



U.S. Department of Housing and Urban Development

Office of Housing

Notice of Funding Opportunity (NOFO) for the Department's Fiscal Year 2023 Homeownership
Initiative Grant
FR-6700-N-90
04/01/2024

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Office of Housing

Funding Opportunity Title:

Notice of Funding Opportunity (NOFO) for the Department's Fiscal Year 2023 Homeownership Initiative Grant

Funding Opportunity Number:

FR-6700-N-90

Assistance Listing Number (formerly CFDA Number):

14.169,14.022

Due Date for Applications:

04/01/2024

OVERVIEW

The U.S. Department of Housing and Urban Development (HUD) issues this Notice of Funding Opportunity (NOFO) to invite applications from eligible applicants for the program and purpose described within this NOFO. You, as a prospective applicant, should carefully read all instructions in all sections to avoid sending an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

In accordance with [Title 24 part 4, subpart B](#) of the Code of Federal Regulations (CFR), during the selection process (which includes HUD's NOFO development and publication and concludes with the award of assistance), HUD is prohibited from disclosing covered selection information. Examples of impermissible disclosures include: 1) information regarding any applicant's relative standing; 2) the amount of assistance requested by any applicant; and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For further information regarding this NOFO, direct questions regarding the specific requirements of this NOFO to the agency contact identified in section VII.

Paperwork Reduction Act Statement. In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501- 3520) (PRA), the Office of Management and Budget (OMB) approved the information collection requirements in this NOFO. HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a valid OMB control number. This NOFO identifies its applicable OMB control number, unless its collection of information is excluded from these requirements under [5 CFR part 1320](#).

OMB Approval Number(s):

2502-NEW

I. FUNDING OPPORTUNITY DESCRIPTION

A. Program Description

1. Purpose

a. Program Description. The Homeownership Initiative (HI) helps to bridge the homeownership gap by increasing homeownership rates among Underserved Communities.

HUD-approved Intermediaries, Multi-State Organizations, and State Housing Finance Agencies will receive Fixed Amount Awards to provide Culturally Sensitive, Linguistically Appropriate Housing Counseling that results in home purchase, mortgage origination, and preservation of ownership. The purpose of this housing counseling is to improve the likelihood that a household is ready for the long-term legal and financial responsibility of homeownership and that terms and conditions of a mortgage are well-matched with the household's personal and financial circumstances. The scope of pre-purchase counseling includes awareness of state and local property law and homeownership assistance programs, such as down payment and closing cost assistance, gap financing, and sweat equity. The scope of post-purchase counseling includes home maintenance, repair, and safety to preserve the property and mortgage relief programs to preserve ownership where feasible.

All counseling and follow-up must be provided in accordance with the Housing Counseling Program regulations (24 C.F.R. Part 214).

2. HUD and Program-Specific Goals and Objectives

This NOFO supports [HUD's Strategic Plan for Fiscal Years \(FY\) 2022-2026](#) to accomplish HUD's mission and vision. Each of the five goals in the [Strategic Plan](#) include what HUD hopes to accomplish, the strategies to accomplish those objectives, and the indicators of success. However, of the five goals only those applicable to this NOFO are identified below.

You are expected to align your application to the applicable strategic goals and objectives below. Use the information in this section to describe in your application the specific goals, objectives, and measures that your project is expected to help accomplish. If your project is selected for funding, you are also expected to establish a plan to track progress related to those goals, objectives, and measures. HUD will monitor compliance with the goals, objectives, and measures in your project.

Applicable Goals and Objectives from HUD's Strategic Plan

1. Strategic Goal 1: Support Underserved Communities

Fortify support for underserved communities and support equitable community development for all people.

2. 1C: Invest in the Success of Communities

Promote equitable community development that generates wealth-building for underserved communities, particularly for communities of color.

3. Strategic Goal 3: Promote Homeownership

Promote homeownership opportunities, equitable access to credit for purchase and improvements, and wealth-building in underserved communities.

4. 3A: Advance Sustainable Homeownership

Advance the deployment of tools and capital that put sustainable homeownership within reach.

In Rating Factor 2, Applicants will be rated on the extent to which they are able to contribute to the applicable Strategic Goals and Objectives. Additionally, if awarded, Grantees will be required to track delivery of program goals in their Grant Activity Reports and Final Report.

3. Changes from Previous NOFO

4. Definitions

a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH) means taking meaningful actions, in addition to combating discrimination to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunities, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all program participant's activities and programs relating to housing and urban development.

Assistance Listing number refers to the unique number assigned to each Federal assistance program publicly available in the Assistance Listing, which is managed and administered by the General Services Administration. The Assistance Listing number was formerly known as the Catalog of Federal Domestic Assistance (CFDA) number.

Authorized Organization Representative (AOR) is a person authorized to legally bind your organization and submit applications via Grants.gov. The AOR is authorized by the E-Business Point of Contact (E-Biz POC) in the System for Award Management (see E-Biz POC definition). An AOR may include an Expanded AOR and/or a Standard AOR.

Expanded Authorized Organization Representative is a user in Grants.gov who is authorized by the E-Biz POC to perform the functions of a Standard AOR, initiate and submit applications on behalf of your organization, and is allowed to modify organization-level settings and certifications in Grants.gov.

Standard Authorized Organization Representative is a user in Grants.gov who is authorized by the E-Biz POC to initiate and submit applications in Grants.gov. A Grants.gov user with the Standard AOR role can only submit applications when they are a Participant for that workspace.

Consolidated Plan is the document submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submission for funding under any of the Community Planning and Development formula grant programs (e.g., CDBG, ESG, HOME, and HOPWA). This Plan is prepared in accordance with the process described in [24 CFR part 91](#). This plan is completed by engaging in a participatory process to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See [24 CFR part 91](#) for HUD's requirements regarding the Consolidated Plan and related Action Plan).

Contract means, for the purpose of Federal financial assistance, a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a federal award. For additional information on contractor and subrecipient determinations, see [2 CFR 200.331](#).

Contractor means an entity that receives a contract as defined above and in [2 CFR 200.1](#).

Cooperative agreement has the same meaning defined at [2 CFR 200.1](#).

Deficiency, with respect to the making of an application for funding, is information missing or omitted within a submitted application. Examples of deficiencies include missing documents, missing or incomplete information on a form, or some other type of unsatisfied information requirement. Depending on specific criteria, a deficiency may be either Curable or Non-Curable.

A Curable Deficiency is missing or incomplete application information that may be corrected by the applicant with timely action. To be curable, the deficiency must:

- Not be a threshold requirement, except for documentation of applicant eligibility;
- Not influence how an applicant is ranked or scored versus other applicants; and
- Be remedied within the time frame specified in the notice of deficiency.

A Non-Curable Deficiency is missing or incomplete application information that cannot be corrected by an applicant after the submission deadline. A non-curable deficiency is a deficiency that is a threshold requirement, or a deficiency that, if corrected, would change an applicant's score or rank versus other applicants. If an application includes a non-curable deficiency, the application may receive an ineligible determination, or the non-curable deficiency may otherwise adversely affect the application's score and final funding determination.

E-Business Point of Contact (E-Biz POC) is an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see Authorized Organization Representative definition). There can only be one E-Biz POC per unique entity identifier (see definition of Unique Entity Identifier below).

Eligibility requirements are mandatory requirements for an application to be eligible for funding.

Environmental Justice means investing in environmental improvements, remedying past environmental inequities, and otherwise developing, implementing, and enforcing laws and policies in a manner that advances environmental equity and provides meaningful involvement for people and communities that have been environmentally underserved or overburdened, such as Black and Brown communities, indigenous groups, and individuals with disabilities. This definition does not alter the requirements under HUD's regulations at [24 CFR 58.5\(j\)](#) and [24 CFR 50.4\(l\)](#) implementing [Executive Order 12898](#). E.O. 12898 requires a consideration of how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and/or low-income populations. For additional information on environmental review compliance, refer to:

https://www.hud.gov/program_offices/comm_planning/environment_energy/regulations.

Equity has the meaning given to that term in Section 2(a) of Executive Order [13985](#) and means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

Federal Award, has the meaning, depending on the context, in either paragraphs (1) or (2) of this definition:

(1)

(a) The Federal financial assistance that a recipient receives directly from a Federal awarding agency or a subrecipient receives indirectly from a pass-through entity, as described in [2 CFR 200.101](#); or

(b) The cost-reimbursement contract under the Federal Acquisition Regulations that a non-Federal entity receives directly from a federal awarding agency or indirectly from a pass-through entity, as described in [2 CFR 200.101](#).

(2) The instrument setting forth the terms and conditions. The instrument is the grant agreement, cooperative agreement, other agreement for assistance covered in paragraph (2) of the definitions of Federal financial assistance in [2 CFR 200.1](#), and this NOFO, or the cost-reimbursement contract awarded under the Federal Acquisition Regulations.

(3) Federal award does not include other contracts that a Federal agency uses to buy goods or services from a contractor or a contract to operate Federal Government owned, contractor operated facilities (GOCOs).

(4) See also definitions of Federal financial assistance, grant agreement, and cooperative agreement in [2 CFR 200.1](#).

Federal Financial Assistance has the same meaning defined at [2 CFR 200.1](#).

Grants.gov is the website serving as the Federal government's central portal for searching and applying for Federal financial assistance throughout the Federal government. Registration on Grants.gov is required for submission of applications to prospective agencies unless otherwise specified in this NOFO.

Historically Black Colleges and Universities (HBCUs) are any historically Black college or university that was established prior to 1964, whose principal mission was, and is, the education of Black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority as to the quality of training offered or is, according to such an agency or association, making reasonable progress toward accreditation. [A list of accredited HBCUs can be found at the U.S. Department of Education's website.](#)

Minority-Serving Institutions (MSIs) are

(1) a part B institution (as defined in [20 U.S.C. 1601](#));

(2) a Hispanic-serving institution (as defined in [20 U.S.C. 1101a\(5\)](#));

(3) a Tribal College or University (as defined in [20 U.S.C. 1059c](#));

(4) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in [20 U.S.C. 1059d\(b\)](#));

(5) a Predominantly Black Institution (as defined in [20 U.S.C. 1059e](#));

(6) an Asian American and Native American Pacific Islander-serving institution (as defined in [20 U.S.C. 1059g](#)); or

(7) a Native American-serving nontribal institution (as defined in [20 U.S.C. 1059f](#)).

Non-Federal Entity (NFE) means a state, local government, Indian tribe, Institution of Higher Education (IHE), or non-profit organization that carries out a federal award as a recipient or subrecipient.

Primary Point of Contact (PPOC) is the person who may be contacted with questions about the application submitted by the AOR. The PPOC is listed in item 8F on the SF-424.

Racial Equity is the elimination of racial disparities, and is achieved when race can no longer predict opportunities, distribution of resources, or outcomes – particularly for Black and Brown persons, which includes Black, Latino, indigenous, Native American, Asian, Pacific Islander, and other persons of color.

Promise Zones (PZs) are high poverty areas in select urban, rural and tribal communities designated from 2014-2016 where the federal government partners with local leaders to increase economic activity, improve educational opportunities, leverage private investment, reduce violent crime, enhance public health and address other priorities identified by the community. [See Promise Zones.](#)

Recipient means an entity, usually but not limited to non-Federal entities, that receives a federal award directly from HUD. The term recipient does not include subrecipients or individuals that are beneficiaries of the award.

Resilience is a community’s ability to minimize damage and recover quickly from extreme events and changing conditions.

Small business is defined as a privately-owned corporation, partnership, or sole proprietorship that has fewer employees and less annual revenue than regular-sized business. The definition of “small”—in terms of being able to apply for government support and qualify for preferential tax policy—varies by country and industry. The U.S. Small Business Administration defines a small business according to a set of standards based on specific industries. See [13 CFR Part 121](#).

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a federal award but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

System for Award Management (SAM) is the Federal Repository into which an entity must provide information required for the conduct of business as a recipient. Registration with SAM is required for submission of applications via Grants.gov. You can access the website at <https://www.sam.gov/SAM/>. There is no cost to use SAM.

Threshold Requirements are eligibility requirements that must be met for an application to be reviewed, rated, and ranked. Threshold requirements are not curable, except for documentation of applicant eligibility, which are listed in Section III.D., Threshold Eligibility Requirements. Similarly, there are eligibility requirements under Section III.E., Statutory and Regulatory Requirements Affecting Eligibility.

Underserved Communities has the meaning given to that term in Section 2(b) of Executive Order [13985](#) and refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the definition of “equity” above.

Unique Entity Identifier (UEI) means the identifier assigned by SAM to uniquely identify business entities. As of April 4, 2022, the Federal government has transitioned from the use of the DUNS Number to the use of UEI, as the primary means of entity identification for Federal awards government-wide.

b. Program Definitions.

Program specific definitions are in Appendix A.

B. Authority

HUD's Housing Counseling Program is authorized by Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701x) (Section 106) and Section 4 of the Department of Housing and Urban Development Act (42 U.S.C. § 3533) as amended. The Housing Counseling Program regulations are codified at 24 C.F.R. Part 214. The Home Equity Conversion Mortgage Program (HECM) is authorized by Section 255 of the National Housing Act (12 U.S.C. § 1715z-20), and its regulations are codified at 24 C.F.R. Part 206. Funding for this program is provided by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022).

II. AWARD INFORMATION

A. Available Funds

Funding of approximately \$10,000,000 is available through this NOFO.

Additional funds may become available for award under this NOFO consistent with Section VI.A.2.e., Adjustments to Funding. Use of these funds is subject to statutory constraints. All awards are subject to the funding restrictions contained in this NOFO.

B. Number of Awards

HUD expects to make approximately 30 awards from the funds available under this NOFO.

The number of awards under this NOFO will depend on the number of eligible applicants and other factors. For information on the methodology used to make award determinations under this NOFO, see Section V.B.

C. Minimum/Maximum Award Information

1. **Total Grant Request.** Applicants are not required to request a specific award amount but should enter a response of \$1.00 in line 18a of the SF-424, Application for Federal Assistance. In line 18a of the SF-424, Applicants may indicate a maximum grant request that will be considered as a cap in establishing the maximum award, up to \$3 million.
2. **Award Adjustments.** Once Applicants are selected for award, HUD will determine the total amount to be awarded to each grantee. HUD reserves the right to adjust funding levels for each Grantee.

Estimated Total Funding:

\$10,000,000

Minimum Award Amount:

\$1

Per Project Period

Maximum Award Amount:

\$3,000,000

Per Project Period

D. Period of Performance

Estimated Project Start Date:

06/03/2024

Estimated Project End Date:

09/30/2024

Length of Project Periods:

12-month project period and budget period

Length of Periods Explanation of Other:

The period of performance for grants awarded under this program will be for a period of 12 months. For planning purposes, Applicants should assume that the period of performance is October 1, 2023, through September 30, 2024.

E. Type of Funding Instrument

Funding Instrument Type:

G (Grant)

HUD will use a Fixed Amount Award reimbursement method, see 2 C.F.R. 200.1 and 2 C.F.R. 200.201.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants

25 (Others (see text field entitled "Additional Information on Eligibility" for clarification))

Additional Information on Eligibility

1. Eligible applicants must satisfy the following criteria: Applicant must be

1. an Intermediary or Multi-State Organization (as defined by 24 C.F.R. 214.3) approved to participate in the HUD Housing Counseling Program prior to the NOFO issue date. In addition, State Housing Finance Agencies are eligible for this NOFO if they possess statutory authority to provide housing counseling throughout their state and adhere to all program requirements outlined in 24 C.F.R. Part 214, HUD Housing Counseling Handbook 7610.1, and other governing policies and requirements.
2. experienced providing pre-purchase counseling and post-purchase counseling directly or through its Subgrantees and/or Branches.

HUD will use its own records to determine eligibility.

2. Limit on Applicants and Subgrantees: Applicants and Subgrantees are prohibited from receiving this grant funding from multiple sources.

Faith-based organizations

(1) Faith-based organizations may apply for this award on the same basis as any other organization, as set forth at [24 CFR 5.109](#), and subject to the protections and requirements of 42 U.S.C. 2000bb et seq., HUD will not, in the selection of recipients, discriminate against an organization based on the organization's religious character, affiliation, or exercise.

(2) A faith-based organization that participates in this program will retain its independence and may continue to carry out its mission consistent with religious freedom and conscience protections in Federal law, including the Free Speech and Free Exercise Clauses of the Constitution, 42 U.S.C. 2000bb et seq., 42 U.S.C. 238n, 42 U.S.C. 18113, 42 U.S.C. 2000e-1(a) and 2000e-2(e), 42 U.S.C. 12113(d), and the Weldon Amendment, among others. Religious accommodations may also be sought under many of these religious freedom and conscience protection laws, particularly under the Religious Freedom Restoration Act.

(3) A faith-based organization may not use direct financial assistance from HUD to support or engage in any explicitly religious activities except where consistent with the Establishment Clause and any other applicable requirements. Such an organization also may not, in providing services funded by HUD, discriminate against a beneficiary or prospective program beneficiary on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

B. Ineligible Applicants

Applicants that do not meet the criteria of Section III.A. are ineligible.

C. Cost Sharing or Matching

This Program does not require cost sharing or matching.

D. Threshold Eligibility Requirements

Applicants who fail to meet any of the following threshold eligibility requirements are deemed ineligible. Applications from ineligible applicants are not rated or ranked and will not receive HUD funding.

1. Resolution of Civil Rights Matters

Outstanding civil rights matters must be resolved before the application submission deadline. Applicants with unresolved civil rights matters at the application deadline are deemed ineligible. Applications from ineligible applicants are not rated or ranked and will not receive HUD funding.

a. An applicant is ineligible for funding if the applicant has any of the charges, cause determinations, lawsuits, or letters of findings referenced in subparagraphs (1) – (5) that are not resolved to HUD’s satisfaction before or on the application deadline date for this NOFO.

- (1) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of 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 (including sexual orientation and gender identity), national origin, disability or familial status;
- (2) Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
- (3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act, Violence Against Women Act, or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
- (4) Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; Violence Against Women Act; or the Americans with Disabilities Act; or
- (5) Receipt of 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 prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

b. HUD will determine if actions to resolve the charge, cause determination, lawsuit, or letter of findings taken before the application deadline date will resolve the matter. Examples of actions that may be sufficient to resolve the matter include, but are not limited to:

- (1) Current compliance with a voluntary compliance agreement signed by all the parties;
- (2) Current compliance with a HUD-approved conciliation agreement signed by all the parties;
- (3) 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;
- (4) Current compliance with a consent order or consent decree;
- (5) Current compliance with a final judicial ruling or administrative ruling or decision; or
- (6) Dismissal of charges.

2. Timely Submission of Applications

Applications submitted after the deadline stated within this NOFO that do not meet the requirements of the grace period policy are marked late. Late applications are ineligible and are not considered for funding. See Section IV. D. Application Submission Dates and Times.

E. Statutory and Regulatory Requirements Affecting Eligibility

Eligibility Requirements for Applicants of HUD's Financial Assistance Programs

The following requirements affect applicant eligibility. Detailed information on each requirement is found in the [“Eligibility Requirements for Applicants of HUD's Financial Assistance Programs” document on HUD's Funding Opportunities page.](#)

- Universal Identifier and System for Award Management (SAM.gov) Requirements
- Outstanding Delinquent Federal Debts
- Debarments or Suspensions, or both
- Mandatory Disclosure Requirement
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Prohibition Against Lobbying Activities

In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of [24 CFR part 170](#) if the applicant receives an award, unless an exception applies as provided in [2 CFR170.110](#).

F. Program-Specific Requirements

1. **Audits and Investigations.** Successful Applicants must provide the most recent audit of financial activities (e.g., a single or program-specific audit required under 2 C.F.R. §200.501) completed no earlier than FY20. All Applicants not required to complete a single or program-specific audit under 2 C.F.R. §200.501 must submit their most recent independent financial audit. HUD will review individual circumstances upon request. At the time of the NOFO application submission date and thereafter, all Applicants must disclose to HUD the status of active investigations as outlined in 24 C.F.R. § 214.103(c) (3). HUD may determine that Applicants are not eligible for grant funding based on its review of HUD, HUD Office of Inspector General (OIG), or other government audits or investigations.
2. **Client Management System.** All Applicants, Branches, and Subgrantees must use a HUD-compliant Client Management System (CMS) that interfaces with HUD's Housing Counseling System (HCS). HUD will review individual circumstances when an agency is transitioning CMSs.
3. **Subgrant Allocation.** Grantees that award subgrants to counseling agencies that are not HUD-approved must ensure that they meet or exceed HUD's approval standards as outlined in 24 C.F.R. Part 214 and clarified in HUD policy guidance.
4. **Subgrant Agreement.** Grantees that award subgrants must execute subgrant agreements with Subgrantees that delineate the mutual responsibilities for program management, including appropriate time frames for reporting results to HUD and compliance with

HUD rules and regulations. These records must meet the data requirements of the Federal Funding Accountability and Transparency Act of 2006 (FFATA) (P.L. 109-282), and must be made available to Subgrantees, Branches, and HUD within 30 days of making the Subaward or allocation.

5. **Documentation of Households Served.** All Grantees and Subgrantees must be able to document the provision of services and results as required in this NOFO and Grant Agreement. This information must be made available upon request and maintained for a period of at least three years after the expiration of the Grant period or date of last payment, whichever occurs first.
6. **Subcontracting.** Grantees and Subgrantees must deliver the housing counseling services set forth in the Applicant's Work Plan. It is not permissible to contract out housing counseling services, except as approved by HUD as specified in 24 C.F.R. § 214.103(i).
7. **Conflicts of Interest.** See 24 C.F.R. Part 214 and Handbook 7610.1 for information about the Applicant's code of conduct and the prohibition against real and apparent conflicts of interest that may arise among officers, employees, agents, or other parties.
8. **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 and requires the same of its funding recipients: As provided in the AFFH rule (24 C.F.R. § 5.151), "Affirmatively furthering" means: "taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with racially balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws." "Meaningful actions" are significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity. Specifically, action must be taken to fulfill, as much as possible, the goal of open, integrated residential housing patterns and to prevent the increase of segregation, of racial groups whose lack of opportunities the Act was designed to combat. Examples of housing counseling activities that would be consistent with the obligation to AFFH include, but are not limited to, the following:
 1. Providing persons with counseling, education, or information on discriminatory housing and mortgage lending practices and the rights and remedies available.
 2. Maintaining a data base of accessible housing opportunities in the community and providing database for use by LEP persons or persons with disabilities.
 3. Providing mobility counseling to help persons move to and access affordable housing in the community, including helping persons identify housing opportunities, helping them connect with landlords, and assisting them with applying for such housing.
9. **Prohibition Against Lobbying Activities.** Applicants are subject to the provisions of Section 319 of Pub L No. 101-121, 31 U.S.C. § 1352 (the Byrd Amendment), 24 C.F.R. Part 87, and 2 C.F.R. §200.450, which prohibit recipients of Federal awards and their contractors, subcontractors, at any tier, and Subgrantees at any tier, from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a Federal award. In addition, grant funds under this

NOFO shall not be utilized to advocate or influence the outcome of any Federal, state or local election, referendum, initiative, or similar procedure or policy position through contributions, endorsements, publicity, or similar activity.

10. Tax Exempt. Applicants, Subgrantees, and Branches must be:

1. exemption from taxation under Internal Revenue Code (IRC) Section 501 (a) as an entity described in IRC Section 501(c) (26 U.S.C. § 501 (a) and (c)), or units of local, county, or state government,
2. in good standing under the laws and regulations of the state of their organization, and
3. authorized to do business in the states in which they propose to provide housing counseling services.

11. Provide Accessible Services. Applicants receiving federal financial assistance shall operate their housing programs or activities so that they are readily accessible to and usable by persons with disabilities. All programs or activities must be held in accessible locations, and successful applicants must give priority to methods that provide physical access to individuals with disabilities. Where accessibility for persons with disabilities is not possible, successful applicants must give priority to alternative participatory methods of delivery that are accessible to and usable by individuals with disabilities. Applicants receiving Federal financial assistance shall administer their housing programs or activities in the most integrated setting appropriate to the needs of individuals with disabilities. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and HUD's implementing regulations at 24 C.F.R. Part 8; Titles II and III of the Americans with Disabilities Act (42 U.S.C 12101 et seq.) and its implementing regulations at 28 C.F.R. Parts 35 and 36. In addition, counseling services must comply with effective communication and reasonable accommodation requirements pursuant to Section 504 of the Rehabilitation Act of 1973 and HUD's implementing regulations at 24 C.F.R. Part 8 and Titles II and III of the Americans with Disabilities Act of 1990, and the Department of Justice implementing regulations codified at 28 C.F.R. Parts 35 and 36. Accessibility arrangements, auxiliary aids and services, and reasonable accommodations may include, but are not limited to, materials provided in different formats, including large print or Braille and interpreter services. Information on how to request available assistive services and reasonable accommodations must be available, as well as available in different formats. Regarding accessible technology, HUD requires its funding recipients to adopt the goals and objectives of Section 508 of the Rehabilitation Act of 1973 by ensuring, whenever electronic and information technology (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 comparable basis as is made available to and used by persons without disabilities. Further, Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and Executive Order 13166 require that grantees take reasonable steps to ensure meaningful access to services, programs, and activities by persons with Limited English Proficiency. For assistance, grantees should consult HUD's Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (HUD's LEP Guidance) published in the Federal Register on January 22, 2007 (72 Fed. Reg. 2732).

12. **[Sam.gov](https://sam.gov) and UEI Registration Requirement.** Applicants must have a valid, active registration in the SAM. In addition, Applicants and Subgrantees must have a UEI Number.
13. **Outstanding Performance Issues.** Applicants and Subgrantees must resolve all outstanding issues communicated by HUD in writing by the later of the application deadline date of this NOFO or the expiration date of any conditional re-approval or inactive status resulting from such written communication.
14. **Election for Federal Office Violation.** No Applicant, Subgrantee, or Branch that employs an individual who has been convicted of a violation under Federal law relating to an election for Federal office. *See* 12 U.S.C. 1701x(a)(4)(D).
15. **Housing Counseling Work Plan.** Applicants must have an approved Housing Counseling Work Plan on file with HUD. Activities specified in the Homeownership Initiative Chart (Form HUD-91045) must be consistent with activities previously approved in the work plan prior to the application due date. Applicants are reminded of the requirement to provide counseling to at least thirty clients annually (24 C.F.R. § 214.303(b)).
16. **Compliance with Third Party Certifications and Licensing.** Applicants must comply with, and not in default under, any applicable state or other licensing and certification requirements. HUD will review individual circumstances upon request.
17. **Inherently Religious Activities.** If an organization engages in inherently religious activities, such as worship, religious instruction, or proselytization, these activities must be offered separately, in time or location, from the programs or services funded under this part, and participation must be voluntary and not a condition of the HUD programs or services in accordance with 24 C.F.R. § 5.109(e).

Advancing Racial Equity

In accordance with Executive Order [13985](#), *Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and federal fair housing and civil rights laws, you must submit a narrative demonstrating the following:

- You analyzed the racial composition of the persons or households who are expected to benefit from your proposed grant activities;
- You identified any potential barriers to persons or communities of color equitably benefiting from your proposed grant activities;
- You detailed the steps you will take to prevent, reduce or eliminate these barriers; and
- You have measures in place to track your progress and evaluate the effectiveness of your efforts to advance racial equity in your grant activities.

Note that any actions taken in furtherance of this section must be consistent with federal nondiscrimination requirements.

The Homeownership Initiative Chart (Form HUD-91045), Question 7, provides a field for the Applicant to respond to the Advancing Racial Equity narrative. It is mandatory to complete Question 7. If the narrative is deemed insufficient, it will be a Curable Deficiency that will be communicated to the Applicant for correction with a notice of deficiency. This narrative will not be scored.

Affirmative Marketing

You must submit a narrative demonstrating that the housing, services, or other benefits provided under this grant will be affirmatively marketed broadly throughout the local area and nearby areas to any demographic groups that would be unlikely or least likely to apply absent such efforts. Such demographic groups may include, for example, Black and Brown persons or communities, individuals with limited English proficiency, individuals with disabilities, or families with children. Such activities may include outreach through community contacts or service providers or at community centers serving the target population; and marketing on websites, social media channels, television, radio, and print media serving local members of the targeted group. Documentation for this factor consists of a narrative describing the activities that will fulfill the factor requirements.

HUD will consider the extent to which the Applicant will affirmatively market the services provided under this grant in Rating Factor 2, Sub-Factor E. It is mandatory to complete Rating Factor 2, Sub-Factor E.

G. Criteria for Beneficiaries.

IV. APPLICATION AND SUBMISSION INFORMATION

A. Obtain an Application Package

Instructions for Applicants

All application materials, including the Application Instructions and Application Package, are available through Grants.gov. You must access and review all available application materials. You must submit your application electronically via Grants.gov under the Funding Opportunity Number cited within this NOFO. Your application must list the applicable Funding Opportunity Number.

You can request a waiver from the requirement for electronic submission, if you demonstrate good cause. An example of good cause may include: a lack of available Internet access in the geographic area in which your business offices are located. However, lack of SAM registration or valid UEI is not a good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic grant submission requirements. HUD will not grant a waiver if you fail to submit to HUD in writing or via email a request for a waiver at least 15 calendar days before the application deadline. If HUD grants a waiver, a paper application must be received before the deadline for this NOFO. To request a waiver, you must contact:

Name:

Email:

Housing.Counseling@hud.gov

HUD Organization:

Street:

City:

State:

Zip:

Waiver requests must be submitted with the subject line “NOFO - Request for Waiver of Electronic Application.”

Accessing the NOFO Application and Forms

NOFO applications and forms are available from <http://www.grants.gov/web/grants/applicants/apply-for-grants.html>. Below are basic instructions for obtaining the application instructions and package:

1. Go to the “Package” tab of the Grant Opportunity. Click “Preview” to view the instructions and application package. Click “Apply” and “Create a Workspace” to access fillable forms and begin the application process.
2. Click “Download Instructions” to download a WinZip folder containing the following files:
 1. Comprehensive Housing Counseling NOFO (PDF)
 2. Homeownership Initiative Chart, Form HUD-91045 (PDF)
 3. Form HUD-50153, Certification of Consistency with Promise Zone Goals and Implementation (PDF)
 4. Applicant and Recipient Assurances and Certifications, Form HUD-424-B (PDF)
3. The Grants.gov Workspace will list Mandatory and Optional forms, fillable as PDFs or webforms, if available. Applicants must complete all required fields and upload the Mandatory forms in order for Grants.gov to allow submission of the application package. Grants.gov may not permit submission of an incomplete or improperly filled-out form.
4. To add required attachments (like the Homeownership Initiative Chart (Form HUD-91045)), click "Include in Package" to use the “Attachments Form.” Click the “Add Attachment” box to attach documents and forms.
5. When the application is complete, you may click “Check Package for Errors.”
6. To submit the completed application on behalf of the organization, an Authorized Organization representative must click “Sign and Submit”. Applications may not be received by Grants.gov or by HUD until they have been signed and submit by an AOR prior to the application deadline. For the SF-424, Form HUD-2880, and Certification Regarding Lobbying, the signature of the authorized representative and the date signed are completed upon submission.

If Applicants have difficulty accessing the information, Applicants may call the help desk at (800) 518-4726 or e-mail support@grants.gov. The Grants.gov help desk is available 24 hours a day, 7 days per week, except Federal holidays. Individuals who are deaf or hard of hearing, or who have speech and other communication disabilities may use a relay service to reach Grants.gov Customer Support. To learn more about how to make an accessible telephone call, visit the webpage for the Federal Communications Commission.

B. Content and Form of Application Submission

You must verify that boxes 11, 12, and 13 on the SF-424 match the NOFO for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

Submission of an application that is otherwise sufficient, under the wrong Assistance Listing and

Funding Opportunity Number is a Non-Curable Deficiency, unless otherwise stated under the Threshold requirements section.

1. Content

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Applicant and Recipient Assurances and Certifications (HUD 424-B)	Review section IV.G. of this NOFO for detailed submission requirements.	
SHFA Statutory Authority	SHFAs must submit evidence of their statutory authority to operate as an SHFA, as defined in this NOFO, and must submit evidence of their authority to apply for funds and subsequently use any funds awarded. Applicants should verify that their agency profile information is accurately represented in HUD's HCS and validate the information prior to submitting the grant application. HUD will contact SHFA Applicants that are new to the program to establish their profiles in HCS.	
Form HUD-50153, Certification of Consistency with Promise Zone Goals and Implementation	This form is not required unless the Applicant is applying for the Promise Zone Preference Points. See Section V.A.2. for more information on the Promise Zone Preference Points.	Applicants requesting Promise Zone Preference Points must submit the Form HUD-50153 signed by the authorized official for the designated Promise Zone.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Homeownership Initiative Chart, Form HUD-91045	Applicants must complete and submit the Homeownership Initiative Chart, Form HUD-91045.	Failure to submit the completed Chart will impact the Applicant's ability to reach the minimum fundable score of 75 points.
Certification Regarding Lobbying (Lobbying Form)	All Applicants must complete the Certification Regarding Lobbying to ensure Applicants acknowledge the requirements in the Byrd Amendment and 24 C.F.R. Part 87. These statutes and regulation prohibit the use of Federal Award funds for lobbying the executive or legislative branches of the Federal government in connection with a specific award.	This form is separate from the requirement for Applicants to report lobbying activities using the SF-LLL, if applicable.
Disclosure of Lobbying Activities (SF-LLL)	The Applicant shall complete and submit the SF-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions, if any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in	This form is separate from the requirement for all Applicants to submit the Certification Regarding Lobbying (Lobbying Form). Federally recognized Indian tribes and Tribally Designated Housing Entities (TDHEs) established by Federally recognized Indian tribes as a result of the exercise of the Tribe's sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	connection with this commitment providing for the United States to insure or guarantee a loan.	with this requirement.
Application for Federal Assistance (SF-424)	Review section IV.G. of this NOFO for detailed submission requirements.	Applicants should check “new” for block 2 “Type of Application”. Applicants may leave blocks 4, 5a, and 5b blank. For block 8c of the form, ensure that your UEI is correct and is listed in Sam.gov with an active registration. In block 8d, you must include a 9-digit number for your organization's zip code (zip code plus four digits). Applicants are not required to request a specific grant amount, but should enter a response of \$1.00 in block 18a. Applicants may indicate a maximum grant request, if applicable, that will be considered as an award cap, up to \$3 million, in line 18a.
Applicant/Recipient Disclosure/Update Report (HUD-2880)	Review section IV.G. of this NOFO for detailed submission requirements.	Applicants must complete Form HUD-2880. Applicants should check the box "Initial Report." In block 4, "Amount of HUD Assistance Requested/Received" of this form, Applicants may enter \$1.00; HUD will not use this amount as a cap in establishing the maximum grant amount for the Applicant (Applicants may indicate a maximum grant

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
		amount in the SF-424 line 18a). Applicants that have received or expect to receive HUD assistance for housing counseling in excess of \$200,000 during FY 2023 must select "yes" under the second question in "Part I Threshold Determinations".

2. Format and Form

Narratives and other attachments to your application must follow the following format guidelines. Do not submit password protected or encrypted files.

C. System for Award Management (SAM) and Unique Entity Identifier (UEI)

1. SAM Registration Requirement

You must register with <https://www.sam.gov> before submitting their application. You must maintain current information in SAM on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a federal contract or grant within the last three years, if applicable. Information in SAM must be current for all times during which you have an active Federal award or an application or plan under consideration by HUD.

2. UEI Requirement

As of April 4, 2022, entities doing business with the federal government must use the UEI created in SAM.gov. Also, you must provide a valid UEI, registered and active at www.sam.gov in the application. For more information, see: <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-systems-information-kit/unique-entity-identifier-update>.

3. Requirement to Register with Grants.gov

Anyone planning to submit applications on behalf of an organization must register at Grants.gov and be approved by the E-Biz POC in SAM to submit applications for the organization. Registration for SAM and Grants.gov is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot apply through Grants.gov. Complete registration instructions and guidance are provided on Grants.gov.

D. Application Submission Dates and Times

1. Application Due Date Explanation

The application deadline is 11:59:59 PM Eastern time on

04/01/2024

Submit your application to Grants.gov unless a waiver has been issued allowing you to submit a paper application. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

“Received by Grants.gov” means the applicant received a confirmation of receipt and an application tracking number from Grants.gov. Grants.gov then assigns an application tracking number and date-and timestamp each application upon successful receipt by the Grants.gov system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by Grants.gov.

Applications received by Grants.gov must be validated by Grants.gov to be received by HUD.

“Validated by Grants.gov” means the application has been accepted and was not rejected with errors. You can track the status of your application by logging into Grants.gov, selecting “Applicants” from the top navigation, and selecting “Track my application” from the dropdown list. If the application status is “rejected with errors,” you must correct the error(s) and resubmit the application before the 24-hour grace period ends. Applications in “rejected with errors” status after the 24-hour grace period expires will not be received by HUD. Visit Grants.gov for a complete description of processing steps after applying.

HUD strongly recommends you submit your applications at least **48 hours before the deadline** and during regular business hours to allow enough time to correct errors or overcome other problems.

2. Grants.gov Customer Support

Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html>. If you have difficulty accessing the application and instructions or have technical problems, contact Grants.gov customer support center by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to support@grants.gov. The customer support center is open 24 hours a day, seven days per week, except Federal holidays. Individuals who are deaf or hard of hearing, or who have speech and other communication disabilities may use a relay service to reach Grants.gov Customer Support. To learn more about how to make an accessible telephone call, visit the [webpage for Federal Communications Commission](#).

3. Grants.gov Application Submission

You can verify the contents of your submitted application to confirm Grants.gov received everything you intended to submit. To verify the contents of your submitted application:

- Log in to Grants.gov.
- Click the Check Application Status link, which appears under the Grant Applications heading in the Applicant Center page. This will take you to the Check Application Status page.
- Enter search criteria and a date range to narrow your search results.
- Click the Search button. To review your search results in Microsoft Excel, click the Export Data button.
- Review the Status column. To view more detailed submission information, click the Details link in the Actions column.

- To download the submitted application, click the Download link in the Actions column.

Take note of the Grants.gov tracking number, as it is needed by the Grants.gov customer support center should you seek their assistance.

HUD may extend the application deadline for any program if Grants.gov is offline or not available to applicants for at least 24 hours immediately prior to the deadline date, or the system is down for 24 hours or longer and impacts the ability of applicants to cure a submission deficiency within the grace period.

HUD may also extend the application deadline upon request if there is a presidentially declared disaster in the applicant's area.

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also publish the extension on Grants.gov.

In determining whether to grant a request for an extension based on a presidentially declared disaster, HUD will consider the totality of the circumstances including the date of an applicant's extension request (how closely it followed the basis for the extension), whether other applicants in the geographic area are similarly affected by the disaster, and how quickly power or services are restored to enable the applicant to submit its application.

NOTE: Busy servers, slow processing, large file sizes, improper registration or password issues are not valid circumstances to extend the deadline dates or the grace period.

4. Amending or Resubmitting an Application

Before the submission deadline, you may amend a validated application through Grants.gov by resubmitting a revised application containing the new or changed material. The resubmitted application must be received and validated by Grants.gov by the applicable deadline.

If HUD receives an original and a revised application for a single proposal, HUD will evaluate only the last submission received by Grants.gov before the deadline.

5. Grace Period for Grants.gov Submissions

If your application is received by Grants.gov before the deadline, but is rejected with errors, you have a grace period of 24 hours after the application deadline to submit a corrected, received, and validated application through Grants.gov. The date and time stamp on the Grants.gov system determines the application receipt time. Any application submitted during the grace period but not received and validated by Grants.gov will not be considered for funding. There is no grace period for paper applications.

6. Late Applications

An application received after the NOFO deadline date that does not meet the Grace Period requirements will be marked late and will not be reviewed by HUD for funding consideration. Improper or expired registration and password issues are not sufficient causes to allow HUD to accept applications after the deadline date.

7. Corrections to Deficient Applications

HUD will not consider information from applicants after the application deadline except for curable deficiencies.

HUD will uniformly notify applicants of each curable deficiency. See curable deficiency definition in section I.A of this NOFO. Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized organization representative identified on the SF-424 Application for Federal Assistance via email. This email is the official notification of a curable deficiency.

You must email corrections of Curable Deficiencies to applicationsupport@hud.gov within the time limits specified in the notification. The time allowed to correct deficiencies will be no less than 48 hours and no more than 14 calendar days from the date of the email notification. The start of the cure period will be the date stamp on the email sent from HUD. If the deficiency cure deadline date falls on a Saturday, Sunday, Federal holiday, or on a day when HUD's Headquarters are closed, then the applicant's correction must be received on the next business day HUD Headquarters offices in Washington, DC are open.

The subject line of the email sent to applicationsupport@hud.gov must state: Technical Cure and include the Grants.gov application tracking number or the GrantSolutions application number (e.g., Subject: Technical Cure - GRANT123456 or Technical Cure - XXXXXXXXXXXXX). If this information is not included, HUD cannot match the response with the application under review and the application may be rejected due to the deficiency.

Corrections to a paper application must be sent in accordance with and to the address indicated in the notification of deficiency. HUD will treat a paper application submitted in accordance with a waiver of electronic application containing the wrong UEI as having a curable deficiency. Failure to correct the deficiency and meet the requirement to have a UEI and active registration in SAM will render the application ineligible for funding.

8. Authoritative Versions of HUD NOFOs

The version of this NOFO posted on Grants.gov includes the official documents HUD uses to solicit applications.

9. Exemptions

Parties that believe the requirements of the NOFO would impose a substantial burden on the exercise of their religion should seek an exemption under the [Religious Freedom Restoration Act](#) (RFRA).

E. Intergovernmental Review

This program is not subject to [Executive Order 12372, Intergovernmental Review of Federal Programs](#).

F. Funding Restrictions

1. Composition of Subgrantees/Branches. The Homeownership Initiative Chart (Form HUD-91045), Question 1, column A requires the Applicant to submit the agency name and HCS ID of

all Subgrantees and/or Branches the Applicant proposes to fund. Applicants should select the Subgrantees and/or Branches from their network that they believe can help HUD meet its goal of bridging the homeownership gap for Underserved Communities.

Applicants that provide housing counseling services at their main office must include their office in Question 1, column A if they plan to participate directly (as opposed to strictly in an oversight capacity), in this NOFO.

a) Subgrant Allocation and Composition Changes. HUD will only allow a certain amount of reallocation of funding among existing Subgrantees and Branches, depending on the circumstances, after the award. However, the Grantee will need to ensure the unit costs negotiated with HUD are followed for each Subgrantee.

If a Grantee would like to make changes to its subgrant allocations or composition of funded Subgrantees/Branches, the Grantee must make a request and provide justification. HUD may decrease the award amount available to the Grantee if the changes to the subgrant allocations or composition of Subgrantees/Branches would result in a lower award amount than was awarded.

b) Subgrantee Affiliation. Subgrantees must maintain the same network affiliation for the FY 2023 Homeownership Initiative NOFO and the FY 2023 Comprehensive Housing Counseling NOFO (i.e., a Subgrantee that receives a subgrant from an Intermediary, SHFA, or MSO for the Comprehensive Housing Counseling NOFO cannot receive a subgrant from a *different* Intermediary, SHFA, or MSO for the FY 2023 Homeownership Initiative NOFO). HUD may grant approval for different network affiliations on a case-by-case basis.

2. Fixed Amount Award. This grant is a Fixed Amount Award (2 C.F.R. 200.1), adhering to the Federal requirement of Fixed Amount Awards outlined in 2 C.F.R. 200.201(b). The following conditions apply:

a) Definition of Unit. For this NOFO, a unit is defined as a household that has successfully completed the following three components: pre-purchase counseling; purchase of a home; and post-purchase counseling, or certification that post-purchase counseling will be completed 6-12 months after home purchase.

b) Unit Rates. Grantees will receive reimbursement for each complete unit that adheres to the definition in Part 1.a. of this section at the final negotiated rate. In the Homeownership Initiative Chart (Form HUD-91045), Question 1, column B, Applicants are required to provide an itemized list of the Subgrantees' and/or Branches' proposed unit rates that covers the cost of the housing counseling required to fulfill the unit requirements. The unit rates submitted in the Homeownership Initiative Chart (Form HUD-91045), Question 1, column B, are not a scored factor and therefore will not be used by HUD to rank an Applicant's cost estimates against the other Applicants' cost estimates.

Calculations of unit rates should be based on historical data of the cost of providing all unit components and may include such costs as housing counseling; oversight, compliance, and quality control; supervision of housing counseling staff; housing counselor training and certification; and marketing and outreach of the housing counseling program. Additionally, the Negotiated Indirect Cost Rate Agreement (NICRA) or de minimis rate can be included in the Subgrantees' proposed unit rates. Applicants may refer to HUD's [Model Funding](#)

[Agreements and Fee Structure](#) paper, Section 5, Client Cost Analysis, for assistance when calculating their cost of counseling that fulfills the unit requirements. The unit rate cannot include any costs that are already covered by another funding source.

Subgrants may not exceed \$250,000 (per C.F.R. 200.333).

c) Projected Units. In the Homeownership Initiative Chart (Form HUD-91045), Question 1, column C, Applicants are required to submit a list of the projected number of units to be completed by each participating Subgrantee and/or Branch during the grant period of performance that meets the definition of a unit in 1.a. of this section. The projected units submitted will not be used by HUD to rank an Applicant's projections against the projections estimated by other Applicants.

If awarded this NOFO, Grantees are required to provide a narrative justification for the projected number of units and engage in negotiation with HUD to finalize the projected number of units for each Subgrantee and/or Branch.

d) Negotiation and Approval of the Unit Rate and Projected Units. If awarded this NOFO, Grantees are required to provide documentation supporting the proposed unit rates for each Subgrantee and/or Branch provided in the Homeownership Initiative Chart (Form HUD-91045). The unit rate will be negotiated using the cost principles, 2 C.F.R. 200 Subpart E, (or other pricing information) as a guide. If the Applicant plans to fund branch offices, HUD will accept the same unit rate for each Branch office listed in the Homeownership Initiative Chart (Form HUD-91045) without requiring negotiation for each Branch.

Grantees are prohibited from receiving grant reimbursement until the unit rates and projected number of units for each Subgrantee and/or Branch have been approved by HUD. Any actual differences between the estimated costs of the approved unit rate and the Grantee's incurred costs cannot be used to adjust the approved unit rate.

e) Costs of Managing a Network. In the Homeownership Initiative Chart (Form HUD-91045), Applicants may request up to 15% of the total that populates in Question 1E, Subtotal (which is the sum of the unit rates multiplied by the number of projected units for each Subgrantee and/or Branch listed), for the costs incurred in providing network management, oversight, and quality control. Applicants must list the percentage requested in the Homeownership Initiative Chart (HUD Form-91045), Question 1F. These costs must not be included in the Subgrantees' and/or Branches' proposed unit rates in the Homeownership Initiative Chart (HUD Form-91045), Question 1, column B.

3. Reimbursement Requirements. Appendix B, Draft Homeownership Initiative Statement of Work, provides information on the grant's administrative and program requirements. HUD will provide Grantees with the final Homeownership Initiative Statement of Work and Grant Agreement in their award package.

a) Unit Components. Grantees are required to complete and document (per source documentation requirements in 3.b. of this section) the following three components before they can request reimbursement.

1. Pre-purchase counseling of the household;
2. Purchase of a home by the household counseled; and

3. Post-purchase counseling of the household, or certification that post-purchase counseling will be completed 6-12 months after home purchase.

b) Documentation of Component Completion. The following source documentation is required to be in the household's counseling files for each unit for which the Grantee is requesting reimbursement.

1. Pre-purchase counseling component: Activity logs for all pre-purchase counseling sessions that make up the unit.
2. Home purchase component:
 - o Proof of home purchase, e.g., deed, title transfer, closing disclosure.
 - o All data fields listed in the Home Purchase Data Template in Appendix B, Draft Homeownership Initiative Statement of Work, Section 1., Administrative Requirements.
3. Post-purchase counseling or certification component: Activity logs for all post-purchase counseling sessions for the unit, or documentation of disclosure, signed by the household and housing counselor, that post-purchase counseling is required and will be completed 6-12 months after home purchase.

4. Counselor Certification. To be eligible for reimbursement, all housing counseling performed must be provided by a HUD-certified housing counselor. See 24 C.F.R. §214.103(n).

Indirect Cost Rate

Normal indirect cost rules under [2 CFR part 200, subpart E](#) apply. If you intend to charge indirect costs to your award, your application must clearly state the rate and distribution base you intend to use. If you have a Federally negotiated indirect cost rate, your application must also include a letter or other documentation from the cognizant agency showing the approved rate. Successful applicants whose rate changes after the application deadline must submit the new rate and documentation to assure the award agreement incorporates the applicable rate.

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your organization does not have a current negotiated rate (including provisional rate) and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC), as defined at [2 CFR 200.1](#). Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both, as described in [2 CFR 200.403](#). Once elected, the de minimis rate must be applied consistently for all Federal awards until the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

State and local governments. If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than \$35 million in direct Federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in [Appendix VII to 2 CFR part 200](#).

If your department or agency unit receives no more than \$35 million in direct Federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with [2 CFR Part 200, Appendix VII](#), you may use the rate and distribution base specified in that indirect cost rate proposal.

Alternatively, if your department or agency unit receives no more than \$35 million in direct Federal funding per year and does not have a current negotiated rate (including provisional) rate, you may elect to use the de minimis rate of 10% of MTDC. As described in [2 CFR 200.403](#), costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until your department or agency chooses to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

Grantees should include their indirect costs (de minimis or NICRA) in the calculation of their unit rates they provide in the Homeownership Initiative Chart (Form HUD-91045), Question 1, column B. Accordingly, indirect cost rates will not be reimbursed separately from unit rates (i.e., applied on top of unit rates).

G. Other Submission Requirements

1. Standard Application, Assurances, Certifications and Disclosures

Standard Form 424 (SF-424) Application for Federal Assistance

The SF-424 is the government-wide form required to apply for Federal assistance programs, discretionary Federal grants, and other forms of financial assistance programs. You must complete and submit the form with the other required forms and information as directed in this NOFO.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), you and the signing authorized organization representative affirm that you both have reviewed the certifications and assurances associated with the application for Federal assistance and (1) are aware the submission of the SF-424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized organization representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to Federally recognized Indian tribes, or Alaskan native villages and those applicable to applicants other than Federally recognized Indian tribes, or Alaskan native villages.

Assurances (HUD 424-B)

By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and other requirements, including, but not limited to civil rights requirements. All recipients and subrecipients of the award are required to submit assurances of compliance with federal civil rights requirements. *See, e.g.*, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, Violence Against Women Act, and the Age Discrimination Act of 1975; *see also* [24 C.F.R. §§ 1.5; 3.115; 8.50](#); and [146.25](#). HUD accepts these assurances in the form of the HUD 424-B, which also require compliance with HUD Reform Act requirements and all general federal nondiscrimination requirements in the administration of the federal assistance award.

Applicant Disclosure Report Form 2880 (HUD 2880)

The form HUD 2880 is required if you are applying for assistance within the jurisdiction of HUD to any project subject to Section 102(d) of the [HUD Reform Act](#). Assistance is provided directly by HUD to any person or entity, but not to subrecipients. It includes assistance for the acquisition, rehabilitation, operation, conversion, modernization, renovation, or demolition of any property containing five or more dwelling units that is to be used primarily for residential purposes. It includes assistance to independent group residences, board and care facilities, group homes and transitional housing but does not include primarily nonresidential facilities such as intermediate care facilities, nursing homes and hospitals. It also includes any change requested by a recipient in the amount of assistance previously provided, except changes resulting from annual adjustments in Section 8 rents under Section 8(c)(2)(A) of the United States Housing Act of 1937 ([42 U.S.C. 1437f](#)). [See HUD Reform Act regulation for additional information.](#)

Code of Conduct

Both you, as the award recipient, and all subrecipients must have a code of conduct (or written standards of conduct). The code of conduct must comply with the requirements included in the “Conducting Business in Accordance with Ethical Standards” section of the [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#), as well as any program-specific requirements. These requirements include ethical standards related to conflicts of interest for procurements in [2 CFR 200.318\(c\)](#) and [2 CFR 200.317](#), as well as HUD-specific conflict of interest standards. HUD maintains a list of organizations that have previously submitted written standards of conduct on its [Code of Conduct for HUD Grant Programs webpage](#). But it is your responsibility to ensure that the standards are compliant with the noted requirements and that HUD has the latest version of the written standards. Updated written standards should be submitted with the application. Any updates to your written standards, after the application period, should be submitted as directed by the HUD program contact for this NOFO.

Affirmatively Furthering Fair Housing

With some exceptions for Federally recognized Indian tribes and their instrumentalities, the application must discuss how the applicant will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations, and how applicants will meet the requirements of the definition of AFFH at 24 CFR 5.151. Applicants may propose activities that are consistent with their jurisdiction’s Analysis of Impediments (AI), an Assessment of Fair Housing (AFH), or other means of fair housing planning that meaningfully supports their AFFH certification.

If the applicant will carry out proposed activities in a jurisdiction with an AFH, the proposed activities should be consistent with the AFH’s fair housing goals and with fair housing strategies specified in the jurisdiction’s Consolidated Plan or Public Housing Agency Plan.

This Affirmatively Furthering Fair Housing requirement is incorporated in Rating Factor 2, Sub-Factor D, Affirmatively Furthering Fair Housing.

2. Other Program-Specific Requirements

Program Budget. Question 1 of the Homeownership Initiative Chart (Form HUD-91045) will collect the Applicant’s program budget information. If awarded, the Grantee is required to submit additional budget information during grant execution.

V. APPLICATION REVIEW INFORMATION

A. Review Criteria

1. Rating Factors

The maximum points available are outlined below. There are 104 points available. HUD reminds applicants that responses are subject to verification.

Failure to submit a completed Homeownership Initiative Chart (Form HUD-91045) will impact the Applicant's ability to reach the minimum fundable score of 75 points.

<u>Rating Factor</u>	<u>Points</u>	<u>Homeownership Initiative Chart (HUD-91045)</u>
Rating Factor 1, Capacity of the Applicant.		
Sub-Factor A, Demonstrated History	50	N/A
Rating Factor 2, Need and Advancement of NOFO Priorities		
Sub-Factor A, Underserved Communities	10	Question 2A and 2B
Sub-Factor B, Target Populations	10	Question 3B
Sub-Factor C, Program Design	10	Question 3C
Sub-Factor D, Affirmatively Furthering Fair Housing	6	Question 4
Sub-Factor E, Affirmative Marketing and Outreach	6	Question 5
Sub-Factor F, Collaboration	8	Question 6
Rating Factors Total	100	
Preference Points		
MSI	2	N/A

Promise Zones	2	N/A
Total Points Available (with Rating Factors and Preference Points)	104	

1. Rating Factor 1: Capacity of the Applicant **Maximum Points: 50**

This rating factor addresses the extent to which the Applicant has the housing counseling experience to successfully complete the proposed project for the duration of the grant performance period.

a) Demonstrated History. HUD will use the Applicant's most recent Comprehensive Housing Counseling NOFO application score to score this rating factor.

2. Rating Factor 2: Need and Advancement of NOFO Priorities **Maximum Points: 50**

This rating factor measures the extent to which the Applicant will be able to contribute to HUD's strategic goals and the grant's program purpose, including supporting Underserved Communities by providing Culturally Sensitive, Linguistically Appropriate Housing Counseling services. See the definition of Underserved Communities in Section I.A.4., and Culturally Sensitive, Linguistically Appropriate Housing Counseling in Appendix A.

a) Underserved Communities

i) Households Served (10 points). The Applicant must provide the percentage of households meeting HUD's definition of Underserved Communities that receive housing counseling services from the Subgrantees and/or Branches (Homeownership Initiative Chart (Form HUD-91045) Question 2A).

ii) Description of Households Served. The Applicant must include a description of the Underserved Communities that receive counseling services (Homeownership Initiative Chart (Form HUD-91045) Question 2B). The information provided by the Applicant will not be scored.

b) Target Populations (10 points). The Applicant must complete the Homeownership Initiative Chart (Form HUD-91045), Question 3, column B, providing information on their Subgrantees' and/or Branches' target populations to serve with these grant funds, citing relevant data.

c) Program Design (10 points). The Applicant must demonstrate how their housing counseling program design will assist with successfully providing Culturally Sensitive, Linguistically Appropriate Housing Counseling (Homeownership Initiative Chart (Form HUD-91045), Question 3, column C).

d) Affirmatively Furthering Fair Housing (6 points). Each grant recipient, per Section 808(e) (5) of the Fair Housing Act and consistent with HUD's Affirmatively Furthering Fair Housing (AFFH) regulations at 24 C.F.R. §§ 5.151 and 5.152, is required to ensure that they administer programs and activities related to housing and urban development in a manner that affirmatively furthers fair housing. The Applicant is required to submit a certification that it will affirmatively further fair housing. Applicants must describe activities that their Subgrantees and/or Branches

will undertake to affirmatively further fair housing (Homeownership Initiative Chart (Form HUD-91045), Question 4).

e) Affirmative Marketing and Outreach (6 points). The Applicant must provide a description of their Subgrantees' and/or Branches' affirmative marketing and outreach efforts to Underserved Communities, including how the Subgrantees and/or Branches advertise in languages, other than English, spoken in their communities. The Applicant should include information on how the Subgrantees and/or Branches involve community members, organizers, and groups to engage in marketing and outreach. Are the Subgrantees and/or Branches reaching the communities they want to reach? Describe the successes and challenges, and how new marketing and outreach strategies are developed (Homeownership Initiative Chart (Form HUD-91045), Question 5).

f) Collaboration (8 points). The Applicant must provide a narrative describing their Subgrantees' and/or Branches' experiences collaborating with public and private partners to bring innovative housing programs that promote equitable homeownership opportunities to Underserved Communities. The Applicant should focus their description on collaborations that benefit their pre-purchase and post-purchase counseling programs, in addition to speaking to how the Subgrantees' and/or Branches' target populations influence the partnerships that they choose to collaborate with (Homeownership Initiative Chart (Form HUD-91045), Question 6).

This program does not offer points for Section 3.

2. Other Factors

Preference Points

This NOFO supports the following policy initiatives. If your application demonstrates the appropriate information for the policy initiative, your application will receive up to two (2) points for each initiative, and will receive no more than a total of four (4) points. These points are added to your application's overall score.

Promise Zones (PZ) (2 points)

Minority-Serving Institutions (2 points)

You may choose to voluntarily commit to address policy initiatives in your application. Addressing these policy initiatives is not a requirement to apply for or receive an award. If you choose to address a voluntary policy initiative in your application, however, you will be required to adhere to the information submitted with your application should you receive an award. The proposed information will be included as a binding requirement of any federal award you receive as a term and condition of that award.

This program does not offer points for Climate Change

This program does not offer points for Environmental Justice.

This program does not offer preference points related to HBCUs.

Minority-Serving Institutions

Pursuant to Executive Orders [13985](#), [14041](#), [14045](#), and [14031](#), you may receive up to two (2) preference points if you are an applicant designated as a minority-serving institution (MSI) or if

your application proposes one or more partnerships with minority-serving educational institutions that have been historically underserved.

An applicant designated by the U.S. Department of Education as an MSI will receive up to two (2) preference points when the application includes documentation of the applicant’s status as an HBCU, Hispanic-serving institution, Tribal-controlled postsecondary institution, Alaska Native-serving or Native-Hawaiian-serving institution, Predominantly Black Institution, Asian and Native American Pacific Islander-serving institution or Native American-serving nontribal institution.

An applicant partnering with an HBCU, Hispanic-Serving Institution, Tribal-controlled postsecondary institution, Alaskan Native-serving or Native-Hawaiian-serving institution, Predominantly Black Institution, Asian and Pacific Islander-serving institution, or Native American-serving nontribal institution will receive up to two (2) Preference Points when the application includes a Letter of Commitment certifying that a partnership is in place and signed by an authorizing official of the MSI and documentation of the college or university's status as an HBCU, Hispanic-serving institution, Tribal-controlled postsecondary institution, Alaska Native-serving or Native-Hawaiian-serving institution, Predominantly Black Institution, Asian and Native American Pacific Islander-serving institution, or Native American-serving nontribal institution.

To be considered for MSI Preference Points, Applicants must upload the relevant required documents, as attachments, with their application.

Promise Zones

HUD encourages activities in Promise Zones (PZ). To receive Promise Zones Preference Points, applicants must submit form HUD-50153, “Certification of Consistency with Promise Zone Goals and Implementation,” signed by the Promise Zone Official authorized to certify the project meets the criteria to receive preference points. To view the list of designated Promise Zones and persons authorized to certify, see the [Promise Zone](#) pages on HUD’s website.

B. Review and Selection Process

1. Past Performance

In evaluating applications for funding, HUD will consider an applicant’s past performance in managing funds. Items HUD will consider include, but are not limited to:

OMB-designated repositories of governmentwide data, as noted in [2 CFR 200.206\(a\)](#)

The ability to account for funds in compliance with applicable reporting and recordkeeping requirements

Timely use of funds received from HUD

Timely submission and quality of reports submitted to HUD

Meeting program requirements

Meeting performance targets as established in the grant agreement

The applicant's organizational capacity, including staffing structures and capabilities

Timely completion of activities and receipt and expenditure of promised matching or leveraged funds

The number of persons served or targeted for assistance

Promoting self-sufficiency and economic independence

Producing positive outcomes and results

HUD may reduce scores based on the past performance review, as specified under V.A. Review Criteria. Whenever possible, HUD will obtain and review past performance information. If this review results in an adverse finding related to integrity of performance, HUD reserves the right to take any of the remedies provided in the [Pre-Selection Review of Performance section of the Eligibility Requirements for Applicants of HUD Financial Assistance Programs](#).

2. Assessing Applicant Risk

In evaluating risks posed by applicants, HUD may use a risk-based approach and may consider any items such as the following:

- (1) Financial stability;
- (2) Quality of management systems and ability to meet the management standards prescribed in this part;
- (3) History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- (4) Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- (5) The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

3. Experience Promoting Racial Equity

In evaluating applications for funding, HUD will consider the extent to which the application demonstrates that the applicant has the experience and the resources to effectively address the needs of underserved communities, particularly Black and Brown communities. This may include experience successfully working directly with such groups, experience designing or operating programs that equitably benefit such groups, or experience successfully advancing racial equity in other ways. This may also include experience soliciting, obtaining, and applying input from such groups when designing, planning, or implementing programs and activities.

HUD will consider the extent to which the Applicant has experience promoting Racial Equity in Rating Factor 2, Sub-Factor F.

4. HUD Application Review.

Technical Review. A technical sufficiency review will determine whether each application meets the threshold requirements set forth in this NOFO and whether all required forms have

been properly submitted. Section IV.D.4. provides the procedures to correct a deficient application.

General Review. The second review will evaluate the responses to each rating factor and other relevant information. Applications will be evaluated competitively and ranked against other Applicants.

Minimum Fundable Score. All applications will be scored on a 104-point scale, including Preference Points, as outlined in Section V.A of this NOFO. To be eligible for any funding under the NOFO, Applicants must meet the minimum fundable score of 75 points. If available funds are insufficient to provide grants to all Applicants achieving the minimum fundable score, grants will be awarded in rank order until all available funds have been distributed. HUD reserves the right to adjust the minimum fundable score.

Funding Methodology. Grant amounts will be determined by the Applicant's NOFO score and may be adjusted by additional factors such as anticipated volume of work, network size, and proposed budgets. HUD reserves the right to establish a maximum award amount and HUD may adjust award amounts based on variations from the information presented in the NOFO application.

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notices

Following the evaluation process, HUD will notify successful applicants of their selection for funding. HUD will also notify other applicants, whose applications were received by the deadline but were not chosen for award. Notifications will be sent by email to the person listed as the AOR in item 21 of the SF-424.

1. Final Grant

After HUD has made selections, HUD will finalize specific terms of the award and budget in consultation with the selected applicant. If HUD and the selected applicant do not finalize the terms and conditions of the award in a timely manner, or the selected applicant fails to provide requested information, an award will not be made to that applicant. In this case, HUD may select another eligible applicant. HUD may also impose specific conditions on an award as provided under [2 CFR 200.208](#).

2. Adjustments to Funding

To ensure the fair distribution of funds and enable the purposes or requirements of a specific program to be met, HUD reserves the right to fund less than the amount requested in an application.

a. HUD may fund no portion of an application that:

- (1) Is ineligible for funding under applicable statutory or regulatory requirements;
- (2) Fails, in whole or in part, to meet the requirements of this notice;
- (3) Duplicates activities funded by other federal awards; or
- (4) Duplicates activities funded in a prior year.

- b. HUD may adjust the funding for an application to ensure funding diversity, geographic diversity, and alignment with HUD administrative priorities.
- c. If an applicant turns down an award offer, or if HUD and an applicant do not finalize the terms and conditions of the award in a timely manner, HUD may withdraw the award offer and make an offer of funding to another eligible application.
- d. If funds remain after all selections have been made, remaining funds may be made available within the current fiscal year for other competitions within the program area, or be held for future competitions (if allowable in accordance with the applicable appropriation or authorizing statute), or be used as otherwise provided by authorizing statute or appropriation.
- e. If, after announcement of awards made under the current NOFO, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations or recapture of funds, HUD may, in accordance with the appropriation, use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

3. Funding Errors

If HUD commits an error that when corrected would cause selection of an applicant during the funding round of a Program NOFO, HUD may select that applicant for funding, subject to the availability of funds. If funding is not available to award in the current fiscal year, HUD may make an award to this applicant during the next fiscal year, if funding is available.

4. Negotiations. HUD will require awarded the Applicant to participate in negotiations to determine the specific terms of the Grant Agreement, including the Applicant's approved unit rates and projected units to be completed by the end of the period of performance for each Subgrantee and/or Branch. The award selection is conditional and is not final until the negotiations are successfully concluded, and the Grant Agreement is signed.

5. Funds Recapture. HUD may reduce or recapture all or part of the grant based on the Grantee's performance or based on variations from the information presented in the NOFO application. Additionally, HUD may recapture funds unspent during the period of performance.

B. Administrative, National and Departmental Policy Requirements and Terms for HUD Applicants and Recipients of Financial Assistance Awards

Unless otherwise specified, the following [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#) apply. Failure to comply with these requirements may impact your ability to receive or retain a financial assistance award from HUD. Read the requirements carefully as the requirements are different among HUD's programs.

1. [Compliance with The Fair Housing Act \(42 U.S.C. 3601-3619\) and implementing regulations at 24 CFR part 100 et seq](#)
2. [Compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-2000d-4 \(Nondiscrimination in Federally Assisted Programs\) and implementing regulations at 24 CFR part 1](#)
3. [Compliance with the Age Discrimination Act of 1975 \(42 U.S.C. 6101-6107\) and](#)

implementing regulations at [24 CFR part 146](#)

4. Compliance with Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](#)) and implementing regulations at [24 CFR part 8](#)

5. Compliance with the Americans with Disabilities Act, [42 U.S.C. 12101 et seq](#)

6. Compliance with Affirmatively Furthering Fair Housing (AFFH) requirements, including those listed on HUD's [Affirmatively Furthering Fair Housing](#) webpage

7. Compliance with Economic Opportunities for Low-and Very Low-income Persons (Section 3) requirements, including those listed at [24 CFR part 75](#)

8. Compliance with Improving Access to Services for Persons with Limited English Proficiency (LEP) requirements, including those listed within [Federal Register Notice, FR-4878-N-02](#) (also see [HUD's webpage](#))

9. Compliance with Accessible Technology requirements, including those listed on in [HUD's Policy on Section 508 of the Rehabilitation Act and Accessible Technology](#)

10. Compliance with Equal Access Requirements (see [24 CFR 5.105\(a\)\(2\)](#) and [5.106](#))

11. Compliance with Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business requirements at [2 CFR 200.321](#)

12. Compliance with Energy Efficient, Sustainable, Accessible, and Free from Discrimination by Design

13. Compliance with Real Estate Acquisition and Relocation requirements (see [49 CFR part 24](#) and applicable program regulations)

14. Compliance with Participation in HUD-Sponsored Program Evaluation (see [Federal Register Notice, FR-6278-N-01](#))

15. Compliance with OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (see [2 CFR part 200](#))

16. Compliance with Drug-Free Workplace requirements (see [2 CFR part 2429](#), which is HUD's implementation of [41 U.S.C. 701, et seq.](#))

17. Compliance with the requirements related to safeguarding resident/client files

18. Compliance with the Federal Funding Accountability and Transparency Act of 2006 ([2 CFR part 170](#)) (FFATA), as amended

19. Compliance with Eminent Domain

20. Compliance with Accessibility for Persons with Disabilities requirements on [HUD's Disability Overview](#) webpage

21. Compliance with Violence Against Women Act at [24 CFR part 5](#), subpart L and applicable program regulations

22. Compliance with Conducting Business in Accordance with Ethical Standards/Code of Conduct, including [2 CFR 200.317](#), [2 CFR 200.318\(c\)](#) and other applicable conflicts of interest requirements

23. Compliance with the [Build America, Buy America \(BABA\) Act](#) procurement requirements and [implementing guidance available on HUD's dedicated webpage](#)

24. Compliance with System for Award Management and Universal Identifier Requirements at [2 CFR part 25](#)

25. Compliance with [section 106\(g\) of the Trafficking Victims Protection Act of 2000 \(TVPA\), as amended \(22 USC 7104\(g\)\)](#) and implementing regulations at [2 CFR part 175](#) (Award Term for Trafficking in Persons)

26. Compliance with Award Term and Condition for Recipient Integrity and Performance Matters (see [Appendix XII to 2 CFR part 200](#))

27. Compliance with Suspension and Debarment (see [2 CFR part 2424](#) and [2 CFR part 180](#))
28. Compliance with environmental justice requirements under Executive Orders [12898](#) and [14008](#), and OMB Memorandum [M-21-28](#), which implements the Justice40 Initiative, section 223 of Executive Order [14008](#).
29. Compliance with Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation in HUD Programs (see [HUD Secretary Fudge's April 12, 2022 memorandum](#))
30. Compliance with equity requirements, which include compliance with racial equity and underserved communities and LGBTQ+ requirements under Executive Orders [13985](#) and [13988](#)
31. Compliance with waste, fraud, and abuse requirements, including whistleblower protections (see [HUD's webpage](#))

Environmental Review

In accordance with 24 CFR 50.19(b)(4) and (12) activities funded under this NOFO are exempt or categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

Prohibition on Surveillance

Compliance with [2 CFR 200.216, Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment](#) is required.

Remedies for Noncompliance

HUD may terminate a Federal award, in whole or in part, for any of the reasons specified in [2 CFR 200.340, Termination](#).

Lead-Based Paint Requirements

When providing education or counseling on buying or renting housing that may include pre-1978 housing under your grant you must inform clients of their rights under the Lead Disclosure Rule ([24 CFR part 35, subpart A](#)), and, if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as applicable, F - M).

C. Reporting

HUD requires recipients to submit performance and financial reports under OMB guidance and program instructions.

1. Recipient Integrity and Performance Matters

You should be aware that if the total Federal share of your federal award includes more than \$500,000 over the period of performance, the award will be subject to post award reporting requirements reflected in [Appendix XII to 2 CFR part 200, Award Terms and Conditions for Recipient Integrity and Performance Matters](#).

2. Race, Ethnicity and Other Data Reporting

HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries

or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987. These authorities prohibit discrimination in housing and in programs receiving financial assistance from the Department and direct the Secretary to administer the Department's programs and activities in a manner affirmatively to further these policies and to collect certain data to assess the extent of compliance with these policies. Each recipient shall keep such records and submit to the Department timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Department may determine to be necessary to enable it to ascertain whether the recipient has complied or is complying with 24 CFR parts 1 and 121. In general, recipients should have available for the Department data showing the demographics of beneficiaries of federally-assisted programs.

3. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) as amended (FFATA)

FFATA requires information on federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to [2 CFR part 170](#), "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than \$30,000.

4. Program-Specific Reporting Requirements

D. Debriefing

For a period of at least 120 calendar days, beginning 30 calendar days after the public announcement of awards under this NOFO, HUD will provide a debriefing related to their application to requesting applicants. A request for debriefing must be made in writing or by email by the AOR whose signature appears on the SF-424 or by his or her successor in office and be submitted to the POC in Section VII Agency Contact(s) of this NOFO. Information provided during a debriefing may include the final score the applicant received for each rating factor, final evaluator comments for each rating factor, and the final assessment indicating the basis upon which funding was approved or denied.

The debriefing period will be no more than 150 days after the announcement of awards.

VII. AGENCY CONTACT(S)

HUD staff will be available to provide clarification on the content of this NOFO. Questions regarding specific program requirements for this NOFO should be directed to the POC listed below.

Name:

Melissa Noe

Phone:

Email:

Housing.Counseling@hud.gov

Individuals who are deaf or hard of hearing, or who have speech and other communication disabilities may use a relay service to reach the agency contact. To learn more about how to make an accessible telephone call, visit the webpage for the [Federal Communications Commission](#). Note that HUD staff cannot assist applicants in preparing their applications.

VIII. OTHER INFORMATION

1. Compliance of this NOFO with the National Environmental Policy Act (NEPA)

This NOFO provides funding pursuant to Section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x), as implemented in 24 C.F.R. Part 214, which does not contain environmental review provisions because activities under these regulations are 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 NOFO is categorically excluded from environmental review under NEPA.

2. Web Resources.

- [Affirmatively Furthering Fair Housing](#)
- [Assistance Listing \(formerly CFDA\)](#)
- [Climate Action Plan](#)
- [Climate and Economic Justice Screening Tool \(CEJST\)](#)
- [Code of Conduct Requirements and E-Library](#)
- [Environmental Review](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Fair Housing Rights and Obligations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [Federal Funding Accountability and Transparency Act \(FFATA\) Subaward Reporting System](#)
- [Grants.gov](#)
- [Healthy Homes Strategic Plan](#)
- [Healthy Housing Reference Manual](#)
- [Historically Black Colleges and Universities \(HBCUs\)](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [HUD Reform Act](#)
- [HUD Reform Act: HUD Implementing Regulations](#)
- [Limited English Proficiency \(LEP\)](#)
- [NOFO Webcasts](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)

- [Real Estate Acquisition and Relocation](#)
- [Unique Entity Identifier](#)
- [USA Spending](#)

3. Program Relevant Web Resources

APPENDIX

Appendix A - Definitions

1. **Affiliate.** See definition at 24 C.F.R. 214.3.
2. **Applicant.** A State Housing Finance Agency, or a HUD-approved Intermediary or Multi-State Organization applying for a grant from HUD through this NOFO. The term Applicant includes the agency's Branches identified in its application.
3. **Branch.** See definition at 24 C.F.R. 214.3.
4. **Continuity of Operations Plan (COOP).** An organization's internal efforts to ensure that a viable capability exists to continue essential functions across a wide range of potential emergencies. COOP plans and procedures delineate essential functions, specify succession to office and the emergency delegation of authority, provide for the safekeeping of vital records and databases, identify alternate operating facilities, and provide for interoperable communications.
5. **Counseling.** See definition at 24 C.F.R. 214.3.
6. **Culturally Sensitive, Linguistically Appropriate Housing Counseling.** Housing counseling that is responsive to clients' abilities and preferred languages, cultural beliefs and practices, identities, and other aspects of diversity. It recognizes that, to achieve greater Equity in housing, housing counseling must promote fair housing and fair lending and be accessible, understandable, and relevant to the client, as determined by the housing counseling agencies in cooperation with their clients.
7. **Education.** See definition at 24 C.F.R. 214.3.
8. **Final Compliance Date.** The date, determined by HUD, when all housing counseling required by or provided in connection with any HUD program must be performed by a HUD certified housing counselor and all group education must be overseen by a HUD certified housing counselor.
9. **Fixed Amount Awards.** See definition at 2 C.F.R. 200.1.
10. **Full-time equivalent.** The number of total hours worked divided by the maximum number of compensable hours in a full-time schedule as defined by law. For example, if the normal schedule for a quarter is defined as 411.25 hours ($[35 \text{ hours per week} * 52 \text{ weeks per year} - 5 \text{ weeks regulatory vacation}] / 4$), then someone working 100 hours during that a quarter represents $100/411.25 = 0.24$ FTE. Two employees working in total 400 hours during that same quarterly period represent 0.97 FTE.
11. **Grantee.** A HUD-approved housing counseling agency or SHFA that receives housing counseling funds from HUD through this NOFO. The term Grantee includes the Grantee's branches identified in its application.
12. **Homeownership Counseling.** See definition at 24 C.F.R. 5.100.

13. **HUD HECM Roster Counselor.** A housing counselor that has met the requirements pertaining to HUD's HECM Counseling Standardization and Roster (24 C.F.R. 206, Subpart E) and appears on the HUD HECM Counselor Roster.
14. **Intermediary.** See definition at 24 C.F.R. 214.3.
15. **Local Housing Counseling Agency (LHCA).** A housing counseling agency that directly provides housing counseling services. An LHCA may have a main office, and one or more branch offices, in no more than two contiguous states.
16. **Multi-State Organization (MSO).** See definition at 24 C.F.R. 214.3.
17. **Participating Agency.** See definition at 24 C.F.R. 214.3.
18. **State Housing Finance Agency (SHFA).** See definition at 24 C.F.R. 214.3.
19. **Statement of Work.** A document that describes all the tasks necessary to do the work, including all the steps needed for good management control and specificity regarding work to be done and deliverables, and provides a basis for mutual understanding of the requirements and tasks.
20. **Subgrantee.** See definition at 24 C.F.R. 214.3.
21. **Reverse Mortgage.** See definition at 24 C.F.R. 214.3.

Appendix B - Draft Homeownership Initiative Statement of Work

The Grantee is required to adhere to the following activities for funding under the Homeownership Initiative NOFO. The Statement of Work is subject to change; the Final Homeownership Initiative Statement of Work will be provided in the Grantee's award package.

I. Administrative Requirements

Unit Negotiation Tasks		
Activity	Task	Due
Unit Rate Itemization and Source Documentation	Submit a breakdown of Subgrantee and Branch unit rates, including the itemized list of Grantee's costs of managing the network, in addition to any other program costs allowable to make up the rate. Submit the corresponding source documentation that supports the unit rate.	15 days after receipt of award letter
Projected Units	Provide a breakdown of all the Subgrantees'/Branches' projected units to be completed by the end of the period of performance. Include a narrative justifying the projected units.	15 days after receipt of award letter
Unit Rate Negotiation	Provide any additional information to HUD on unit rate and engage in discussion and approval of unit rate with HUD.	Scheduled by HUD
Projected Units Negotiation	Provide any additional information to HUD on unit goal and engage in discussion and approval of unit	Scheduled by HUD

	goal with HUD.	
Grant Execution		
Activity	Task	Due
Form HUD-1044	Submit a signed and dated HUD-1044 to HUD POC.	15 days after receipt of award package
Grantee Indirect Cost Information	Submit a copy of approved NICRA; or provide a statement that Grantee elects to charge de minimis rate of 10% of modified total indirect costs or a statement that Grantee will not seek reimbursement of indirect costs.	15 days after receipt of award package
Subgrantee Indirect Cost Information	For each Subgrantee that claims a NICRA, submit documentation from the cognizant agency showing the approved rate.	15 days after receipt of award package
Financial Management Systems	Submit a signed certification from the executive director or other qualified professional that the organization's financial management systems satisfy 2 C.F.R. 200.302 requirements.	15 days after receipt of award package
Audit	Submit a copy of the most recent audit of financial activities (e.g., single or program-specific audit) completed no earlier than Fiscal Year 2020; or submit a copy of the most recent independent financial audit, no earlier than Fiscal Year 2020, for grantees that did not expend \$750,000 or more in Federal awards.	15 days after receipt of award package
Code of Conduct	Verify the Code of Conduct is listed on HUD's Code of Conduct Website ; or submit the Code of Conduct.	15 days after receipt of award package
Names of CMS	Submit a statement certifying that the organization, and its Subgrantees and/or Branches, has a HUD-approved CMS and a list of the CMS used by Subgrantees and/or Branches.	15 days after receipt of award package
Post-Purchase Counseling Follow-Up Plan	Review and approve all Subgrantee and/or Branch post-purchase counseling follow-up plans ensuring that, at minimum, the plans meet Housing Counseling Program policy (HUD Housing Counseling Program Handbook 7610.1). Maintain all post-purchase counseling follow-up plans for HUD review.	15 days after receipt of award package

Projections in HCS	Enter the counseling projections in HCS. Under the “HUD-9902” menu item, select Projections for this grant. Enter the number of housing counseling activities anticipated under this grant for each line in Section 9. The screen will display the total values for each line item for the entire funding period. Click on the “Save as Draft” button.	15 days after receipt of award package
Subgrant Agreements	Execute and maintain subgrant agreements with all participating Subgrantees.	Maintain on file for HUD's review
Grant Activity Report (GAR)		
Sub-Allocations	Submit the Subgrantees and/or Branches’ initial sub-allocations, current balances, quarterly reimbursement amounts, and cumulative drawdowns.	No more than quarterly
Home Purchase Data Template	<p>Submit the following data for each household counseled, for which the Grantee is requesting reimbursement:</p> <ul style="list-style-type: none"> • Household ID • Race • Ethnicity • Disability status • Limited English proficiency status • Area median income • Zip code prior to home purchase • Zip code after home purchase (property zip code) • Settlement date • First-time homebuyer (indicate yes or no) • Lender name • Loan type • Loan term • Loan interest rate • Down payment assistance source, if applicable • Down payment assistance amount, if applicable • Mortgage insurance premium, if applicable • Monthly payment, including principal, interest, escrow • Date of initial pre-purchase counseling session • Number of pre-purchase counseling 	No more than quarterly

	<p>sessions</p> <ul style="list-style-type: none"> • Counselor name • Counselor identification number • Housing Counseling Agency Name • Housing Counseling Agency HCS ID • Grant number • GAR period start date • GAR period end date 	
GAR Certification	Submit the GAR Certification - see language in the Grant Agreement, Article X.B.	No more than quarterly
Form SF-425	Complete and submit Form SF-425 summarizing financial data for each quarter.	No more than quarterly
Form HUD-9902	Submit HUD-9902 data quarterly and update the data to reflect counseling activity funded through this Agreement (in the HUD Housing Counseling Grantees Only column).	Quarterly
Payment Voucher	Submit the payment voucher (form HUD-50090-CHC-a) to ELOCCS and e-mail voucher to HUD POC. Budget Line Item information will be provided to the Grantee in their award package.	No more than quarterly
Final Report		
GAR	Submit all required documentation listed in the Grant Activity Report section of this Statement of Work.	No more than 120 days after the end of the Period of Performance
Final Narrative	Submit a narrative answering the following questions: 1) How would you refine your program if you were to receive grant funds for a second year? 2) How should HUD refine this grant program? 3) What challenges did you have that led to delays or the inability to expend the grant funds, if applicable? 4) How effectively did you serve your target populations? How did this grant's Fixed Amount Award reimbursement requirements influence, if at all, how effectively you were able to serve the target populations? 5) What was your experience implementing the Fixed Amount Award reimbursement model?	No more than 120 days after the end of the Period of Performance
NICRA	Submit the NICRA containing final rates for any period for which the Grantee received	No more than 120 days after the end

	reimbursement of indirect costs.	of the Period of Performance
Closeout Certification	Submit a certification, signed by an authorized individual, which states that all closeout activities, per 2 C.F.R. 200.344 and 200.345, have been completed.	No more than 120 days after the end of the Period of Performance
Grant Closeout		
Closeout Agreement	HUD will send a Closeout Agreement to the Grantee after the Final Report has been approved. The Grantee should return the signed agreement to the HUD POC.	No more than 60 days after receipt of Closeout Agreement
Other Administrative Requirements		
Federal Subaward Reporting System (FSRS)	Report the subgrant award and executive compensation information in the Federal Funding Accountability and Transparency Act's (FFATA) FSRS in cases in which either the Subaward initial amount is \$30,000 or greater, or the Subaward has an initial amount less than \$30,000 but will have a cumulative amount of \$30,000 or greater.	No later than one month after the award and/or Subaward is obligated
Succession and Contingency Plans	Make available to HUD, upon request, plans demonstrating how the Grantee will ensure continuity of services to consumers.	Maintain on file for HUD's review
Quality Control Plan	Maintain a quality control plan in place that specifically outlines how the Grantee monitors the performance of its Subgrantees.	Maintain on file for HUD's review
Changes to the Composition of Subgrantees and Branches	To amend the list of Subgrantees and/or Branches, or corresponding negotiated unit projections after negotiation and approval by HUD, submit a written request to HUD. Upon HUD's approval of such request, the sub-allocations listed in HCS must be amended.	As needed

II. Program Requirements

Upon negotiation and approval of the projected number of units and unit rates for each Subgrantee and/or Branch, the information below will be completed by HUD and returned to the Grantee to maintain on file.

Period of Performance: October 1, 2023 - September 30, 2024

Unit Components: The Grantee is required to complete and document, according to the Grant Agreement, the following three components before reimbursement requests.

1. Pre-purchase counseling of the household
2. Purchase of a home by the household counseled; and
3. Post-purchase counseling of the household, or certification that post-purchase counseling will be completed 6-12 months after home purchase.

Name and HCS ID of Applicant/Subgrantee/Branch that Applicant is Funding with this NOFO	Approved Unit Rate (\$)	Approved Projected Units
Approved Cost of Managing Network (\$)*:		

*Costs of managing a network cannot exceed 15% of Subaward amount