

HAF Quarterly Annual Reporting Guidance - Public Comment Log
April 2022

Comment #	Date Comment Received	Commenter	Comment	Treasury Response to Comment for OMB
1	4/5/2022	New York State Homes & Community Renewal	Admin Indirect Rate (page 8) The draft guidance references allowing a de minimis indirect rate of 10% for administrative expenses. NYS has allowed its subrecipient to apply an indirect rate of 24% for administrative expenses based on supporting documentation that shows the calculation of the indirect rate and the staff, vendors and services to which the indirect rate applies. Please clarify that grantees and subrecipients may be allowed to apply a higher indirect rate with appropriate documentation.	Treasury has updated the reporting guidance accordingly.
2	4/5/2022	New York State Homes & Community Renewal	Housing Type (page 21) Reporting on housing type includes the options single family home detached, single family home attached, condominium, manufactured housing, other, and data not collected. Because we don't distinguish whether a single family home is attached or detached, please eliminate this distinction or clarify how single family home data should be reported.	Treasury agreed to update the guidance accordingly. The single-family home attached and single-family home detached categories will be consolidated into one; "single-family home".
3	3/30/2022	Coyote Valley Band of Pomo Indians	The requirement that Tribes with HAF allocations < \$5 million only have to submit an annual performance report is beneficial to smaller Tribes with limited resources and workforce capacity. This requirement: "Each Annual Performance Report must be posted on the public-facing website of the HAF participant on or by the same date the HAF participant submits the report to Treasury" (pgs. 16-17) is an unnecessary burden for Tribes with limited workforce capacity, or technical expertise.	Treasury agreed to remove the requirement for Tribal Governments to post on a public-facing website.
4	4/13/2022	West Virginia Housing Development Fund	The attached list is referenced in the reporting guidance for use determining urban vs. rural regions for reporting purposes. This list is alphabetically by city name and state. It would be much more useful if the state were in a separate column so that each state could easily determine its urban or rural areas.	Treasury agreed to provide a copy of the list with the States in a separate column to allow for easier sorting.
5	4/14/2022	NCSHA	<u>Allow for Changes to HAF Performance Goals to Reflect Market Developments</u> In their HAF program plans agreed to with Treasury, HAF program administrators set performance goals for their programs. The proposed Guidance requires HAF program administrators, in their annual reports, to provide an update on their progress toward meeting these goals. It also notes that HAF agencies will not be able to modify their performance goals or add any additional performance goals. NCSHA recommends Treasury amend the Guidance to allow HAF administrators to change their performance goals, subject to Treasury review. One of the strengths of HAF is that it enables HAF administrators to design programs to meet the specific needs of homeowners in their states and to amend their programs to reflect market changes and lessons learned. Given this, it seems only sensible that states also be able to adjust their program goals to reflect these developments. Not allowing program goal changes could hurt the performance of the program by requiring HAF administrators to meet goals that are no longer well-suited to their states' markets.	Because this specific question pertains to the Annual Report which does not begin until July 2022, Treasury will continue to work with internal stakeholders to determine the best path forward for performance goal monitoring and updating.
6	4/14/2022	NCSHA	<u>Clarify Use of HAF Funds for Manufactured Housing Lot Rents</u> In November, Treasury updated its HAF program guidelines to add lot rent for manufactured homes to the list of expenses eligible for HAF assistance. However, the new proposed Guidance omits lot rent as an eligible expense. NCSHA believes that this omission occurred in error. However, since lot rents are not listed in the new proposal, some HAF Administrators may feel they are unable to offer such assistance. Please clarify in the final Guidance that lot rents remain an eligible expense.	Treasury will provide additional guidance to clarify that lot rent is an eligible expense covered under Mortgage Payment Assistance, Financial Assistance, or Measures Preventing Displacement.

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7	4/14/2022	NCSHA	<p><u>Streamline Collection of Demographic Data</u></p> <p>Appendix 1 of the proposed Guidance lists the various racial, ethnic, and gender categories that HAF administrators should use when collecting and reporting information on HAF applicants and beneficiaries. With regard to race, the Guidance requires states to report on applicants and beneficiaries of Asian descent in seven different subcategories (Chinese, Japanese, Korean, etc.) not commonly collected in government programs. The guidance also proposes several subcategories for those who identify as Native Hawaiian or Other Pacific Islander.</p> <p>Many HAF administrators have already set up their application systems and have not included these specific subcategories. Some have noted that they have used in their HAF systems the same racial categories used for the Emergency Rental Assistance program (ERA), which many HAF administrators also run. Updating their systems to account for the new and different proposed subcategories could prove costly and possibly disruptive to the program, while offering little actionable information. Further, while states that do not collect information on these subcategories can report applicants of Asian descent as "Asian (Other)" or "Data Not Collected" in their quarterly reports, this presents a misleading picture of the HAF program and its beneficiaries, as well as not including the data the HFA administrators may capture and be ready to report.</p> <p>NCSHA suggests Treasury remove these subcategories from the final Guidance and instead align the racial categories used for HAF reporting with those used for ERA.</p>	<p><i>Treasury will retain race sub-categories and add a new line-item "sub-category not collected" in the disaggregate table for participants who do not collect information at the sub-category level.</i></p>
8	4/14/2022	NCSHA	<p><u>Property Types</u></p> <p>Appendix 2 requires states to collect for each HAF applicant the type of property that they are requesting assistance for. The categories include: Single Family Home Detached; Single Family Home Attached; Condominium; and Manufactured Housing.</p> <p>For HAF purposes, there does not seem to be a meaningful distinction between traditional detached single-family homes and attached single-family homes, particularly considering that condominiums are accounted for in their own category. Further, many homeowners may not be aware of whether their home would be considered attached or detached. Consequently, we suggest Treasury replace these two categories with a single category for one-to-four unit single-family homes.</p>	<p><i>Treasury agreed to update the guidance accordingly. The single-family home attached and single-family home detached categories will be consolidated into one, "single-family home".</i></p>
9	4/14/2022	NCSHA	<p><u>Amend Income Disclosure to Account for Use of Properties</u></p> <p>Item N of the quarterly reporting requirements requires HAF administrators to answer affirmatively or negatively whether, when determining applicants' eligibility for HAF, they have relied on the definitions of annual income allowed under the program (The allowable definitions are HUD's definition of "annual income" in 24 CFR 5.609 or adjusted gross income as defined for purposes of reporting on IRS Form 1040 series as mentioned in the HAF guidance). If a HAF administrator answers in the negative they will be effectively answering that they are not in compliance and have to explain why.</p> <p>This certification, as currently worded, does not take into account HAF administrators that, as part of their HAF plan agreed to with Treasury, also use proxies to determine whether an applicants' income qualifies for them for the program. For example, NCSHA knows that some states will approve applications because the applicant receives benefits through a federal means-tested program or based on other fact-specific proxies (such as homeowners that live in census tracts with certain federal distress and/or low-income designations) that Treasury has approved. Under the Guidance, as currently written, these HAF administrators may feel compelled to answer in the negative.</p> <p>NCSHA asks that Treasury amend this requirement to clarify that those HAF administrators who used proxies that were approved as part of their HAF plan may also certify that they met this requirement.</p>	<p><i>Treasury agreed to provide additional guidance in the Programmatic Information Requirements section of the reporting guidance.</i></p>

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10	4/14/2022	NCSHA	<p><u>Add Fraud Option to Reasons for Denial of Application</u></p> <p>The Guidance also requires HAF administrators to list in their quarterly reports the reasons for HAF assistance application denials. Possible reasons include income eligibility, lack of COVID-related financial hardship, property not the primary residence, principal balance exceeded conforming loan limit, application not completed within program timeframe, and other.</p> <p>NCSHA recommends Treasury add an option for "Fraud or Potential Fraud." While we do not believe fraud is widespread, we have heard from several HAF administrators who have reviewed applications they have believed to be cases of fraud or potential fraud. Including this as a separate category will allow Treasury to get a better sense of how large this issue is and allow HAF administrators to better explain why they denied certain applications.</p>	<p><i>"Other reasons for denial" category should be used in this instance. Treasury decided to not make an update at this time.</i></p>
11	4/14/2022	NCSHA	<p><u>Monetary vs. Non-Monetary Assistance</u></p> <p>The proposed Guidance would require HAF administrators in their quarterly reports to break down how many delinquencies were resolved through the HAF program through the provision of "monetary HAF assistance" (direct aid through a HAF program) or non-monetary HAF assistance, such as housing counseling and legal services that were funded by HAF.</p> <p>Several states have expressed concerns that they do not have enough information about what is meant by "non-monetary HAF assistance" and how it can be tracked. We ask that Treasury include in its final Guidance further details about what types of assistance qualify as "non-monetary assistance" and what steps HAF administrators can take to track those outcomes.</p> <p>We also ask Treasury to clarify how HAF administrators should categorize beneficiaries who received both monetary and non-monetary HAF assistance, such as a homeowner who first received housing counseling paid for with HAF dollars, and the counselor helped them successfully apply for monetary HAF assistance.</p>	<p><i>Treasury agreed to provide additional clarity on the distinction between Monetary HAF Assistance and Non-monetary HAF Assistance in the reporting guidelines. Treasury agreed to clarify the intention behind the use of the term "resolved."</i></p>
12	4/14/2022	NCSHA	<p><u>Funds Allocated to Those Below 60% of AMI</u></p> <p>The proposed Guidance requires HAF administrators to certify in their quarterly reports that they have "allocated" at 60 percent of HAF assistance to homeowners with incomes less than the greater of 100 percent of Area Median Income or US Median Income, as required by statute.</p> <p>For the purposes of this requirement, we urge Treasury to clarify whether "allocated" refers to HAF funds that have been "expended," as defined on page 2 of the Guidance, or "obligated," as defined on page 3.</p>	<p><i>Treasury agreed to clarify verbiage in questions regarding targeting.</i></p>
13	4/14/2022	NCSHA	<p><u>Applicants/Beneficiaries of More than One Race</u></p> <p>Please clarify how HAF administrators should collect and report data on applicants and beneficiaries who identify as more than one race.</p>	<p><i>Treasury agreed to clarify racial data collection expectations. In line with modern data collection practices apropos of race, Treasury expects that individual Homeowners be allowed to report more than one race.</i></p>
14	4/14/2022	NCSHA	<p><u>Difference Between Submitted and Completed HAF Applications</u></p> <p>Under the proposed Guidance, HAF administrators would be expected to differentiate between the total number of unique homeowners who submitted an application for HAF assistance and the total number who submitted a completed application for HAF assistance.</p> <p>NCSHA has heard from several HAF administrators who will not allow homeowners to submit an application through their system until the application has been completed. Consequently, there will be no difference between these two data points. Please clarify that is acceptable for states to submit the same number for both categories</p>	<p><i>Treasury agreed to clarify its expectation that the data elements in question may be reported as the same figure for certain recipients.</i></p>

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15	4/14/2022	NCSHA	<p><u>Clarify Data Points on Multiple Time HAF Applicants and Beneficiaries</u></p> <p>The proposed Guidance requires HAF administrators to submit in their quarterly reports both the “Number of unique Homeowners who applied for assistance that had previously received HAF assistance” and the “Number of unique Homeowners that received assistance on more than one application.”</p> <p>These two metrics seem very similar and further clarification is needed to determine what exactly is being captured within each metric and how they differ.</p>	<i>Treasury updated the reporting guidance to clarify. The two questions measure outcomes of Homeowners attempting to receive repeat assistance compared to those that succeeded.</i>
16	4/14/2022	NCSHA	<p><u>Definition of “HAF Funded Program”</u></p> <p>On Page 14 of the proposed Guidance, Treasury states that HAF administrators must provide in their quarterly reports information on all “HAF funded programs” but does not provide a definition of this term. Please include a definition for this term in the final Guidance.</p>	<i>Treasury agreed to clarify verbiage of “HAF Funded Programs”, by removing the word “Funded” from the reporting guidance.</i>
17	4/14/2022	NJ Housing and Mortgage Finance Agency	First, could we quickly receive a sample of the reporting template to be used for quarterly reporting, in order to ensure a timely submission by the upcoming deadline?	<i>Treasury decided to not make an update at this time. The User Guide will provide adequate information.</i>
18	4/14/2022	NJ Housing and Mortgage Finance Agency	Second, Property Type (or Housing Type) is a field that was not reported on the interim reporting. Many states may not currently be capturing this in our systems, and may need to rely heavily on the “Data not Captured” selection until the data can be captured for applications moving forward.	<i>Treasury decided to not make an update at this time.</i>
19	4/14/2022	NJ Housing and Mortgage Finance Agency	Lastly, we note that Loan Type is captured electronically from the mortgage services, and may not be able to be independently verified by the HAF participant or even the applicant.	<i>Current data collection methods allow for the participant to select “Data not collected”. Treasury decided to not make an update at this time.</i>
20	4/14/2022	Hawaii Housing Finance and Development Corporation	On page 9, paragraph 8, Program Income: Either declare limitations for the utilization of the amount program income for interest earned as being \$500, or declare that no such limitation exists for the utilization of the amount program income for the interest earned.	<i>Treasury decided to not make an update at this time. This is not required in the reporting guidance.</i>
21	4/14/2022	California Housing Finance Agency	Will the Treasury provide a template for the data elements that will be entered into the portal?	<i>Treasury decided to not make an update at this time The User Guide will provide adequate information.</i>
22	4/14/2022	California Housing Finance Agency	The number of metrics which require the disaggregation of data will require a considerable amount of time and effort on the programs part.	<i>Treasury decided to not make an update at this time.</i>
23	4/14/2022	California Housing Finance Agency	Tracking the number of delinquencies “resolved” from the non-monetary assistance perspective may be difficult due to the data being recorded and reported from a sub-recipient of funds. The program may know if a homeowner was assisted with their delinquency issue but may not know the outcome of that assistance on whether it was resolved.	<i>Treasury agreed to clarify the intention behind the use of the term “resolved.”</i>

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24	4/14/2022	California Housing Finance Agency	If the US Treasury Department (UST) decides to require data points not readily available to States, the program would request UST facilitate the sharing of data between FNMA, FHLMC, VA, USDA, FHA and the program.	<i>Treasury decided to not make an update at this time.</i>
25	4/14/2022	California Housing Finance Agency	Page 13: a) Budget – is this the total obligated and expended totals since program start? Or is it similar to: f. Program Information?	<i>Treasury agreed to provide additional guidance in the Programmatic Information Requirements section of the reporting guidance. The User Guide will provide adequate information.</i>
26	4/14/2022	California Housing Finance Agency	Page 13: What is the difference between the “Budget” in a) and the expenditures and obligations in g) and h)?	<i>Treasury agreed to provide additional guidance in the Programmatic Information Requirements section of the reporting guidance. The User Guide will provide adequate information.</i>
27	4/14/2022	California Housing Finance Agency	Page 13: Delinquencies – Need more information around what “participant-level” level reporting would include?	<i>Treasury decided to not make an update at this time. The User Guide will provide adequate information.</i>
28	4/14/2022	California Housing Finance Agency	Page 14: i) The difference between i) and f) in the quarterly report?	<i>Treasury agreed to provide additional guidance in the Programmatic Information Requirements section of the reporting guidance.</i>
29	4/14/2022	Ohio Housing Finance Agency	Final guidance unlikely to be published in advance of May quarterly report due date. Comments on this guidance are due April 14 to Treasury. Then Treasury will need time to make revisions/updates and release the final guidance. With this timeline, it seems unlikely that the final guidance will be published sufficiently in advance of the May 16 quarterly report due date, leaving almost no time for HAF participants to prepare. Implementation of any new rules or requirements should be delayed to a reasonable date to allow for adoption by participants.	<i>Treasury agreed to adjust the timeline in the reporting guidance to allow for additional time for recipients to prepare Quarterly Reports. First Quarterly Report Date is now May 31, 2022.</i>
30	4/14/2022	Ohio Housing Finance Agency	Changes to data collection requirements mid-program negatively impact data quality. OHFA has been providing HAF assistance since July 2021 and has nearly a year of data on programs and applicants. Changes to data collection, as outlined in this guidance, are unable to be gathered retroactively, leaving a large portion of the data incomplete. This adversely affects data quality and OHFA's ability to use this data for rigorous analysis. Treasury has provided no explanation as to why these proposed requirements were not offered upon the program's initial implementation, or what has changed that makes these proposed requirements necessary. The addition of new data collection requirements at this late date is unreasonable and places an undue burden on participants.	<i>Treasury decided to not make an update at this time.</i>
31	4/14/2022	Ohio Housing Finance Agency	Changes to reporting and data collection require additional administrative costs. It would have been beneficial to receive more detailed guidance as OHFA was setting up the program last July. At this point, many of the changes to reporting and data collection, as outlined here, will require additional administrative dollars to adjust IT systems and reporting procedures. Treasury's creation of new data elements at this late date will lead participants to utilize their awarded dollars for extensive, expensive, and unnecessary reprogramming efforts. This is an irresponsible waste of federal dollars, which could have been avoided by requiring such data elements at the program's inception.	<i>The current reporting requirements are necessary for responsible oversight. Treasury decided to not make an update at this time.</i>

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32	4/14/2022	Ohio Housing Finance Agency	Conflict with new guidance. If something in a HAF participants approved plan conflicts with this new guidance, does the participant need to make updates to the plan and resubmit? If existing plans are not grandfathered (as they have already been approved by Treasury), then this is another example of how the long delay in the release of these proposed rules will lead to the additional and unnecessary expenditure of grant funds and increased administrative burdens on behalf of participants to simply remain compliant with Treasury's moving targets.	<i>Treasury decided to not make an update at this time.</i>
33	4/14/2022	Ohio Housing Finance Agency	Template. It would be helpful to have a template for the quarterly reports and/or the annual report so that HAF participants can better prepare.	<i>Treasury decided to not make an update at this time. The User Guide will provide adequate information.</i>
34	4/14/2022	Ohio Housing Finance Agency	Definition of "Obligation/Obligated" (page 3) – It is odd to include expended funds as part of the definition of obligated funds. From a Finance/Accounting perspective, one would expect obligated to include only outstanding contracts so that as the amount of expended increases, the amount of obligated decreases. The encumbrance associated with any obligation is released as the expenditure occurs. Can Treasury provide clarification as to why obligated funds are inclusive of expended funds?	<i>The definition is set under Title 2 of the Code of Federal Regulations. Treasury decided to not make an update at this time.</i>
35	4/14/2022	Ohio Housing Finance Agency	Guiding Principles: "Swift and effective implementation is vital, and Participants must balance facilitating program access and maintaining a robust documentation and compliance regime" (page 5). -What is the definition of "robust?" If the meaning of this is that OHFA should maintain documentation in accordance with generally accepted grant requirements, then "appropriate" would be a better term. -OHFA was informed by Treasury at the start to make this process to reduce barriers for applicants. The direction provided in the proposed guidance seems to contradict this policy approach. Is this directed at the HAF participant's internal process for documenting the program? Or is this directed at the applicant submitting documentation? Please clarify this verbiage, as it appears on its face, that Treasury is requiring participants to gather substantially more documentation through our program efforts.	<i>Treasury decided to not make an update at this time.</i>
36	4/14/2022	Ohio Housing Finance Agency	Guiding Principles: "HAF-funded programs should advance shared interests and promote equitable delivery of government benefits and opportunities to underserved communities, as outlined in Executive Order 13985, On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government" (page 5). -How will the HAF participant be measured in this regard? Please provide clarification on Treasury's expectations for how and what OHFA should measure to ensure the advancement of shared interests and the promotion of equitable delivery of benefits and opportunities.	<i>Treasury decided to not make an update at this time. The User Guide will provide adequate information.</i>
37	4/14/2022	Ohio Housing Finance Agency	Reporting: "HAF participants will be required to submit quarterly reports until September 30, 2026..." (page 6) -ARP legislation specifies that HAF funds remain available until September 30, 2025. The new guidance from Treasury is requiring OHFA to submit quarterly reports until September 30, 2026. Please clarify what activity Treasury expects between September 30, 2025 and September 30, 2026.	<i>The Period of Performance is through September 30, 2026, per the financial assistance agreement.</i>

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38	4/14/2022	Ohio Housing Finance Agency	<p>Reporting: "Certain reporting may continue on an annual basis for four years, until August 2027, to ensure that programs funded by the HAF program maintain operations." (page 6)</p> <p>- This time period is unclear and what is "certain reporting?" Is it four years following the end of the program, which would be 2030? Or, is it until August 2027, which would be four years following what significant date?</p> <p>- If no additional homeowners are assisted, what "programs funded by the HAF Program" will need to "maintain operation"? In reality, no programs will be operating after the end of the program in 2026.</p>	<p><i>Treasury agreed to adjust the timeline in the reporting guidance. The final annual report will cover July 1, 2025 - September 30, 2026; due by November 14, 2026. Annual report #6 will be removed from the reporting guidance.</i></p>
39	4/14/2022	Ohio Housing Finance Agency	<p>Other Compliance Obligations: Civil Rights Compliance (page 10).</p> <p>-The proposed guidance is incomplete and unclear. How exactly will participants be measured in this regard? How do we check and/or indicate to Treasury that OHFA is in compliance?</p>	<p><i>Civil rights compliance laws are set statutorily. Treasury does not have any further comments on this statement at this time.</i></p>
40	4/14/2022	Ohio Housing Finance Agency	<p>Quarterly Reporting: "The subsequent Quarterly Reports will cover one calendar quarter and must be submitted to Treasury within 45 calendar days after the end of each calendar quarter" (page 12).</p> <p>-The language here indicates the report should cover a single quarter, however the timeline chart indicates that the period covered is from award date to end of the calendar quarter. Will the reports be both quarterly and cumulative? Please clarify.</p>	<p><i>Treasury agreed to provide additional detail in the reporting guidance related to the reporting timeline. The quarterly reports will be cumulative from Award-Date to calendar quarter end date.</i></p>
41	4/14/2022	Ohio Housing Finance Agency	<p>Quarterly Reporting, Programmatic Information Requirements – b. Homeowner Applications: Number of unique Homeowners whose application was denied (page 13).</p> <p>-For OHFA's Utility Assistance Plus program, the Community Action Agencies do not provide a reason for denials. This metric may make sense for the mortgage assistance programs, but it's not clear how it is a useful metric to capture for non-mortgage assistance programs.</p> <p>-The categories for denial reasons are broad and not indicative of what OHFA is seeing in practice. How were these categories determined?</p> <p>-Allowing for an "Other" category with a narrative decreases data quality as it allows for too much subjectivity in data entry. OHFA would suggest a more comprehensive list of categories rather than allowing for a narrative.</p>	<p><i>Other reasons for denial category should be used in this instance. Treasury does not have any further comments on this statement at this time.</i></p>
42	4/14/2022	Ohio Housing Finance Agency	<p>Quarterly Reporting, Programmatic Information Requirements – b. Homeowner Applications: Number of unique Homeowners that received assistance on more than one application (page 13).</p> <p>-Please clarify what is meant by "more than one application." Is it simply homeowners who received assistance from more than one program (mortgage, utility, repair, etc.)? If so, could the language be changed to read: "Number of unique Homeowners that received assistance from more than one program?"</p>	<p><i>Treasury updated the reporting guidance to clarify. The two questions measure outcomes of Homeowners attempting to receive repeat assistance compared to those that succeeded.</i></p>

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43	4/14/2022	Ohio Housing Finance Agency	<p>Quarterly Reporting, Programmatic Information Requirements – d. Delinquencies: HAF participants will be required to report on the number of delinquencies resolved using HAF assistance. Delinquencies can be resolved through two forms of HAF assistance: Monetary or Non-Monetary (page 14).</p> <p>-Please clarify what "resolved" means or provide a definition in the "Definitions" section. Is it that a delinquency no longer exists? If so, a delinquency could be "resolved" through foreclosure, which is not a desirable outcome. What outcomes indicate a desirable/positive resolved delinquency?</p> <p>-For non-monetary assistance, what is the level of detail needed to prove a delinquency was "resolved" by a Legal Aid or Housing Counseling Agency? Is it that a Legal Aid filed a motion or is it necessary to track the result of the motion as well? What are the outcomes that need to be reported here to show resolution?</p> <p>-Has Treasury considered the possibility that Legal Aids won't be able to report information due to confidentiality? If that is the case, it may be extremely difficult to get an accurate count of unique homeowners who utilized their services and received monetary assistance.</p>	<i>Treasury agreed to clarify the intention behind the use of the term "resolved."</i>
44	4/14/2022	Ohio Housing Finance Agency	<p>Quarterly Reporting, Programmatic Information Requirements – g. Expenditures: HAF participants will be asked to report expenditures on a cumulative basis on at the following levels: the participant-level, program-level, and program design element level (page 14).</p> <p>-Please provide more information about what expenditure information is being asked for at each of these levels, and in particular, at the program design element-level.</p>	<i>Treasury decided to not make an update at this time. The User Guide will provide adequate information.</i>
45	4/14/2022	Ohio Housing Finance Agency	<p>Quarterly Reporting, Programmatic Information Requirements – g. Obligations: HAF participants will be asked to report expenditures on a cumulative basis on at the following levels: the participant-level, program-level, and program design element level (page 14).</p> <p>-Please provide more information about what expenditure information is being asked for at each of these levels, and in particular, at the program design element-level. It seems like an undue burden to ask for obligated information at the program design element-level.</p>	<i>Treasury decided to not make an update at this time. The User Guide will provide adequate information.</i>
46	4/14/2022	Ohio Housing Finance Agency	<p>Changes mid-program as to what data is being collected by OHFA will negatively impact data quality and OHFA's ability to use this data for rigorous analysis. It would have been better to specify these race, ethnicity, and gender categories in more detail at the start of the program last July.</p>	<i>Treasury does not have any further comments on this statement at this time.</i>
47	4/14/2022	Ohio Housing Finance Agency	<p>Race (page 19)</p> <p>-It is unclear how granular Treasury would like race data collected. Is Treasury asking for race data broken down further than the general categories of American Indian/Alaska Native, Asian, Black/African American, etc.? OHFA has not been collecting data broken down into racial subcategories (i.e., Chinese, Filipino, Japanese). To do so mid-program would negatively impact data quality and OHFA's ability to use this data for rigorous analysis.</p>	<i>Treasury will retain race sub-categories and add a new line-item "sub-category not collected" in the disaggregate table for participants who do not collect information at the sub-category level.</i>
48	4/14/2022	Ohio Housing Finance Agency	<p>Gender (page 19)</p> <p>-OHFA has not been collecting data broken down into female, male, and non-binary. While OHFA would certainly agree that this a more inclusive way to track gender categories, to change our data collection mid-program would negatively impact data quality and OHFA's ability to use this data for rigorous analysis.</p>	<i>Current data collection methods allow for the participant to select "Data not collected". Treasury does not have any further comments on this statement at this time.</i>
49	4/14/2022	Ohio Housing Finance Agency	<p>Housing Type (page 21)</p> <p>-OHFA has not been collecting data on housing type. To do so mid-program would negatively impact data quality and OHFA's ability to use this data for rigorous analysis. This data is also extremely difficult to capture. What data source does Treasury expect HAF participants to use to easily gather this data? What is the utility of capturing this data for non-mortgage programs? How does this metric assist HAF participants in using data to improve processes and outcomes?</p>	<i>Current data collection methods allow for the participant to select "Data not collected". Treasury does not have any further comments on this statement at this time.</i>

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50	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>We recommend the following changes to the definition of monetary and non-monetary HAF assistance in order to ensure that all eligible types of uses of HAF funds are covered:</p> <p>Monetary HAF Assistance means HAF assistance in the form of money that was provided to Homeowners or on behalf of Homeowners to financial institutions, utility providers, and-taxing authorities or other third-party payees under a HAF Program.</p> <p>Non-monetary HAF Assistance means HAF assistance in any form other than money that was provided to Homeowners under a HAF Program (i.e., housing counseling or legal services).</p>	<i>Treasury agreed to update the operational definitions bulleted under HAF Assistance in the reporting guidance.</i>
51	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>We recommend that the list of denial reasons in the section requiring disaggregation of denial separated by reason category be expanded to reflect some of the most common reasons homeowners are being denied for HAF assistance. These additional denial reasons should include:</p> <ul style="list-style-type: none"> ● Servicer not participating ● Non-qualifying delinquency (i.e., not delinquent enough or delinquency started too early or too late) ● Delinquency amount exceeds program cap ● Applicant unable to document ownership interest in the property 	<i>Treasury will update reason for denial categories to include servicers not participating and delinquency amount exceeds program cap.</i>
52	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>We further recommend that HAF participants also be required to report how many appeals of denials they received and, for each appeal, whether the decision to deny was confirmed or reversed.</p>	<i>Treasury decided to not make an update at this time. Treasury reserves the right to collect information apropos of the appeals process on an ad-hoc basis.</i>
53	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>In subsections (d) and (f), the draft guidance requires HAF participants to report "delinquencies resolved" using both monetary or non-monetary assistance. We strongly recommend that "delinquencies resolved" be used as a metric only for monetary assistance and that the metric for non-monetary assistance be the number of homeowners assisted.</p> <p>Using "delinquencies resolved" as a metric for non-monetary assistance poses a number of problems. First, when a HAF-funded housing counseling or legal services agency assists a homeowner who also applies for and receives monetary HAF assistance, reporting that delinquency as resolved under both monetary and non-monetary categories would result in double counting of a single resolved delinquency. Second, HAF-funded counseling, education or legal services provided to HAF-eligible homeowners will not always involve resolution of a current delinquency. For example, a homeowner may seek the assistance of a housing counselor when she is facing a loss of income that will make paying her mortgage difficult in the future instead of waiting until she is already delinquent on payments. Another homeowner may seek legal assistance with a homestead declaration to protect home equity or with establishing successor-in-interest status after a death or divorce.</p> <p>In addition, unlike HAF programs providing monetary HAF assistance, where it is always clear whether a delinquency has been resolved with the money sent to a mortgage servicer or other third-party payee, providers of non-monetary HAF assistance frequently provide advice, counseling or education to homeowners who then proceed to take action on their own behalf so that the provider may not know the outcome.</p>	<i>Treasury agreed to clarify the intention behind the use of the term "resolved."</i>

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54	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	It would make much more sense and be more feasible for providers of non-monetary HAF assistance for the Treasury Department to use a metric similar to the metric used for nonmonetary housing stability services under the Emergency Rental Assistance Program (ERAP). Under the ERAP reporting guidance, program administrators and providers of housing stability services are only required to report the number of unique participant households that received housing stability services in the reporting period. That approach should be adopted for HAF as well.	<i>Treasury agreed to provide additional clarity on the distinction between Monetary HAF Assistance and Non-monetary HAF Assistance in the reporting guidelines. Treasury agreed to clarify the intention behind the use of the term "resolved."</i>
55	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>We recommend that the specified data also be disaggregated by the following additional categories:</p> <ul style="list-style-type: none"> ● Limited English proficiency. ● Language preference. ● Disability status. ● Census tract. Using census tract (as opposed to just zip code) in this context will make it much easier to overlay a variety of demographic and housing stock data on the HAF data for purposes of assessment, analysis and generation of lessons learned for the future. Converting street addresses to census tract numbers is relatively straightforward and so should not be difficult for HAF administrators. Moreover, many HAF programs are already using census tract information as part of their SDI definitions. <p>We also recommend making the following related addition at the end of Appendix 2: Census Tract HAF participants will be expected to collect the number of homeowners and program funds obligated and expended at the census tract level.</p>	<i>Treasury decided to not make an update at this time. Despite the benefits, the implementation of Census Tract data would place an undue burden on certain recipients.</i>
56	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>We recommend revising this paragraph as follows: Treasury may request information on the HAF participant's compliance with Title VI of the Civil Rights Act of 1964 on an annual basis. This information may include a narrative describing the HAF participant's compliance with Title VI, along with other questions and assurances, including actions taken and systems established to ensure that members of all relevant protected classes have full access to the HAF participant's program, including people with disabilities and others, and data needed to determine compliance with all applicable civil rights statutes. This collection does not apply to Tribal Governments.</p>	<i>Treasury will update the guidance accordingly.</i>
57	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>We recommend including the following more specific categories under the "Hispanic or Latino/a" heading:</p> <ul style="list-style-type: none"> ● Mexican ● Puerto Rican ● Cuban ● Other Hispanic or Latino/a 	<i>Treasury decided to not make an update at this time.</i>
58	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	<p>Appendix 2 - Socially Disadvantaged We recommend revising the paragraph regarding racial or ethnic prejudice as follows: Racial or Ethnic Prejudice – member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society the HAF participant's jurisdiction, as determined by the HAF participant and specified in the participant's HAF plan.</p>	<i>Treasury decided to not make an update at this time.</i>

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59	4/14/2022	National Housing Law Project National Consumer Law Center National Fair Housing Alliance National Housing Resource Center UnidosUS	Appendix 2 – Housing Type We recommend adding the following categories to this list: <ul style="list-style-type: none"> • Cooperative • Manufactured housing – affixed to real property • Manufactured housing – unaffixed to real property 	<i>Treasury decided to not make an update at this time.</i>