



U.S. Department of Housing and Urban Development

Lead Hazard Control and Healthy Homes

Healthy Homes Production Grant Program

FR-6700-N-44

11/07/2023

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Program Office:

Lead Hazard Control and Healthy Homes

Funding Opportunity Title:

Healthy Homes Production Grant Program

Funding Opportunity Number:

FR-6700-N-44

Assistance Listing Number (formerly CFDA Number):

14.913

Due Date for Applications:

11/07/2023

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):

2539-0015

I. FUNDING OPPORTUNITY DESCRIPTION

A. Program Description

1. Purpose

The Healthy Homes Production Program (HHP) is part of HUD's overall Healthy Homes Initiative launched in 1999. The program takes a comprehensive approach to addressing multiple

childhood diseases and injuries in the home by focusing on housing-related hazards in a coordinated fashion, rather than addressing a single hazard at a time. The program builds upon HUD's successful Lead Hazard Control programs to expand the Department's efforts to address a variety of high-priority environmental health and safety hazards. Applicants receiving a Healthy Homes Production Award under this NOFO will be expected to accomplish the following objectives:

- a. Maximize both the number of vulnerable residents protected from housing-related environmental health and safety hazards and the number of housing units where these hazards are controlled;
- b. Identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing, especially in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside;
- c. Promote cost-effective and efficient healthy home methods and approaches that can be replicated and sustained;
- d. Support public education and outreach that furthers the goal of protecting children and other vulnerable populations from housing-related health and safety hazards;
- e. Build local capacity to operate sustainable programs that will prevent and control housing-related environmental health and safety hazards in low- and very low-income residences, and develop a professional workforce that is trained in healthy homes assessment and principles;
- f. Promote integration of this grant program with housing rehabilitation, property maintenance, weatherization, healthy homes initiatives, local lead-based paint hazard control programs, health and safety programs, and energy efficiency improvement activities and programs;
- g. Build and enhance partner resources to develop the most cost-effective methods for identifying and controlling key housing-related environmental health and safety hazards;
- h. Promote collaboration, data sharing, and targeting between health and housing departments;
- i. Ensure to the greatest extent feasible that job training, employment, contracting, and other economic opportunities generated by this grant will be directed to low- and very-low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities to low- and very low-income persons in the area in which the project is located. For more information, see 24 CFR 135 (Section 3);
- j. Further environmental justice, the fair treatment, and meaningful involvement of all people within the target communities regardless of race, color, national origin, disability, religion, sex (including sexual orientation and gender identity), familial status or income regarding the development, implementation, and enforcement of environmental laws, regulations, and policies;
- k. Comply with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and its implementing regulations at 24 CFR part 8, as well as Titles II and III of the Americans with Disabilities Act when applicable. Each of these prohibits discrimination based on disability. In addition to these requirements, recipients have an obligation to comply with the Fair Housing Act, including the obligation to affirmatively further fair housing, and

Title VI of the Civil Rights Act of 1964. Note that besides being an “objective” of this NOFO, the obligation to affirmatively further fair housing is also a civil right related statutory and program requirement.

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. 1A: Advance Housing Justice

Fortify support for vulnerable populations, underserved communities, and Fair Housing enforcement.

3. 1B: Reduce Homelessness

Strengthen Federal, State, Tribal, and community implementation of the Housing First approach to reducing the prevalence of homelessness, with the ultimate goal of ending homelessness.

4. 1C: Invest in the Success of Communities

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

5. Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing

Ensure housing demand is matched by adequate production of new homes and equitable access to housing opportunities for all people.

6. 2A: Increase the Supply of Housing

Enhance HUD’s programs that increase the production and supply of housing across the country.

7. 2B: Improve Rental Assistance

Improve rental assistance to address the need for affordable housing.

8. Strategic Goal 3: Promote Homeownership

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

9. 3A: Advance Sustainable Homeownership

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

10. 3A ♦ Major Initiative: Expand Homeownership Opportunities

Promote financing for innovative ownership models to increase the availability of affordable housing.

11. 3B: Create a More Accessible and Inclusive Housing Finance System

Advance new policy, programs, and modernization initiatives that support a more equitable

housing finance system. Promote the preservation and creation of affordable housing stock.

12. Strategic Goal 4: Advance Sustainable Communities

Advance sustainable communities by strengthening climate resilience and energy efficiency, promoting environmental justice, and recognizing housing's role as essential to health.

13. 4A: Guide Investment in Climate Resilience

Invest in climate resilience, energy efficiency, and renewable energy across HUD programs.

14. 4B: Strengthen Environmental Justice

Reduce exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color.

15. 4C: Integrate Health and Housing

Advance policies that recognize housing's role as essential to health.

Funding Opportunity Goals

- The Healthy Homes Production Program goal is to reduce exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color. It uses a comprehensive approach to addressing multiple childhood diseases and injuries in the home by focusing on housing-related hazards (other than lead-based paint hazards, for which the Lead Hazard Reduction grant programs are in place) in a coordinated fashion, rather than addressing a single hazard at a time. The program contributes to HUD's implementation of its Strategic Objective to Promote Environmental Justice

3. Changes from Previous NOFO

Modifications from the previous NOFO are as follows:

1. If you were awarded a grant under the FY 2021 or FY2022 HHP NOFO, you are ineligible to apply for FY 2023 HHP funding.
2. Clarification regarding radon testing and mitigation is provided in Section III.F. Program Specific Requirements.
3. Nonprofit applicants must provide documentation or proof of their 501(c)(3) designation at time of application for eligibility.
4. Section III.F Program Specific Requirements contains two new requirements for all applicants to submit narratives which describe how they are Advancing Racial Equity and Affirmatively Marketing their programs and services under this NOFO. These narratives will be reviewed for sufficiency and will not change an applicant's score, or rank as compared with other applicants.
5. Section IV.G. Affirmatively Furthering Fair Housing (AFFH). This was previously required under Threshold Requirements and in the FY 2023 NOFO, the requirement moved to Section IV.G. Applicants must describe how their proposed NOFO activities are aligned with AFFH requirements.

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.

Programs definitions for this NOFO are provided in Appendix A.

B. Authority

The Healthy Homes Production Program is authorized under Section 501 and Section 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. §§ 1701z-1 and 1701z-2), and funding is provided by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022). This program is administered under HUD’s Office of Lead Hazard Control and Healthy Homes (OLHCHH).

II. AWARD INFORMATION

A. Available Funds

Funding of approximately **\$40,000,000** 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 20 awards from the funds available under this NOFO.

C. Minimum/Maximum Award Information

The maximum award amount for the Healthy Homes Production Program grant (Catalog of Federal Domestic Assistance (Assistance Listing) number 14.913) is \$2,000,000. The minimum award amount is \$1,000,000.

Estimated Total Funding:

\$40,000,000

Minimum Award Amount:

\$1,000,000

Per Project Period

Maximum Award Amount:

\$2,000,000
Per Project Period

D. Period of Performance

Estimated Project Start Date:
01/15/2024

Estimated Project End Date:
07/15/2027

Length of Project Periods:
42-month project period and budget period

Length of Periods Explanation of Other:
None.

E. Type of Funding Instrument

Funding Instrument Type:
G (Grant)

III. ELIGIBILITY INFORMATION

A. Eligible Applicants

00 (State governments)

01 (County governments)

02 (City or township governments)

07 (Native American tribal governments (Federally recognized))

12 (Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education)

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

Additional Information on Eligibility

Multiple organizations or multiple units of local government may apply as a consortium, provided an eligible entity is the principal (lead) applicant responsible for ensuring compliance with NOFO requirements, and each entity must meet the Resolution of Civil Rights Matters threshold requirement.

If an applicant's department or agency does not report directly or through a direct chain of command to a jurisdiction's chief executive officer (governor, county executive, mayor, etc.), the applicant must identify the specific statute(s) (e.g., 1 MyState Revised Code 2345) establishing it as a part of the government, and either attach the relevant wording, or include the specific freely accessible web address(es) in the application.

If you were awarded a grant under the FY 2021 or FY2022 HHP NOFO, you are ineligible to apply for FY 2023 HHP funding.

Documentation or proof of Nonprofit 501(c)(3) designation status must be provided at time of application.

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

Individuals, foreign entities, and sole proprietorship organizations are not eligible to compete for, or receive, awards made under this announcement. If you were awarded a grant under the FY 2021 or FY 2022 HHP NOFO, you are ineligible to apply for FY 2023 HHP funding.

C. Cost Sharing or Matching

This Program does not require cost sharing or matching, but provides points based on leverage as described below.

Pursuant to Office of Lead Hazard Control and Healthy Homes program requirements, applicants are required to leverage resources as described below. All leverage resources must be indicated on the SF424 within lines 18b-e and on the Form HUD 424_CBW columns H-O. Generally, Federal sources are not allowed to be used as cost share or leverage unless otherwise permitted by a program's authorizing statute (for example, HUD's Community Development Block Grants program or the Indian Housing Block Grant programs). There are no statutory match requirements for this NOFO. Programmatic leveraging requirements are described in Section III, Eligible Requirements, F, Program-Specific Requirements.

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 CFR 170.110](#).

F. Program-Specific Requirements

1. Eligible activities.

A) Administrative Costs. Awardees may utilize up to ten percent (10%) of the federal award for payments of reasonable grant administrative costs related to planning and executing the project, preparation/submission of HUD reports, etc. Administrative costs must be reflected under each appropriate line items (e.g., salaries, fringe, supplies, on the Form HUD_424_CBW) and a detailed cost element breakdown in the budget narrative must be provided. The ten percent (10%) administrative cost cap for this program must include any indirect cost rates placed in HUD share budget columns, as well as the sum of the budget line items that have inherent administrative costs, plus any administrative costs of sub recipient organizations (also detailed by budget line item and budget narrative). The ten percent (10%) cap does not include in-kind or leveraging resources contributed by the awardee. There are two (2) categories of administrative costs: direct administrative costs and indirect costs. For the purposes of this grant, all direct administrative costs and all indirect costs count towards the ten percent (10%) administrative cost limit.

(1) Direct Administrative Costs. Direct administrative costs are the reasonable, necessary, allocable, and otherwise allowable costs of general management, oversight, and coordination of

the grant (i.e., program administration). Such costs include, but are not necessarily limited to, expenditures for:

(a) Salaries, wages, fringe benefits, and related costs of the recipient's staff engaged in program administration that can be specifically identified with the grant.

(b) Program administration includes, but is not limited to, the following types of activities:

- Providing local officials and citizens with information about the program, except for targeted outreach, affirmative marketing, education or outreach for healthy homes and lead hazard control programs;
- Preparing program budgets and schedules, and amendments thereto;
- Developing systems for assuring compliance with program requirements, except for participating in technical studies, or developing information systems to enhance the delivery, analysis, or conduct healthy homes and/or lead hazard control activities;
- Developing interagency agreements and agreements with sub recipients and contractors to carry out program activities;
- Monitoring program activities for progress and compliance with program requirements, except for on-site monitoring of healthy homes and/or lead hazard control;
- Preparing reports and other documents related to the program for submission to HUD;
- Coordinating the resolution of audit and monitoring findings;
- Evaluating program results against stated objectives;
- Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described above in paragraph 1, Eligible Activities, of this section above;
- Travel costs incurred for official business in general program administration that can be specifically identified with the grant program;
- Transportation costs incurred for general program administration that can be specifically identified with the grant program;
- Equipment, supplies (especially office supplies), and materials used for program administration that can be specifically identified with the grant program;
- HUD-required or HUD-approved trainings and/or conferences;
- Certification and licensing costs required for program administration responsibilities; and
- Securing liability insurance for housing-related environmental health and safety hazard evaluation and control activities is an administrative cost. See definition of "Insurance" in Appendix A.

(2) Indirect Costs, if applicable. Indirect facilities and administrative (F&A) costs are, by nature, administrative and represent the expenses of doing business that are not readily identified exclusively with a specific grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs. 2 CFR 200, subpart E Cost Principles, establishes the federal requirements for the determination of allowable and unallowable direct and indirect (F&A) costs, and is available at https://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1.5&rgn=div6#se2.1.200_1414 . Indirect (F&A) costs may only be charged to an OLVCHH grant award under a cost allocation plan, an indirect cost rate agreement or by using the 10% de minimis in accordance with the requirements of 2 CFR 200.414(f).

B) Healthy Homes Direct Costs. Awardees **must** expend at least sixty-five percent (65%) of grant funds on direct costs defined specifically as healthy homes identification and remediation activities in the home. Based on the eight Healthy Homes Principles, grantees are required to assess and remediate housing-related health and safety hazards using a comprehensive Healthy Homes Assessment Tool to identify and address hazardous conditions that pose a likelihood of harm to occupant health. OLHCHH anticipates an average unit cost of \$10,000, to include assessments, labor, Healthy Homes interventions, and any necessary follow up.

The following kinds of activities can be included in the sixty-five percent (65%) direct healthy home remediation cost allocation:

1. Conduct Testing. Sampling, testing, and analysis for allergens, carbon monoxide, radon and/or other housing-related health and safety hazards as appropriate, following established protocols and procedures when possible. Residential paint, soil, or dust samples to be analyzed for lead must be analyzed by a laboratory recognized by the U.S. Environmental Protection Agency's (EPA's) National Lead Laboratory Accreditation Program (NLLAP) (<https://www.epa.gov/lead/national-lead-laboratory-accreditation-program-nllap>) with the recognition under NLLAP applicable to the medium analyzed. Samples to be analyzed for mold must be submitted to a laboratory accredited in the Environmental Microbiological Laboratory Accreditation Program (EMLAP), administered by the American Industrial Hygiene Association (AIHA) Laboratory Accreditation Programs, LLC.

2. Radon testing. Radon testing must be conducted in all owner-occupied housing and basement and ground level rental units that receive interventions under the Healthy Homes Production grant. Exceptions to this requirement include units with an active mitigation system or units that have a valid radon test within the past 5 years. Other exceptions to the radon testing and mitigation requirement may be evaluated on a case-by-case basis. Use of radon test kits are acceptable. Based on a radon assessment, if radon mitigation is needed as a result of the radon level being at or above 4 picocuries per liter (*pCi/L*) of air, interventions must be conducted by a professional who is credentialed or licensed/certified in the state in which the work is being conducted.

The EPA estimates that about 1 in 15 homes (~ 7%) in the U.S. have elevated radon levels. This ranges from about 20% of homes in EPA highest risk radon zone (Zone 1) to about 2% of homes in the lowest risk zone (Zone 3). Many states have also developed radon maps for their states which use more data than was available for the development of the EPA map in the early 1990's. The average cost of professional radon testing is about \$140 for a single-family home with an average mitigation cost of \$1,500.

3. Temporary Relocation. Temporary relocation is allowed if needed for temporarily displaced families and individuals while the remediation is conducted and until the time the affected unit is properly cleared (receives clearance) for re-occupancy. Tenant-occupants forced to vacate housing while hazard reduction measures are being conducted pursuant to a program described in this NOFO must be treated fairly and equitably. Such tenant-occupants entitled to receive temporary relocation assistance pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. §§ 4601-4655, as described in

regulations at 49 CFR 24.2(a)(9)(ii)(D) and the corresponding Appendix A. Owner-occupants temporarily relocating while hazard reduction measures are conducted pursuant to a program described in this NOFO are not entitled to URA relocation assistance. Awardees can access these regulations from the Federal Register website at

<https://www.federalregister.gov/documents/2019/12/18/2019-25558/uniform-relocation-assistance-and-real-property-acquisition-for-federal-and-federally-assisted>.

When persons with disabilities are temporarily relocated, they must be placed in housing that provides, at a minimum, the same accessibility features as the housing in which they currently reside. HUD's requirements on implementing temporary relocations are further detailed in the HUD Tenant Assistance, Relocation and Real Property Acquisition Handbook 1378 (<https://www.hud.gov/sites/dfiles/OCHCO/documents/1378CPDH.pdf>), especially its paragraphs 1-4 J. on pages 1-8, paragraph 2-3 B., on pages 2-3 and D. 4 1 on page 2-4 dealing with temporary relocations in general and as they pertain to families and individuals. HUD expects that most temporary relocation for hazard control work will last ten (10) days or less. HUD approval must be given for relocation projects exceeding ten (10) days.

4. Healthy Home Remediation soft project costs. Soft project costs are those activities that directly support the undertaking of healthy homes activities, without which, such activities could not be conducted. These project costs may include: staff costs for intake, review and approval of applications and preparation of documents to be signed by applicants for remediation work; staff costs for arranging for temporary relocation, staff costs associated with reimbursement, and providing assistance to residents in relation to remediation; travel for staff that perform the remediation; and, development of necessary architectural, engineering and work specification write-ups and other construction management services in support of the healthy home intervention activities.

C) Other Allowable Direct Costs. Costs for the activities below are allowable Other Direct Costs, but should not be counted as "Direct Healthy Homes Costs":

1. Purchasing or leasing items having a per-unit cost under \$5,000.
2. Supporting data collection, analysis, and evaluation of grant program activities. This includes compiling and delivering such data, as may be required by HUD.
3. Providing resources to build capacity for healthy homes assessments and interventions, including delivery of HUD-approved training courses for housing rehabilitation contractors, rehabilitation workers, renovators, remodelers, homeowners, renters, painters, maintenance staff, health practitioners, and others conducting renovation, rehabilitation, maintenance, hazard control, or other work in private housing; subsidies for licensing or certification fees to low-income persons seeking credentials as healthy housing practitioners, lead sampling technicians or certified renovators; and, completion of other HUD-approved courses that further the effectiveness of hazard control interventions or promote the integration of this grant program with housing rehabilitation, property maintenance, weatherization, and housing-related health hazard interventions. Applicants should allocate no more than one percent of their budget to training activities.
4. Conducting targeted outreach, affirmative marketing, or education that helps promote participation in the program and further the goal of protecting children and other

vulnerable populations from housing-related health hazards, including providing access to these program benefits and information to Limited English Proficient (LEP) individuals through language assistance services, in accordance with the *Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons* published on January 22, 2007 in the Federal Register, at 72 Fed. Reg. 2732 and Executive Order 13166 Improving Access to Services for Persons with Limited English Proficiency (LEP). The recipient must adopt and implement procedures to ensure that interested persons (including persons with impaired vision or hearing) can obtain information concerning the existence and location of accessible services, activities, and facilities. See 24 CFR 8.6(b). Recipients must take appropriate steps to ensure that information and communications related to all training, education, marketing, and outreach activities conducted pursuant to this NOFO are provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities or provide other means of accommodation for persons with disabilities consistent with Section 504 of the Rehabilitation Act of 1973 and HUD's Section 504 regulations, and Titles II or III of the ADA and implementing regulations. Recipients must provide appropriate auxiliary aids and services necessary to ensure such effective communication, which includes the provision of interpreters, transcription or captioning services, accessible electronic materials and websites, and large print, Braille, and other alternate format materials, as necessary. See 24 CFR 8.6; 28 CFR 35.160, 36.303. Meetings must be held, and services provided in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, successful applicants must give priority to alternative methods of product or information delivery that offer programs and activities that are accessible to and usable by individuals with disabilities in the most integrated setting appropriate and most ensure effective communication during such other methods in accordance with HUD's implementing regulations for Section 504 of the Rehabilitation Act of 1973 (See 24 CFR 8, subpart C). HUD encourages its funding recipients to adopt the goals and objectives of Section 504 by ensuring, when developing, procuring, maintaining, or using electronic information technology (EIT) that the EIT allows persons with disabilities to access and use the information and data comparably as is made available to and used by persons without disabilities unless an undue burden would result to the recipient, as compliance with Section 508 is often the most effective way for recipients to ensure they meet their obligations to ensure effective communication with individuals with disabilities.

5. Evaluating the effectiveness of hazard remediation conducted under this grant to assess how healthy homes interventions affect the health of the population being served relative to the population at large.
6. Purchasing resident supplies, to include environmentally safe or low-toxicity cleaning supplies, integrated pest management kits, or household safety items as required with the identified housing related healthy homes hazard and direct intervention activities.

2. Program Requirement and Prohibitions.

- a. **Cooperation with Related Research and Evaluation.** - Awardees shall cooperate fully with any research or evaluation sponsored by HUD, CDC, EPA or another government agency associated with this grant program, including preservation of project data and records and compiling requested information in formats provided by the researchers, evaluators or HUD. This also may include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in the original proposal. Participant data shall be subject to the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA and the Privacy Rule can be found at <http://www.hhs.gov/ocr/hipaa/>. For the programs in this NOFO, HUD does not expect research to be conducted that could affect human subjects.
- b. **Data Collection.** Awardees shall collect, maintain, and provide to HUD the data necessary to document and evaluate grant program outputs and outcomes.
- c. **Economic Opportunities for Low- and Very Low-Income Persons (Section 3).** Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) is applicable to grants funded under this healthy homes grant program NOFO (see 24 CFR 75.3(a)(2)(i)). All grantees under this NOFO that conduct any project exceeding \$100,000 are required to comply with Section 3 for those projects. The project is the site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing. If you plan to hire any new employees or award contracts to carry out the project(s), you must comply with the Section 3 requirements found at 24 CFR part 75, subpart C. If a project will also have housing and community development financial assistance or public housing assistance, you must also comply with 24 CFR part 75, subpart D. For projects for which you are required to comply with Section 3, any contractor, subcontractor or sub-grantee must also comply with the Section 3 requirements for any new training, hiring or sub-contracting opportunities provided under those contracts. Applicants for this grant program must plan to recruit and collect the level of detailed information to report out to the federal government the success of their efforts to meet these goals annually. For more information about Section 3, see HUD's Section 3 website, https://www.hud.gov/program_offices/field_policy_mgt/section3, particularly its Frequently Asked Questions document, which discusses lead hazard control and healthy homes grants, and HUD's Section 3 regulations (24 CFR Part 75), <https://www.ecfr.gov/cgi-bin/retrieveECFR?n=pt24.1.75>.
- d. **Replacing Existing Resources.** Funds received under the grant program covered under this NOFO shall not be used to replace existing community resources dedicated to any ongoing project.
- e. **Code of Conduct.** Federal regulations (2 CFR 200.318(c)) require non-Federal entities receiving Federal assistance awards, excluding States, to develop and maintain written standards/codes of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest (2

CFR 200.318(c)(1)). States are required by Federal regulations (2 CFR 200.317) to follow the same policies and procedures they use for procurement from its non-Federal funds, including any code of conduct regulations. HUD grantees are required to submit their code of conduct to HUD. To determine if an applicant's organization is listed visit [Code of Conduct for HUD Grants Program](#). If applicant's organization is not listed, submissions instructions can also be found on the same page.

- f. **Compliance with HUD Regulations and Guidelines.** You must conduct lead hazard evaluation and control work in compliance with the Residential Lead-Based Paint Hazard Reduction Act of 1992, the Lead Safe Housing Rule, 24 CFR Part 35, subparts B-R, the current HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (current HUD Guidelines), applicable OLHCHH Program Policies, and applicable federal, state, and local regulations and guidance, including, but not limited to the EPA's Renovation, Repair, and Painting (RRP) Rule (found within 40 CFR part 745; see Renovation-repair-and-painting-program).
- g. **Prohibited Practices.** Grantees are not permitted to engage in practices prohibited under HUD's Lead Safe Housing Rule at 24 CFR 35.140, EPA's RRP Rule at 40 CFR 745.83(a)(3), or EPA's lead abatement rule at 40 CFR 745.227(e)(6).
- h. **Compliance with Section 504 of the Rehabilitation Act.** Facilities where program participants come for assistance (e.g., for intake and enrollment in the program), service, training, or education, must be held in facilities that are accessible to persons with disabilities in accordance with Section 504 of the Rehabilitation Act and its implementing regulations at 24 CFR Part 8, and with Titles II and III of the Americans with Disabilities Act, as applicable. Section 504 also imposes additional obligations on grantees, including the requirement to ensure effective communication, provide reasonable accommodations, and administer services in the most integrated setting. Grantees must comply with all Section 504 requirements.
- i. **Required Grantee Training.** If you are awarded a grant under this NOFO, you will be required to attend at a minimum two trainings per year of award. These trainings will consist of a one-time OLHCHH New Grantee Orientation (within the DC area, if travel-related COVID-19 pandemic business disruptions have decreased by that time, or remotely if not) and an annual Program Manager School (either in person or remotely, similarly). You are required to send a minimum of two key staff from each active award to each required training, as applicable. If your grant agreement is not signed prior to the New Grantee Orientation, you will be reimbursed for any reasonable costs you incur to attend the New Grantee Orientation that are allowable in accordance with 2 CFR part 200, especially 2 CFR 200.458 and 2 CFR 200.475. HUD reserves the right to disallow costs that are not reasonable, allowable and allocable in accordance with OMB Cost Principles, 2 CFR part 200, subpart E. Applicants are allowed to budget for other HHP-related trainings if necessary to execute key Healthy Homes Production activities.

- j. **Institutional Review Board (IRB).** For the programs in this NOFO, funds should not be used for research that could affect human subjects.
- k. **Procurement Requirements.** All goods and services must be procured through a competitive process. Recipients must follow federal procurement requirements as defined in 2 CFR 200.317 through 200.326, as applicable. The designation of an entity as a subrecipient or contractor must follow program policies and 2 CFR 200.330.
- l. **Lead-Based Paint Hazard Identification.** For pre-1978 target housing where rehabilitation will disturb a painted surface, a lead-based paint risk assessment is required. Risk assessments must be conducted according to the procedures outlined in Chapter 5 of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing and in accordance with EPA or state regulations. EPA regulations for risk assessments are found at 40 CFR 745.227(d). State requirements should also be verified before conducting risk assessments. Presumption of the presence of lead-based paint or lead-based paint hazards is not permitted. The risk assessment must include testing of any deteriorated paint, collection of dust samples and collection of bare soil.
- m. **Waste Disposal.** Applicants must handle waste disposal according to the requirements of the appropriate local, state, and federal regulatory agencies. Applicants must handle disposal of wastes from hazard control activities that contain lead-based paint, but are not classified as hazardous in accordance with state or local law or the HUD Guidelines. The Guidelines are available from the HUD website at:
<http://www.hud.gov/offices/lead/lbp/hudguidelines/index.cfm>.
- n. **Worker Protection Procedures.** Applicants must observe the procedures for worker protection established in the HUD Guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (29 CFR 1910, General Industry, and/or 1926, Construction, as applicable), or the state or local occupational safety and health regulations, whichever are most protective. If other applicable requirements contain more stringent requirements than the HUD Guidelines, the more rigorous standards shall be followed.
- o. **Notification Requirements.** All lead-based paint inspection and risk assessment results summaries of lead-based paint hazard control treatments, and clearance examination results must be provided to the owner of the unit, together with a notice describing the owner's legal duty to disclose the results to tenants and buyers (see 24 CFR 35.88 of the Lead Disclosure Rule). Grantee files must contain verifiable evidence of providing lead hazard evaluation and control reports to owners and tenants, such as a signed and dated receipt. Applicants should also describe how they will provide owners with lead hazard evaluation and control information generated by activities under this grant, so that the owner can comply with the Lead Disclosure Rule (24 CFR Part 35, subpart A, or the equivalent 40 CFR Part 745, subpart F) and the Lead Safe Housing Rule (24 CFR Part 35, subparts B–R).

- p. **Trained and Certified Professionals.** All investigations and activities must be conducted by licensed or certified professionals as required in the jurisdictions and in compliance with HUD's Lead Safe Housing Rule. If lead hazard control activities are performed with healthy homes activities, they must be conducted by persons qualified according to 24 CFR Part 35, subparts B-R (possessing certification as abatement contractors, risk assessors, inspectors, abatement supervisors, abatement workers, or sampling technicians; or others having been trained in a HUD-approved course in lead-safe work practices), and all firms and persons (both workers and supervisors) conducting lead hazard control activities must be certified in accordance with the EPA's Renovation, Repair, and Painting (RRP) Rule (see 40 CFR Part 745 and <https://www.epa.gov/lead/pubs/renovation.htm>).
- q. **Written Policies and Procedures.** Applicants must describe in the work plan policies and procedures for procurements (contracting), unit eligibility, unit selection and prioritization, all phases of healthy homes interventions, including assessments and testing, development of specifications for contractor bids, financing, and temporary relocation. Grantees, subcontractors, sub-grantees, sub-recipients, and their contractors must adhere to these policies and procedures.
- r. **Integrated Pest Management (IPM).** All activities to reduce or control pest infestations shall be conducted in accordance with IPM practices and principles. IPM uses current, comprehensive information on the life cycles of pests and their interaction with the environment. This information, in combination with available pest control methods, is used to manage pest damage by the most economical means, and with the least possible hazard to people, property and the environment (see <https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles>).
- s. **Control/Elimination Strategies.** All lead-based paint hazards identified in pre-1978 housing units and in common areas of multifamily housing enrolled in this grant program must be controlled or eliminated by interim controls within 10 days or less. Abatement methods are only permitted if requested due to unique circumstances and approved by the Grantee's Government Technical Representative.
1. **Interim Controls.** Interim controls of lead-based paint hazards, including paint-lead hazards, dust-lead hazards, and soil-lead hazards, as defined by EPA at 40 CFR §§ 745.65 and 745.227, shall be conducted in accordance with the current HUD Guidelines, and shall be completed by conducting and passing clearance, including visual inspection and, on applicable interior and patio surfaces, dust-lead sampling and analysis demonstrating residual dust lead below the lower of EPA's or HUD's dust lead hazard standards or clearance levels.
 2. **Abatement** means any set of measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the EPA. Abatement includes the removal of lead-based paint and lead contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead painted surfaces or fixtures, and the removal or covering of lead contaminated soil; and all preparation, cleanup, disposal, and post-abatement clearance testing activities associated with such measures; however, for

clearances under this NOFO on applicable interior and patio surfaces, dust-lead sampling and analysis shall demonstrate residual dust lead below the lower of EPA's or HUD's dust lead hazard standards or clearance levels (40 CFR 745.227, or 24 CFR 35.1320 and 35.1340). Generally, abatement methods are not permitted under the grant unless prior approval is granted by the Grantee's Government Technical Representative due to unique circumstances.

- t. **Dust Sampling Protocol.** Collection of settled dust samples for environmental allergen analysis (e.g., cockroach, dust mite) must follow HUD's standard dust sampling protocol, which is posted on the OLHCHH website under "Grantee Resources" at <http://www.hud.gov/programoffices/healthyhomes/lbp/lhc>. If applicants choose to use a different protocol, applicants must provide a strong technical justification to HUD.
- u. **Evaluation.** Evaluation of the environmental and/or health outcomes of an applicant's program is encouraged but not required. If an applicant conducts an evaluation, it should include a formalized structure to address the effectiveness of the applicant project's approach and its implementation with respect to the outcomes being assessed. A pertinent example of an outline of an evaluation plan is provided on the CDC asthma website, in the CDC's "Learning & Growing through Evaluation: State Asthma Program Evaluation Guide", Appendix F, "Individual Evaluation Plan Outline" (http://www.cdc.gov/asthma/program_eval/AppendixF_Evaluation_Plan_Outline.doc).
- v. **Leverage Funds.** The OLHCHH requires an applicant to leverage resources through cost sharing or matching as described below. The chart below shows the minimum leverage requirement, the minimum percentage of Federal funds for Direct Healthy Home Remediation Costs, and the maximum administrative cost allowed.

Leverage Requirements and Costs Table			
Program	Minimum Leverage of Federal request	Minimum Healthy Homes Direct Costs	Maximum Administrative Costs
Healthy Homes Production Program	10 percent	65 percent	10 percent

Permissible Leverage Contributions include:

- Any state or local government sources, e.g., CDBG funds (which are statutorily considered state/local funds), and any private contributions, foundations, etc. may be used as leverage providing the funds are designated to complete the specific activities and/or allowable costs identified in this NOFO. Federal sources (e.g., HOME or Weatherization Assistance Program funds) are not allowable sources of leverage. **Please note: leverage funds must be used only for carrying out eligible activities in this NOFO.**
- Documentation of Contributions from Property Owners. For the share of hazard remediation costs contributed by a homeowner or landlord, detailed documentation of the

cost incurred by the homeowner or landlord will be necessary during the period of performance of the grant. Owner contributions are limited to what can be supported and verified by a third party, such as materials paid for and provided by the owner or labor that the owner paid and can document with receipts/records. Labor contributed by the owner must be verified by a third party and valued at market rates. The Applicant is responsible for providing the total amount of the leverage dollars of proposed contributions from the property owners if these contributions are not met. Such funds may not come from other OLHCHH funds and must conform to the limitations on use of Federal funds for leverage fund purposes;

- Donations. The value of items, such as paint and other materials or equipment that are used for hazard remediation, must be established at market rates;
- For services or products provided at a discount rate, the discounted part of the fee or price is the eligible leverage source, not the entire value of the services or products. For example, if a supply company provides a product to the contractor at a lower rate, the difference in the cost of the product the supplier would typically charge and the discounted rate is a leverage if otherwise eligible; and
- Third Party In-Kind Contributions - services of employees, etc. See 2 CFR 200.306 for additional information on third party in-kind contributions.

w. **Program Cost Table.** The chart below shows minimum percentage of Federal funds for Direct Healthy Home Remediation Costs, and the maximum administrative cost allowed.

Program Costs Table		
Program	Minimum Healthy Homes Direct Costs	Maximum Administrative Costs
Healthy Homes Production Program	65 percent	10 percent

x. **Application Consistency.**

1. Applicants should ensure that the same total leverage amount is shown in the SF424 Application for Federal Assistance, Form HUD 424 CBW: Detailed Budget Worksheet, and in the narrative response, refer to Rating Factor 3: Program Financial Management: A (4);
2. The total leverage amount shown is the sum of the individual components of the total leverage; and
3. All letters of commitment MUST clearly identify the amount, eligible source(s) and proposed use(s) of leverage funds committed.

y. **Limitation on use of funds.** Applicants may not use grant funds for any of the following activities:

1. Purchase of real property.
2. Purchase or lease of equipment having a per-unit cost in excess of \$5,000, except for the purchase or lease of one X-ray fluorescence (XRF) analyzer to be used exclusively by the

grant program. Award recipients that purchase XRF analyzers must submit the General Services Administration's annual Tangible Personal Property Report, and its components, Standard Form (SF) 428 and SF 428-A through 428-D, the Annual Report, the Final (Award Closeout) Report, and the Disposition Report/Request, and, if needed, the Supplemental Sheet SF-428-S (see <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>).

3. Chelation or other medical treatment costs related to children with elevated blood lead levels (EBLs) or asthma related medical treatment costs.
4. Funds under this program used to address lead-based paint hazards may be used only to reduce lead-based paint hazards using interim controls (see [Chapter 11 of the HUD Guidelines to Identify and Control Lead-Based Paint Hazards in Housing](#)) unless prior approval to use abatement methods is granted by the Grantee's Government Technical Representative due to unique circumstances. Lead hazard evaluation and/or control activities must not be a principal focus of the housing-related health hazard evaluation or remediation. State or local governmental applicants interested in primarily conducting residential lead hazard evaluation and/or control activities should consider applying under HUD's FY2023 Lead Hazard Reduction Grant Program, being published separately from this NOFO.
5. Funds may not be used solely for behavioral change activities, resident education and outreach, or home health and safety "drop-off" kits; when such activities are conducted, the activity must be combined with remediating existing residential health and safety hazards;
6. Funds must not be used for hazard evaluation and remediation in housing covered by a pending or final HUD, EPA, and/or Department of Justice settlement agreement, consent decree, court order or other similar action regarding violation of the Lead Disclosure Rule ([24 CFR part 35, Subpart A](#), or the equivalent [40 CFR part 745, subpart F](#)), or by HUD regarding the Lead Safe Housing Rule ([24 CFR 35, subparts B – R](#)).
7. Activities that do not comply with the Coastal Barrier Resources Act (16 U.S.C. § 3501).
8. Funds may not be used for hazard evaluation and remediation in properties located in an area identified by the Federal Emergency Management Agency (FEMA) under the Flood Disaster Protection Act of 1973 (42 U.S.C. §§ 4001–4128) as having special flood hazards unless:
 - a. The community in which the area is situated is participating in the National Flood Insurance Program in accordance with the applicable regulations (44 CFR parts 59-79), or less than a year has passed since FEMA notification regarding these hazards; and
 - b. Where the community is participating in the National Flood Insurance Program, flood insurance on the property is obtained in accordance with section 102(a) of the Flood Disaster Protection Act (42 U.S.C. § 4012a(a)). Applicants are responsible for assuring that flood insurance is obtained and maintained for the appropriate amount and term.
9. Demolition of housing units or detached buildings as a means of healthy home intervention and/or the replacement of such structures.
10. Duct cleaning, except if recommended by a qualified professional for the special circumstances described in EPA's guidance at <http://www.epa.gov/iaq/pubs/airduct.html>.

11. Full home rehabilitation due to toxic environments caused by resident behavior. Funds from this grant can be used for small cleanups of hazardous home environments due to contaminants such as methamphetamine use, but these funds are not intended for use in full home rehabilitation due to such contamination.

Certification of Consistency with the Consolidated Plan. This program requires a certification of Consistency with the Consolidated Plan under 24 CFR 91.2. This certification means the proposed activities in the application are consistent with the jurisdiction's strategic plan, and the location of the proposed activities is consistent with the geographic areas specified in the Consolidated Plan.

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.

Applicants should provide their narrative addressing all four bullets above. This narrative will be evaluated for sufficiency and will not change the applicant's score or rank as compared to other applicants. Applicants should provide their response in Appendix B. This will not count toward the 15-page limit.

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.

Applicants should provide their narrative about Affirmative Marketing in Appendix B. This will not count toward the 15-page limit. This is a mandatory requirement.

G. Criteria for Beneficiaries.

This NOFO has eligibility criteria for beneficiaries. Funds must only be used under this grant program to provide assistance for housing that meets the following criteria:

- For all housing, all units assisted with grants must be the residence of families with income at or below eighty percent (80%) of the area median income level, or at income levels defined in the income guidelines in OLHCHH's policy guidance on determining income.

Procedures for determining if a family is income-eligible are found in Policy Guidance PG 2017-05, [Income Verification Guidance](#).

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:

Sacsheen Scott

Email:

Sacsheen.S.Scott@hud.gov

HUD Organization:

OLHCHH

Street:

451 7th Street SW (Room 8236)

City:

Washington, DC

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call through the Federal Relay Service's teletype service at 711, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

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
Application for Federal Assistance (SF-424)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Applicant/Recipient Disclosure/Update Report (HUD 2880)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Disclosure of Lobbying Activities (SF-LLL)	Review section IV.G. of this NOFO for detailed submission requirements.	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 with this requirement.
Form HUD 424 CBW HUD Detailed Budget Worksheet	Must be submitted with your application	Amounts on HUD_424_CBW must be consistent with requested and matched amounts on lines 18b-f of the SF424, Application for Federal Assistance.
Assurances – Construction and Non-Construction Programs (SF 424B, SF 424D)	Submission is required for all applicants by the	Required for all applications.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	application due date.	

Additionally, your complete application must include the following narratives and non-form attachments.

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.

15 Pages maximum length of narratives

Double spaced 12-point (minimum) Times Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides

While the rating factor response page limit does not include attachments, appendices, and other required forms, applicants must not rely on excessive appendices to address the rating factors. Clearly describe and support all responses within the rating factor narrative itself. Any information submitted in response to the Rating Factors beyond the page limit will not be used for review or rating.

Appendices. Resumes, Consolidated Plan's lead segment (or a link to it), and documentation of leverage resources through commitment letters are materials that must be provided in the appendices. These attachments must directly refer to the specific rating factor narrative to which they pertain. Materials provided in the appendices must support Rating Factor narrative information and will not be used in lieu of information provided in response to the Rating Factors. Applicants are strongly urged to submit only information that is required and/or requested in the NOFO or relevant to a specific narrative response. All attachments must identify the related Rating Factor in the page footer by providing the related Rating Factor number and the page number of the attachment (e.g., Factor 1 Attachment, page 1).

Appendix B. Advancing Racial Equity and Affirmative Marketing Narrative (1 page maximum)

1. Advancing Racial Equity. 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. This narrative will be reviewed for sufficiency and will not change an applicant's score, or rank as compared with other applicants. (See Section III.F).

2. Affirmative Marketing. You must demonstrate that the housing, services, or other benefits provided under this NOFO 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. This narrative will be reviewed for sufficiency and will not change an applicant's score or rank as compared with others. (See Section III.F)

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

11/07/2023

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 - XXXXXXXXXXXX). 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

Funding Restriction are provided in Section III.F. Program-Specific Requirements.

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.

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.

An applicant will submit their response to this requirement under the Rating Factor 2, Need and Extent of the Problem.

2. Other Program-Specific Requirements

None

V. APPLICATION REVIEW INFORMATION

A. Review Criteria

1. Rating Factors

Criteria

This application is organized into three rating factors. Rating Factor 1 will assess the applicant's capacity to administer a grant, review its experience with similar grant programs, document and assess the proposed partners that will participate in the grant program, and assess the applicant's fiscal policies and capabilities. Rating Factor 2 will document selected data points to judge the level of need for the grant program. Rating Factor 3 will review the proposed budget and assess the viability of the proposed expenditures. Up to two (2) preference points may be awarded for census tracts designated as Promise Zones. An application must receive a total score of at least seventy-five (75) points to be considered for funding.

The following chart provides guidance on how points will be awarded for each of the three (3) rating factors. Reviewers will apply this guidance to the applicant's responses and award points accordingly. The applicant must provide detailed, succinct narrative responses (**no more than fifteen (15) pages**) for all requested Rating Factor information. Points will not be awarded if responses do not provide the information requested.

Qualitative rating	Rating level explanation	%
Outstanding	Answer is thorough and provides high	100%

	confidence that the criteria are surpassed, or that the applicant will likely surpass the performance criteria covered by the question within the time and cost established. There were no weaknesses noted. The description gives confidence of a high probability of success.	
Good	No significant weaknesses noted. Weaknesses or concerns can be corrected with just a moderate amount of effort. In general, the answer gives confidence that the applicant will likely meet the performance criteria covered by the question within the time and cost established.	75%
Fair	Answer provided generally meets the standards required, but has information weaknesses, or design or concept flaws that, while correctable, will likely require considerable effort. The applicant may not have fully answered the question. The answer is mediocre, and therefore, gives concern whether the applicant will meet the performance criteria covered by the question within the time and cost established.	50%
Poor	Answer is vague or has substantial programmatic weaknesses that would require substantial efforts to correct. There is a low likelihood that the applicant will meet the performance criteria covered by the question within the time and cost established.	25%
Non-Responsive	Applicant did not address question or answer shows a lack of understanding of requirements and/or concepts. Poor design concept and no or very little confidence that the applicant will meet the performance criteria covered by the question within the time and cost established. Success regarding this element is very unlikely.	0%
Summary of Applicant Scoring, point distribution		
Rating Factor 1, Applicant and Partner Capacity		43 points

Rating Factor 2, Need and Extent of the Problem		30 points
Rating Factor 3, Program Financial Management		25 points
Other Factors, Section 3 Requirement		2 points
Preference Points, Promise Zone		2 points
	Total Points	102 points

The maximum number of points to be awarded is 102.

Rating Factor 1-Applicant and Partner Capacity

Maximum Points: 43

Applicants must demonstrate that their organization has sufficiently identified qualified personnel, or will actively retain qualified professionals, and is prepared to perform identification and remediation of housing related health hazards activities within sixty (60) days of the grant award to successfully implement and complete the project. If any of the key personnel titles/roles listed below are not currently filled when the applicant submits the application, the applicant must describe a plan to fill the vacancies.

A. Key Personnel (15 points maximum). Key personnel must include, at a minimum, a Project Director (PD) and a Program Manager (PM). The program manager is required to **dedicate at least fifty percent (50%) of their time to this grant**. Unless financial management of the grant falls under the responsibility of the PD or PM, the applicant must also identify the person responsible for the financial management of the grant. Resumes, no longer than three (3) pages, of the key personnel and job descriptions for planned key personnel, including the person responsible for the financial management of the grant are required at time of application submission. Furthermore, the applicant must describe the roles and responsibilities of each key personnel for the project. Please do not include the Social Security Numbers (SSN) of any person. Use the format below to provide this required information.

Personnel Name & Organization	Title/Role	% Time (FTE)*		
Project Director				
Program Manager				
Financial Manager (if applicable)				

* FTE = Full time equivalent; if labor hours are used, convert to FTE based on 1 FTE = 2,080 hours per year.

The day-to-day Program Manager must be experienced in housing code, housing rehabilitation, lead hazard control (if working in pre-1978 housing), or other work related to the project. The Program Manager must have demonstrated project management experience. If the applicant has not yet hired a Program Manager, a job announcement for Program Manager position must be included in the Appendix of the application. Please note: Applications that propose key personnel that do not meet the minimum qualifications described above will not receive full points under this subfactor.

B. Program Administration and Oversight (13 points maximum). The applicant must describe how the program will be administered from start-up to grant closeout.

1. Program Oversight (10 points). In general, there are four (4) key stages in the life of a grant: application, start-up, implementation, and closeout. The applicant will need to describe a work plan or procedures to address start-up and implementation phases of the grant that includes specific, measurable, and time-phased objectives for each major program activity, grant staffing, project management system, and/or financial management systems. Additionally, the applicant must briefly describe how grant oversight and targeted monitoring of all sub-grantees and contractors for enforcement of grant terms, conditions and specifications of contracts or other formal agreements will be met.

2. Environmental Review Capacity (3 points). State, Tribal, or local government applicants must identify the individual(s) who will be responsible for completing the tiered environmental review (Tiers 1 and 2) and Request for Release of Funds requirements. All other applicants, i.e., non-profits, (most) Housing Authorities, etc., must identify the appropriate non-recipient Responsible Entity (RE) Tribal, local, or State government entity who will assume environmental review responsibilities for the grant. Verification by the Responsible Entity shall be included in the Appendices. NOTE: Without a recipient or non-recipient RE, environmental review responsibilities rest with HUD. In this case, recipients can expect 45-day project implementation delay pending completion and approval of the environmental review. With a non-recipient RE, HUD estimates the project-level environmental review processing time to be 45 days. See Appendix C for additional Environmental Review details.

C. Partner Capacity (4 points maximum). In order to implement a successful grant program, HUD recognizes the importance of partners and partnerships. Applicants are strongly encouraged to partner with community-based organizations, including faith-based organizations, city, county/parish, or other unit of local government to carry out program activities. Please include details on the relationship and any formal agreements for the work. (For the purposes of this federal award, entities that receive funding from the grantee under this grant are either sub-recipients or contractors. If entities do not receive federal funding from the grantee under this grant, the OLHCHH considers this agreement a partnership. Entities that receive funding from the grantee under this grant must follow federal procurement requirements as defined in 2 CFR 200.317 through 200.326, as applicable.)

1. List and describe any partners the applicant's program will work with to provide critical services and activities under this grant program (2 points). These activities may include outreach, community education, marketing, inspection, and housing evaluations and interventions. Examples of partnerships could include Health Departments, Housing Authorities, Code Enforcement, Community Development Organizations, etc. **Please note: points will be awarded based on (the partner organization's) relevant experience and the extent to which the application details their contribution to this project.**
2. List the key personnel from each of these critical partner entities, their respective roles and responsibilities, their qualifications and experience, and the percentages of time

committed for all key personnel identified (2 points). Provide this information in the narrative for each of the key personnel from the critical partner entities.

D. Contractor/Sub-Recipient Capacity (1 Point)

Describe how your organization will adhere to the federal procurement process to procure the services of qualified contractors or sub-recipients. All goods and services must be procured through a competitive process. Recipients must follow federal procurement requirements as defined in 2 CFR 200.317 through 200.326, as applicable. The designation of an entity as a sub-recipient or contractor must follow program policies and 2 CFR 200.330. **Please note: If an entity will be a contractor or sub-recipient, it needs to acquire a UEI number. For further reference see Policy Guidance 2019: Determining Subrecipient or Contractor Classification <https://www.hud.gov/sites/dfiles/HH/documents/PGI%202019-01.pdf>.**

E. Relevant Organizational Experience (9 Points maximum)

Describe how the applicant administered similar programs, including whether performance benchmarks were achieved, program oversight was addressed and if financial management controls were successfully implemented. For example, Community Development Block Grant's housing rehabilitation activities, Childhood Lead Poisoning Prevention Program, Healthy Homes Demonstration, Healthy Homes Production, Weatherization, public health work with local Health departments, comparable state or local Healthy Homes programs, etc. in the three years before the submission date for this NOFO. **Please note: If significant experience providing oversight and management of similar programs is not described, applicants will not receive full points.**

F. Experience Promoting Racial Equity (EPRE) (1 point)

Applicants must describe experience building community partnerships with grassroots or community organizations, its history of contracting with minority and women owned businesses, and any history of hiring, training, contracting, and providing other economic opportunities to low-income individuals, especially to individuals who receive housing assistance in furtherance of Section 3.

Maximum Points: 0

Rating Factor 2-Need and Extent of the Problem

Maximum Points: 30

Applicants will be scored in this rating factor based on documented need as evidenced by the submission of thorough, credible, and appropriate data and information. The data submitted in response to this rating factor will be verified using data available from the Census, HUD user, American Housing Survey, and other local and state published data (e.g., city planning and local housing departments). Applicants must provide supporting documentation for data provided in Rating Factor Two responses as an Appendix or provide a hyperlink within the narrative response. Applicant should also ensure that the target area residents, whose demographic characteristics constitute the data for this rating factor, are the individuals and families who should receive priority for the benefits of the funded program.

Points will be awarded in this rating factor based on the applicant's response to the information requested below: (Please note: Data should be provided that is within the jurisdiction/target area. Do not provide data that overlaps into another jurisdiction).

A. Project Narrative (15 points maximum).

Please provide a narrative describing in detail the housing related hazards the applicant will prioritize for intervention and affirm that the target area residents will receive priority benefits of the funded program. Refer to Eight Healthy Homes Principles https://www.hud.gov/program_offices/healthy_homes/healthyhomes the Healthy Homes Production Program addresses. This narrative must describe how the applicant will address the disproportionate need for safe and healthy housing for protected class groups, including persons with disabilities, families with children and underserved communities of color to comply with its responsibility to affirmatively further fair housing.

B. Demographic data. (5 points maximum).

- Total population of the Target Area;
- Total population under the age of eighteen (18);
- Total population or over sixty-two (62) years of age;
- Asthma prevalence of children under eighteen (18); and
- Area Median Income, percentage of population at eighty percent (80%) percent of the area median income level, and percentage of population at fifty percent (50%) of the area median income level.

C. Housing data. (4 points maximum).

- Total Number and percentage of housing units that are rental and owner occupied; and
- Percentage of housing with moderate and severe physical problems (i.e. plumbing, electrical, and structural, etc. issues or repairs).

D. Affirmatively Furthering Fair Housing (1 point).

Applicants must describe how their activities under this NOFO will address the disproportionate need for safe and healthy housing for protected class groups, including persons with disabilities, families with children and underserved communities of color.

E. Targeting Disadvantaged Communities (The Justice40 Initiative) (5 points maximum).

Executive Order 14008, [Tackling the Climate Crisis at Home and Abroad](#), section 223, Justice40 Initiative, applies to this grant program. The Justice40 Initiative (J40) sets an Administration “goal that 40 percent of the overall benefits [of covered programs] flow to disadvantaged communities. The recommendations shall focus on investments in the areas of ... affordable and sustainable housing; training and workforce development; the remediation and reduction of legacy pollution; ...”

As part of implementing J40, OMB issued its [Memorandum 21-28, Interim Implementation Guidance for the Justice40 Initiative](#), which identified, in its Appendix A, HUD's Lead Hazard

Reduction and Healthy Homes Grants as J40 pilots that are “to maximize the benefits that are directed to disadvantaged communities.” OMB’s interim guidance lists 13 factors that may be included in determining if a community is disadvantaged; among these are factors regarding environmental or climate indicators and socioeconomic indicators. The Council on Environmental Quality has developed a [Climate and Economic Justice Screening Tool](#) that identifies, for each census tract in the U.S., whether that small-population area (averaging 4,400 people, and 1700 housing units, nationally) is a disadvantaged community according to the OMB guidance.

As part of your application, you must identify the Census tracts that will constitute the target area for your grant using the target area selection tool linked from Appendix D of this NOFO; instructions on using the tool are also linked from that appendix.

If you wish to be awarded points for the rating subfactor on disadvantaged communities, you must set a percentage of disadvantaged communities in your target area that is at least three-quarters of the 40 percent Justice40 criterion, i.e., 30 percent, for which you will receive 1 point. For meeting the Justice40 criterion of 40%, you will receive 3 points; for exceeding the criterion with 50%, 4 points, and exceeding the criterion with 60%, 5 points. As described above, you must identify your target area communities’ census tracts in the Appendix E spreadsheet.

As part of reporting on your grant’s implementation, you will be identifying the census tract in which each of the homes you treated (evaluated and made healthy) is located. This will enable you and HUD to monitor if you are meeting your application’s minimum percentage of housing units benefitted being within one of your target area’s disadvantaged community census tracts.

Rating Factor 3-Program Financial Management

Maximum Points: 25

Applicants must describe in detail how the program financial oversight and management will be handled throughout the forty-two (42) month grant period. Applicants will also be evaluated on the extent to which resources seem reasonable and appropriate for this type of project.

Please note that HUD is not required to approve or fund all proposed activities if awarded.

A. Budget Planning Documentation (Required Attachments) (8 points maximum)

Utilize the HUD_424_CBW: HUD Detailed Budget Worksheet to estimate all costs for the forty-two (42) month grant period. Using the HUD Detailed Budget Worksheet:

1. Describe how funding will flow from the applicant to those who will perform work as the sub-recipients or contractors. Outline how grant-related work will be approved prior to the payment of invoices for services and before invoices are submitted to HUD for reimbursement.
2. Applicants must provide clear details on administrative costs (maximum ten percent (10%) of grant including all sub-recipient administrative costs), staffing costs and details on which costs are included and not included in the direct healthy homes minimum cost requirement (at least sixty-five (65%) Direct Costs).
3. Applicants must identify the number of units and average expected cost in their budget documents. Applicants will be evaluated on the extent to which resources are appropriate for the scope of the proposed project.

4. Applicants must clearly identify the funding or cash equivalent amounts being provided as leverage resources. These descriptions must include: the amounts and sources and use of any contributions being received and must be detailed and supported by letters of commitment. Applicants must clearly identify the funding or cash equivalent amounts being provided as leverage resources including the amounts, sources, and use of any contributions being received. Programmatic leverage of ten percent (10%) of the Federal funds requested is required for all applicants under this NOFO.

B. Budget Narrative Justification (Required Attachments) (8 points maximum)

Applicants must submit the Budget Narrative justification attachment associated with each budget HUD 424 CBW that includes all budgeted costs as part of the Total Budget (Federal Share and Leverage) that correspond to that HUD 424 Budget including those submitted for partners. Applicants must submit a separate Budget Narrative justification for themselves and for each partner that is submitting a separate HUD 424 CBW Detailed Budget Worksheet to comply with the requirement for those that would receive ten percent (10%) or more of the federal award amount for healthy homes activities. Each HUD 424 CBW submitted must be accompanied by a detailed budget justification that documents all budget categories and costs and all major tasks of their organization, sub-recipients, major sub-contractors, joint venture participants, or others contributing resources to the project. All cost proposed must be reasonable, allowable, allocable, and necessary to the project per the requirements of 2 CFR 200 Subpart E- Cost Principles.

The Budget Narrative document should:

1. Detail or denote administrative costs, indirect costs, staffing costs and details on which costs are included and not included in the direct healthy homes minimum cost requirement for each category/line items.
2. Detail or denote the funding or cash equivalent amounts being provided as leverage resources including the amounts and sources and use of any contributions being received. All leverage sources must be detailed and supported by letters of commitment.
3. Detail, with examples, that the activities of all staff included for HUD-funded share or leverage are providing an eligible, unique, and reasonable contribution to the OLHCHH award.
4. Justify the allocation of funds among successfully completed tasks, units within their organization, and their partners, in support of the scope of the proposed project. The applicant's narrative should show enough detail by line and category that provides transparency and linkage between production of successfully treated housing units, and payments associated with activities that resulted in those units being treated, from the outreach stage through recruitment, enrollment, evaluation and control of healthy homes hazards, and clearance for re-occupancy. (For healthy homes, this may be quantitative or qualitative, as appropriate for the intervention, as the applicant should detail in their narrative).

C. Financial Accountability (5 points maximum)

Answer the following questions by including a narrative response within the fifteen (15)-page maximum:

1. Applicants must discuss the financing strategy (i.e., the type of assistance – grants, deferred/forgivable loans, etc.), including how verification of income eligibility requirements will be met, terms, conditions, dollar limits, amounts available for the remediation work in the various categories of housing (e.g., single-family, multi-family, owner or tenant-occupied).
2. Applicants must discuss how they will ensure financial accountability throughout the grant period for this federal award. Identify who is responsible for establishing, administering, and overseeing the financial aspect of the program, and the role of other resources such as private sector financing and leveraging.
3. Applicants must describe how the recapture of grant or loan funds to owners of assisted units will occur if recipients fail to comply with any terms and conditions of the financing arrangement (e.g., failure to comply with fair housing and civil rights requirements, affordability, affirmative marketing and providing priority to renting units to families with a child under the age of six (6) years old, sale of property requirements, etc.).

D. Leverage Resources (4 points maximum)

Applicant may leverage additional resources above the 10% leverage required through cost sharing as described below. The chart below shows points associated with leveraging resources.

Leverage Resources as Percentage of Requested Federal Amount	Points Awarded
10 Percent required	0
11 to 14 percent	2
15 percent	3
Over 15 percent	4

Applicants will be evaluated on the extent to which their strategy provides a sound and reasonable approach to financing their proposed healthy homes remediation work, including the documentation and justification of these costs.

Section 3

In accordance with HUD's Section 3 regulations at 24 CFR 75.7, your application will receive up to 2 points based the quality of Section 3 plans submitted. The program office will consider the following in evaluating the quality of the Section 3 plan: The following written responses.

The applicant's work plan must describe a strategy for hiring local low-income residents, providing training opportunities, and awarding contracts to local Section 3 businesses.

Applicants should:

- a. outline their plan to notify residents and contractors about jobs and contracts that may become available;
- b. notify potential contractors about the requirements of Section 3;
- c. hire local residents and award contracts to local businesses; and
- d. assist in obtaining compliance among contractors and subcontractors.

Exemption: Recipients that are subject to and complying with Indian employment and contract preference laws adopted in accordance with the Indian Self-Determination and Education

Assistance Act (25 USCS 5307(b)) are deemed to be in compliance with the requirements of Section 3. Recipients are required to direct training and employment opportunities and subgrants and subcontracts to Indians and Indian owned organizations. Tribes must comply with Section 3 to the maximum extent feasible, but not in derogation of Indian Preference requirements.

2. Other Factors

None.

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)

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.

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.

This program does not offer preference points related to minority-serving institutions.

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

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.

In addition to the performance review described in previous sections, each grant program must have a framework for evaluating the degree of risks posed by applicants before they receive Federal awards. As a result of the risk evaluation, an applicant may be awarded with special conditions applied to the award that correspond to the degree of risk assessed or the applicant may be determined ineligible due to the operational risk it has historically posed to HUD, OLHCHH or other federal agencies as applicable. Possible risk indicators that could impact the risk evaluation determination could include the following elements of the described approach for use of funds:

1. Size of potential subaward

2. Size and diversity of federal award portfolio of entity applying
3. Impact of subaward on operations
4. Past federal award experience of applicant with OLHCHH, with HUD, or other Federal Agencies
5. Past federal award experience of applicant or Key staff
6. Extent of other oversight (audits, monitoring).

Minimum Score. Applications scoring seventy-five (75) points or more will be eligible to receive an award. The maximum number of points to be awarded is 102.

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.

Applicants should describe their experience promoting racial equity in Rating Factor 1, Applicant and Partner Capacity.

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.

Successful applicants will receive a letter from the Office of Lead Hazard Control and Healthy Homes providing details regarding the effective start date of the grant agreement and any conditions, additional data, and information to be submitted to execute the grant. Applicants will then participate in negotiations to determine the specific terms of the grant agreement, budget, work plan, benchmarks, or other requirements. If HUD is not able to successfully conclude negotiations with a selected applicant within a period determined by HUD, an award will not be made. If applicants accept the terms and conditions of the grant agreement, applicants must return a signed grant agreement by the date specified. Instructions on how to have the grant agreement account entered into HUD's Line of Credit Control System (LOCCS) payment system will be provided. In accordance with 2 CFR part 200, subpart F Audit Requirements, if applicants expend \$750,000 in federal funds in a single year, applicants must follow the requirements of the Single Audit Act and must submit their completed audit-reporting package along with the Data Collection Form (SF-SAC) to the Single Audit Clearinghouse. The address can be obtained from its website. The SF-SAC can be downloaded from:

https://harvester.census.gov/facides/Files/2015_2018%20Checklist%20Instructions%20and%20Form.pdf

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 Departmental 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)

Compliance with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a contractor, subcontractor, grantee, subgrantee, and personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant. (See [Federal Contractor or Grantee Protections | Office of Inspector General, Department of Housing and Urban Development \(hudoig.gov\)](#))

Environmental Review

See Appendix C: Environmental Requirements for information on the Environmental Requirements under 24 CFR part 50 or 58 for this NOFO.

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 housing assistance funding for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead-based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)); and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

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).

Discrepancies between the NOFO on Grants.gov and other Documents

The Program NOFO posted at the Grants.gov website is the official document HUD uses to solicit applications. Applicants are advised to review their application submission against the requirements in the posted Program NOFO. If there is a discrepancy between the Program NOFO posted on Grants.gov and other information provided in any other copy or version or supporting documentation, the posted Program NOFO located at Grants.gov prevails. If discrepancies are found, please notify HUD immediately by calling the program contact listed in the Program NOFO. HUD will post any corrections or changes to a Program NOFO on the Grants.gov website. Applicants must enroll an email address at the application download page to receive an e-mail alert from Grants.gov in the event the opportunity is changed.

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

This program requires recipients to submit, not less than annually, a report documenting achievement of outcomes under the purpose of the program and the work plan in the award agreement. You must submit applicable quarterly, annual, and final program and financial reports according to the requirements of the OLVCHH, including new Transparency Act reporting requirements. Specific guidance and additional details will be provided to successful applicants in the grant agreement. OLVCHH will include these reporting requirements in its terms and conditions as part of the grant agreement in the award.

FOIA Reporting.

HUD makes frequently requested materials, including information on the highest-scoring funding grant applications available on its Freedom of Information Act (FOIA) website. To avoid disclosure of PII, proprietary information, business confidential information, or other content that should not be disclosed to the public, HUD will only post applications redacted pursuant to FOIA. Those recipients who receive the highest score in each competition must provide a redacted version of their applications within thirty (30) days of notification from HUD that they submitted the highest-scoring application. If multiple applicants receive the same score, all of them will be asked to submit redacted applications. When submitting a redacted version, recipients may black out information that would be considered trade secrets and commercial or financial information and the information is privileged or confidential, as provided in 5 U.S.C. 552(b)(4), should the information be disclosed to the public. HUD will take the recipient's proposed redactions under advisement when determining what information should be released to the public. Please direct questions regarding specific reporting requirements to the point of contact listed in Section VII. Agency Contact(s), below.

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.

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:

Sacsheen Scott

Phone:

202-402-4370

Email:

Sacsheen.S.Scott@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)

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFO in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available for inspection at HUD's Funding Opportunities web page.

HUD's Office of Lead Hazard Control and Healthy Homes administers this program, which is aligned with HUD's Fiscal Year 2022 – 2026 Strategic Plan (<https://www.hud.gov/HUD-FY22-26-Strategic-Plan-Focus-Areas#:~:text=affordable%20housing%20stock,-,Strategic%20Goal%204%3A%20Advance%20Sustainable%20Com>) and supports HUD's activities pursuing environmental justice (https://www.hud.gov/climate/environmental_justice). The Strategic Plan includes a Strategic Objective to Strengthen Environmental Justice, specifically, to reduce exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color. HUD's Environmental Justice efforts include eliminating health risks caused by environmental injustice.

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

HUD Strategic Plan link

<https://www.hud.gov/sites/dfiles/SPM/documents/HUDSTRATEGICPLAN2018-2022.pdf>

APPENDIX

[Appendices](#) A through E are in a single document incorporated into this NOFO:

APPENDIX A: Programs Definitions

APPENDIX B: Advancing Racial Equity and Affirmative Marketing Narrative

APPENDIX C: Environmental Requirements

APPENDIX D: Sample Budget

APPENDIX E: Targeting Disadvantaged Communities (The Justice40 Initiative)

