and successful experience of your staff to undertake eligible activities. In rating this factor, HUD will consider experience within the last three years to be recent, experience

pertaining to the specific activities to be relevant, and experience producing measurable accomplishments to be successful. The more recent the experience and the more experience that your own staff members who work on the project have in successfully conducting and completing similar activities and assisting HUD in carrying out its Strategic Goals and subgoals, the greater the number of points you will receive for this rating factor.

In rating this factor, HUD will consider media experience within the last 3 years to be recent experience pertaining to the eligible activities to be relevant, and experience producing measurable accomplishments to be successful. The more recent the experience and the more relevant and successful experience your own staff members who work on the project have in successfully conducting and completing similar activities, the greater the number of points you will receive for this rating factor. For the National Fair Lending Training Component, applicant must show that their organization has experience in providing fair housing and/or lending training and developing curricula for training courses along with a complementary web-based training program. You must also show that you have experience in implementing training not only from a race and ethnicity perspective, but also addressing the needs of persons with disabilities.

c. Performance on past project(s) (up to 5 points for current grantees and 0 points for new applicants). HUD will assess your organization's past performance in conducting activities relevant to your current application. For current FHIP grantees' past performance will be assessed based on your most recent performance assessment received from your HUD Government Technical Representative (GTR) for the past 2 completed fiscal years. Performance is based upon: (1) Quality of Project Management, (2) Quality of Tasks/and Grant Activities, (3) Timeliness, and (4) Thoroughness of Quarterly Reports.

HUD staff will provide this information to the Technical Evaluation Panel (TEP) that will evaluate your application. Based on past performance, the following points will be added to your score under this rating sub-factor:

- (1) 5 points if you received a "Excellent" performance assessment;
- (2) 3 points if you received a "Good" performance assessment; and
- (3) 1 point if you received a "Fair" performance assessment.

2. Rating Factor 2: Need/Approach Extent of the Problem (up to 40 points)

This factor addresses the extent to which the applicant documents and defines the national fair housing need that its proposed activities and methods are intended to address, and how its proposal offers the most effective approach for meeting that national need. The applicant's submission will be evaluated on the extent to which it defines, describes, and documents the national need the application intends to address, which demonstrates a grasp of the elements of the need, its pervasiveness at the national level, and an understanding of the necessary mass media vehicles to disseminate information to address the need. The applicant's description of the national need will be used to evaluate the depth of the applicant's understanding of the problem as an indication of ability to address the problem. For the National Fair Housing Training component, you must address how the curriculum will address an unmet need for participants. You should also address how the proposed training will meet those needs and what outcomes you expect based upon the proposed need. Further, you should show how your curriculum will address the need to affirmatively further fair housing and HUD's other strategic goals and subgoals.

3. Rating Factor 3: Soundness of Approach (up to 8 points)

This rating factor addresses the quality and cost-effectiveness of the applicant's proposed Statement of Work (SOW). You must undertake programs and projects that align with HUD's Strategic Plan and the following cross-cutting Departmental Policy Priorities.

For each goal and policy priority that your project addresses, you must propose performance measures/outcomes in support of these goals, and establish numerical baselines and targets for those measures.

a. (Support of HUD Goals and Policy Priorities (up to 5 points))

(1). Affirmatively Furthering Fair Housing (up to 3 points). HUD is interested in funding housing and community development activities that afford residents an opportunity to live in a variety of neighborhoods and not be confined to affordable housing choices in areas of high poverty or areas that are not racially or ethnically diverse. Recognizing that housing and community development efforts must address a complex network of social and economic factors in order to promote more diversity, inclusive communities, HUD seeks to encourage its grantee to undertake comprehensive and innovative strategies to affirmatively further fair housing. To earn full points for this policy priority, applicants must go beyond the minimum affirmatively furthering fair housing requirements of this NOFA to which they are applying and demonstrate a history of success at affirmatively furthering fair housing, including a description of measurable outcomes the applicant has achieved. To receive the full three (3) points under this policy priority an applicant must respond to at least three of the activities listed below and explain how success will be measured during the grant performance period. Points will be assessed based upon your success in the following activities: (a) Analyzing and eliminating housing discrimination in your jurisdiction, (b) promoting fair housing choice for all persons, (c) Providing opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability and national origin; (d) promoting housing that is structurally accessible to, and useable and visitable by, all persons, and in particular, persons with a variety of disabilities, and (e) fostering compliance with the nondiscrimination provisions of the Fair Housing Act. Applications will also be rated on sustainable development not only to benefit your jurisdiction, but for the benefit of the region and the nation. The outcomes include: (a) identification and concrete regional plans developed to remove discriminatory barriers to housing choice and (b) effective engagement through FHIP media and fair housing training and technical assistance in development of consistent site and neighborhood standards.

(2). Capacity Building and Knowledge Sharing (up to 2 point). HUD recognizes that successful program implementation can occur only in partnership with effective grantees. Working with our partners to align programs is fundamental to building resiliency in difficult economic times. Capacity building is therefore critical to strengthen the capacity of HUD's partners – especially state and local governments. Capacity building is the development of core skills within partner organizations. Increased technical capabilities and knowledge sharing will allow HUD's partners to participate in decision making and planning process, coordinate on cross-programmatic, place-based approaches, and endure that expertise is institutionalized. Capacity building is featured in HUD's Strategic Plan for FY 2010-2015, Goal 4 (See Section 1.C). Specifically, Subgoal 4E reads, "Build the capacity of local, state and regional public and private organizations." HUD seeks to fund grantees that undertake

activities that build enduring capacity of partners and mechanisms for knowledge sharing. To earn policy priority points, applicants should focus on the following activities: (a) Strengthening the capacity of state and local partners, including governments and nonprofit organizations, to Affirmatively Further Fair Housing, implement HUD's programs, participate in decision making and planning processes to ensure racially diverse communities, and coordinate on cross-programmatic, place-based approaches through grant making and technical assistance to eliminate discriminatory barriers. and (b) Support knowledge sharing and innovation by disseminating best practices, peer-to-peer learning experiences, publishing findings which include helping to incubate and test new ideas for the creation of diverse communities where unlawful discrimination does not exist. To receive additional points for this policy priority, grantees must go beyond the threshold requirements of this NOFA. Successful applicants must detail how the applicant will provide knowledge-sharing experiences to their relevant organizations such as owners of assisted and private market housing, local communities, transportation agency staff, education community staff and others that influence the decision of placement of housing and educations and transportation facilities within the community served (and communities they serve in program design and implementation process that will provide long-term benefits and increase capacity to test and educate the public on fair housing, financial literacy and affirmative marketing.

b. Statement of Work (SOW) (up to 2 points).

Submit a proposed SOW that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the grant period. Your outline should also include a schedule of proposed activities and products (with interim implementation steps), staff allocation over the term of the project, staff acquisitions and training, and activities of partners and contractors. Points will be assigned based on the relevance of proposed activities to national needs stated in Rating Factor 2, the attention given to implementation steps, the consistency of proposed activities with organizational expertise and capacity, and the consistency of the SOW and budget.

For the National Media Campaign Component only, HUD anticipates that products will be available in at least 2 languages, including English. Deliverables may include interactive online and offline Public Service Announcements (PSAs), social media utilization, RSS feeds, and blogs. Deliverables may also include offline PSA materials for radio and television in both major and other media mainstems and minority markets, as well as posters and other graphic materials. Graphic materials may include, but are not limited to, enlarged printed reproductions of the online PSAs, separately produced and printed posters for national public dissemination, web page development and implementation, and the development of ad slicks to market in newspapers and magazines nationwide. The applicant should plan on using news or advertising clipping service or internet based services or other appropriate means to collect information on frequency and scope of the placement of ads. For the National Fair Lending Training Component Only, applicant deliverables must include curricula development, proposed site for training, if applicable, and the most amenable method(s) for providing fair housing training, the specific topics to be offered in training, number of hours of instruction and methods to be utilized e.g. classroom, on line, web-based etc, along with how your training proposal will help HUD achieve its goals and subgoals. Course work should be include: (1) Training on fair housing and all other civil rights laws that affect federal funding; (2) Decision making on where

people live and the reasons, (3) Review of violations of the fair housing laws, and (4) Use of mapping for decision making on housing choice.

To obtain maximum points under this sub-factor, the applicant's SOW must:

(1) Clearly describe the specific activities and tasks to be performed, the sequence in which tasks are to be performed and noting when activities must be performed simultaneously, estimated completion dates, and the work and program deliverables to be completed within the grant period. This information must include specific numbers of quantifiable end products and program improvements to be delivered by the end of the award agreement period as a result of the work performed;

(2) Provide national media market coverage and specific protected class focus,

(3) Provide national fair housing training, and

(4) Describe the methods to be used to distribute finished materials and gauge the effectiveness of the national strategies.

c. Budget Form and Narrative Budget Work Plan (1 point). A written narrative budget Work Plan must accompany the proposed budget. The Written Budget Work sheet must explain each budget category listed and each cost category. While the costs are based only on estimates, the Budget Narrative Work Plan may include information obtained from various vendors, or the applicant may rely on historical data. The TEP will review information obtained from various outside vendors listed on your HUD424CBW more favorably than historical data. Applicants must round all budget items to the nearest dollar amount.

Failure to provide a written Narrative Budget Work Plan will result in 0 point being given for your subfactor 3.c. score. The written narrative must explain each cost category you list. Where there are travel costs for contractors/consultants, you must show that the combined travel costs (per diem rates) are consistent with Federal Travel Regulations (41 CFR 301.11) and travel costs for the applicant's contractors and/or consultants do not exceed the rates and fees charged by local contractors and consultants. The narrative (which does not count toward the eight page limit for Rating Factor 3) must address the Grant Application Detailed Budget. The budget narrative should include a brief discussion of how your proposed program is cost effective in achieving the anticipated results of the proposed activities in the targeted area. Applicants seeking funding to conduct activities in an area other than the applicant's State or locality must discuss the cost effectiveness of where the activities will be conducted in relation to the location of the organization. HUD will look at the cost effectiveness of your travel to and from your organization's location to the targeted area(s); expenses for out-stationed personnel, contracts and sub-grantees; and other direct costs, which may include relocation and telecommunications expenses; HUD will then make a final determination of cost effectiveness (based on these listed items)

HUD will assess the soundness of your approach by evaluating the quality, thoroughness, and reasonableness of the budget and financial controls of your organization, including information on your proposed program cost categories. As part of your response, you must prepare a budget that is:

(1) reasonable in achieving the goals identified in your proposed SOW and achieving national coverage or national exposure;

(2) relate to the tasks in the SOW and to the Logic Model;

(3) is cost-effective (as demonstrated by a brief discussion of the extent to which your proposed program is cost effective in achieving the anticipated results of the proposed activities in the targeted area);

(4) reflects an effort to provide information in a manner (e.g., languages, accessibility to persons with visual or hearing impairments, formats, locations, distribution, use of majority and minority media) that will reach and benefit all members of the public, especially members of protected groups identified in Factor 2;

(5) will be effective for yielding long-term results and innovative strategies or "best practices" that assist HUD in achieving its goals and subgoals and can be readily disseminated to other organizations and State and local governments; and

(6) For the National Media Campaign Component, all activities will be effective with respect to the proposed National Media Campaign Component, training and meeting sites, and information services and materials, ensuring it is accessible to all persons including persons with disabilities.

Indicate in the narrative budget work plan how the proposed project's achievements are quantifiable and relevant to the needs identified in Rating Factor 2. Also indicate whether your proposed project is justifiable for all cost categories in accordance with the cost categories indicated in the HUD-424 CB. If you are awarded a grant or cooperative agreement under FHIP, staff will request that you include your approved indirect cost rate as part of your negotiations with HUD. If you do not have a federally approved indirect cost rate and HUD is the cognizant agency, HUD will submit a request within 30 days after award to establish a rate. For information on indirect cost rates, you can review HUD's training on <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

4. Rating Factor 4: Leveraging Resources (up to 2 points)

This factor addresses your ability to secure additional resources to support your project. Points will be awarded on the basis of the percentage of non-FHIP resources you have received by the time your application is submitted, in the form of firm commitments, or planned collaborative efforts you have with Fair Housing Assistance Program agencies.

Firm Commitment of Leveraging or Collaboration. HUD requires you to secure resources from sources other than that which is requested under this FHIP NOFA. Leveraging of community resources may include funding or in-kind contributions, such as workspace or services or equipment, allocated to the purpose(s) of your proposal. Contributions from the applicant, affiliates, subsidiaries, divisions, or employees of the applicant do not qualify as in-kind contributions. Funds from an applicant's previously established investment account(s) may qualify as in-kind resources; however, support documentation must be provided. Resources may be provided by governmental entities (including other HUD programs if such costs are allowed by statute), public or private nonprofit organizations, faith-based organizations, for-profit or civic private organizations, or other entities' planned contributions. In order to obtain points for leveraging third party resources you must provide letters of firm commitment or signed agreements from the organizations and/or individuals who will provide financial or in-kind support for your project on the organization's official letterhead. "Collaboration" refers exclusively to activities you are conducting or plan to conduct with Fair Housing Assistance Program agencies. Firm letters of Commitment or documents must:

(a) Identify the agency, organization and/or individual committing project resources, the timeframes and timelines for use of the funds, state that the funds will be used for fair housing to support the applicant should they receive an award funded through this FHIP NOFA . In addition, they must identify any affiliation with the applicant,

(b) Identify the sources and amounts of the leveraged resources (the total FHIP and non-FHIP amounts must match those in your proposed budget submitted under Factor 3), and

(c) Describe how these resources will be used under their SOW. The letter must be dated and signed by the agency, individual and/or organization official legally able to make commitments for the organization. It must also be provided on the letterhead of the agency, organization and/or individual. If the resources are in-kind or donated goods, the commitment letter must indicate the fair market value of those resources and describe how this fair market value was determined. (Do not include indirect costs as part of any in-kind resources proposed). In-kind matching and leveraging contributions, as well as Program Income must comply with 24 CFR § 84.23 and 24 CFR § 84.24 requirements.

FHIP funds cannot be used for in-kind or donated services (for example, a current staff person on a FHIP-funded project). No points will be awarded for general letters of support endorsing the project from the agency or organizations, including elected officials on the local, State, or national levels, and/or individuals in your community. If your project will not be supported by non-FHIP resources, then you will not receive any points under this factor. Points under the factor will be assigned based on the following scale:

Points Awarded	Leveraging Resources
One	Less than 30 percent of total project costs from non-FHIP resources OR A letter of firm commitment from a FHAP agency
Two	30 percent or more of total project costs from non-FHIP resources OR Less than 30% of total project costs from non-FHIP resources AND a letter of firm commitment from a FHAP

5. Rating Factor 5: Achieving Results and Program Evaluation (up to 10 points)

Under this Rating Factor, HUD will assess the extent to which your application demonstrates how you will measure the results of the work of your organization as set out in your budget and Statement of Work (SOW). The submission requirement for this Rating Factor is HUD's Logic Model (HUD-96010).

Instructions and a Microsoft Excel[®] are provided in the forms found in the Instruction Download at http://www07.grants.gov/applicants/apply_for_grants.jsp .

A narrative response is not required for this Rating Factor as all applicants must use the eLogic Model[®] form found in the Instructions download at http://www07.grants.gov/applicants/apply_for_grants.jsp. Applicants that do not have access to Microsoft Excel[®] should contact the Office of Departmental Grants Management and Oversight at 202-708-0667 to obtain assistance. Requests for assistance to obtain a workable eLogic Model[®] form must be made at least 15 days prior to the deadline to allow the ability to fulfill the request. Applicants that submit narrative responses rather than use the eLogic Model[®] form found in the instructions download or provided by HUD will receive no points under this Rating Factor. Applicants should also review the Logic Model training which can be found at <http://www.hud.gov/offices/adm/grants/training/training.cfm>.

a. Needs. HUD will review the proposed activities/outputs and outcomes (as the units of measurement you select for evaluating the impact of your proposed project) in relation to the needs of your intended audience or target populations;

b. Output. The Logic Model has a prepared list of activities, outcomes, and indicators associated with Fair Housing. Some examples of activities and outputs for PEI and EOI applicants can be found at <http://hud.gov/offices/adm/grants/fundsavail.cfm>. Applicants must select one or more activities from the listing of “Fair Housing Services Provided” that will be undertaken by their organization. You must select from the list “Fair Housing Services Provided” and may not add additional services to that list to receive points under this Rating Factor. HUD will review the direct products of the applicant’s activities that lead to the ultimate achievement of outcomes.

c. Outcome. Applicants must choose from this list of “Year 1, Year 2, or Year 3” outcomes that are provided as part of the FHIP NOFA or applicants may choose “Other” outcomes and if so, must provide a brief statement to describe these activities or Outcomes. Applicants who do not either select from the list “Outcomes and Indicators” or select “Other” but fail to provide a brief description of the outcomes they identify will not receive points under this Rating Factor. Successful applicants will assess progress and track performance in meeting the goals and objectives outlined in the work plan.

d. Accountability can be achieved using specific measurement tools to assess the impact of your activities. Examples include:

- (1) Pre/Post Tests;
- (2) Customer/Client Satisfaction Survey;
- (3) Follow-up Survey;
- (4) Observational Survey; or
- (5) Functioning scale.

Applicants must also reference policy priorities, as stated in their response to Rating Factor 3, and relate them to your project’s goals, as appropriate.

e. Management Questions. Grantees must submit answers to the Management Questions, if applicable.

f. In completing the eLogic Model[®] form, applicants must enter the Applicant Legal Name as it appears in box 8a of the SF-424, Application for Federal Assistance, the applicant DUNS number that corresponds to the Applicant Legal Name, and the Component the Logic Model submission is addressing. The applicant should also identify the City and State where activities are to occur. In the case of a National-Based program, applicants should identify the location of the applicant.

C. Reviews and Selection Process

1. **Rating and Ranking.** Applicants may be funded under one of the following Initiatives or Components:

- a. Private Enforcement Initiative (PEI) -
 - (1) General Component (PEI-GC);
 - (2) Performance-Based Funding Component (PBFC); and
 - (3) Mortgage Rescue Component.
- b. Education and Outreach Initiative (EOI)
 - (1) Regional/Local/Community Based Program (EOI-R/L/C-B)
 - General Component (EOI-GC);
 - Lending Component (EOI-LC);
 - Higher Education Component (EOI-HEC).
 - (2) National-Based Programs
 - National Media Campaign Component (EOI-NMCC); and
 - National Fair Housing Training Component (NFHTC).
- c. Fair Housing Organization Initiative (FHOI)
 - (1) Continued Development Mortgage Rescue Scams Component (CDMRS);
 - (2) Establishing New Organizations Component (ENOC); and
 - (3) Continued Development General Component (CDGC).
- d. For all initiatives, HUD will review all eligible applications and assign points based upon:
 - (1) Narrative responses to the Factors for Award and the accompanying materials specified, and
 - (2) RC/EC/EZ-II's bonus points, as applicable. For all initiatives, HUD will review all eligible applications and assign points based upon: RC/EC/EZ (Up to 2 bonus points, as applicable). HUD will award two bonus points to each application that includes a completed form HUD2990 certified by the Executive Director of the EZ/EC or Chair of the governing body of the EZ/EC that the proposed activities/projects in the application furthers or supports the strategic plan for an empowerment zone (EZ) that was designated by HUD or the U.S. Department of Agriculture (USDA); the tax incentive utilization plan for an urban or rural renewal community that was designated by HUD (RC); or the strategic plan for an enterprise community that was designated in round II by USDA (EC-II); and that the proposed activities/projects will be conducted within the RC/EZ/EC-II identified above and are intended to serve the residents. For the purposes of receiving bonus points, the applicant organization is not required to set up an office within the EZ/EC but must conduct specific activities within the EZ/EC and those activities must benefit the residents of the EZ/EC. To receive the points, the form must be signed and dated anytime from the date of the publication of the funding opportunity on Grants.gov to the deadline date of the funding opportunity. Any certifications signed before or after those dates will not be acceptable. For ease of reference in this notice, all of the federally designated areas are collectively referred to as "RC/EZ/EC" and residents of any of these federally designated areas as "RC/EZ/EC residents." Applicants can obtain a list of RC/EZ/EC from HUD's grants webpage at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. Applicants can determine if their program or project activities are located in one of these designated areas by using the locator on HUD's website at <http://egis.hud.gov/egis/>.

Ineligible applications will not be rated or ranked. The maximum number of points to be awarded for the Rating Factors is 100 plus a potential 2 bonus points for RC/EC/EZ, if applicable.

Only applications with a rating of seventy-five (75) points or more will be considered of sufficient quality for funding, except for PBFC applications which requires a minimum rating of ninety-five (95) points.

For PEI and FHOI, if your proposal exceeds the 15 percent limit on use of FHIP funds for education and outreach, and if the application is selected for an award, FHIP funds will be adjusted to maintain the required limitation.

PBFC applicants will be evaluated competitively against other PBFC applicants who apply and have received two years of "Excellent" performance reviews for FHIP PEI awards made in any two years from FY 2003 through FY 2008, as well as a score of 95 on the most current of these two performance reviews. These applicants will then be rated by the Technical Evaluation Panel (TEP) and ranked according to score. Only those applicants who receive a minimum final score of 95 or above from the TEP will be considered for funding under this Component.

2. Tie Breaking. When two or more applications have the same total overall score, the application with the higher score under Rating Factor 2 will be ranked higher. If applications still have the same score, the tie will be broken by the Rating Factor 1 score. If a tie still remains, then the tie will be broken by the Rating Factor 3 score. And if a tie remains, the application committing the greatest amount of Leveraged funds under Rating Factor 4 will be selected.

3. Achieving Diversity of Awards.

PEI and EOI: HUD reserves the discretion to distribute awards to as many States as possible (geographic diversity criterion) for each Initiative or Component, if applicable. If the Selecting Official exercises this discretion, he or she may rank the applicants based on geographic diversity. Under Geographic Diversity, he or she will consider score (rank order) first, then geographic diversity – in the following manner: First, only qualified applicants will be considered – i.e., applicants achieving a score of 75 points or higher. Second, qualified applicants will be rank ordered by score with the highest scoring applicant at the top of the list. Third, when the highest ranking applicant is selected, the Selecting Official will look on the list for qualified applicants from the same State. Those applicants will be moved to the end of the list. Then selection will continue with the next applicant at the top of the list until all applicants are selected for funding under this provision. If funds remain after the Selecting Official goes through the list the first time, he or she will rank order the qualified applicants at the end of the list and repeat the selection process for rank order and geographic diversity.

For the National Media Campaign Component, and FHOI – Establishing New Organizations Component, Continued Development General Component, the geographic diversity provision does not apply.

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

- a. HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;
- b. An ineligible activity is proposed in an otherwise eligible project;

- c. Insufficient funding amounts remain to award the full amount requested in the application, and HUD determines that partial funding is a viable option;
 - d. The past record of key personnel warrants special conditions; or,
 - e. Training funds are not reserved for FHIP training.
5. Reallocation of Funds. After all applications within funding range have been selected or obligations are completed in an Initiative if funds are still available, the Selecting Official or designee will have the discretion to reallocate those remaining funds in rank order among Initiatives as follows:
- a. PEI – Any remaining funds from any component will be reallocated first within that Initiative, if after reallocating funds within the Initiative and funds still remain, they shall be reallocated to EOI.
 - b. EOI – Any remaining funds from any component will be reallocated first within that Initiative; if after reallocating funds within the Initiative left over funds remain, they shall be reallocated to PEI;
 - c. FHOI – Any remaining funds will be allocated to PEI.

D. Anticipated Announcement and Award Dates. For planning purposes, anticipate an announcement date of January 2011 and an award date of February 2011.

VI. Award Administration Information

A. Award Notices

1. Applicant Notification and Award Procedures.

- a. Notification. Information about the review and award process will not be available during the of HUD evaluation period, which begins on the application deadline date for this NOFA and lasts for approximately 90 days thereafter. However, you will be advised, in writing or by telephone, if HUD determines that your application is ineligible or has technical deficiencies which may be corrected as described in the **General Section** (see section V.B.2). HUD will only communicate with persons specifically identified in the SF424 in the application. HUD will not provide information about the application to any third party such as contractors.
- b. Negotiations. If you are selected, HUD will require you to participate in negotiations to determine the specific terms of your cooperative or grant agreement. The selection is conditional and does not become final until the negotiations are successfully concluded and the grant or cooperative agreement is signed and executed based upon the negotiations. HUD will negotiate only with the person identified in the application as the Director of the organization or if specifically identified in the application as the Project Director. HUD will not negotiate with any third party (i.e., a contractor, etc.). The Grant Officer and Government Technical Representative will determine on a case-by-case basis if technical assistance or special conditions are required.
- c. Subaward. Requirements for subaward reporting is required in compliance with the Federal Financial Assistance Accountability and Transparency Act of 2006, (Publ. L. 109-282) (Transparency Act) and Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417), referred to as “Section 872.”
- d. Applicant Debriefing. After awards are announced, applicants will receive a copy of their final score. HUD will not release the names of applicants or their scores to any third party.

Applicants may secure a copy of a successful FHIP application for FY 2010 at:
http://portal.hud.gov/portal/page/portal/HUD/program_offices/administration/foia/highscore

B. Administrative and National Policy Requirements.

1. Environmental Requirements. In accordance with 24 CFR 50.19(b)(3), (4), (9), (12), and (13) of HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under related laws and authorities.
2. Procurement of Recovered Materials. State agencies (FHAP agencies) and agencies of a political subdivision of a State that are using assistance under a HUD program NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.
3. Product Information. Press releases and any other product intended to be disseminated to the public must be submitted to the Government Technical Representative (GTR) two days before release for approval and acceptance.
4. Ensuring the Participation of Small Businesses, Small Disadvantaged Businesses, and Women Owned Businesses. (See **General Section** at section III.C.2.S.e.)
5. Payment Contingent on Completion. Payment of FHIP funds is made on a reimbursement basis. Payments are contingent on the satisfactory and timely completion of your project activities and products as reflected in your grant or cooperative agreement. Requests for funds must be accompanied by financial and progress reports.
6. Copyright Materials. You may copyright any work that is eligible for copyright protection subject to HUD's right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as required in 24 CFR § 84.36.
7. Complaints Against Awardees. Each FHIP award is overseen by a HUD Grant Officer (See www.hud.gov for list of FHEO Regional Directors per region). Complaints from the public against FHIP grantees should be forwarded to the Grant Officer. The Grant Officer's name and contact information is provided in the grant agreement. If, after notice and consideration of relevant information, the Grant Officer concludes that there has been inappropriate conduct, such as a violation of FHIP requirements, terms or conditions of the grant, or any other applicable statute, regulation or other requirement, HUD will take appropriate action in accordance with 24 CFR § 84.62. Such action may include: written reprimand; consideration of past performance in awarding future FHIP applications; repayment to HUD of funds received under the grant; or temporary or permanent denial of participation in the FHIP in accordance with 24 CFR part 24.
8. Double Payments. If you are awarded funds under this NOFA, you (and any contractor or consultant) may not charge or claim credit for the activities performed under this project under any other Federally assisted project.
9. Performance Sanctions. A grantee or contractor failing to comply with the requirements set forth in its grant or cooperative agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in the FHIP, and denial of further participation in programs of HUD or any federal agency.
10. Corrections to Deficient Applications. In order not to unreasonably exclude applications from being rated and ranked, HUD may contact applicants to ensure proper completion of the application, and will do so on a uniform basis for all applicants. HUD may not seek clarification of items or responses that improve the substantive quality of an applicant's response to any rating factors or which correct deficiencies which are in whole or part of a rating factor, including items that impact

EZ/EC bonus points. Applicants will have five business days from date of notification to submit the required documents to HUD. Applicants will be notified by fax, certified mail and telephone about corrections to ensure notification.

11. Federal Funding Accountability and Transparency Act.

As required by the Federal Funding Accountability and Transparency Act1 (“Transparency Act” or “FFATA”) and subsequent OMB guidance, information on the first-tier subawards related to Federal contracts and grants and the executive compensation of awardees must be made publicly available.

C. Reporting

1. HUD requires that funded recipients collect racial and ethnic beneficiary data. The Department has adopted the Office of Management and Budget’s Standards for the Collection of Racial and Ethnic Data. In view of these requirements, you should use Form HUD-27061, Racial and Ethnic Data Reporting Form (and instructions for its use), found on www.HUDclips.org. Also, quarterly and as your project ends, you must report meaningful data derived from client feedback on how they benefited from your project’s activities.
2. Listed below is a sample reporting document of activities and tasks to be performed by a FHIP Grantee.

ADMINISTRATIVE ACTIVITIES			
ACTIVITIES	TASKS	SUBMITTED BY	SUBMITTED TO
1. Complete HUD22081 Race and Ethnic Data Reporting Form		45 Days from grant award	GTR/GTM
2. Complete HUD2880 Disclosure Statements	Submit Disclosure Statement. If no changes occur, submit statement of no change with final report.	When changes occur	GTR/GTM
3. Complete SF425and a Written Quarterly Status Reports on All Activities. Note: Effective October 1, 2010, the New Federal Financial report, SF425, replaced the SF269 and the SF269A. Grantees were required to start reporting using the SF425 as of October 1, 2010.	Submit the Federal Financial report SF425and Copy of Written Report.	Quarterly	GTR/GTM
4. Voucher for Payment	Submit payment request to LOCCS.	Per Payment Schedule	GTR/GTM
5. Complete Listing of Current or Pending Grants/Contracts/Other Financial Agreements	Submit listing for recipient and any contractors.	45 Days from start of grant period and At end of Grant	GTR/GTM

6. Complete quarterly eLogic Model reports	Submit quarterly updates under HUD96010.	Quarterly	GTR/GTM
7. Prepare and Submit Draft of Final Report, including HUD 96010.	Submit Draft of Report. Submit your eLogic Model Reporting your short- and intermediate term outputs and outcomes as contained in the eLogic Model submitted and approved in your grant agreement. Your report and eLogic Model should identify results and benefits, to date, of the work accomplished under the FHIP award. In addition, the eLogic Model should include an attachment that addresses the management questions applicable to your work. Complaint and testing activities should provide data on complaints received and tests conducted by basis, issues, and outcomes. This should include number of credible, legitimate complaints filed with HUD, a State or local Fair Housing Agency, Department of Justice or private litigator; and types of relief/results.	One month before end of grant term.	GTR/GTM
8. Complete Final Report and Provide Copies of All Final Products Not Previously Submitted	Submit a copy of the Final Report, including a final eLogic Model with all outputs and outcomes identified, and management questions responded to. Submit all Final Products not previously submitted to GTR and GTM.	Within 90 days after end of grant term.	GTR/GTM
9. Submit 2 copies of Final Report and all final program products produced under the Grant (by diskette, where feasible) to HUD.	Submit detailed description of items submitted to GTR and GTM.	Within 90 days after end of grant term.	GTR/GTM

- 3. FFATA Subaward Reporting.** Applicants selected for funding should also be aware that they will be required to report first tier sub-grant award and executive compensation information, where both their initial award is \$25,000 or greater, as required by the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282). The prime grant awardees will have until the end of the month plus one additional month after an award or sub-grant is obligated to fulfill the reporting requirement. The Federal Funding

Accountability and Transparency Act (FFATA) of 2006 calls for the establishment of a publicly available web site to disclose the use of Federal finance assistance. The Act requires the reporting of the following data for first-tier sub-grants of \$25,000 or more:

- (1) Name of entity receiving award
- (2) Amount of award
- (3) Funding agency
- (4) NAICS code for contracts / CFDA program number for grants
- (5) Program source
- (6) Award title descriptive of the purpose of the funding action
- (7) Location of the entity (including congressional district)
- (8) Place of performance (including congressional district)
- (9) Unique identifier of the entity and its parent; and
- (10) Total compensation and names of top five executives (same thresholds as for primes)

The Transparency Act also requires the reporting of the Total Compensation and Names of the top five executives in either the prime awardee or a sub-awardees' organization if:

- (1) More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25M annually; and
 - (2) Compensation information is not already available through reporting to the SEC.
- The statute exempts from reporting any sub-awards less than \$25,000 made to individuals or to an entity whose annual expenditures are less than \$300,000. OMB has published Interim Final Guidance to agencies regarding the FFATA subrecipient reporting requirements in the Federal Register on September 14, 2010 (75FR55663.)

4. Section 872 Reporting. Each recipient of federal funds with a cumulative value greater than \$10 million and their direct (i.e., first-tier) subrecipients are required to report to the Federal Awardee Performance and Integrity Information System (FAPIIS). This requirement is in accord with requirements contained in Section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Pub. L. 110-417). See paragraph III.C.5.u of the General Section for more information.

Under Section 872, each recipient of federal funds with a cumulative value greater than \$10 million and their direct (i.e., first-tier) subrecipients would be required to report to the Federal Awardee Performance and Integrity Information System (FAPIIS). The data collection requirements include information about certain civil judgments, criminal convictions, and outcomes of administrative proceedings that reached final dispositions within the most recent 5-year period and were connected with the award or performance of a federal or state award. Recipients and first-tier subrecipients must report information at least semi-annually to maintain the currency of the information. Section 872 also requires that an entity be allowed to submit comments to the data system about any information that system contains about the entity. Use of the FAPIIS requires a DUNS number and current valid registration in the CCR for HUD awardees and first-tier subrecipients.

VII. Agency Contacts

You may contact Myron P. Newry, Denise L. Brooks, or Paula Stone of the Office of Fair Housing and Equal Opportunity's FHIP Division, at 202-402-7095, 202-402-7050, or 202-402-


7054, respectively (these are not toll-free numbers). Persons with hearing or speech impairments may contact the Division by calling (800) 290-1617 (this is a toll-free number).

VIII. Other Information

A. Paperwork Reduction Act. The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control approval number 2529-0033. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a currently valid OMB control number. Public reporting burdens for the collection of information are estimated to approximate 105 hours per annum per respondent for the application and grant administration. This includes the time for collecting, reviewing, and reporting the data for the application, semi-annual reports and final report. The information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.

B. Environmental Impact. This NOFA provides funding under the Fair Housing Initiatives Program ("FHIP") at 24 C.F.R., part 125, which does not contain environmental review provisions because it concerns activities that are listed in 24 C.F.R. 50,19(b) as categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321)("NEPA"). Accordingly, under 24 C.F.R. 50, 19(c)(5), this NOFA is categorically excluded from environmental review under NEPA.

Dated: 11/15/10



John Trasviña
Assistant Secretary for
Fair Housing and Equal Opportunity

[FR-5415-N-27]