

**SUPPLEMENT FOR
BOARD MEETING OF APRIL 23, 2009**

3a

COMMUNITY AFFAIRS DIVISION
BOARD ACTION REQUEST
April 23, 2009

Action Item

Presentation, Discussion and Possible Approval of the U.S. Department of Energy State Plan for the 2009 American Recovery and Reinvestment Act Weatherization Funds.

Requested Action

Approve, deny or approve with modifications the submission of the U.S. Department of Energy State Plan for the 2009 American Recovery and Reinvestment Act Weatherization Funds.

Background

The Texas Department of Housing and Community Affairs (the Department) will receive \$326,975,732 from the American Recovery and Reinvestment Act for the Weatherization Assistance Program. The Department is required to submit a State Plan to the U.S. Department of Energy (DOE) by May 12, 2009. DOE released grant guidance on March 13, 2009, which provided the format and content for the State Plan. The Department conducted a series of public input sessions in Austin, Houston, Dallas and El Paso April 1, 6, 7 and 8, 2009. The *Texas Register* announcement of the public hearing and the availability of the draft State Plan was published April 10, 2009. The Department will hold a public hearing for the plan April 22, 2009, at the Stephen F. Austin building in Austin. Comments received during the hearing will be verbally summarized for the Board and any proposed changes will be orally recommended to the Board. The comment period closes on Wednesday April 22, 2009.

The Department currently contracts with thirty-four weatherization subrecipients to administer the program in all 254 counties of the state. To facilitate the timely expenditure of funds, the Department is proposing the temporary addition to the list of eligible subrecipients of 32 cities whose population exceeds 75,000 based on 2000 census data. Additionally, \$7,500,000 will be made available on a competitive basis to non profits and units of local government in cities whose populations do not exceed 75,000. The Department of Energy is allowing states to increase household eligibility to at or below 200% of federal poverty income guidelines, (currently the guideline is 150% of poverty) and staff is recommending the adoption of the 200% criterion.

Subrecipients utilize the DOE funding to provide cost effective weatherization measures to improve the energy efficiency of eligible client households. Typical weatherization measures include attic and wall insulation, duct work, weather-stripping and air sealing measures, heating and cooling appliances repair and/or replacement, refrigerator replacement. Potential client households apply for assistance with the weatherization

subrecipient. The subrecipient determines if the household is income-eligible and whether they meet the priority criteria.

The subrecipient conducts an energy assessment on the applicant's home to determine if weatherization measures are appropriate. The weatherization work is performed by an independent contractor procured through competition and with whom the subrecipient has contracted for services.

The 2009 DOE ARRA budget is \$326,975,732. DOE allows states to use up to 5% of funds for state administration, staff is recommending 5%. DOE also allows states to use up to 17% of funds on training and technical assistance activities; staff is recommending 6.5%. Additionally, the funding allows for subrecipients financial audits, household assessments, and program administration. DOE allows a maximum of \$6,500 per unit for weatherization services. Based on this estimate, staff has projected weatherizing approximately 48,000 homes with increased funding.

Texas WAP ARRA Award

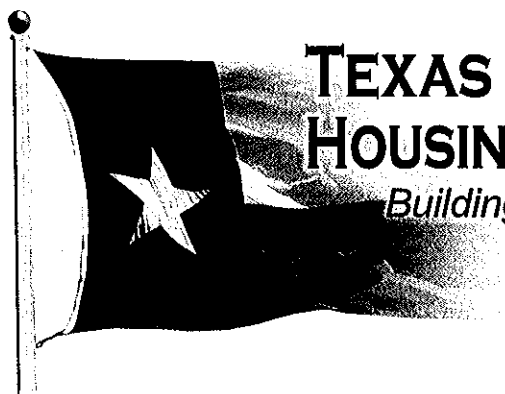
\$ 326,975,732	Total Allocation from DOE
16,348,786	State Administration 5%
<u>21,253,423</u>	Training and Technical Assistance Funds 6.5%
289,373,523	Available for subrecipient obligation
14,468,676	Subrecipient administration 5%
274,904,847	Direct Services (Materials, Labor and Program Support)
27,490,484	Health and Safety 10%

Breakdown of Subrecipient awards

\$ 295,913,037	Available for subrecipient obligation
140,936,762	Existing WAP network
140,936,761	Cities with populations exceeding 75, 000 persons
7,500,000	Small cities, non profits or units of local government

Recommendation

Staff recommends approval of the U.S. Department of Energy State Plan for the 2009 American Recovery and Reinvestment Act Weatherization Funds.



**TEXAS DEPARTMENT OF
HOUSING & COMMUNITY AFFAIRS**

Building Homes. Strengthening Communities.

**U.S. DEPARTMENT OF ENERGY STATE PLAN
2009 AMERICAN RECOVERY AND REINVESTMENT ACT**

**WEATHERIZATION ASSISTANCE PROGRAM
FOR LOW-INCOME PERSONS**

April 2009

*(Funding allocation based on Financial Assistance Funding Opportunity Announcement--
Funding Opportunity Number: DE-FOA-0000051.)*

ANNUAL FILE

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ANNUAL FILE

Grant Application for Federal Assistance Standard Form 424

Application for Federal Assistance SF-424

Version 02

***1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

***2. Type of Application**

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

TBD

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

TBD

State Use Only:

6. Date Received by State:

7. State Application Identifier: TBD

8. APPLICANT INFORMATION:

*a. Legal Name: State of Texas

*b. Employer/Taxpayer Identification Number (EIN/TIN):

742610542

*c. Organizational DUNS:

806781902

d. Address:

*Street 1: P.O. Box 13941

Street 2: _____

*City: Austin

County: Travis

*State: TX

Province: _____

*Country: U.S.A.

*Zip / Postal Code 78711-3941

e. Organizational Unit:

Department Name:

Texas Department of Housing and Community Affairs

Division Name:

Energy Assistance, Community Affairs Division

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: _____ *First Name: Michael

Middle Name: _____

*Last Name: DeYoung

Suffix: _____

Title: Program Manager

Organizational Affiliation:

*Telephone Number: (512) 475-2125

Fax Number: (512) 475-3935

*Email: michael.deyoung@tdhca.state.tx.us

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

A.State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

U.S. Department of Energy

11. Catalog of Federal Domestic Assistance Number:

81.042

CFDA Title:

Weatherization Assistance For Low Income Persons

***12 Funding Opportunity Number:**

DE-FOA-0000051

*Title:

Weatherization Formula Grants - American Recovery and Reinvestment Act (ARRA)

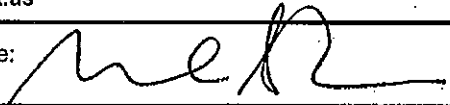
13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Statewide

***15. Descriptive Title of Applicant's Project:**

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: 10	*b. Program/Project: Statewide	
17. Proposed Project:		
*a. Start Date: TBD or 04/01/2009	*b. End Date: 03/31/2012	
18. Estimated Funding (\$):		
*a. Federal	_____	\$326,975,732
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	\$326,975,732
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <u>TBD</u>		
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.		
<input type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)		
<input checked="" type="checkbox"/> ** I AGREE		
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions		
Authorized Representative:		
Prefix: _____	*First Name: <u>Michael</u>	
Middle Name: _____		
*Last Name: <u>Gerber</u>		
Suffix: _____		
*Title: Executive Director		
*Telephone Number: (512) 475-3930		Fax Number: (512) 475-9606
* Email: michael.gerber@tdhca.state.tx.us		
*Signature of Authorized Representative: 		*Date Signed: 03/20/2009

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

Section 2: Budget

Budget Information – Non Construction Programs

OMB Approval No.0348-0044

Section A – Budget Summary						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-federal (f)	Total (g)
1. DOE	81.042			\$326,975,732		\$326,975,732
2.						
3.						
4.						
5. Totals				\$326,975,732		\$326,975,732
Section B – Budget Categories						
6. Object Class Categories	Grant Program, Function or Activity				Total All Budget (5)	
	(1) Grantee Administration	(2) Subgrantee Administration	(3) Grantee T&TA	(4) Subgrantee T&TA		
a. Personnel	2,074,905		2,003,815		4,078,720	
b. Fringe Benefits	592,800		572,490		1,165,290	
c. Travel	672,980		771,876		1,444,856	
d. Equipment	27,000		0		27,000	
e. Supplies	75,000		392,300		467,300	
f. Contractual	401,254	14,468,676	7,856,823	8,133,783	305,765,382	
g. Construction	0		0		0	
h. Other	11,563,462		613,205		12,176,667	
i. Total Direct Charges (sum of 6a-6h)	15,407,401	14,468,676	12,210,509	8,133,783	325,125,215	
j. Indirect Charges	941,385		909,131		1,850,516	
k. Totals (sum of 6i and 6j)	16,348,786	14,468,676	13,119,640	8,133,783	326,975,732	
7. Program Income						

Budget Information – Non Construction Programs

OMB Approval No.0348-0044

Section A – Budget Summary						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-federal (f)	Total (g)
1.						
2.						
3.						
4.						
5. Totals						
Section B – Budget Categories						
Grant Program, Function or Activity						Total All Budget (5)
6. Object Class Categories		(1) Program Operations	(2) Health and Safety	(3) Vehicles and Equipment	(4) Liability Insurance/POI	
a. Personnel						4,078,720
b. Fringe Benefits						1,165,290
c. Travel						1,444,856
d. Equipment						27,000
e. Supplies						467,300
f. Contractual		218,656,937	54,664,234		1,421,675	305,765,382
g. Construction						0
h. Other						12,176,667
i. Total Direct Charges (sum of 6a-6h)		218,656,937	54,664,234		1,421,675	325,125,215
j. Indirect Charges						1,850,516
k. Totals (sum of 6i and 6j)		218,656,937	54,664,234		1,421,675	326,975,732
7. Program Income						

Budget Information – Non Construction Programs

OMB Approval No.0348-0044

Section A – Budget Summary						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-federal (f)	Total (g)
1.						
2.						
3.						
4.						
5. Totals						
Section B – Budget Categories						
Grant Program, Function or Activity						Total All Budget (5)
6. Object Class Categories		(1) Leveraging (Admin. /T&TA Funds)	(2) Financial Audits	(3)	(4)	
a. Personnel						4,078,720
b. Fringe Benefits						1,165,290
c. Travel						1,444,856
d. Equipment						27,000
e. Supplies						467,300
f. Contractual		0	162,000			305,765,382
g. Construction						0
h. Other						12,176,667
i. Total Direct Charges (sum of 6a-6h)		0	162,000			325,125,215
j. Indirect Charges						1,850,516
k. Totals (sum of 6i and 6j)		0	162,000			326,975,732
7. Program Income						



BUDGET EXPLANATION FOR FORMULA GRANTS

Provide detailed information to support each Cost Category using this form. Cost breakdown estimates may be entered on this form or attach a breakdown of costs using your own format as Attachment A.

1. **PERSONNEL** - Prime Applicant only (all other participant costs must be listed on 6. below and form DOE F 4600.4, Section B. Line 6.f. Contracts and Sub Grants.
2. Identify, by title, each position to be supported under the proposed award.
 - a. Briefly specify the duties of professionals to be compensated under this project.

Administration Funds \$2,074,905
 Training and Technical Assistance Funds \$2,003,815
 Total Personnel Budget \$4,078,720

Manager of Energy Assistance (EA)	<i>Overall program management and staff supervision.</i>
Project Manager of EA	<i>Program management and staff supervision of program officers and trainers.</i>
Project Manager of EA	<i>Program management and staff supervision of fiscal, contract specialists, and planners.</i>
Trainers (5)	<i>Subrecipient training in all aspects of the WAP.</i>
Senior Planner	<i>Develop State Plan/Applications and reporting.</i>
Planner	<i>Develop State Plan/Applications and reporting.</i>
Program Officers (14)	<i>Programmatic monitoring of WAP subrecipients and technical assistance.</i>
Contract Specialist (3)	<i>Process payment requests and develop contracts.</i>
EA Davis-Bacon Act Specialists (4)	<i>Programmatic monitoring and technical assistance to WAP subrecipients regarding the Davis-Bacon Act requirements.</i>
Administrative Assistants (2)	<i>Provide administrative assistance to staff and subrecipients in support of program operations.</i>

3. **FRINGE BENEFITS** -

- a. Are the fringe cost rates approved by a Federal Agency? If so, identify the agency and date of latest rate agreement or audit below, and include a copy of the rate agreement.

No

- b. If a above does not apply, indicate the basis for computation of rates, including the types of benefits to be provided, the rate(s) used, and the cost base for each rate. You may provide the information below or provide the calculations as an attachment.

\$1,165,290		
Benefit	Rate	Cost base
Retirement	6.45%	Salary
Insurance	14.47%	Salary
OASDI	6.2%	Salary
Medicare	1.45%	Salary
Total	28.57%	

3. TRAVEL - Identify total Foreign and Domestic Travel as separate items.

a. Indicate the purpose(s) of proposed travel.

Foreign Travel \$-0-
Domestic Travel \$1,444,856

Monitoring

Number of trips: 836
Point of origin: Austin
Destination: All areas of the State
Purpose: Monitoring of WAP subrecipients and training and technical assistance as needed during visit

T&TA

Number of trips: 836
Point of origin: Austin
Destination: All areas of the State
Purpose: Training and technical assistance for WAP subrecipients

DOE National Conferences

Number of trips: 2 trips x 28 staff
Point of origin: Austin
Destination: Out-of-State, Location To Be Determined
Purpose: DOE National Conferences

National Training Conferences

Number of trips: 3 trips x 3 staff x 2 times each year
Point of origin: Austin
Destination: Out-of-State, Location To Be Determined
Purpose: Training and Technical Assistance Conferences

Whole House Diagnostics Training

Number of trips: 24 staff
Point of origin: Austin
Destination: To Be Determined
Purpose: Training and Technical Assistance

Peer Review Trips to State DOE Programs

Number of trips: 2 trips x 3 staff
Point of origin: Austin
Destination: Out-of-State, Location To Be Determined
Purpose: Peer Review and Training and Technical Assistance

b. Specify the basis for computation of travel expenses (e.g., current airline ticket quotes, past trips of a similar nature, federal government or organization travel policy, etc.).

Cost of transportation is based on historical data and the State of Texas contracted travel providers.

Subsistence (hotel and per diem) is based on the State of Texas travel policy which allows for up to \$121 maximum for in-state travel (hotel: \$85, meals: \$36) and \$85 to \$259 maximum for out-of-state travel.

Monitoring

Transportation @ 200 x 836 = \$167,200
Subsistence @ 121 X 836 x 5 days = \$505,780

T&TA

Transportation @ 200 x 836 = \$167,200
Subsistence @ 121 x 836 x 5 days = \$505,780

DOE National Conferences

Transportation @ \$533 x 28 staff x 2 trips = \$29,848
Subsistence @ \$168 x 3 days x 28 staff x 2 = \$28,224

National Training Conferences

Transportation @ \$500 x 3 staff x 3 trips x 2 times each year = \$9,000
Subsistence @ Meals \$60 x 4 days/Hotel \$160 x 3 nights = \$720 x 18 = \$12,960

Whole House Diagnostics Training

Average Transportation at \$423 each x 24 = \$10,152
Average Per Diem at \$121 (x 3 days) x 24 = \$8,712

Peer Review Trips to State DOE Programs

Transportation @ \$533 x 2 trips x 3 staff = \$3,198
Subsistence @ \$168 x 5 days x 2 trips x 3 staff = \$5,040

4. **EQUIPMENT** - as defined in 10 CFR 600.202. Definitions can be found at http://www.access.gpo.gov/nara/cfr/waisidx_00/10cfr600_00.html.

- a. Provide the basis for the equipment cost estimates (e.g., vendor quotes, prior purchases of similar or like items, etc.).

Computers for New Staff- \$27,000
18 computers at \$1,500 each

- b. Briefly justify the need for items of equipment to be purchased.

The computers will provide the new staff the tools needed to conduct their work tasks for the WAP program.

5. **MATERIALS AND SUPPLIES** - as defined in 10 CFR 600.202. Definitions at http://www.access.gpo.gov/nara/cfr/waisidx_00/10cfr600_00.html.

- a. Provide the basis for the materials and supplies cost estimates (e.g., vendor quotes, prior purchases of similar or like items, etc.).

Energy Savers Calendars
50,000 @ \$1.35 = \$67,500
Vendor National Energy Assistance Director's Association (NEADA)

Temperature Strips
50,000 @ \$0.34 = \$17,000
Historical data. Vendor quotes.

Education Cards for Temperature Strips
50,000 @ \$.50 = \$25,000
Historical data. Vendor quotes.

Energy Savers Booklets (English)
40,000 @ \$.43 = \$17,200
Historical data. Vendor quotes.

Energy Savers Booklets (Spanish)
20,000 @ \$.78 = \$15,600
Historical data. Vendor quotes.

Office Supplies and Materials
\$25,000 per year x 3 years = \$75,000
Historical data.

Additional Client Education Materials
\$250,000 for 3 years
Materials are to be determined and are estimated based on historical data.

b. Briefly justify the need for items of material to be purchased.

The printed material will be used for client education purposes. The material will be available for potential clients who apply for Weatherization Assistance Program (WAP) services. The Department requires WAP Assessors to provide client education to all clients who receive WAP services. The Assessors will recommend where to place the temperature strips in the clients' homes. The office supplies and materials will be used by staff to administer the WAP program. The training function will need to print materials for the new subrecipients and the existing network.

6. CONTRACTS AND SUBGRANTS - All other participant costs including subcontractor, sub-grants, and consultants.

Provide the information below for new proposed subrecipients and subcontractors. For ongoing subcontractors and subrecipients, if this information is provided elsewhere in the application, it does not have to be restated here, but please indicate the document and page numbers where it can be found. * For example-Competitive, Historical, Quote, Catalog

<u>Name of Proposed Subrecipient</u>	<u>Basis of Cost</u>	<u>Total Cost</u>
--------------------------------------	----------------------	-------------------

Weatherization Subrecipients

The ARRA Weatherization Subrecipients are listed in Section 3 of this Plan. The Department anticipates the existing program subrecipients will purchase 75 vehicles during this ARRA WAP program period.

Subrecipient Travel Allowance Pool (Subrecipients are listed in Section 3 of this Plan.)

34 Subrecipients – The Texas Association of Community Action Agencies Conferences at \$2,444/each for 2 years: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$166,056

81 Subrecipients – 3 Community Affairs Division Training Conferences at \$2,353/each for 3 years: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$571,779

81 Subrecipients – 28 Cluster Workshops at \$5,294/each: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$428,814

81 Subrecipients – 3 DOE Weatherization Assistance Program Training Conferences at \$7,523/each: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$1,828,089

81 Subrecipients – 2 Affordable Comfort Institute Conferences at \$13,235/each: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$1,072,035

81 Subrecipients - Continuing statewide training and technical assistance throughout program years at \$9,786/each. Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$792,666.

81 Subrecipients – Energy Out West Training at \$10,588/each for 2 years: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$1,715,256

81 Subrecipients – Training at Training Academy at \$19,248/each: Cost for each is based on the number of staff attending, their location, and estimated travel expenditures according to the allowable Texas travel rates. \$1,559,088

In-state and out-of-state travel allowances for subrecipients to attend in-state and out-of-state DOE/state sponsored workshops and conferences. Without the allowance, most subrecipients would not be able to attend these trainings.

Expert Trainer Services

ARRA Training and Technical Assistance Academy -- Cost is to establish a training academy and to obtain temporary staff for the academy to provide staff and subrecipients training and technical assistance. \$5,674,318

Technical Academy Curriculum Development and Research -- Cost is for the Academy's curriculum development and research. \$1,000,000

Statewide Database -- Cost is for developing and maintaining a statewide database to keep track of program related issues and accomplishments including non-duplication and reweatherization of WAP services to a given address. \$75,000

Cost for Manufactured Housing Insulation Training services for subrecipients for 36 cluster workshops. The estimated cost is \$2,250/per day x 3 days per cluster workshop x 36 workshops = \$243,000. Cost is based on historical data.

Cost for Heating Ventilation and Air Conditioning services for subrecipients for 36 cluster workshops. The estimated cost is \$1,500/per day x 3 days per cluster workshop x 36 workshops = \$162,000. Cost is based on historical data.

Cost for Lead Safe Weatherization Training services. The estimated cost is \$2,000/per day x 1 day per cluster workshop x 40 workshops = \$80,000. Cost is based on historical data.

Contracted Weatherization, Building Science, and Health and Safety Trainings: Statewide 81 subrecipients at \$12,639/each = \$1,023,759.

7. OTHER DIRECT COSTS - Include all direct costs not included in above categories.

- a. Provide the basis for the cost estimates (e.g., vendor quotes, prior purchases of similar or like items, etc.).

Miscellaneous/Other Direct Costs (estimated based prior purchases and historical data): \$12,176,667

These costs include off-site training facility rental, membership dues, subscriptions/publications, staff training registration fees, office lease, staff development and professional training, printing, advertising, temporary services, information systems professional programmers, professional audit, maintenance/repair, delivery services, and 3% Contingency.

- b. Briefly justify the need for items to be purchased.

OTHER DIRECT COSTS - Includes all direct costs and miscellaneous items not included in the other budget categories.

Off-site Training Facility Rental

Facility space to conduct cluster workshops and other trainings or conferences in subrecipient service areas or State sponsored workshops or conferences. \$100,000

Membership Dues

Costs for membership dues for TDHCA staff for technical and professional organizations. \$14,000

Subscriptions/Publications

Costs of Energy Assistance Section's subscriptions to program-related professional and technical periodicals. \$8,000

Staff Training, Staff Development, and Professional Training Registration Fees

Costs for staff registration fees to participate in staff development and program related conferences, trainings, and workshops. \$390,205

Office Lease

Costs for office lease space to WAP staff. \$217,000

Maintenance/Repair

Maintenance and repair costs include minor maintenance/repair of office space, such as broken door locks, overhead light fixture, minor plumbing repair, heating/air conditioning repair, cost of utilities, janitorial services, elevator service, necessary maintenance, and normal repairs and alterations necessary. \$20,000

Printing

Costs for printing training materials, field guides, and other necessary program documents. \$290,000

Advertising

Costs for advertising WAP information, including meetings, new positions, and requests for applications. English/Spanish Public Service Announcements (PSA's) and ads for a public information campaign. \$175,000

Information Systems Professional Programmers

Costs for information systems professional programmers to work on the development of agency software to accommodate the required computer programming system to oversee and track program documents, funds, and the new program reporting. \$205,940

Professional Audit

Costs for obtaining professional audit services. \$800,000

Delivery

Postage and handling services, mail services, and delivery services. \$10,000

Temporary Services

Temporary agency staff services to assist with administrative duties as necessary. \$80,000

Other Costs

Other miscellaneous office and program implementation costs as necessary. \$57,250

3% Contingency

This 3% Contingency is pending further clarification of Davis Bacon Act requirements, increased reporting applicability of rules, and further Office of Management and Budget and U.S. Government Accountability Office guidance. \$9,809,272

8. INDIRECT COSTS -

- a. Are the indirect cost rates approved by a Federal Agency? If so, identify the agency and date of latest rate agreement or audit below, and include a copy of the rate agreement.

This is based on the new approved indirect cost rate. A copy of the letter will be sent to DOE to be added to our file. We calculated the indirect rate at 45.37% of Personnel for this plan.

\$1,850,515 -- Indirect costs are calculated at 45.37% of Personnel.

- b.** If a above does not apply, indicate the basis for computation of rates, including the types of benefits to be provided, the rate(s) used, and the cost base for each rate. You may provide the information below or provide the calculations as an attachment.

Section 3: Subrecipients

	Organization/ Counties	Address	Type	Funding	Units	District
1	ALAMO AREA COUNCIL OF GOVERNMENTS Atascosa, Bandera, Bexar, Comal, Frio, Gillespie, Guadalupe, Karnes, Kendall, Kerr, Medina, Wilson	8700 Tesoro Dr., Ste 700 San Antonio, Texas 78217 (210) 362-5245 (210) 225-5937 – FAX	COG	11,271,897	1,313	11, 20, 21, 23, 25, 28
2	BEE COMMUNITY ACTION AGENCY Bee, Live Oak, McMullen, Refugio	PO Box 1540 Beeville, Texas 78104-1540 (361) 358-5530 (361) 358-6591 – FAX	CAA	793,464	93	15, 25, 28
3	BIG BEND CAC Brewster, Crane, Culberson, Hudspeth, Jeff Davis, Pecos, Presidio, Terrell	PO Box 265 Marfa, Texas 79843 (432) 729-4908 (432) 729-3435 – FAX	CAA	1,764,150	206	11, 23
4	BRAZOS VALLEY CAA Brazos, Burlson, Grimes, Leon, Madison, Montgomery, Robertson, Walker, Waller, Washington	1500 University Dr E, Suite 100 College Station, Texas 77840 (979) 846-1100 (979) 260-9390 – FAX	CAA	4,610,420	537	06, 08, 10, 17, 31
5	CAMERON-WILLACY COUNTIES COMMUNITY PROJECTS Cameron, Willacy	3302 Boca Chica, Suite #209 Brownsville, TX 78521-5705 (956) 544-6411 (956) 544-6414 – FAX	CAA	4,016,430	468	15, 27
6	CAPROCK CAA Crosby, Dickens, Floyd, Hale, King, Motley	224 South Berkshire Crosbyton, Texas 79322 (806) 675-7307 (806) 675-2291 – FAX	CAA	1,406,115	164	13, 19
7	COMBINED CAA, Inc. Austin, Bastrop, Blanco, Caldwell, Colorado, Giddings, Texas 78942 Fayette, Fort Bend, Hays, Lee	165 W. Austin St. Giddings, Texas 78942 (979) 540-2980 (979) 542-9565 – FAX	CAA	2,613,680	305	09, 10, 14, 15, 21, 22, 25, 28
8	CAC OF VICTORIA Aransas, Brazoria, Calhoun, DeWitt, Goliad, Gonzales, Jackson, Lavaca, Matagorda, Victoria, Wharton	PO Box 3607 Victoria, Texas 77903-3607 (361) 578-2989 (361) 578-0062 – FAX	CAA	3,635,375	424	14, 15, 22, 25
9	CA CORPORATION OF SOUTH TEXAS Brooks, Hidalgo, Jim Wells, Kenedy, Kleberg, San Patricio	204 E. 1st Street Alice, Texas 78333-1820 (361) 664-0145 (361) 664-0120 – FAX	CAA	8,448,369	984	15, 25, 27
10	SOUTH TEXAS DEV. COUNCIL OF GOVERNMENT Jim Hogg, Starr, Zapata	P.O. Box 2187 Laredo, Texas 78044-2187 (956) 722-3995 (956) 722-2670 – FAX	COG	1,334,291	156	25, 28
11	COMMUNITY ACTION PROGRAM, INC. Brown, Callahan, Comanche, Eastland, Haskell, Jones, Kent, Knox, Shackelford, Stephens, Stonewall, Taylor, Throckmorton	PO Box 144 Abilene, Texas 79604 (325) 673-5785 (325) 673-5784 – FAX	CAA	3,123,350	364	11, 13, 19
12	CC REEVES COUNTY, INC. Loving, Reeves, Ward, Winkler	700 Dagett St, Suite F Pecos, Texas 79772-4524 (432) 447-4913 (432) 447-4914 – FAX	CAA	529,731	62	11, 23
13	CONCHO VALLEY CAA Coke, Coleman, Concho, Crockett,	PO Box 671 San Angelo, Texas 76902	CAA	2,737,653	319	11, 23

	Organization/ Counties	Address	Type	Funding	Units	District
	Irion, Kimble, McCulloch, Menard, Reagan, Runnels, Schleicher, Sterling, Sutton, Tom Green	(325) 653-2411 (325) 658-3147 – FAX				
14	CSA OF South Texas (DIMMIT, LaSALLE) Dimmit, Edwards, Kinney, LaSalle, Maverick, Real, Uvalde, Val Verde, Zavala	PO Box 488 Carrizo Springs, TX 78834- 6488 (830) 876-5219 (830) 876-5280 – FAX	CAA	2,788,688	325	23, 28
15	COMMUNITY SERVICES, INC. Anderson, Collin, Denton, Ellis, Henderson, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Smith, Van Zandt	PO Box 612 Corsicana, Texas 75151-0612 (903) 872-2401 (903) 872-0254 – FAX	CAA	7,559,604	881	01, 03, 04, 05, 06, 12, 13, 17, 24, 26
16	DALLAS COUNTY HHS Dallas	2377 N. Stemmons Fwy, Suite 600 Dallas, Texas 75207-2710 (214) 819-1858 (214) 819-6022 – FAX	PPNP	10,454,697	1,218	03, 05, 24, 26, 30, 32
17	EOAC OF PLANNING REGION XI Bosque, Falls, Freestone, Hill, Limestone, McLennan	500 Franklin Ave. Waco, Texas 76701-2111 (254) 753-0331 (254) 754-0046 – FAX	CAA	2,879,060	336	06, 17, 31
18	EL PASO CAP – PROJECT BRAVO, INC. El Paso	P.O. Box 3445 El Paso, Texas 79923 (915) 562-4100 (915) 562-8952 – FAX	CAA	5,597,008	652	16, 23
19	CITY OF FORT WORTH, Dept of Housing Tarrant	1000 Throckmorton Street Fort Worth, Texas 76102 (817) 392-7540 (817) 392-7328 – FAX	PPNP	5,873,296	684	06, 12, 24, 26
20	GREATER EAST TEXAS COMMUNITY ACTION PROGRAM Angelina, Cherokee, Gregg, Houston, Nacogdoches, Polk, Rusk, San Jacinto, Trinity, Wood	PO Drawer 631938 Nacogdoches, Texas 75963 (936) 564-2491 (936) 564-0302 – FAX	CAA	4,482,413	522	01, 05, 06, 08
21	HILL COUNTRY CAA Bell, Burnet, Coryell, Erath, Hamilton, Lampasas, Llano, Mason, Milam, Mills, San Saba, Somervell, Williamson	PO Box 846 San Saba, Texas 76877 (325) 372-5167 (325) 372-3526 – FAX	CAA	3,374,456	393	11, 17, 31
22	LUBBOCK, CITY OF, COMMUNITY DEVELOPMENT DEPARTMENT Lubbock	P.O. Box 2000 Lubbock, Texas 79457 (806) 775-2301 (806) 775-3917 – FAX	PPNP	1,895,446	221	19
23	INSTITUTE OF RURAL DEVELOPMENT Duval	915 South 9th St. Kingsville, Texas 78363 (361) 592-1303 (361) 592-0877 – FAX	PPNP	256,513	30	25
24	NUECES COUNTY CAA Nueces	101 South Padre Island Dr. Corpus Christi, Texas 78405 (361) 883-7201 (361) 883-9173 – FAX	CAA	2,384,459	278	27
25	PANHANDLE COMMUNITY SERVICES, INC. Armstrong, Briscoe, Carson, Castro,	PO Box 32150 Amarillo, Texas 79120-2150 (806) 372-2531	CAA	4,746,783	553	13, 19

	Organization/ Counties	Address	Type	Funding	Units	District
	Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler	(806) 373-8143 – FAX				
26	PROGRAMS FOR HUMAN SERVICES, Inc. Chambers, Galveston, Hardin, Jefferson, Liberty, Orange	PO Box 1607 Orange, Texas 77631-1607 (409) 886-0125 toll-free: 1(866) 550-0282 (409) 886-2849 – FAX	CAA	4,912,415	572	02, 08, 14, 22
27	ROLLING PLAINS MGMT. CORP. Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, Wise, Young	PO Box 490 Crowell, Texas 79227 (940) 684-1571 (940) 684-1693 – FAX	CAA	2,503,231	292	12, 13, 19
28	SHELTERING ARMS, INC. Harris	3838 Aberdeen Way Houston, Texas 77025 (713) 956-1888 (713) 956-2079 – FAX	PPNP	17,404,325	2,027	02, 07, 09, 10, 18, 22, 29
29	SOUTH PLAINS CAA Bailey, Cochran, Garza, Hockley, Lamb, Lynn, Terry, Yoakum	PO Box 610 Levelland, Texas 79336 (806) 894-6104 (806) 894-5349 – FAX	CAA	1,189,537	139	19
30	TEXOMA COUNCIL of GOVERNMENT Bowie, Camp, Cass, Cooke, Delta, Fannin, Franklin, Grayson, Hopkins, Lamar, Marion, Morris, Rains, Red River, Titus	1117 Gallagher Drive, Suite. 300 Sherman, Texas 75090 (903) 893-2161 (903) 813-3511 – FAX	COG	4,572,305	533	01, 04, 13, 26
31	TRAVIS COUNTY HEALTH & HUMAN SERVICES DEPT. Travis	PO Box 1748 Austin, Texas 78767 (512) 854-4100 (512) 854-4123 – FAX	PPNP	3,522,553	410	10, 21, 25
32	TRI-COUNTY CAA Harrison, Jasper, Newton, Panola, Sabine, San Augustine, Shelby, Tyler, Upshur	PO Drawer 1748 Center, Texas 75935 (936) 598-6315 (936) 598-7272 – FAX	CAA	2,635,219	307	01, 08
33	WEBB COUNTY CAA Webb	1110 Washington St., Suite 203 Laredo, Texas 78040-4443 (956) 523-4182 (956) 523-5016 – FAX	CAA	1,802,585	210	23, 28
34	WEST TEXAS OPPORTUNITIES, INC. Andrews, Borden, Dawson, Ector, Fisher, Gaines, Glasscock, Howard, Martin, Midland, Mitchell, Nolan, Scurry, Upton	PO Box 1308 Lamesa, Texas 79331 (806) 872-8354 (806)872-5816 – FAX	CAA	3,817,241	445	11, 19
TOTAL: 254 Counties				140,936,762	16,423	

	Grantee City	Tentative	
		Funding	Units
1	Houston	32,438,370	3,778
2	Dallas	18,238,249	2,124
3	San Antonio	17,028,595	1,983

4	El Paso	10,924,069	1,272
5	Austin	8,087,596	942
6	Fort Worth	7,291,415	849
7	Laredo	4,526,139	527
8	Brownsville	4,368,626	509
9	Corpus Christi	4,205,223	490
10	Lubbock	3,091,905	360
11	Arlington	2,856,338	333
12	Waco	2,447,436	285
13	McAllen	2,193,410	256
14	Amarillo	2,188,400	255
15	Pasadena	1,980,609	231
16	Beaumont	1,912,664	223
17	Irving	1,778,267	207
18	Garland	1,672,526	195
19	Odessa	1,454,363	170
20	Abilene	1,428,960	167
21	Grand Prairie	1,232,156	144
22	Tyler	1,202,271	140
23	San Angelo	1,166,848	136
24	Wichita Falls	1,136,962	133
25	Midland	1,060,667	124
26	Denton	1,035,089	121
27	Killeen	979,097	114
28	Plano	835,032	98
29	Mesquite	736,235	86
30	Carrollton	532,399	62
31	Richardson	499,965	58
32	Lewisville	406,881	48
	Totals	140,936,761	16,420

	Grantee	Tentative	
		Funding	Units
15 Grant Awards	To Be Determined (TBD) Subrecipients (Request for Applications- Competitive Awards)	500,000 x 15	870
	Totals	7,500,000	870

Additional information regarding Subrecipients:

Note: The Department will allocate ARRA WAP funds to the existing network of subrecipients by a formula. In order to meet the intent of the stimulus funding to quickly implement a Weatherization Assistance Program and to quickly serve qualified households with limited delays due to potential lack of capacity in the existing subrecipient network, the Department plans to contract with additional subrecipients with thirty-two (32) of the largest municipal city government entities and with fifteen (15) additional subrecipients to be competitively awarded during early summer of 2009. DOE weatherization contracts to the existing network reflect an award based on the allocation percentages derived from the formula detailed in the Texas Administrative Code. The allocation formulas reflect the

2000 Census data. If any carryover funds are available, they will be distributed consistent with the plan used to increase the number of units to be weatherized.

The adjusted average expenditure limit per unit for this grant period is \$6,500.

Texas limits reweatherization to 5% of all units weatherized if agencies need to exceed the 5% cap, the agency should send a written request for approval to the Department. The reweatherization date has been reset to September 30, 1994.

If the Department determines it is necessary to permanently reassign a service area to a new subrecipient, the subrecipient will be chosen in accordance with 10 CFR §440.15 and the Department's Texas Administrative Code.

The fund allocations for individual service areas within the existing network of providers are determined by a distribution formula with five (5) factors:

- (1) Number of non-elderly poverty households per county;
- (2) Number of elderly poverty households (65+) per county;
- (3) Median income variance per county;
- (4) Inverse poverty household density ratio per county; and
- (5) Heating/Cooling Degree days per county.

The Department may deobligate all or part of the funds provided under these program contracts, if subrecipients have not expended funds as specified in the contract of each subrecipient according to the expenditure rate and households served during the contract term. The performance will be reviewed periodically. Subrecipient's failure to expend the funds provided under this contract in a timely manner may also result in the subrecipient's ineligibility to receive additional funding during the grant period. The deobligation and reobligation provision will be based on performance.

Note: CFR: Code of Federal Regulation

Section.4: Production Schedule

	Annual Total
Number of Units (Excluding reweatherized)	33,713
Reweatherization Units	0

Vehicles and Equipment \$5,000 or more Average Cost per Dwelling Unit (DOE Rules)

- A. Total of Vehicles and Equipment Budget \$0
- B. Total Units to be Weatherized, from Production Schedule above 33,713
- C. Units to be Reweatherized, from Production Schedule above 0
- D. Total Units to be Weatherized, plus Planned Reweatherized
 Units from Production Schedule above (B plus C) 33,713
- E. Average Vehicles and Equipment Cost per Dwelling Unit (A divided by D)..... \$0

Average Cost per Dwelling Unit (DOE Rules)

F.	Total of Funds for Program Operations.....	\$218,656,937
G.	Total Units to be Weatherized, plus Planned Reweatherized	
	Units from Production Schedule above (total from D above)	33,713
H.	Average Cost per Dwelling Unit, less Vehicles and Equipment (F divided by G).....	\$6,486
I.	Average Cost per Dwelling Unit for Vehicles and Equipment (total from E)	\$0
J.	Total Average Cost per Dwelling Unit (H plus I)	\$6,486

Section 5: Energy Savings

DOE Program	Amount	Line
Total DOE State Weatherization Allocation	\$326,975,732	(a)
Total Cost associated with Administration, T&TA, Financial and Energy Audits or 15% of allocation.	\$108,318,794	(b)
Subtract the amount entered in line (b) from line (a), for a total Federal (DOE) funds available to weatherize homes	\$218,656,937	(c)
State Average Cost per Home or National WAP Program Year Average Cost per Home (i.e., PY 2008 \$2,966)	\$6,486	(d)
Divide the amount entered on line (c) by the amount entered on line (d), for Total Estimated Homes to be Weatherized	33,713 Homes	(e)
Multiply (e) by 30.5 MBTU for Total Annual Estimated Energy Savings resulting from DOE appropriated funds	1,028,247 MBTU	(f)
All Funding Sources		
Total funds (e.g., DOE WAP, State, Leveraged, LIHEAP, and other non-Federal sources of funds) used by State to weatherize homes	\$326,975,732	(g)
Total Cost associated with administration of Weatherization funds or 15% of total funds available to weatherize homes.	\$108,318,794	(h)
Subtract the amount entered in line (h) from line (g), for total funds available to weatherize homes	\$218,656,937	(i)
State Average Cost per Home or National WAP Program Year Average Cost per Home (i.e., PY 2008 \$2,966)	\$6,486	(j)
Divide the amount entered on line (i) by the amount entered on line (j), for Total Estimated Homes to be Weatherized	33,713 Homes	(k)
Multiply (k) by 30.5 MBTU for Total Annual Estimated Energy Savings resulting from all funding sources	1,028,247 MBTU	(l)

Method used to calculate energy savings: WAP Algorithm Other (describe below)

The energy saving calculations methodology was developed by the Department using the most recent Metaevaluation of the National Weatherization Assistance Program (ORNL/CON-493). This methodology estimates savings of 1,028,247 MBtu according to DOE's PY 2005 Application Instructions and Forms for PY 2006. The same methodology will be used for the ARRA WAP program. The ARRA WAP Plan is estimated according to funding allocation and adjusted average expenditure limit per unit allowed to weatherize a home. The total number of units projected to be weatherized are 33,713 for a total of annual estimated energy savings of 1,028,247 MBtu.

Estimated energy savings: 1,028,247 (MBtu)

Estimated prior year savings: 39,650 (MBtu) Actual: Pending final report

If variance is large, explain: Funding increased through American Recovery and Reinvestment Act (ARRA).

Section 6: Training, Technical Assistance, and Monitoring Activities

The Texas Department of Housing and Community Affairs (the Department) plans to monitor the American Recovery and Reinvestment (ARRA) Weatherization Assistance Program (WAP) with the staff included in the budget. Each of the WAP subrecipients shall be monitored for contract compliance at least once during each program year (April 2009 through March 2012). Training and technical assistance shall be provided to the subrecipient, whenever necessary, by a staff Training Officer or third party professional trainers as needed. Assigned staff members will conduct subsequent visits to ensure that corrective actions have taken place. If a subrecipient continues to show deficiencies, then a team of weatherization specialists will provide extra training and technical assistance as needed.

While each subrecipient will be monitored each year, monitoring will be scheduled using a risk assessment. Primary consideration will be based on the amount of contract, previous findings (if applicable), status of finding resolution, and submission and condition of annual independent audit. Periodic desk reviews of expenditures and production levels will be conducted during each of the program years. The scheduling of on-site monitoring will consider the minimum number of completed units. The schedule may vary and dates will be confirmed with each subrecipient in advance. The purpose of the monitoring is to ensure that weatherization programs are managed within federal and state guidelines and those eligible low-income families are receiving quality and appropriate weatherization of their homes.

The Department has established a goal to monitor a minimum of 10% of the client files and 10% of the weatherized units for each subrecipient per program year at the time of the monitoring. The Department will concentrate on inspecting weatherized units whose work completion dates are less than 60 days from the date of monitoring. Additional units will be inspected if the minimum monitoring requirements have not been met by this criterion. Monitoring will include health and safety procedures, energy audit procedures, and client education procedures. In addition, Program Officers will monitor financial management control and ensure the quality of work via established monitoring procedures.

During this grant period, the Department will continue to emphasize training and technical assistance for air sealing, heating and cooling systems assessments, materials installation, health and safety, office operations, and financial accountability through onsite, cluster workshops, and training conferences. Subrecipients may request training at anytime throughout the program year. The Trainer actively conducts training and technical assistance and works with program officers and subrecipients to determine additional training needs on an on-going basis.

Should a subrecipient hire a new weatherization coordinator, the subrecipient will be required to notify the Department in writing within 30 days of the date of hiring the coordinator and request training. The Department will contact subrecipients within 30 days of the date of notification to arrange for training.

With the increase in funding levels the Department foresees the need for additional subrecipients. The Department expects the training needs for the new subrecipients to be different from the existing network of subrecipients. Therefore, quarterly training visits will be conducted on all new subrecipients. The same protocols and procedures will be followed as when providing training to existing subrecipients.

The Department is currently working on developing a new training approach and protocols to improve the assistance provided and to meet demand of the increase in network staff due to funding increases. The Department will consult with States and other outside sources with program knowledge to develop the new criteria. The Department is also exploring the development of a Technical Training Academy for subrecipient and Department staff with guidance from the U.S. Department of Energy.

The Department does not require licensing or certifications of subrecipient staff at this time. However, the Department is exploring certification requirements for subrecipient weatherization staff and Department weatherization staff.

The Department will conduct cluster workshops throughout the program year to continue training the subrecipients on topics to include heating and cooling systems, LSW, manufactured housing, other health and safety issues, and material installation techniques. The Department has not scheduled training dates for other state or regional cluster trainings. The Department plans to provide training specific to manufactured housing (36 cluster workshops), HVAC (36 cluster workshops), Lead Safe Training (40 cluster workshops), and Health and Safety. Expert trainers will be hired for topics where the Department lacks in-house expertise. The Department will forward a schedule to DOE once the training schedule has been confirmed.

The Department has scheduled the following training dates for the WAP Network:

- Texas Association of Community Action Agencies Annual Conference, May 2009
- Community Affairs Training Conference, October 2009
- Texas Association of Community Action Agencies Annual Conference, May 2010
- Community Affairs Training Conference, October 2010

The Department will continue to provide staff with appropriate training opportunities in the areas of whole house diagnostics, health and safety, heating and cooling appliances, auditing construction activities, financial, accounting and fraud auditing training, and computer training. Department staff will continue to attend local, state, and national training conferences.

Evaluation of Training Activities

In order to evaluate the efficiency of its training activities, the training staff will annually review its training activities and compare those to the subrecipient monitoring reports, and the annual analysis of an in-house evaluation study. Additionally, subrecipients will be given the opportunity to provide feedback through evaluation forms and surveys distributed at all training sessions. The training staff will conduct periodic surveys to solicit input from subrecipients as to their training needs. The Department will also utilize input from Program Officers and subrecipient monitoring reports to determine areas of additional training needed.

Energy Audit Procedures

The Department has asked the U.S. Department of Energy to assist in the development and approval of a Priority List that identifies cost effective recurring measures that are performed. Additionally, the energy audit has been approved by DOE for use on single family dwellings, manufactured homes, and multi-family buildings containing 24 or fewer units. The energy audit has not been approved for multi-family buildings containing 25 or more units. In the event that the Department approves such a proposal, the Department will acquire a DOE approved energy audit, such as EA-QUIP, for use in auditing multi-family buildings containing 25 or more units.

Energy Savings

The State will cooperate with the U.S. Department of Energy as they implement a national evaluation project.

Lead-Based Paint Safe Work Practices

The State of Texas provided the Lead-Based Paint Safe Work Practices training methodology (developed by Montana State University) to all weatherization subrecipients during program year 2002. The Department plans to train the subrecipient's in Program Year 2009. The State will provide Lead-Based Paint Safe Work Practices to new subrecipient hires on an on-going basis.

Mold

The State of Texas provides the Mold Work Practices training methodology (developed by Montana State University) to all weatherization subrecipients. The subrecipients will be responsible for providing the training to their weatherization contractors. The State will provide Mold Work Practices to new subrecipient staff on an on-going basis.

The Texas Department of Health, beginning at Title 25, Texas Administrative Code, Section 295.301, has adopted procedures for addressing mold problems existing in residential dwellings that cover areas of 25 contiguous square feet or more by requiring the remediation to be addressed by a licensed mold remediation specialist.

If the energy auditor discovers a mold condition which the weatherization contractor cannot adequately address, then the unit should be referred to the appropriate public agency for remedial action. The applicant is to be provided written notification that their home cannot, at this time, be weatherized and why. They should also be informed which agency they should contact to report the mold condition. The applicant should be advised that when the mold issue is resolved they may reapply for weatherization.

If the energy auditor determines that the mold is treatable and covers less than the 25 contiguous square feet limit allowed to be addressed by the Texas Department of Health's guidelines, the applicant is to be provided written notification of the existence of the mold and potential health hazards, the proposed action to eliminate the mold, and that no guarantee is offered that the mold will be eliminated and that the mold may return. The auditor must obtain written approval from the applicant to proceed with the weatherization work.

Upon appropriate guidance from DOE, the Department will arrange to train all subrecipients to recognize mold problems and acceptable actions to resolve mold occurrences. The Department will also provide applicant notification and release forms to its subrecipients.

The limited cost incurred to remove the mold is to be charged to the health and safety portion of the subrecipient's budget.

Client Education

The Department will continue to require WAP subrecipients to provide client education to each WAP client. Subrecipients will be required to provide (at a minimum) state produced educational materials in verbal and written format. Client education will include temperature strips that indicate the temperature in the room, booklets that include "Energy Savings Tips," and energy savings calendars.

Section 7: DOE-Funded Leveraging Activities

The Department will encourage partnerships between subrecipients, Public Utility Commission, State Energy Conservation Office, and other entities provided they comply with DOE rules and regulations.

Section 8: Policy Advisory Council Members

Introduction: The Policy Advisory Council is broadly representative of organizations and agencies and provides balance, background, and sensitivity with respect to solving the problems of low-income persons, including the weatherization and energy conservation problems. The Council has the responsibility of advising Department staff.

Prior to the expenditure of any grant funds, the Department shall establish a policy advisory council which:

- (1) Has special qualifications and sensitivity with respect to solving the problems of low-income persons, including the weatherization and energy conservation problems of these persons;
- (2) Is broadly representative of organizations and agencies, including consumer groups that represent low-income persons, particularly elderly and disabled low-income persons and low-income Native Americans, in the State or geographical area in question; and
- (3) Has responsibility for advising the appropriate official or agency administering the allocation of financial assistance in the State or area with respect to the development and implementation of a weatherization assistance program.

Current Policy Advisory Council Members

Weatherization Providers	Energy Group	Consumer & Related Group
Johnette Hicks , Executive Director, Chairwoman Economic Opportunities Advancement Corporation – Planning Region XI	Heather Ball , Director Marketing & Public Education Railroad Commission of Texas Alternative Fuels Research and Education Division	Doug Garrett , CEM, CDSM Building Performance and Comfort Heating, Ventilation & Air Conditioning
Karen Swenson , Executive Director Greater East Texas Community Action Program		Michael P. Wilson, PhD. Texas Department of Aging and Disability Services
Mark Bullard , WAP Coordinator Texoma Council of Governments		

The Policy Advisory Council (PAC) is currently in place; however, membership changes are expected to occur during PY 2009. Any additions to the Policy Advisory Council will be reviewed by the Department's Governing Board. At the present time, the PAC consists of six members. The PAC meets annually. The Department seeks the PAC's guidance and approval on WAP Plans each year, and hosts other meetings, as needed.

Section 9: State Plan Hearings

The WAP Public Hearing and WAP Policy Advisory Council Meeting will both be held on April 22, 2009. The transcripts will be available upon request.

Newspapers that publicized the hearings and the dates that the notice was published: Texas Register April 10, 2009—Statewide distribution. The Department's web site publication of the draft plan will be available prior to the public hearing. The hearing and council meeting transcript copies will be provided to the DOE.

Section 10: Adjustments to On-File Information

(This section references changes made to the On-File Information.)

- The income eligibility level to be served by the subrecipient network will be up to 200 percent of the federal poverty income guidelines.
- Assistance for previously weatherized dwelling units, Section 415(c) (2) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)(2)) is amended by striking "September 30, 1979" and inserting "September 30, 1994." The Department is revising these dates on the Plan to reflect this change.
- For the WAP Plan, the Department is temporarily expanding the subrecipient network by adding up to 47 subrecipients as noted in Section 3 of this Plan.

- The grant period starts in April 2009 and ends March 2012. The contract period for the subrecipients will be limited to two years.
- The ARRA WAP Plan and the weatherization assistance program will operate in accordance with this plan, state and federal rules and regulations, and the Texas Administrative Code Rules, Title 10, Part 1, Chapter 5, Subchapters A, E, and F.
- The Department has asked the U.S. Department of Energy to assist in the development and approval of a Priority List that identifies cost effective recurring measures that are performed. When the Department has an approved Priority List, it will be distributed to subrecipients for their implementation in assessing units.

Section 11: Miscellaneous

Intergovernmental Review Data

To comply with the provisions of Executive Order 12372, the State of Texas established the Texas Review and Comment System (TRACS). TRACS is a statewide system that provides state and local officials opportunities to review and to comment upon State plans, applications for federal or state financial assistance, and environmental impact statements related to projects or programs that affect their jurisdictions before the proposals are approved or funded. Comments made during the process are for the applicant's use in improving the project, and if necessary, for the funding agency's use in deciding whether to approve the application.

Related state provisions designate the regional review agencies and the state Single Point of Contact; the programs for which reviews will be required; delineate the respective responsibilities of applicants, state agencies, and review agencies; establish uniform review procedures and criteria; and describe procedures for seeking accommodation of review comments. State provisions specifically incorporate by reference Executive Order 12372, as amended by Executive Order 12416, the Demonstration Cities and Metropolitan Development Act of 1966, §204 (42 United States Code §3334); the Intergovernmental Cooperation Act of 1968, §401(a) (United States Code §4231(a)); and the National Environmental Policy Act of 1969, §102(2C)(42 United States Code §4332(2C)).

The TRACS State Single Point of Contact is Denise S. Francis, Governor's Office of Budget, Planning, & Policy, P.O. Box 12428, Austin, Texas 78711. This plan application was provided in draft to the State Single Point of Contact, made accessible to all regional councils, available to all the Department's weatherization program subrecipients and other interested parties prior to the public hearing and as a part of the public comment process.

Liability Insurance

The liability insurance separate line item was increased to enable subrecipients to purchase pollution occurrence insurance in addition to the general liability insurance. Most regular liability insurance policies do not provide coverage for pollution occurrence. Subrecipients should review existing policies to ensure that lead paint measures are also covered and if not, secure adequate coverage for all units to be weatherized. If subrecipients require additional funding for liability insurance, they should get three price quotes. The additional liability insurance costs may be paid from administrative or program support categories. The Department strongly recommends the subrecipients require their contractors to carry pollution occurrence insurance to avoid being liable for any mistakes the contractors may make. Each subrecipient should get a legal opinion regarding the best course to take for implementing the pollution occurrence insurance coverage.

Training and Technical Assistance Funds

Training and technical assistance funds will not be used to purchase vehicles or equipment for local subrecipients to perform weatherization services. The cost of these vehicles and equipment to support the program must be charged to program support and program operations categories. The Department acknowledges that, should unexpended training and technical assistance funds remain unexpended during the grant period, DOE requires these funds be used to weatherize homes. Therefore, a budget transfer will be considered to weatherize additional homes or a deobligation and reobligation of funds may occur periodically.

Formula Distribution

For the existing subrecipients, the Department updates the budget allocation proportion by county and subrecipient based on poverty income, elderly poverty, median household income (from the 2000 U.S. Census data), and climate data (from the Southern Regional Climate Center, Louisiana State University, June 2002). For the new subrecipients, the Department will contract with 32 cities with a population of 75,000 or more and allocate funding based on poverty households. The remaining set-aside balance of the State (\$7,500,000) will be awarded in accordance with a Request for Applications and will consist of minimum awards of \$500,000 to \$1,000,000 maximum each.

Electric Base Load Measures (EBL)

DOE has approved the inclusion of selected Electric Base Load (EBL) measures as part of the weatherization of eligible residential units. Currently, the approved EBL measures include replacement of refrigerators, electric water heaters, and compact fluorescent lights. All EBL measures must be determined cost effective with an SIR of 1 or greater by either audit analysis or separate DOE approved analytical tools.

DOE has approved analytical tools to measure EBL. Instructions for incorporating EBL measures in to the WAP are detailed in the Texas Administrative Code. All dwelling units will be evaluated to determine the most cost effective measures to be installed in each unit weatherized and to determine the order in which measures will be installed. The evaluation of each unit must include building envelope measures, mechanical measures, and Electric Base Load measures.

WAP Additional Budget Information

Applications shall provide information which validates that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by the Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United States Code (Davis-Bacon Act). For guidance on how to comply with this provision, see <http://www.dol.gov/esa/whd/contracts/dbra.htm>.

Program Reporting

The Department will submit to DOE any reports as necessary, such as:

- Management Reporting - Progress Report
- Financial Reporting
- Closeout Reports – Property Certification
- Other Reporting (as requested and as necessary)

Performance Progress Report:

Not later than 10 days after the end of each calendar quarter, each subrecipient shall submit a report to the Department that contains the following:

- In accordance with Texas Administrative Code: 10 TAC §5.506, subrecipients must submit a Monthly Expenditure Report and a Monthly Performance Report containing ARRA funds received, obligated, and expended;
- A detailed list of all projects or activities for which American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, covered funds were expended or obligated including:

- Name of project or activity
 - Description of project or activity
 - Evaluation of the completion status of project or activity
 - Estimate of number of jobs created and retained by project or activity *in the manner and form prescribed by DOE*
 - Infrastructure investments made by State and local governments, purpose, total cost, rationale or agency for funding infrastructure investment, name of agency contact.
 - Information on subcontracts or subgrants awarded by recipient to include data elements required to comply with the Federal Accountability and Transparency Act of 2006 (Pub. L. 109-282).
- Compliance: As a condition of receipt of funds under this Act, no later than 180 days of enactment, all recipients shall provide the information described above.
 - DOE intends to append the periodic ARRA – Performance Progress Report to include reporting on the following, at a minimum:
 - Jobs created at the Department level
 - Jobs created using subrecipients
 - Jobs retained at the Department level
 - Jobs retained with subrecipients
 - Jobs created at the local agency level
 - Jobs created using local agency contractors
 - Jobs retained at the local agency level
 - Jobs retained with local agency contractors
 - State desk monitoring/oversight visits
 - State on-site monitoring/oversight visits
 - Hours trained at the state agency
 - Hours trained at the local agency
 - Equipment units purchased that are more than \$5,000.

As DOE makes reporting changes and requirements of the Department, the Department will make those changes and requirements of the subrecipients.

Failure to comply with these reporting requirements may result in termination of the funding award.

Section 12: Assurances and Certifications

Assurances and Certifications Forms to be filed with the ARRA WAP Plan.

3c

COMMUNITY AFFAIRS DIVISION
BOARD ACTION REQUEST
April 23, 2009

Action Item

Presentation, Discussion and Possible Approval of the 2009 Homelessness Prevention and Rapid Re-Housing Program (HPRP) Notice of Funding Availability (NOFA).

Requested Action

Approve, deny or approve with modifications the 2009 Homelessness Prevention and Rapid Re-Housing Program Notice of Funding Availability (HPRP NOFA).

Background

The U.S. Department of Housing and Urban Development (HUD) will provide the State of Texas, through the Department, \$41,472,772 in Homelessness Prevention and Rapid Re-Housing Program funds to be utilized within 3 years from the date of the final grant award from HUD. The purpose of HPRP is to provide homelessness prevention assistance to households who would otherwise become homeless – many due to the economic crisis – and to provide assistance to rapidly re-house persons who are homeless. The funds can be utilized to provide funds for four major activities 1) Financial Assistance - rent, utility payments, utility and rent deposits, moving assistance, motel and hotel vouchers, and habitability inspections; 2) Housing Relocation and Stabilization Services – case management related to housing needs of the participant, outreach and engagement, housing search and placement, legal services and credit repair; 3) Data Collection and Evaluation related to HPRP; and 4) Administrative Costs limited to 5% which is to be shared by the Department with subrecipients. The Department will release a Notice of Funding Availability.

The Department composed an internal workgroup to develop the HPRP NOFA. Additionally, the Department held public input sessions in Austin, Dallas, Houston, and El Paso to gather input on the use and distribution of the funds which was taken into consideration in the final revisions made to the NOFA.

The NOFA will be released to the public the week of April 27, 2009, and will be posted on the Department's website and notice of the NOFA will be made in the Texas Register. Applicants will have until May 22, 2009 to submit an application. Eligible organizations will include private non-profit organizations and units of local government. Applicants may submit one application, either as a single applicant or as a partner in a collaborative application, for a minimum of \$250,000 and a maximum of \$1,000,000 for a project which will be funded initially for one-year, but which can be extended or renewed for up to an additional 24 months, based on contract performance fund availability. The NOFA will also allow a secondary budget to be submitted which exceeds the \$1,000,000 in the case that the Department does not receive sufficient eligible and fundable applications

within each region. The Department has set aside \$2,073,639 of HPRP funds for applicants interested in providing homelessness prevention services and case management to one or more targeted subpopulations. The targeted subpopulations are: persons with a history of past institutionalization (including prisons, mental health institutions and hospitals); persons with mental health and substance abuse issues; persons with physical disabilities and other chronic health issues, including HIV/AIDS; and youth aging out of the foster care system. The Department anticipates obligating the funds by September 30, 2009.

Funds will be awarded on a competitive basis within regions. The Department will evaluate and score each eligible application. The scoring instrument follows the content and order of the HPRP NOFA. The Department's Portfolio Management and Compliance Division will be consulted to determine if applicants have issues which will make the applicant's application ineligible for funding. Upon determination of eligibility and scoring, applications will be ranked according to their score in the region.

Funds will be targeted as follows:

Homelessness Prevention and Rapid Re-Housing Program	\$41,472,772
2.5% State Administration	\$1,036,819
5% Statewide Pilot -- Access to Mainstream Services (includes associated Subrecipient Admin at 2.5%)	\$2,073,639
92.5% Funds available for regional allocation of HPRP (includes associated Subrecipient Admin at 2.5%)	\$38,362,314

Recommendation

Staff recommends the approval of the 2009 Homelessness Prevention and Rapid Re-Housing Program (HPRP) Notice of Funding Availability (NOFA).

HPRP NOFA SUBMISSION INFORMATION

DEADLINE FOR RECEIPT: Friday, May 22, 2009
by 5:00 p.m. CST

THREE COPIES DUE: One Original and Two Complete Copies

Applicants must submit one original and two complete copies of the application on or before the deadline. Applications that arrive after the deadline will not be considered. Diskettes or other electronic documents will not be accepted. If you would like to confirm the Department's receipt of application, e-mail Cheryl Freeman at cfreeman@tdhca.state.tx.us two weeks after your submission.

<u>Mailing Address:</u> (All U.S. Postal Service including Express)	Community Services Section Attn: Rita D. Gonzales-Garza Texas Department of Housing and Community Affairs Post Office Box 13941 Austin, Texas 78711-3941
<u>Courier Delivery:</u> (Fed Ex, UPS, Overnite, etc.),	1st Floor 221 East 11 th Street Austin, Texas 78701
<u>Hand Delivery:</u>	If you are hand delivering the application, contact Rita D. Gonzales-Garza at (512) 475-3905 or Al Almaguer (512) 475-3908 when you arrive at the lobby of our building so they may accept your application.

Please use the following format for the narrative portion of the application:

- Minimum 11 font
- Double spaced
- Standard 8½ " x 11" paper with 1" margins
- Narrative must not exceed 10 consecutively numbered pages, double-spaced.
- Collaborative applications are allowed two additional pages for each additional organization with a maximum of 20 pages for the entire proposal.

Complete applications must be bound using **binder clips**. **DO NOT USE FOLDERS OR NOTEBOOKS OF ANY TYPE.** The original application must contain original signatures and original pictures.

Questions pertaining to the content of this application packet may only be directed to Rita Gonzales-Garza, Project Manager for Planning & Contract Implementation at (512) 475-3905. This application is posted on the Department's website: <http://www.tdhca.state.tx.us/cs.htm#HPRP>

TIMELINE FOR THE HPRP NOFA

- April 27, 2009** HPRP NOFA will be available through the TDHCA website:
www.tdhca.state.tx.us/cs.htm#HPRP
- May 2009 (2nd wk)** HPRP NOFA Application Workshop will take place in Austin, Texas. The purpose of this workshop is to provide a forum where organizations intending to apply for HPRP funds may ask questions and get information on how to complete the HPRP application.
Persons do not need to register to attend workshop. Attendance is not mandatory and will not be a factor in awarding HPRP funds.
- May 22, 2009** Deadline for applicants to submit 2009 HPRP NOFA Application.
- June 2009** Award recommendations will be presented to the Board.
- July 2009** Department notification to applicants receiving an HPRP contract.
- August 2009** Proposed contract start date.
- 1st 90 days of contract** Department will review performance to ensure that funds are being utilized for eligible populations and purposes.

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FORMS

2009 State of Texas HPRP NOFA Form

ATTACHMENTS

- Attachment A Standard Form 424
- Attachment B Roster for Board of Directors
- Attachment C Local Government Certification Form
- Attachment D Proposed Budget Form
- Attachment E Proposed Supplemental Budget Form
- Attachment F Proposed Homelessness Prevention and Case Management
Pilot Project Budget Form
- Attachment G Homeless Management Information System (HMIS) Reporting Form
- Attachment H Audit Certification Form
- Attachment I HB 1196 Form

APPENDICES

- Appendix I TDHCA Service Regions Map
- Appendix II HPRP Funds Awarded to Texas
- Appendix III HPRP Federal Regulations
- Appendix IV Data Sources

BACKGROUND

The Homelessness Prevention and Rapid Re-Housing Program (HPRP) is to be utilized for the provision of financial assistance, housing relocation and stabilization services, data collection and evaluation, and administrative costs.

HPRP was established under the American Recovery and Reinvestment Act of 2009 (ARRA).

As per Section 2306.094, Texas Government Code the Texas Department of Housing and Community Affairs (the Department) is granted the authority to administer this program. HPRP funds will be made available to eligible applicants to implement the purpose of the Homelessness Prevention and Rapid Re-Housing Program based on this statewide competitive Notice of funding Availability (NOFA) process. The Department has been notified that the funds available in Texas for HPRP are \$41,472,772. The table below summarizes how the funds will be allocated to the state's thirteen planning regions, statewide administrative costs, and a statewide pilot program, described more fully herein below.

Region	Place for Geographical Reference	Allocation
1	Lubbock	\$ 1,243,246
2	Abilene	\$ 850,679
3	Dallas/Fort Worth	\$ 9,227,080
4	Tyler	\$ 1,783,793
5	Beaumont	\$ 1,414,642
6	Houston	\$ 8,572,937
7	Austin/Round Rock	\$ 2,301,128
8	Waco	\$ 1,632,540
9	San Antonio	\$ 3,132,547
10	Corpus Christi	\$ 1,353,832
11	Brownsville/Harlingen	\$ 4,339,138
12	San Angelo	\$ 864,583
13	El Paso	\$ 1,646,169
		\$ 38,362,314
	2.5% State Admin	\$ 1,036,819
	5% Statewide Pilot	\$ 2,073,639
	Funds for HPRP	\$ 41,472,772

PROGRAM PURPOSE

The Homelessness Prevention and Rapid Re-Housing Program (HPRP) is designed to be part of a continuum of assistance to enable persons who are homeless or at risk of homelessness to maintain housing. The intent of HPRP is to transition program participants rapidly to stability, either through their own means or with public assistance, as appropriate. HPRP is not intended to provide long-term support for program participants (no more than 18 months). HPRP will fund homelessness prevention assistance to individuals and households who would otherwise become homeless – many due to the economic crisis – and to assistance to re-house

Homelessness Prevention and Rapid Re-Housing Program NOFA

persons rapidly who are homeless, as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11303).

Definition of At Risk of Homelessness and Homeless

1. Pursuant to (42 U.S.C. §11303), the phrase “at risk of homelessness” includes “An individual currently in housing but at risk of becoming homeless and in need of temporary rent or utility assistance to prevent homelessness.”

The term "homeless" or "homeless individual" includes:

1. An individual who lacks a fixed, regular, and adequate nighttime residence or
2. An individual who has a primary nighttime residence that is:
 - (a) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - (b) an institution that provides a temporary residence for individuals intended to be institutionalized; or,
 - (c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. (Exclusion: The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State law.)

Note: HPRP funds cannot be utilized to assist or care for children in State custody.

ELIGIBLE APPLICANT ORGANIZATIONS

Units of general local government

Eligible applicants include units of general local government and private nonprofit organizations with an exemption under Section 501 (c) of the Internal Revenue Code exemption and whose professional activities include the promotion of social welfare and the prevention or elimination of homelessness. Refer to documentation requirements under Eligibility Documentation.

Faith-based organizations receiving HPRP funds, like all organizations receiving HUD funds, must serve all eligible beneficiaries without regard to religion or any other legally impermissible criterion.

Collaborative applicants

The Department encourages and will accept collaborative applications. To be considered as a collaborative, the application must include two or more organizations that will use HPRP funds to provide services to the target population as part of a local continuum of care. In order for an application from a unit of general local government to be considered a collaborative application, it must be an application on behalf of two or more organizations. The Department intends for collaborative applications to be an effort among organizations to prevent homelessness and/or to re-house persons who are homeless rapidly. The collaborative effort should prevent duplication of services among the organizations in the collaboration and should also strive to do coordinate with other organizations in the community, avoiding duplicative efforts. An organization may submit only one application either as a single entity or as part of a collaborative effort.

THRESHOLD DOCUMENTS AND THRESHOLD INFORMATION

The NOFA identifies threshold documents and threshold information that must be included in each HPRP application in order to be considered for funding. Upon receipt of the application, the Department will identify deficiencies in submission of threshold documents and threshold information. The Department will deduct two points for every document or threshold information item that are not submitted by the initial NOFA deadline. The deductions will remain in place even after the information is provided during the deficiency correction period.

Applicants will be provided two business days from the time that written notification (by e-mail or letter) of deficiencies is sent. Upon failure to provide requested documents and information within the deficiency notification deadline or upon the information submitted being insufficient, the application will be deemed ineligible for funding. Once deemed ineligible, an application will not proceed to the next phase of review where Scoring Information is reviewed and scored.

Any partner in a collaborative application that fails to provide threshold documentation after the deficiency period will be deemed ineligible to receive funding. If the application is selected for funding and one of the organization(s) in the collaborative application is deemed ineligible, the Department will determine the final grant amount based only on the organization(s) that met all threshold requirements.

AWARD AMOUNTS

The Department has established a minimum award amount of \$250,000 and maximum application amounts of \$1,000,000 for HPRP program awards. However, in the event that the Department has not received sufficient fundable applications in a region, the Department will consider awarding additional funds to applicants that can demonstrate the capacity to administer the additional funds. Applicants who are interested in applying for the additional funds will need to submit a second budget entitled "Supplemental Budget" and threshold information and scoring information for the additional funds that the Department will consider in the event funds are available. There is no maximum on this supplemental request; however, funds are limited by the amount of funds distributed to the region where an organization is located and the volume of requests for HPRP funds which the Department may receive. Applicants may apply for HPRP funds under the regional allocation, under the supplemental funding, or under the Homelessness Prevention and Case Management Pilot Project.

The Department reserves the right to decrease the amount of funds requested and reserves the right to adjust budget items and services and activities to be funded through HPRP to ensure judicious use of HPRP funds.

No requests for funds are to be interpreted as a commitment by the Department to award these amounts. All projects should be planned for a maximum of 24 months. However, the Department reserves the option to amend contracts at the end of this period to extend the contracts, as needed to meet the objectives and requirements of ARRA and HUD. In the case where the Department determines that the awardee will not be able to expend the funds in a timely manner, funds may be deobligated or the contract terminated in order for the Department to expend the entire award within HUD's guidelines.

The Department will share administrative funds with HPRP funded organizations. The amount of these funds will be provided during the final stage of contract execution and will not exceed 2.5% of the applicant's HPRP award.

The Department may consider the amount of HUD funds awarded to entitlement entities (see Appendix II) when making funding decisions to applicants that are a unit of general local government. This consideration does not apply to private nonprofit organizations located in HPRP entitlement cities or counties that are not recipients of HPRP funds through the entitlement entity.

FINANCIAL DOCUMENTATION

All applications must include documentation of fiscal accountability, even if this information has been previously submitted to the Department. All collaborative applications from non-profits must submit financial documentation for each organization in a collaborative, including the lead organization. For collaborative applications from units of general local government, the Department expects that fiscal accountability documentation for non-government partners will be reviewed by the local government partner serving as the lead applicant.

An applicant organization that spends more than \$500,000 in *federal funds* during its fiscal year must have a single audit conducted for that year. If a single audit is required for your organization, a portion of the audit cost may be included in the proposed HPRP budget.

An applicant organization that *does not exceed* the \$500,000 federal fund expenditure threshold is exempt from the single audit requirements. In this case, audit costs may not be included in the proposed HPRP budget.

An applicant organization must include its most recent complete audit report and if applicable, a management letter as part of the financial documentation for this application. An audit on diskette will not be accepted. If your organization is not required to have a single audit performed, the application must include the end-of-the-year financial statements (balance sheet, income statement, and statement of cash flow).

CONTRACTS AND REPORTING

HPRP contracts will be signed electronically. Applicant organizations must have a computer and access to the Internet.

HPRP monthly reporting will be electronic via the Internet. Applicant organizations must have a computer on-site with the capability to transmit monthly financial and programmatic reports and receive electronic transmissions. Specific information on the format and due dates of required reports will be provided to grant subrecipients. Subrecipients must submit reports monthly, by the due date specified in the contract.

Subrecipients are required to report client-level data in a Homeless Management Information Systems (HMIS) or a comparable database.

Subrecipients may request advances for up to 30 days need pursuant to 24 CFR §84.22 for non-profit organizations and 24 CFR §85.21 for units of government.

The Department may terminate the contract with a subrecipient if any subrecipient, including partners in a collaborative effort, is not complying with the requirements of the NOFA, the contract, and HUD requirements related to HPRP.

MATCH REQUIREMENT

Although HPRP subrecipients are not required to provide matching funds the Department strongly encourages the contribution of resources, collaboration and shared capacity.

ELIGIBLE PROGRAM PARTICIPANTS

There are two eligible target populations identified for HPRP funds: persons who are still housed but at risk of homelessness and persons who are already homeless. Subrecipients are responsible for verifying and documenting the individuals' risk of homelessness that qualifies them for receiving assistance. HUD requires that subrecipients evaluate and certify the eligibility of program participants at least every 3 months for all persons receiving medium-term rental assistance. If a household or individual needs more intensive services or long-term assistance, or is not at risk of homelessness, subrecipients should link them to other appropriate available resources.

In order to receive financial assistance or services funded by HPRP, individuals and families, whether homeless or housed, must at least meet the following minimum criteria:

- 1) Have at least an initial consultation with a case manager or other authorized representative who can determine the appropriate type of assistance to meet their needs.
- 2) The household must be at or below 50 percent of Area Median Income (AMI). Income limits are available on HUD's web site at <http://www.huduser.org/datasets/il.html>. Subrecipients should use HUD's Section 8 income eligibility standards to determine income eligibility for HPRP funded assistance.
- 3) The household must be either homeless or at risk of losing its housing and meet both of the following circumstances: no appropriate subsequent housing options have been identified; and the household lacks the financial resources and support networks needed to obtain immediate housing or remain in existing housing.
 - a. Prevention Assistance is to be targeted to individuals and families at the greatest risk of becoming homeless. One question to ask is "Would this individual or family be homeless if they were not assisted with HPRP funds?" The assistance must be necessary to avoid eviction or termination of utility services. Consideration should also be given to whether the individual or household will be able to resume payments after the HPRP program cannot assist them. Case management services should be provided to assist the individual and family to work toward self-sufficiency.
 - b. Rapid Re-Housing Assistance is available for persons who are at risk of homelessness according to HUD's definition. Individuals and families who meet one of the following criteria, along with the minimum requirements, are eligible under the rapid re-housing portion. The criteria are:
 - Sleeping in an emergency shelter;
 - Sleeping in a place not meant for human habitation, such as cars, parks, abandoned buildings, streets/sidewalks;
 - Staying in a hospital or other institution for up to 180 days but was sleeping in an emergency shelter or other place not meant for human habitation (cars, parks, streets, etc.) immediately prior to entry into the hospital or institution;
 - Graduating from, or timing out of, a transitional housing program; and
 - Victims of domestic violence.

Risk factors for homelessness to consider in developing program guidelines:

- Eviction within 2 weeks from a private dwelling (including housing provided by family or friends);
- Discharge within 2 weeks from an institution in which the person has been a resident for more than 180 days (including prisons, mental health institutions, hospitals);

- Residency in housing that has been condemned by housing officials and is no longer meant for human habitation;
- Sudden or significant loss of income;
- Sudden or significant increase in utility costs;
- Mental health or substance abuse issues;
- Physical disabilities and other chronic health issues, including HIV/AIDS;
- Severe housing cost burden (greater than 50% of income for housing costs);
- Homeless in last 12 months;
- Young head of household (under 25 years with children or pregnant);
- Current or past involvement with child welfare, including foster care;
- Pending foreclosure of rental housing;
- Extremely low income (less than 30% of Area Median Income);
- High overcrowding (the number of persons exceeds health and/or safety standards for the housing unit size);
- Past institutional care (prison, treatment facility, hospital);
- Recent traumatic life event, such as death of a spouse or primary care provider, or recent health crisis that prevented the household from meeting its financial responsibilities;
- Credit problems that preclude obtaining housing; or
- Significant amount of medical debt.

SUB-POPULATIONS

The HPRP legislation and guidance stress the importance of HPRP funds being utilized to prevent homelessness to sub-populations including victims of domestic violence, veterans, persons aging out of foster care, and persons released from an institution (including prisons, jails, mental health institutions, hospitals, treatment facilities) who have been a resident for more than 180 days.

In prevention activities, the Department will also ask applicants to target persons living in a community that has been impacted by plant or facility closures, areas where there are county or state or federal correctional facilities, areas where there are military bases, and areas where there is a significant number of persons in mental health facilities. For the Homelessness Prevention and Case Management Pilot Project, the Department has identified a subset of these sub-populations.

OTHER REQUIREMENTS

Inspection of Housing Units Subrecipients who provide rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Units should be inspected on an annual basis and upon a change of tenancy. The minimum habitability standards are listed in Appendix III.

Coordination with Continuum of Care (CoC) Planning Efforts Subrecipients must coordinate with the local CoC to ensure that HPRP activities are aligned with the CoC's strategies for preventing homelessness

and ending homelessness. The impact of persons receiving HPRP assistance will ultimately be reported by CoCs through required point-in-time counts and through other data collected by HUD.

Coordination with Other Providers Subrecipients must coordinate with other local organizations that are planning and carrying out activities related to prevention and rapid re-housing, including FEMA Boards, local agencies responsible for administering and implementing ten-year plans (and other plans) to end homelessness, and agencies that administer mainstream resources such as Temporary Assistance to Needy Families (TANF).

Subrecipients should ensure that program participants are enrolled in all applicable mainstream resources. Subrecipients must carefully assess how HPRP funds can be used in conjunction with other funds from the Recovery Act to prevent homelessness and rapidly re-house homeless persons, and plan a coordinated approach to serving similar target populations. Federal agencies that received funding for serving persons who are homeless or unstably housed include the U.S. Department of Health and Human Services, Education, Homeland Security, and Labor.

Confidentiality Subrecipients must develop and implement procedures to ensure: (1) the confidentiality of records pertaining to any individual provided with assistance; and, (2) that the address or location of any assisted housing is not made public.

Appeals Process. The subrecipient may terminate assistance to a program participant who violates program requirements. Subrecipients may resume payments to a program participant who was previously terminated. Subrecipients must develop a formal process that recognizes the rights of individuals receiving assistance to due process of law. In terminating assistance to a program participant, the process must at a minimum consist of: (1) written notice to the program participant containing a clear statement of the reasons for termination; (2) a review of the decision, in which the participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and (3) prompt written notice of the final decision to the program participant.

Compliance with Fair Housing and Civil Rights Laws. Subrecipients must comply with all applicable fair housing and civil rights requirements in 24 CFR§5.105(a).

Other federal requirements with which subrecipients must comply have been issued in Notice of Allocations, Application Procedures, and Requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009 issued by U.S. HUD effective March 19, 2009.

ELIGIBLE ACTIVITIES

HPRP funds are to be utilized for the provision of financial assistance, housing relocation and stabilization services, data collection and evaluation, and administrative costs. HPRP funds cannot be utilized to care for or assist children in State custody except to the extent that they are aging out of the foster care system and may face imminent homelessness.

The Department encourages applications that include an innovative approach to preventing homelessness and assisting homeless persons to obtain housing and the means to be self-sufficient.

HPRP grant amounts may be used for one or more of the following activities:

A. FINANCIAL ASSISTANCE

Financial assistance is limited to the following activities: **short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel and hotel vouchers.** Assisted property may not be owned by the grantee, subgrantee or the parent, subsidiary or affiliated organization of the subgrantee.

Short-term rental assistance may not exceed rental costs accrued over a period of 3 months. Medium term rental assistance may not exceed actual rental costs accrued over a period of 4 to 18 months. No participant may receive more than 18 months of assistance. After 3 months of assistance, a participant must be re-evaluated for eligibility to receive up to 15 additional months of medium-term rental assistance, for a total of 18 months. HUD encourages grantees and sub grantees to provide ongoing case management to all program participants in order to transition them to independence, including permanent housing arrangements.

Rental assistance may be used to pay up to 6 months of rental arrears for eligible participants. Such may be paid if the rental payment enables the participant to remain in the housing unit for which the arrears are being paid or to move to another unit. If HPRP funds are used to pay arrears, the arrears are included in determining the maximum 18 months of assistance.

Rental assistance must be in compliance with HUD's standard of "rent reasonableness." Information can be located on www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc

No administrative costs may be paid under the HPRP Financial Assistance category.

Staff salaries for staff providing any of the services identified in the Financial Assistance category may be charged to this category. The Department may determine the percentage of staff salaries to be charged to the grant.

B. HOUSING RELOCATION AND STABILIZATION SERVICES

HPRP funds may be used to assist program participants with housing stability and placement. These services are limited to:

1. case management for activities related to the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of program participants and helping them obtain housing stability. Component services may include: counseling, developing, securing, and coordinating services, monitoring, and evaluation participant's progress, assuring participants' rights are protected, developing an individualized housing service plan, including a path to permanent housing stability subsequent to HPRP financial assistance.
2. Outreach and engagement for services or assistance designed to publicize the availability of programs to make persons who are homeless or almost homeless aware of these and other available services and programs.
3. Housing search and placement funds may be used for services or activities designed to assist individuals or families in locating, obtaining, and retaining suitable housing. Component services may include: tenant counseling, assisting participants to understand leases, securing utilities, making moving arrangements, representative payee services concerning rent and utilities, and mediation and outreach to property owners related to locating or retaining housing.
4. Legal services to help pay people stay in their homes. Such services must be provided by a lawyer or other person(s) under the supervision of a lawyer to assist program participants with legal advice and representation in administrative or court proceedings related to tenant/landlord matters or housing issues. Legal services related to mortgages are not allowable.
5. Credit repair. Funds may be used to assist program participants with critical skills related to household budgeting, money management, accessing a free personal credit report, and resolving personal credit issues.

No administrative costs may be paid under the HPRP Housing Relocation and Stabilization Services category.

Staff salaries for staff providing any of the services identified in the HPRP Housing Relocation and Stabilization Services category may be charged to this category. The Department may determine the percentage of staff salaries to be charged to the grant.

C. DATA COLLECTION AND EVALUATION

The Recovery Act requires that data collection and reporting for HPRP be conducted through the Homeless Management Information Systems (HMIS) or a comparable client-level database. Reasonable and appropriate costs associated with operating an HMIS for purposes of collecting and reporting data required under HPRP and analyzing patterns of use of HPRP funds are eligible. Eligible costs include purchase of HMIS software and/or user licenses, leasing or purchasing needed computer equipment for providers and the central server, costs associated with data collection, entry and analysis, and staffing associated with the operation of the HMIS, including training.

HMIS activities that are ineligible include planning and development of HMIS systems, development of new software systems, and replacing state and local government funding for existing HMIS. Only those jurisdictions that do not have an HMIS already implemented may use a portion of these funds for HMIS implementation or start-up activities.

No more than 5% of the amount requested can be budgeted for data collection and evaluation.

E. ADMINISTRATIVE COSTS

Not more than 2.5% of an applicant's HPRP budget may be requested for administrative salaries (including benefits for administrative staff). The 2.5% limitation applies to the entire collaborative application. Appropriate staff which may be charged as administrative staff are the executive director, program director, supervisors, administrative support staff, accountant, and other administrative staff. Job descriptions for these positions are not required to be included in the HPRP application.

An applicant may use funds for pre-award administrative costs related to attending State or HUD-sponsored training related to HPRP. Other administrative costs may include accounting for the use of HPRP funds, preparing reports to HUD, obtaining program audits, similar costs related to administering the grant after the award, and staff salaries related with these administrative costs. Administrative costs also include training for staff that will administer the program or case managers who will serve program participants, as long as the training is directly related to HPRP. Administrative costs do not include the costs of issuing financial assistance, providing housing relocation and stabilization services, or carrying out eligible data collection and evaluation activities and other operating costs. Not more than 5% of the total HPRP grant, including the amount utilized by the State, may be utilized for administrative costs.

INELIGIBLE ACTIVITIES

Ineligible activities include, but are not limited to, direct payment to individuals, mortgage costs, financial assistance or services to pay for expenses that are available through other Recovery Act programs, including child care and employment training. Funds may not be used to pay for construction or rehabilitation; credit card bills or other consumer debt; car repair or other transportation costs; travel costs; food; medical or dental care or medicines; clothing and grooming; home furnishings; pet care; entertainment activities; work or education related materials; and cash assistance to program participants. Funds may not be used to develop discharge-planning program in mainstream institutions such as hospitals, jails, or prisons. Funds may not be

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used to pay for certifications, licenses, and general training classes. Programs may not charge fees to HPRP program participants. All funds must be issued to a third party, such as a landlord or utility company.

HPRP funds cannot be used to pay for the maintenance and operation of a shelter or of the facility from which HPRP funded services will be funded.

HPRP funds shall not be utilized for permanent housing; acquisition of real property; new construction; rehabilitation/renovation; the addition of square footage, property clearance or demolition; direct payments to individuals; to support inherently religious activities such as worship, religious instruction, or proselytization; or to rehabilitate or repair buildings such as sanctuaries, chapels, and other rooms that a congregation uses as its principal place of worship.

HPRP funds shall not be used for application for Federal funds or unprogrammed funds.

HPRP funds shall not be used for recruitment or on-going training of staff, depreciation, advertisement, entertainment, conferences, or retreat, public relations, advertising, bad debts/late fees, or mortgage payments of the subrecipient organization.

HOMELESSNESS PREVENTION AND CASE MANAGEMENT PILOT PROJECT

The Department has set aside \$2,073,639 of HPRP funds for applicants interested in providing homelessness prevention services and case management to one or more targeted subpopulations with an emphasis on accessing mainstream services. The targeted subpopulations are: persons with a history of past institutionalization (including prisons, mental health institutions and hospitals); persons with mental health and substance abuse issues; persons with physical disabilities and other chronic health issues, including HIV/AIDS; and youth aging out of the foster care system. The individuals must be at risk of homelessness and meet the HPRP Eligible Program Participant guidelines.

The pilot project must focus on prevention of homelessness for the subpopulations identified above and the activities to be funded with the set-aside HPRP funds can only include case management activities, outreach and engagement, data collection and evaluation, administrative costs, and legal services. Funded applicants must coordinate with other mainstream services and HPRP funded organizations in the service area to make available financial assistance for rent, utilities, housing search and placement, credit repair and budget counseling etc.

The project's main focus will be case management activities targeted at the identified subpopulations. The intent of the pilot project is to target identified vulnerable subpopulations prior to them being at imminent risk of homelessness or homeless. Case managers must coordinate with case managers in prisons, mental health institutions, entities serving other vulnerable subpopulations to identify potential HPRP participants and conduct outreach and engagement activities and link them with available services. Once the individuals are identified, case managers must work with the participants to address issues that put them at risk or have caused homelessness in the past.

The pilot project must also work with local continuums of care councils, homeless prevention councils formed by applicants funded with State HPRP funds, other coordinating councils or organizations targeting the subpopulation.

The Department has established a minimum award amount of \$250,000 and maximum application amounts \$500,000 for HPRP pilot projects. However, in the event that the Department has not received sufficient fundable applications, the Department will consider awarding additional funds to applicants that can demonstrate the capacity to administer the additional funds.

As additional clarification is received from HUD the Department will develop appropriate contract language defining eligible populations.

Any unspent funds will be reobligated based on contract performance and unmet need.

SELECTION PROCESS & FUNDS DISTRIBUTION

A portion of the total funds remaining will be reserved for each of the 13 Uniform State Service Regions. The formula to distribute regional allocations is weighted at 50% poverty and 50% unemployment. Poverty population is based on the 2000 U.S. Census figures. The formula does not apply to the Homelessness Prevention and Case Management Pilot Project.

The Department will first review all applications to ensure they meet all eligibility threshold requirements. Applications will be grouped, reviewed, and evaluated according to region. Upon review, the Department may identify deficiencies in documentation. Applicants will be provided two business days from the time of written notification of deficiencies is sent to the applicant, to resolve those deficiencies. Any partner in the collaborative who fails to provide eligibility documentation will be deemed ineligible for funding. Failure to provide this documentation will deem the application ineligible for funding and the application will not be reviewed. It is the Department's expectation that before an application is submitted, each organization in a collaborative as well as single organizations, have thoroughly reviewed the NOFA and its requirements.

Applications that meet all eligibility requirements will be reviewed and scored using a standard review instrument. Applications will then be ranked according to adjusted score within each region. Applicants who have unresolved monitoring and audit findings from any TDHCA funded program at the time of award will be ineligible for HPRP funding. The Department also considers the most recent monitoring results for organizations that have previously received funds administered by the TDHCA Community Services Section and timely submission of reports. The Department's Board must approve all awards.

Applicants not selected to receive HPRP funds may request a review of their application no later than 30 days after the date of the written funding notification from the Department as per Texas Administrative Code, Title 10, Part 1, Chapter 1, Subchapter A, Section 1.7.

The Department will determine the number of applications that can be funded within each region based on the amount of funds available for distribution in each region. HPRP funds reserved for a particular region will be obligated to eligible applicant organizations within that region. The highest scoring applications will be funded the amount requested or the maximum allowed (whichever is less) in descending score order until funds in the region are depleted. The lowest scoring application to receive an award in a region may be given a partial award based upon the remaining available funding in the region. If the region does not have enough eligible applications that meet the funding threshold, funds will be proportionally redistributed to regions that have more eligible applications than funds available. For the Homelessness Prevention and Case Management Pilot Project, the Department will determine how many projects can be funded, with the goal of funding several projects in different regions of the State.

All HPRP awards are contingent upon HUD approval of the Consolidated Plan Amendment.

THRESHOLD DOCUMENTS:

The following documents and information must be provided to meet threshold requirements. Failure to provide such will deem the application ineligible for funding consideration. On page 2 of the HPRP NOFA, the Department explains how deficiencies in the provision of Threshold Documents and Information will be considered. Please review such and note that the Department will deduct two points for each threshold information item that were not submitted by the initial NOFA deadline. For example, if information for Threshold Documents 1. and 3. were missing upon initial submission, but were submitted within the deficiency correction period, 4 points will be deducted from the final application score. The deductions will remain in place even after the documents are provided during the deficiency correction period. If the documents are not submitted during the deficiency correction period or the documents were incomplete, the application will be removed from funding consideration.

All pages of the application, excluding the audit, must be numbered. The original and the two copies must have required signatures when the form requires a signature.

Each application must contain the items listed below. Provide these documents in the following order:

1. **State of Texas HPRP NOFA Form** -- Form must be placed on the top of the application.
2. **Table of Contents** – must include page numbers.
3. **Attachment A (Standard Form 424)** – Complete the blank spaces but do not complete the shaded boxes. On #12., only list the counties where the HPRP funded services will be provided. The counties identified in the Form 424 must match the counties identified in the HPRP NOFA Form and in the application. The person signing this form must be the authorized signatory for the HPRP contract, if awarded. For collaborative applications, only the lead agency must sign and submit a Standard Form 424.
4. **Attachment B –Roster for Board of Directors.** Complete the form and provide the requested information for member of the applicant’s board of directors. This form is required for each organization in a collaborative application.
5. **Articles of Incorporation** - Include a complete copy of Articles of Incorporation, together with all amendments, certified by the Texas Secretary of State’s Office.
6. **Attachment C - Local Government Certification Form** – All private nonprofit applicants must document that the project proposed for HPRP funding received local government approval. Applications submitted by units of government do not need to submit Attachment E. For a collaborative application, only the lead agency needs to submit a completed Attachment E. The certification form may be signed by the county judge or mayor, or their official designee (such as city manager, assistant city manager, community development director or human services director) for the locality in which the project is located.
7. **Current Internal Revenue Service (IRS) ruling** –All private nonprofit organizations must document their status as a 501(c) tax-exempt entity. Evidence must be on IRS letterhead that is legible and signed by the IRS District Director. Expired advanced rulings from the IRS are not acceptable. Other documentation that may be utilized to document a 501(c) tax-exempt status may be a letter from the State of Texas Comptroller of Public Accounts or a certified legal document showing status. Local nonprofit affiliate of a State or national nonprofit can be submitted if your organization is a subsidiary of a parent organization. In case of the latter, provide a copy of the page listing your organization in the documents filed with the IRS. All non-profit entities must maintain in good standing status with the State and the IRS in order to receive funding. Each organization in a collaborative application, including the lead organization, must document the current 501(c) tax-exempt status.
8. **Job Descriptions** – Job descriptions must be included for all positions paid HPRP funds under the Financial Assistance and the Housing Relocation and Stabilization Services category.

9. **Attachment D, E, and F – Proposed Budget Tables.** For each of the HPRP eligible activities categories, enter a description and of each item, the method of calculation, the basis for cost, the line item total and category total. Include staff titles where appropriate. In the Detail of Activities by Category and Method of Calculation Column, briefly describe the item for which HPRP funds are requested and the method of calculation. In the Line Item Totals Column, list the total cost for each item requested. In the Category Totals column, provide the total dollar requested figure for each of the categories. Collaborative applications must include a separate Budget Table for each organization in the collaborative and a comprehensive Budget Table that includes all activities proposed by the collaborative effort. Attachments E is only to be completed if applicant wants to be considered for supplemental funding. Attachment F is only to be completed if applicant is submitting an application for the Homelessness Prevention and Case Management Pilot Project. An applicant has the option of submitting an application for all three.
10. **Photographs** – The original application must include original or digital photographs of at least two different views (one of the exterior and one of the interior) of the facility from which assistance is to be provided. The second copy of the application can have copies of photos. For collaborative applications, each organization must submit photographs of at least two different views (one of the exterior and one of the interior) of the facility from which services are provided.
11. **Attachment G – Homeless Management Information System Reporting form.** All applicants must include this form to fulfill the requirement under various statutory authorities and Congressional direction to collect information about the nature and extent of homelessness. This form must be completed by each organization in the collaborative project.
12. **Attachment H – Audit Certification Form.** All applicants must submit a completed form. For collaborative applications, all partners, including the lead agency must submit a completed form for the most recently completed fiscal year.
13. **Attachment I – HB 1196 Form.** All applicants must submit a completed form. This form relates to requirements set forth in House Bill 1196, passed during the 80th Texas Legislative Session.
14. **Fiscal Accountability** - All applications must include documentation of fiscal accountability, even if this information has been previously submitted to the Department. All collaborative applications from non-profits and cities or counties must submit financial documentation for each organization in a collaborative (this includes the lead organization). For collaborative applications from units of general local government, the Department expects that fiscal accountability documentation will be reviewed by the city or county prior to submission. Submit one complete unbound copy of your organization’s most recent Single Audit report. A duplicate copy of the Single Audit report does not need to be submitted. If applicable, a management letter must be included with the audit. If your organization does not have a Single Audit, the following end-of-the-year financial statements must be included: (1) balance sheet; (2) income statement; and (3) a statement of cash flow. Refer to page 4 for information on audit requirements.
15. **Documentation of a Current Fidelity Bond** – All applicants and each partner in the collaborative must include documentation of a current fidelity bond or a letter of commitment to obtain the same prior to execution of an HPRP contract. A fidelity bond covers policyholders for losses that they incur as a result of fraudulent acts by specified individuals. Fidelity bond coverage must include all persons authorized to sign or counter-sign checks or to disburse sizable amounts of cash. Fidelity Bond or letter of commitment must be for a minimum of \$10,000.
16. Proof of registration with the Central Contractor Registration (CCR). Go to <http://www.ccr.gov/>
17. Submission of a Data Universal Numbering System (DUNS) assigned. Go to http://www.dnb.com/US/duns_update/

THRESHOLD INFORMATION

Provide the following information in a narrative format. Applicants must provide all the information requested. Provide a clear and concise answer for each question. The pages must be formatted with one-inch margins and double-spaced on 8 1/2" X 11" paper. Minimum font size is 11 pitch. The **narrative must not exceed 3 pages** for applications involving one organization. **Collaborative** applications will be allowed one additional page per organization, up to a maximum up to 6 pages total. Organize the project narrative with clear headings and subheadings and in the same order as the following outline. All projects should be planned for a maximum of 24 months. **Collaborative applications are given higher priority over all other applications.**

On pages 2-3 of the HPRP NOFA, the Department explains how deficiencies in the provision of Threshold Information will be considered. Please review such and note that the Department will deduct two points for each threshold information item that were not submitted by the initial NOFA deadline. For example, if information for items I.A. and I.B. were missing upon initial submission, but were submitted within the deficiency correction period, 4 points will be deducted from the final application score. The deductions will remain in place even after the information is provided during the deficiency correction period. If the information was not submitted during the deficiency correction period or the information that was submitted was insufficient, the application will be removed from funding consideration.

PART I. HPRP COSTS - Based on the proposed HPRP budget, provide a description of the costs to be covered with HPRP funds. The description should cover each category of costs and sub-category. If the proposed budget does not include requests for funds under one of the four categories, indicate that funds are not requested for such.

- A. Financial Assistance – financial assistance with rental assistance, utility assistance, and security and utility deposits, motel and hotel vouchers, moving costs. Include information on the staff positions to be funded with HPRP funds that will be determining eligibility for financial assistance and making arrangements for the assistance. Describe staff's related work experience and education.
- B. Housing Relocation and Stabilization Services – including case management; housing search and placement related services; legal services to help pay people stay in their homes; and assistance with credit repair and budget counseling. Include information on the staff positions to be funded with HPRP funds which will be providing the services under this category and briefly describe their related work experience and education.
- C. Data Collection and Evaluation - Reasonable and appropriate costs associated with operating an HMIS for purposed of collecting and reporting data required under HPRP and analyzing patterns of use of HPRP funds are eligible.
- D. Administrative Costs – Refer to NOFA for guidance on costs that can be included. A maximum of 2.5% of the request can be for administrative costs.

PART II. ORGANIZATION AND SERVICES PROVIDED

- A. Describe your organization's history and mission. Include information on the current staff size and the educational background and work experience of key program and administrative management staff.
- B. Provide information about the board of directors, such as a list of subcommittees, how often the board and subcommittees meet.

C. Describe:

1. The type(s) of services currently provided.
2. The total number of persons served annually.
3. The target group(s) currently served.
4. The location of office(s) providing assistance. Include the address, city, county, square footage.

D. Describe case management services currently provided.

E. Staff positions currently providing direct services to individuals and households and the types of services provided.

PART III. COORDINATION EFFORTS

- A. Describe how your organization will coordinate mainstream services. Describe what types of services your organization will coordinate with other service providers to meet the various needs of persons to be served with HPRP funds.
- B. Describe your organization's participation in the local homeless coalition or coordinating council that coordinates social services in your service area and describe your organization's participation in the development of the Continuum of Care application to HUD for the community in which the proposed services will be provided.

PART IV. POPULATIONS TO BE SERVED

A. Unmet Need

1. Population. Provide information and data on the number of homeless persons in your service area (city), unemployment rates, number of persons at or below 100% of the federal poverty income guidelines, the total population of the service area (city), any information related to foreclosures and evictions, and any other relevant information related to the current economic crisis in the service area. Applicants must use 2000 U.S. Census data.
2. Needs and gaps in services. Describe the unmet needs or gaps in services for persons that are facing possible homelessness in your service area. The needs or gaps in services should represent the array of services that are necessary, but either does not exist or are not adequately being provided by the existing service delivery system.

B. Plan to Provide Services

1. Provide a Plan to Prioritize Services. The plan should include, but not be limited to, information on how clients will be prioritized in a non-discriminatory manner and how the level and amount of assistance and services will be determined. HUD guidelines state that HPRP funds should be targeted to those in greatest need.
2. Describe the method and criteria to determine client eligibility to receive assistance. Include a description of the method that will be used to determine if the applicant meets the eligibility requirements assistance as per HPRP regulations and requirements. Include information on how caseworkers will determine that the potential participant would be homeless except for the assistance by HPRP.
3. Describe plans to develop and implement a policies and procedures manual to adhere to HPRP program requirements and other requirements as described under the Other Requirements section of the NOFA. Include a timeline by when such will be implemented.

PART V. REPORTING SYSTEMS

- A. Current Systems - Describe the software currently utilized to report performance and financial data to State and Federal funding sources. Explain if your organization currently reports HMIS data and the method such is done.
- B. Proposed Systems - Describe the systems that will be utilized to collect client data and report HMIS data as required under the HPRP regulations. Also, describe the method that will be used to track clients served and HPRP funds expended by category and sub-category.

INFORMATION TO BE SCORED

Provide the following information in a narrative format. Provide a clear and concise answer for each question. The pages must be formatted with one-inch margins and double-spaced on 8 1/2" X 11" paper. Minimum font size is 11 pitch. Organize the project narrative with clear headings and subheadings and in the same order as the following outline. The narrative must not exceed three (3) pages for applications involving one organization. Collaborative applications will be allowed one additional page per organization, up to a maximum up to six (6) pages total. All projects should be planned for a maximum of 24 months.

PART I. CAPACITY, PERSONS TO BE SERVED AND SERVICES

A. Persons to be Served and Services

1. Describe case management services to be provided and an estimate on the number of hours to be dedicated to particular types or levels of case management. Case management services should include the development and execution of a plan to obtain permanent housing stability and the services necessary to achieve such. Include information on staffing and any relevant procedures or forms. Such can be included as an appendix to the application.
2. Provide an estimate of the total number of unduplicated persons (include all members of the household which are to be assisted) to be assisted with HPRP funded services with the HPRP funds requested.
3. Provide an estimate on the number of persons you will serve for each of the following categories and a description of the specific service and assistance to be provided with HPRP funds.
 - a. Number to be served with rental assistance, utility assistance, and security and utility deposits, motel and hotel vouchers, moving costs;
 - b. Number to be provided with case management;
 - c. Number to receive housing search and placement related services and a description of these services;
 - d. Number to receive legal services to help pay people stay in their homes, including information on how the services will be provided;
 - e. Number to receive assistance with credit repair and budget counseling.
4. Describe how outreach and engagement will be conducted to publicize the HPRP funded program and the services and assistance available and to reach subpopulations including persons being released from correctional facilities, from mental health institutions, aging out of foster care, and veterans.
5. Describe the number and type of subpopulations to be targeted and served by HPRP funds and how they will be targeted. Subpopulations include, but are not limited to, homeless families, victims of domestic violence, people with disabilities, people with mental illness, youth aging out of foster care, homeless children, single adult women, teenage mothers, people with substance abuse problems, homeless veterans and people with HIV/AIDS.

B. Capacity

1. Describe any federally funded programs operated in the past 3 years funded which targeted assistance to homeless persons or to prevent homelessness. Include the funding levels by year and the services provided and number of persons served.
2. Are the facilities where the HPRP project will be carried out located in an HPRP non-entitlement area? Refer to Appendix II.

3. The location and capacity of office(s) that will be utilized to provide HPRP assistance. Include the square footage, address, city and county. Does the area to be targeted include a significant number of persons in sub-populations persons being release from correctional facilities or from mental health institutions, persons aging out of foster care, veterans (proximity to a military base), or an area which has experienced a significant loss of industry and labor in the past 12 months. If yes, provide data and explain if the proposed project will target some or all of the sub-populations in the service area.
4. The staff positions that will provide client services to HPRP program participants, staff positions that will provide information and referrals related to obtaining education and employment. The staff positions that will be responsible for conducting outreach and engagement activities. If the positions are currently filled, describe the staff person's experience and education.

PART II. COORDINATION EFFORTS

- A. *For collaborative applications only*, provide information on how and which services will be coordinated among the organizations included in the collaborative application.
- B. Describe if your organization has any plans to develop a Homelessness Prevention Council in the service area. If your organization plans to do so, explain which organizations will be targeted to participate and why the organizations will be targeted, the structure of the Council, the proposed mission and goals of the Council, how often the Council will meet, etc. Councils, at a minimum must include workforce board and staff, Continuum of Care representatives, and TANF representatives. Consider including a timeline, mission, goals, etc.

PART III. POPULATIONS TO BE SERVED

- A. Unmet need.
 1. Population. Provide information and data on the number of homeless persons in your service area (city), unemployment rates, number of persons at or below 100% of the federal poverty income guidelines, the total population of the service area (city), any information related to foreclosures and evictions, and any other relevant information related to the current economic crisis in the service area. Applicants must use 2000 U.S. Census population estimates. Applicants will be scored by the highest percentage of persons served compared to the other applicants in their region.

PART IV. PROJECT EVALUATION AND CONCLUSION

- A. Effectiveness. Describe how effective your organization will perform in administering the HPRP services and in meeting the purpose of the HPRP funds. Describe how the effectiveness of program operations and assistance rendered to program participants will be evaluated. Describe how often the evaluation will occur and how data will be used to make improvements to the HPRP program.
- B. Impact. What significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community? What are the results or benefits to be achieved by carrying out the proposed activities?
- C. Capacity. Describe your organization's capacity and experience that will enable you to effectively operate the HPRP funded program. Also, explain why the proposed application should be funded.

SCORING OF INFORMATION

PART I. CAPACITY, PERSONS TO BE SERVED AND SERVICES

A. Persons to be Served and Services

1. Describe the proposed case management to be provided and an estimate on the number of hours to be dedicated to particular types or levels of case management. Case management services should include the development and execution of a plan to obtain permanent housing stability and the services necessary to achieve such. Include information on staffing and any relevant procedures or forms. Such can be included as an appendix to the application.
 - 15 points.** Case management will be provided by 3 or more full-time caseworkers who have a Bachelor's degree and at least 3 years of experience providing case management. The case management work provided by these staff was provided to homeless persons and/or to persons who were at risk of homelessness. Case management plan is thoroughly developed and comprehensive and thoroughly addresses assisting HPRP participants to obtain permanent housing stability. Forms and procedures were provided which clearly demonstrate a thorough understanding of the methods to carry out effective case management.
 - 12 points.** Case management will be provided by 3 or more full-time caseworkers who have a Bachelor's degree and at least 3 years of experience providing case management. Case management plan is thoroughly developed and comprehensive and thoroughly addresses assisting HPRP participants to obtain permanent housing stability. Forms and procedures were provided which clearly demonstrate a thorough understanding of the methods to carry out effective case management.
 - 9 points.** Case management will be provided by 2 or more full-time caseworkers who have a Bachelor's degree and at least 2 years of experience providing case management. Case management plan is not very detailed nor is it very comprehensive and does an adequate job of addressing how they plan to assist HPRP participants obtain permanent housing stability. Limited forms and procedures were provided, but these documents did not demonstrate a clear and thorough understanding of the methods to carry out effective case management.
 - 6 points.** Case management will be provided by 3 or more full-time caseworkers that have at least 2 years of experience providing case management to similar populations targeted with HPRP funds, but do not have a bachelor's degree. The case management plan was not detailed and did not demonstrate a clear and thorough understanding of the methods to carry out effective case management. The forms or procedures were not comprehensive.
2. Provide an estimate of the total number of unduplicated persons (include all members of the household which are to be assisted) to be assisted with HPRP funded services with the HPRP funds requested.
 - 20 points.** Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.
 - 16 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.
 - 12 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.

- 8 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.
3. The estimated number of unduplicated persons (include all members of the household which are to be assisted) to be assisted with rental assistance, utility assistance, and security and utility deposits, motel and hotel vouchers, moving costs utilizing HPRP funds.
- 20 points.** Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.
- 16 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.
- 12 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.
- 8 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.
- 4 points.** Applicant proposes to serve the lowest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the lowest 20% compared to other applicants.
4. The estimated number of unduplicated persons (include all members of the household which are to be assisted) to be provided with case management utilizing HPRP funds.
- 20 points.** Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.
- 16 points.** Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.
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- 4 points.** Applicant proposes to serve the lowest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the lowest 20% compared to other applicants.
5. The estimated number of unduplicated persons (include all members of the household which are to be assisted) to be assisted credit repair and budget counseling utilizing HPRP funds or through a coordinating partner who will share information so that applicant can conduct follow-up and track accomplishments of HPRP participants.

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

16 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.

12 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.

8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

4 points. Applicant proposes to serve the lowest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the lowest 20% compared to other applicants.

6. The estimated number of unduplicated persons (include all members of the household which are to be assisted) to be assisted housing search and placement related services utilizing HPRP funds or through a coordinating partner who will share information so that applicant can conduct follow-up and track accomplishments of HPRP participants.

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

16 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.

12 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.

8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

4 points. Applicant proposes to serve the lowest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the lowest 20% compared to other applicants.

7. The estimated number of persons to receive legal services to help pay people stay in their homes, either through the applicant organization or through a subcontract agreement utilizing HPRP funds.

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

16 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.

12 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.

8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

4 points. Applicant proposes to serve the lowest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the lowest 20% compared to other applicants.

8. Describe how outreach and engagement will be conducted to publicize the HPRP funded program and the services and assistance available and to reach subpopulations including persons being released from correctional facilities, from mental health institutions, victims of domestic violence, persons aging out of foster care, veterans, and other subpopulations (identify other).

15 points. Applicant provided a very comprehensive plan for conducting outreach and engagement activities to reach homeless persons, persons at risk of homelessness, and sub-populations. The plan has detailed information on the places and organizations where outreach will be conducted, how often, by which staff positions, etc. and the number of places and organizations where outreach and engagement efforts will be conducted was extensive.

12 points. Applicant provided a plan for conducting outreach and engagement activities to reach homeless persons, persons at risk of homelessness, and sub-populations. The plan has information on the places and organizations where outreach will be conducted, but did not provide much detail on how often, which staff positions would conduct such, etc. and only identified a limited the number of places and organizations where outreach and engagement efforts will be conducted.

9 points. Applicant provided a plan for conducting outreach and engagement activities to reach homeless persons, persons at risk of homelessness, and sub-populations. The plan has limited information on the places and organizations where outreach will be conducted and provided very limited details on how often, which staff positions would conduct such, etc. and only identified very few places and organizations where outreach and engagement efforts will be conducted.

9. Describe the number and type of subpopulations to be targeted and served by HPRP funds and how they will be targeted. Subpopulations include, but are not limited to, homeless families, victims of domestic violence, people with disabilities, people with mental illness, youth aging out of foster care, homeless children, single adult women, teenage mothers, people with substance abuse problems, homeless veterans and people with HIV/AIDS.

10 points. Applicant provides a plan to identify and serve five or more subpopulations.

7 points. Applicant provides a plan to identify and serve three or more subpopulations.

4 points. Applicant provides a plan to identify and serve two or fewer subpopulations.

B. Capacity

1. Describe any federally funded programs operated in the past 3 years funded which targeted assistance to homeless persons or to prevent homelessness. Include the funding levels by year and the services provided and number of persons served.

8 points. Applicant has 3 or more years experience operating federally funded programs that targeted assistance to homeless persons or to prevent homelessness.

6 points. Applicant has 2 years experience operating federally funded programs that targeted assistance to homeless persons or to prevent homelessness.

4 points. Applicant has 1 year of experience operating federally funded programs that targeted assistance to homeless persons or to prevent homelessness.

2. Are the facilities where the HPRP project will be carried out located in an HPRP non-entitlement area? Refer to Appendix II.

4 points if yes.

3. The location and capacity of office(s) that will be utilized to provide HPRP assistance. Include the square footage, address, city and county. Does the area to be targeted include a significant number of persons in sub-populations including, but are not limited to, homeless families, victims of domestic violence, people with disabilities, people with mental illness, youth aging out of foster care, homeless children, single adult women, teenage mothers, people with substance abuse problems, homeless veterans and people with HIV/AIDS. Also explain if the facility is located near a military base or an area that has experienced a significant loss of industry and labor in the past 12 months. If yes, provide data and explain if the proposed project will target some or all of the sub-populations in the service area.

8 points. Facilities to be utilized to provide HPRP services are located in a city with a potentially large number of persons who are homeless or at risk of homelessness and the facility(ies) is large enough to serve the estimated number of persons proposed to be served with the identified services. Facilities are also in an area with a significant number of persons in sub-populations or near a military base or in an area that has experienced a significant loss of industry and labor in the past 12 months. Extensive data and information was provided on the populations and sub-populations and significant loss of industry and/or labor. Lastly, the proposed project will target at least two of the sub-populations and provides a sound plan to do such.

5 points. Facilities to be utilized to provide HPRP services are located in a city with a moderately large number of persons who are homeless or at risk of homelessness and the facility(ies) is large enough to serve the estimated number of persons proposed to be served with the identified services. Facilities are also in an area with a significant number of persons in sub-populations or near a military base or in an area that has experienced a significant loss of industry and labor in the past 12 months. Good data and information was provided on the populations and sub-populations and significant loss of industry and/or labor. Lastly, the proposed project will target at least two of the sub-populations and provides a good plan to do such.

3 points. Facilities to be utilized to provide HPRP services are located in a city with a fairly limited number of persons who are homeless or at risk of homelessness and the facility(ies) is large enough to serve the estimated number of persons proposed to be served with the identified services. Facilities are also in an area with a significant number of persons in sub-populations or near a military base or in an area that has experienced a significant loss of industry and labor in the past 12 months. Limited data and information was provided on the populations and sub-populations and significant loss of industry and/or labor. Lastly, the proposed project will target at least one of the sub-populations and provides a limited plan to do such.

4. The staff positions, *excluding case managers*, which will provide client services to HPRP program participants, staff positions that will provide information and referrals related to obtaining education and employment. The staff positions that will be responsible for conducting outreach and engagement activities. If the positions are currently filled, describe the staff person's experience and education or if they are to be hired, describe the experience and education to be sought.

15 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have a bachelor's degree and at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

12 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have a bachelor's degree and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

9 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have at least 2 years of college and at least 3 years of

experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

6 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have at least 2 years of college and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

3 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have at least 2 years of college and under 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

5. 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

15 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have a bachelor's degree and at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

12 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have a bachelor's degree and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

9 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have at least 2 years of college and at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

6 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have at least 2 years of college and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

3 points. Full-time staff, excluding case managers, providing stated services and conducting stated activities has or will be required to have at least 2 years of college and under 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

PART II. COORDINATION EFFORTS

A. *For collaborative applications only,* provide information on how and which services will be coordinated among the organizations included in the collaborative application.

5 points. Applicant's description provides detailed information on how the collaborative partners will coordinate services for HPRP participants to avoid duplication and to address HPRP participant's needs in a thorough manner. The collaboration indicates a judicious use of HPRP funds among the partners in the collaborative project. The collaboration includes four or more organizations.

4 points. Applicant's description provides information on how the collaborative partners will coordinate services for HPRP participants to avoid duplication and to address HPRP participant's needs in a thorough

manner. The collaboration indicates limited consideration has been given to coordinating the use of HPRP funds among the partners. The collaboration includes three organizations.

3 points. Applicant's description provides information on how the collaborative partners will coordinate services for HPRP participants to avoid duplication and to address HPRP participant's needs in a thorough manner. The collaboration indicates limited consideration has been given to coordinating the use of HPRP funds among the partners. The collaboration includes two organizations.

B. Describe if your organization has any plans to develop a Homelessness Prevention Council in the service area. If your organization plans to do so, explain which organizations will be targeted to participate and why the organizations will be targeted, the structure of the Council, the proposed mission and goals of the Council, how often the Council will meet, etc. Councils, at a minimum must include workforce board and staff, Continuum of Care representatives, and TANF representatives.

5 points. Applicant's description provides detailed information on the proposed creation of a Homelessness Prevention Council. The plan includes a broad spectrum of private non-profits, churches, government, business and community leaders, and key State agency representatives. The plan is also very detailed and includes a timeline for implementation and detailed mission and goals.

3 points. Applicant's description provides information on the proposed creation of a Homelessness Prevention Council. The plan includes a fair representation of private non-profits, churches, government, business and community leaders, and key State agency representatives. The plan includes a detailed and includes a limited timeline for implementation and some information on the mission and goals.

1 point. Applicant's description provides information on the proposed creation of a Homelessness Prevention Council, but the plan is not well developed nor does it include a fair representation of private non-profits, churches, government, business and community leaders, and key State agency representatives. The plan does not contain much information on a timeline for implementation and the mission and goals.

PART III. POPULATIONS TO BE SERVED

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

16 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.

12 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.

8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

4 points. Applicant proposes to serve the lowest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the lowest 20% compared to other applicants.

PART IV. PROJECT EVALUATION AND CONCLUSION

A. Effectiveness. Describe how effectively your organization will perform in administering the HPRP services and in meeting the purpose of the HPRP funds. Describe how the effectiveness of program operations and assistance rendered to program participants will be evaluated. Describe how often the evaluation will occur and how data will be used to make improvements to the HPRP program.

10 points. Applicant's description of their potential effectiveness in administering the HPRP funds, the description of how they will evaluate the effectiveness of program operations and the assistance rendered to program participants, and how often the evaluation will occur and how the data will be utilized to improve the HPRP program is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed.

8 points. Applicant's description of their potential effectiveness in administering the HPRP funds, the description of how they will evaluate the effectiveness of program operations and the assistance rendered to program participants, and how often the evaluation will occur and how the data will be utilized to improve the HPRP program is thorough, moderately well thought out, fairly comprehensive and provides detailed information related to the items to be addressed.

6 points. Applicant's description of their potential effectiveness in administering the HPRP funds, the description of how they will evaluate the effectiveness of program operations and the assistance rendered to program participants, and how often the evaluation will occur and how the data will be utilized to improve the HPRP program is not very thorough nor does it demonstrate that it is well thought out, and is not comprehensive and provides very limited detailed information related to the items to be addressed.

- B. Impact.** What significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community? What are the results or benefits to be achieved by carrying out the proposed activities?

10 points. Applicant's description of significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community and the description of the results or benefits to be achieved by carrying out the proposed activities is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed.

8 points. Applicant's description of significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community and the description of the results or benefits to be achieved by carrying out the proposed activities is thorough, moderately well thought out, fairly comprehensive and provides detailed information related to the items to be addressed.

6 points. Applicant's description of significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community and the description of the results or benefits to be achieved by carrying out the proposed activities is not very thorough nor does it demonstrate that it is well thought out, and is not comprehensive and provides very limited detailed information related to the items to be addressed.

- C. Capacity.** Describe your organization's capacity and experience that will enable you to effectively operate the HPRP funded program. Also, explain why the proposed application should be funded.

5 points. Applicant's description of their capacity and experience which will enable them to effectively operate the HPRP funded program and their explanation as to why the proposed application should be funded is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed.

4 points. Applicant's description of their capacity and experience which will enable them to effectively operate the HPRP funded program and their explanation as to why the proposed application should be funded is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed is thorough, moderately well thought out, fairly comprehensive and provides detailed information related to the items to be addressed.

3 points. Applicant's description of their capacity and experience which will enable them to effectively operate the HPRP funded program and their explanation as to why the proposed application should be funded is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed is not very thorough nor does it

demonstrate that it is well thought out, and is not comprehensive and provides very limited detailed information related to the items to be addressed.

TOTAL MAXIMUM POINTS 265 POINTS This does not include deductions.

PAST PERFORMANCE REVIEW. The Department will also take into consideration performance related to any funding received from the Department and the results of the Single Audit. The Department will also review the history of submission of Emergency Shelter Grants Program (ESGP) and Community Services Block Grant (CSBG) monthly reports and one point will be deducted for each late reports and 2 points for late responses to monitoring reviews. Applicants with significant unresolved monitoring issues are not eligible for funding. The results of the performance review may deem an applicant ineligible to receive funding.

THRESHOLD DOCUMENTS FOR HOMELESSNESS PREVENTION AND CASE MANAGEMENT PILOT PROJECT – Applicants who are applying solely for funding under the set-aside for the Homelessness Prevention and Case Management Pilot Project must submit the Threshold Documents identified on page 13-14 of the NOFA. Applicants applying for both the set-aside and the regional distribution, only need to submit one set of threshold documents.

On pages 2-3 of the HPRP NOFA, the Department explains how deficiencies in the provision of Threshold Information and Documents will be considered. Please review such and note that the Department will deduct two points for each threshold document and information item that were not submitted by the initial NOFA deadline. The deductions will remain in place even after the documents or information is provided during the deficiency correction period. If the documents or information was not submitted during the deficiency correction period or the documents or information that was submitted was insufficient, the application will be removed from funding consideration.

THRESHOLD INFORMATION FOR HOMELESSNESS PREVENTION AND CASE MANAGEMENT PILOT PROJECT

Only applicants interested in applying for the \$2,073,638 in set-aside funds for the pilot project should complete the following pages. Applicants can apply for both the set-aside funds for the HPRP pilot project and the HPRP project funded with the \$35,251,858 for regional distribution.

HOMELESSNESS PREVENTION AND CASE MANAGEMENT PILOT PROJECT

- I. Identify the targeted subpopulation(s) that are to be served. Subpopulations eligible to be served with the pilot project are: persons with a history of past institutionalization (including prisons, mental health institutions and hospitals); persons with mental health and substance abuse issues; persons with physical disabilities and other chronic health issues, including HIV/AIDS; and youths aging out of the foster care system. The individuals must be precariously housed, at risk of homelessness and meet the HPRP Eligible Program Participant guidelines.
- II. Describe how the project will focus on prevention of homelessness for the targeted subpopulations identified above and the activities to be funded with the set-aside HPRP funds and how the targeted populations will be identified and reached.
- III. Describe how the project will coordinate with other mainstream services and HPRP funded organizations in the service area to make available financial assistance for rent, utilities, housing search and placement, credit repair and budget counseling etc. Identify specific organizations and entities to be involved and what services and activities will be coordinated and the method that will be used to coordinate services.
- IV. Describe how the project will identify targeted vulnerable subpopulation(s) prior to them being at imminent risk of homelessness or homeless and describe how case managers funded with these funds will coordinate with case managers in prisons, mental health institutions, entities serving other vulnerable subpopulations to identify potential HPRP participants and to conduct outreach and engagement activities.
- V. Explain how case managers will work with the participants to address issues that put them at risk or have caused homelessness in the past.
- VI. Explain how case managers will work with local continuums of care councils, homeless prevention councils formed by applicants funded with State HPRP funds, other coordinating councils or organizations targeting the subpopulation to coordinate identification of vulnerable populations and to provide comprehensive services to the targeted subpopulations.

INFORMATION TO BE SCORED FOR HOMELESSNESS PREVENTION AND CASE MANAGEMENT PILOT PROJECT

PART I. CAPACITY, PERSONS TO BE SERVED AND SERVICES

A. Persons to be Served and Services

1. Describe the proposed case management to be provided and an estimate on the number of hours to be dedicated to particular types or levels of case management. Case management services should include the development and execution of a plan to obtain permanent housing stability and the services necessary to achieve such. Include information on staffing and any relevant procedures or forms. Such can be included as an appendix to the application.
2. Provide an estimate of the total number of unduplicated persons (include all members of the household which are to be assisted) to be assisted with HPRP funded services with the HPRP funds requested.
3. a. The estimated number of unduplicated persons (include all members of the household which are to be assisted) to be provided with case management utilizing HPRP funds.
b. The estimated number of persons to receive legal services to help pay people stay in their homes, either through the applicant organization or through a subcontract agreement utilizing HPRP funds.
4. Describe how outreach and engagement will be conducted to reach identified subpopulations.
5. Describe the number and type of subpopulations to be targeted and served by HPRP funds and how they will be targeted. Subpopulations for the pilot project are limited to persons with a history of past institutionalization (including prisons, mental health institutions and hospitals); persons with mental health and substance abuse issues; persons with physical disabilities and other chronic health issues, including HIV/AIDS; and youths aging out of the foster care system.

B. Capacity

1. Describe any federally funded programs operated in the past 3 years funded which targeted assistance to homeless persons or to prevent homelessness. Include the funding levels by year and the services provided and number of persons served.
2. The location and capacity of office(s) which will be utilized to provide HPRP assistance. Include the square footage, address, city and county. Does the area to be targeted include a significant number of persons in the targeted sub-population(s)? Also explain if the facility is located near a military base or an area that has experienced a significant loss of industry and labor in the past 12 months. If yes, provide data and explain if the proposed project will target the identified sub-populations in the service area.
3. The staff positions, *excluding case managers*, which will provide client services to HPRP program participants, staff positions that will provide information and referrals related to obtaining education and employment. The staff positions that will be responsible for conducting outreach and engagement activities. If the positions are currently filled, describe the staff person's experience and education or if they are to be hired, describe the experience and education to be sought.

PART II. COORDINATION EFFORTS

- A. *For collaborative applications only*, provide information on how and which services will be coordinated among the organizations included in the collaborative application.

- B. Describe if your organization has any plans to develop a Homelessness Prevention Council in the service area. If your organization plans to do so, explain which organizations will be targeted to participate and why the organizations will be targeted, the structure of the Council, the proposed mission and goals of the Council, how often the Council will meet, etc. Councils, at a minimum must include workforce board and staff, Continuum of Care representatives, and TANF representatives.

PART III. PROJECT EVALUATION AND CONCLUSION

- A. Effectiveness. Describe how effective your organization will perform in administering the HPRP services and in meeting the purpose of the HPRP funds. Describe how the effectiveness of program operations and assistance rendered to program participants will be evaluated. Describe how often the evaluation will occur and how data will be used to make improvements to the HPRP program.

- B. Impact. What significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community? What are the results or benefits to be achieved by carrying out the proposed activities?

- C. Capacity. Describe your organization's capacity and experience that will enable you to effectively operate the HPRP funded program. Also, explain why the proposed application should be funded.

SCORING OF INFORMATION FOR HOMELESSNESS PREVENTION AND CASE MANAGEMENT PILOT PROJECT

PART I. CAPACITY, PERSONS TO BE SERVED AND SERVICES

A. Persons to be Served and Services

1. Describe the proposed case management to be provided and an estimate on the number of hours to be dedicated to particular types or levels of case management. Case management services should include the development and execution of a plan to obtain permanent housing stability and the services necessary to achieve such. Include information on staffing and any relevant procedures or forms. Such can be included as an appendix to the application.

15 points. Case management will be provided by 3 or more full-time caseworkers that have a Bachelor's degree and at least 3 years of experience providing case management. The case management work provided by these staff was provided to homeless persons and/or to persons who were at risk of homelessness. Case management plan is thoroughly developed and comprehensive and thoroughly addresses assisting HPRP participants to obtain permanent housing stability. Forms and procedures were provided which clearly demonstrate a thorough understanding of the methods to carry out effective case management.

12 points. Case management will be provided by 3 or more full-time caseworkers that have a Bachelor's degree and at least 3 years of experience providing case management. Case management plan is thoroughly developed and comprehensive and thoroughly addresses assisting HPRP participants to obtain permanent housing stability. Forms and procedures were provided which clearly demonstrate a thorough understanding of the methods to carry out effective case management.

9 points. Case management will be provided by 2 or more full-time caseworkers that have a Bachelor's degree and at least 2 years of experience providing case management. Case management plan is not very detailed nor is it very comprehensive and does an adequate job of addressing how they plan to assist HPRP participants obtain permanent housing stability. Limited forms and procedures were provided, but these documents did not demonstrate a clear and thorough understanding of the methods to carry out effective case management.

6 points. Case management will be provided by 3 or more full-time caseworkers who have at least 2 years of experience providing case management to similar populations targeted with HPRP funds, but do not have a bachelor's degree. The case management plan was not detailed and did not demonstrate a clear and thorough understanding of the methods to carry out effective case management. The forms or procedures were not comprehensive.
2. Provide an estimate of the total number of unduplicated persons (include all members of the household which are to be assisted) to be assisted with HPRP funded services with the HPRP funds requested.

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

16 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.

12 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the middle 20% compared to other applicants.

8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

3. a. The estimated number of unduplicated persons (include all members of the household which are to be assisted) to be provided with case management utilizing HPRP funds.

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

16 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second top 20% compared to other applicants.

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8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

- b. The estimated number of persons to receive legal services to help pay people stay in their homes, either through the applicant organization or through a subcontract agreement utilizing HPRP funds.

20 points. Applicant proposes to serve the highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the top 20% compared to other applicants.

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8 points. Applicant proposes to serve the next highest percentage of the total population of the service area compared to other applicants in the same region. Applicant's percentage is in the second to the lowest 20% compared to other applicants.

4. Describe how outreach and engagement will be conducted to publicize the HPRP funded program and the services and assistance available and to reach subpopulations including persons being released from correctional facilities, from mental health institutions, victims of domestic violence, persons aging out of foster care, veterans, and other subpopulations (identify other).

15 points. Applicant provided a very comprehensive plan for conducting outreach and engagement activities to reach homeless persons, persons at risk of homelessness, and sub-populations. The plan has detailed information on the places and organizations where outreach will be conducted, how often, by which staff positions, etc. and the number of places and organizations where outreach and engagement efforts will be conducted was extensive.

12 points. Applicant provided a plan for conducting outreach and engagement activities to reach homeless persons, persons at risk of homelessness, and sub-populations. The plan has information on the places and organizations where outreach will be conducted, but did not provide much detail

on how often, which staff positions would conduct such, etc. and only identified a limited the number of places and organizations where outreach and engagement efforts will be conducted.

9 points. Applicant provided a plan for conducting outreach and engagement activities to reach homeless persons, persons at risk of homelessness, and sub-populations. The plan has limited information on the places and organizations where outreach will be conducted and provided very limited details on how often, which staff positions would conduct such, etc. and only identified very few places and organizations where outreach and engagement efforts will be conducted.

5. Describe the number and type of subpopulations to be targeted and served by HPRP funds and how they will be targeted. Subpopulations for the pilot project are limited to persons with a history of past institutionalization (including prisons, mental health institutions and hospitals); persons with mental health and substance abuse issues; persons with physical disabilities and other chronic health issues, including HIV/AIDS; and youths aging out of the foster care system.

10 points. Applicant provides a plan to identify and serve five or more subpopulations.

7 points. Applicant provides a plan to identify and serve three or more subpopulations.

4 points. Applicant provides a plan to identify and serve two or fewer subpopulations.

B. Capacity

1. Describe any federally funded programs operated in the past 3 years funded which targeted assistance to homeless persons or to prevent homelessness. Include the funding levels by year and the services provided and number of persons served.

8 points. Applicant has 3 or more years experience operating federally funded programs that targeted assistance to homeless persons or to prevent homelessness.

6 points. Applicant has 2 years experience operating federally funded programs that targeted assistance to homeless persons or to prevent homelessness.

4 points. Applicant has 1 year of experience operating federally funded programs that targeted assistance to homeless persons or to prevent homelessness.

2. The location and capacity of office(s) that will be utilized to provide HPRP assistance. Include the square footage, address, city and county. Does the area to be targeted include a significant number of persons in sub-populations including, but are not limited to, homeless families, victims of domestic violence, people with disabilities, people with mental illness, youth aging out of foster care, homeless children, single adult women, teenage mothers, people with substance abuse problems, homeless veterans and people with HIV/AIDS. Also explain if the facility is located near a military base or an area that has experienced a significant loss of industry and labor in the past 12 months. If yes, provide data and explain if the proposed project will target some or all of the sub-populations in the service area.

8 points. Facilities to be utilized to provide HPRP services are located in a city with a potentially large number of persons who are homeless or at risk of homelessness and the facility(ies) is large enough to serve the estimated number of persons proposed to be served with the identified services. Facilities are also in an area with a significant number of persons in sub-populations or near a military base or in an area that has experienced a significant loss of industry and labor in the past 12 months. Extensive data and information was provided on the populations and sub-populations and significant loss of industry and/or labor. Lastly, the proposed project will target at least two of the sub-populations and provides a sound plan to do such.

5 points. Facilities to be utilized to provide HPRP services are located in a city with a moderately large number of persons who are homeless or at risk of homelessness and the facility(ies) is large enough to serve the estimated number of persons proposed to be served

with the identified services. Facilities are also in an area with a significant number of persons in sub-populations or near a military base or in an area that has experienced a significant loss of industry and labor in the past 12 months. Good data and information was provided on the populations and sub-populations and significant loss of industry and/or labor. Lastly, the proposed project will target at least two of the sub-populations and provides a good plan to do such.

3 points. Facilities to be utilized to provide HPRP services are located in a city with a fairly limited number of persons who are homeless or at risk of homelessness and the facility(ies) is large enough to serve the estimated number of persons proposed to be served with the identified services. Facilities are also in an area with a significant number of persons in sub-populations or near a military base or in an area that has experienced a significant loss of industry and labor in the past 12 months. Limited data and information was provided on the populations and sub-populations and significant loss of industry and/or labor. Lastly, the proposed project will target at least one of the sub-populations and provides a limited plan to do such.

3. The staff positions, *excluding case managers*, which will provide client services to HPRP program participants, staff positions that will provide information and referrals related to obtaining education and employment. The staff positions that will be responsible for conducting outreach and engagement activities. If the positions are currently filled, describe the staff person's experience and education or if they are to be hired, describe the experience and education to be sought.

15 points. At least 5-6 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff have or will be required to have a bachelor's degree and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

12 points. At least 4-5 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff have or will be required to have a bachelor's degree and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

9 points. At least 2-3 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff have or will be required to have a bachelor's degree and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

6 points. At least 1 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have a bachelor's degree and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness...

4.

12 points. At least 5-6 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have 2 years of college and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

9 points. At least 4-5 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have 2 years of college and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

6 points. At least 2-3 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have 2 years of college and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

3 point. At least 1 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have 2 years of college and at least 2 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness...

5.

10 points. At least 5-6 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

8 points. At least 4-5 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

5 points. At least 2-3 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness.

3 points. At least 1 full-time staff, *excluding case managers*, will provide stated services and conduct stated activities and the staff has or will be required to have at least 3 years of experience providing related services to homeless persons and/or to persons who were at risk of homelessness...

PART II COORDINATION EFFORTS

A. *For collaborative applications only*, provide information on how and which services will be coordinated among the organizations included in the collaborative application.

8 points. Applicant's description provides detailed information on how the collaborative partners will coordinate services for HPRP participants to avoid duplication and to address HPRP participant's needs in a thorough manner. The collaboration indicates a judicious use of HPRP funds among the partners in the collaborative project.

6 points. Applicant's description provides information on how the collaborative partners will coordinate services for HPRP participants to avoid duplication and to address HPRP participant's needs in a thorough manner. The collaboration indicates limited consideration has been given to coordinating the use of HPRP funds among the partners.

B. Describe if your organization has any plans to develop a Homelessness Prevention Council in the service area. If your organization plans to do so, explain which organizations will be targeted to participate and why the organizations will be targeted, the structure of the Council, the proposed mission and goals of the Council, how often the Council will meet, etc. Councils, at a minimum must include workforce board and staff, Continuum of Care representatives, and TANF representatives.

5 points. Applicant's description provides detailed information on the proposed creation of a Homelessness Prevention Council. The plan includes a broad spectrum of private non-profits, churches, government, business and community leaders, and key State agency representatives. The plan is also very detailed and includes a timeline for implementation and detailed mission and goals.

3 points. Applicant's description provides information on the proposed creation of a Homelessness Prevention Council. The plan includes a fair representation of private non-profits, churches, government, business and community leaders, and key State agency representatives. The plan includes a detailed and includes a limited timeline for implementation and some information on the mission and goals.

1 point. Applicant's description provides information on the proposed creation of a Homelessness Prevention Council, but the plan is not well developed nor does it include a fair representation of private non-profits, churches, government, business and community leaders, and key State agency representatives. The plan does not contain much information on a timeline for implementation and the mission and goals.

PART III. PROJECT EVALUATION AND CONCLUSION

A. Effectiveness. Describe how effective your organization will perform in administering the HPRP services and in meeting the purpose of the HPRP funds. Describe how the effectiveness of program operations and assistance rendered to program participants will be evaluated. Describe how often the evaluation will occur and how data will be used to make improvements to the HPRP program.

10 points. Applicant's description of their potential effectiveness in administering the HPRP funds, the description of how they will evaluate the effectiveness of program operations and the assistance rendered to program participants, and how often the evaluation will occur and how the data will be utilized to improve the HPRP program is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed.

8 points. Applicant's description of their potential effectiveness in administering the HPRP funds, the description of how they will evaluate the effectiveness of program operations and the assistance rendered to program participants, and how often the evaluation will occur and how the data will be utilized to improve the HPRP program is thorough, moderately well thought out, fairly comprehensive and provides detailed information related to the items to be addressed.

6 points. Applicant's description of their potential effectiveness in administering the HPRP funds, the description of how they will evaluate the effectiveness of program operations and the assistance rendered to program participants, and how often the evaluation will occur and how the data will be utilized to improve the HPRP program is not very thorough nor does it demonstrate that it is well thought out, and is not comprehensive and provides very limited detailed information related to the items to be addressed.

B. Impact. What significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community? What are the results or benefits to be achieved by carrying out the proposed activities?

10 points. Applicant's description of significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community and the description of the results or benefits to be achieved by carrying out the proposed activities is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed.

8 points. Applicant's description of significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community and the description of the results or benefits to be achieved by carrying out the proposed activities is thorough, moderately well thought out, fairly comprehensive and provides detailed information related to the items to be addressed.

6 points. Applicant's description of significant and beneficial impact(s) will the proposed project have on persons facing homelessness or who are homeless and to the community and the description of the results or benefits to be achieved by carrying out the proposed activities is not very thorough nor does it demonstrate that it is well thought out, and is not comprehensive and provides very limited detailed information related to the items to be addressed.

C. Capacity. Describe your organization's capacity and experience that will enable you to effectively operate the HPRP funded program. Also, explain why the proposed application should be funded.

5 points. Applicant's description of their capacity and experience which will enable them to effectively operate the HPRP funded program and their explanation as to why the proposed application should be funded is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed.

4 points. Applicant's description of their capacity and experience which will enable them to effectively operate the HPRP funded program and their explanation as to why the proposed application should be funded is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed is thorough, moderately well thought out, fairly comprehensive and provides detailed information related to the items to be addressed.

3 points. Applicant's description of their capacity and experience which will enable them to effectively operate the HPRP funded program and their explanation as to why the proposed application should be funded is very thorough, well thought out, very comprehensive and provides very detailed information related to the items to be addressed is not very thorough nor does it demonstrate that it is well thought out, and is not comprehensive and provides very limited detailed information related to the items to be addressed.

TOTAL MAXIMUM POINTS 171 POINTS This does not include deductions.



Homelessness Prevention and Rapid Re-Housing Program NOFA Application Form

For Office Use Only

Legal Name of Applicant:

Mailing Address (Include City and Zip Code):

Agency Phone:

Agency Fax:

Chief Executive and Title:

Contact for HPRP Grant (if different):

Best E-mail Address for HPRP information:

County of Administrative Office:

Counties to be Served by HPRP Funded Project:

Bed Capacity (if applicant operates a homeless shelter): _____

Type of Organization:

- Nonprofit Organization
- Unit of General Local Government

Is this a Faith-Based Organization?

- Yes
- No

Indicate the target population of the proposed project:

- Domestic Violence Victims
- Youth
- Mentally Ill
- AIDS Victims
- At-Risk Homeless
- All Homeless
- Other _____

Proposed Budget

\$_____ Financial Assistance

\$_____ Housing Relocation and Stabilization Services

\$_____ Data Collection

\$_____ Administrative Costs

\$_____ **Total Request**

Collaborative Applications

Is this is a collaborative application?

- Yes
- No

If yes, please list the names of all organizations included in this application:

Lead Organization: _____

- 1.
- 2.
- 3.

What are the dates of your current Fiscal Year? _____ (Mo/Yr) to _____ (Mo/Yr)

Is your agency subject to the Single Audit requirement? Yes No

Does your agency receive Continuum of Care Funds? Yes No

Do you participate in HMIS reporting? Yes No

Standard Form 424

OMB Approval No. 0348-0043

1. Type of Submission: Application : Preapplication <input type="checkbox"/> Construction : <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction : <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED N/A	Applicant Identifier N/A
		3. DATE RECEIVED BY STATE N/A	State Identifier N/A
		4. DATE RECEIVED BY FEDERAL AGENCY N/A	Federal Identifier N/A
5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit:	
Address (give city, county, state and zip code)		Name, and telephone number of the person to be contacted on matters involving this application (give area code)	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): [] [] - [] [] [] [] [] [] [] []		7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/>	
8. Type of Application <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Award D. Decrease Duration Other (specify)		A. State H. Independent School District B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organization G. Special District N. Other (Specify): _____	
10. Catalog of Federal Domestic Assistance Number: Title: <i>Homelessness Prevention and Rapid Re-Housing Program</i>		9. Name of Federal Agency: U.S. Department of Housing and Urban Development	
12. Areas Affected for HPRP Funded Project (counties.):		11. Descriptive Title of Applicant's Project:	
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project
15. ESTIMATED FUNDING:		16. Is Application Subject To Review By State Executive Order 12372 Process?	
a. Federal	\$.00	a. Yes. This Preapplication/Application was Made Available to the State Executive Order 12372 Process for Review on: _____ DATE _____	
b. Applicant	\$ xxxxxxxxxxxxxx	No. <input type="checkbox"/> Program Is Not Covered by E.O. 12372	
c. State	\$ xxxxxxxxxxxxxx	<input type="checkbox"/> Or Program Has not Been Selected by State for Review	
d. Local	\$ xxxxxxxxxxxxxx	17. a. Is the Applicant Delinquent on Any Federal Debt?	
e. Other	\$ xxxxxxxxxxxxxx	<input type="checkbox"/> Yes If "Yes" attach an explanation <input type="checkbox"/> No	
f. Program Income	\$ xxxxxxxxxxxxxx	b. Did you receive technical assistance from:	
g. TOTAL	\$	Yes No A TDHCA Independent Contractor? <input type="checkbox"/> <input type="checkbox"/> A TDHCA Field Office? _____ <input type="checkbox"/> <input type="checkbox"/> Other _____ <input type="checkbox"/> <input type="checkbox"/>	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION, PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH ALL ASSURANCES AND CERTIFICATIONS IF ASSISTANCE IS AWARDED.			
a. Typed Name of Authorized Representative (same as below)		b. Title	c. Telephone Number
d. Signature of Authorized Representative (Person authorized to execute contract, if awarded)		e. Date Signed	

FFY 2009 Homelessness Prevention and Rapid Re-Housing Program

<p>LOCAL GOVERNMENT CERTIFICATION FORM</p> <p>FOR PRIVATE NONPROFIT ORGANIZATIONS*</p>
--

I, _____
(Type Name)

duly authorized to act on behalf of _____
(City or County)

hereby approve the Homelessness Prevention and Rapid Re-Housing Program project application submitted to the Texas Department of Housing and Community Affairs by:

(Name of Private Nonprofit Organization)

and certify that the application activities are to be located in the city or county named above.

(Signature)

(Title)

(Date)

* The State of Texas will distribute HPRP funds to private nonprofit organizations only if the unit of general local government (any city or county) in which the proposed activities are to be located certifies that it approves the project.

2009 HPRP Proposed Budget

Applicant/Organization: _____ Contract Period: 11/1/09 – 10/31/10

Detail of Activities by Category & Method of Calculation	Line Item Totals	Category Totals
A. ADMINISTRATIVE COSTS (max 2.5% of funds requested) (breakdown by subcategory)		\$
	\$	
B. FINANCIAL ASSISTANCE (breakdown by subcategory)		\$
	\$	
C. HOUSING RELOCATION AND STABILIZATION SERVICES (breakdown by subcategory)		\$
	\$	
D. DATA COLLECTION AND EVALUATION (breakdown by subcategory)		\$
TOTAL HPRP FUND REQUEST	\$	\$

2009 HPRP Proposed Supplemental Budget

Applicant/Organization: _____ Contract Period: 11/1/09 – 10/31/10

Detail of Activities by Category & Method of Calculation	Line Item Totals	Category Totals
A. ADMINISTRATIVE COSTS (max 2.5% of funds requested) (breakdown by subcategory)		\$
	\$	
B. FINANCIAL ASSISTANCE (breakdown by subcategory)		\$
	\$	
C. HOUSING RELOCATION AND STABILIZATION SERVICES (breakdown by subcategory)		\$
	\$	
D. DATA COLLECTION AND EVALUATION (breakdown by subcategory)		\$
TOTAL HPRP FUND REQUEST	\$	\$

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA)
AUDIT CERTIFICATION FORM**

Organization: _____ Fiscal Year End: ____ / ____ / ____ ESGP Contract # _____
Month Day Year

- We have exceeded the \$500,000 in federal or \$500,000 in state expenditure threshold. We will have our Single Audit or Program Specific Audit completed and will submit the audit report within nine (9) months after the end of the audited fiscal year.
- We did not exceed the \$500,000 in state or \$500,000 in federal expenditure threshold required for a Single Audit or a Program Specific Audit to be performed this fiscal year. *(Fill out Federal and State schedule below)*

The Federal Funds and State Funds sections must be filled out if Single Audit or Program Audit is not required:

Federal Funds				
<u>Federal Grantor</u>	<u>Pass-through Grantor</u>	<u>Program Name & CFDA Number</u>	<u>Contract Number</u>	<u>Expenditures</u>
<i>Total Federal Expenditures for this Fiscal Year</i>				\$ _____

State Funds				
<u>State Grantor</u>	<u>Pass-through Grantor (if any)</u>	<u>Program Name</u>	<u>Contract Number</u>	<u>Expenditures</u>
<i>Total State Expenditures for this Fiscal Year</i>				\$ _____

Authorized Signature (<i>Executive Director, Mayor, County Judge</i>)	Printed Name	Title
Mailing Address:	City, State	Zip Code
Email Address:	Phone Number	Fax Number

Texas Department of Housing and Community Affairs
HB 1196 (80th Legislature) Agreement

The Texas Department of Housing and Community Affairs, an agency of the State of Texas ("Department"), and _____ an HPRP ("Applicant") are the parties to this agreement ("Parties").

Whereas Applicant desires to be awarded a contract with the Department to provide Homelessness Prevention Rapid Re-Housing Program (HPRP) program services for the 2009 Program Year (HPRP contract year _____ 2009 thru _____, 2010), and

Whereas HB 1196 (80th Regular Session) requires the Parties to enter into agreement for the repayment of any public subsidy under certain conditions.

Now therefore, the Parties agree as follows:

1. Applicant agrees that if Applicant, or a branch, division, or department of Applicant is convicted of a violation under Title 8 U.S.C. Section 1324a(a), Applicant shall repay the amount of public subsidy with interest, at the rate of 5% per annum, not later than the 120th day after the date the Department notifies Applicant of the violation.
2. Applicant is entering into this agreement prior to receiving any 2009 Program Year funding from the Department.
3. Applicant acknowledges that entering this agreement does not constitute an award by the Governing Body of the Department ("Board") of any funding, nor a guarantee that Applicant will be granted any funds by the Board with respect to the 2009 Program Year.
4. The person signing this agreement on behalf of Applicant hereby certifies that he/she has been duly authorized by Applicant to bind the Applicant to the terms herein.

Applicant: _____ **Date:** _____

By: _____ **Title:** _____
Signature of CEO

Texas Department of Housing and Community Affairs

By: _____ **Date:** _____
Amy M. Oehler, Director
Community Affairs Division

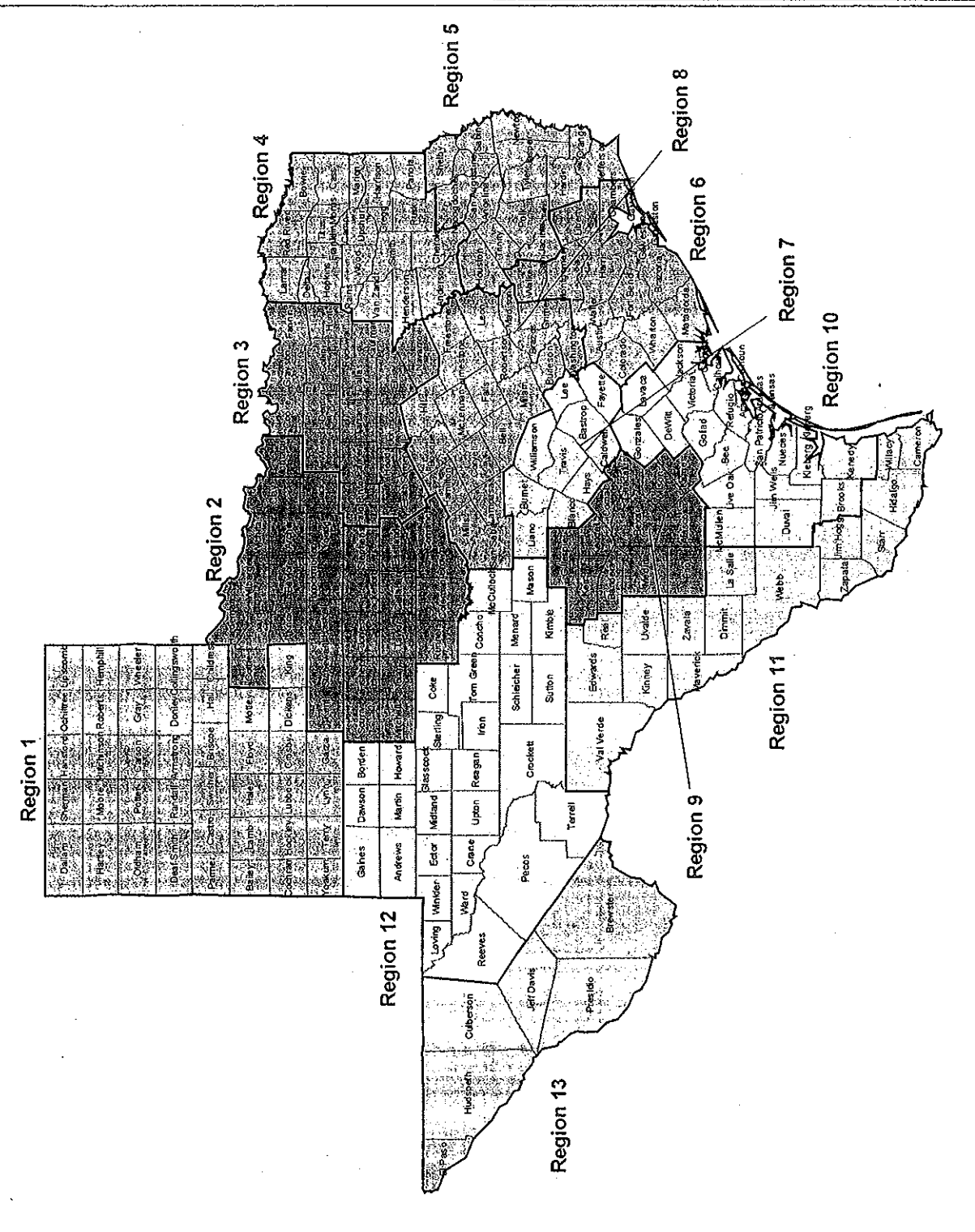
TDHCA Service Regions

State of Texas
2000 Census Data

Population	20,851,820
Poverty Population	3,117,609
Percent of Persons in Poverty	15.4%

Formula for HRRP Fund Distribution to 13 Uniform State Service Regions: 50% poverty population and 50% unemployment in region for Dec 2008 thru Feb 2009.

TDHCA Region	Estimated HRRP Distribution
1	\$1,263,525
2	\$846,080
3	\$9,177,205
4	\$1,774,151
5	\$1,406,995
6	\$8,526,597
7	\$2,288,689
8	\$1,623,715
9	\$3,115,615
10	\$1,346,514
11	\$4,315,684
12	\$859,910
13	\$1,637,271
Total:	\$38,154,952



**Homelessness Prevention and Rapid Re-Housing Program
(HPRP) Funding to Texas**

TX	TEXAS STATE PROGRAM	\$41,472,772
TX	AMARILLO	\$739,071
TX	ARLINGTON	\$1,304,792
TX	AUSTIN	\$3,062,820
TX	BEAUMONT	\$741,325
TX	BEXAR COUNTY	\$701,160
TX	BRAZORIA COUNTY	\$707,747
TX	BROWNSVILLE	\$1,347,839
TX	CORPUS CHRISTI	\$1,393,181
TX	DALLAS	\$7,187,357
TX	DALLAS COUNTY	\$866,753
TX	EL PASO	\$3,492,976
TX	FORT BEND COUNTY	\$777,971
TX	FORT WORTH	\$2,746,929
TX	GALVESTON	\$585,604
TX	GARLAND	\$858,997
TX	GRAND PRAIRIE	\$569,746
TX	HARRIS COUNTY	\$4,463,961
TX	HIDALGO COUNTY	\$3,463,905
TX	HOUSTON	\$12,375,861
TX	IRVING	\$930,680
TX	LAREDO	\$1,490,976
TX	LUBBOCK	\$947,453
TX	MC ALLEN	\$733,518
TX	MONTGOMERY COUNTY	\$741,614
TX	PASADENA	\$790,214
TX	PLANO	\$509,050
TX	PORT ARTHUR	\$564,089
TX	SAN ANTONIO	\$5,974,286
TX	TARRANT COUNTY	\$1,156,125
TX	WACO	\$685,599
TX	WICHITA FALLS	\$583,425
Total Funds to Entitlement Areas		\$62,495,024

Homelessness Prevention and Rapid Re-Housing
U.S. Department of Housing and Urban Development
Guidance

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**[Docket No. FR-5307-N-01]****Notice of Allocations, Application Procedures, and Requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009**

AGENCY: Office of the Secretary, HUD.

ACTION: Notice of funding allocations and requirements.

SUMMARY: This Notice advises the public of the allocation formula and allocation amounts, the list of grantees, and requirements for the Homelessness Prevention Fund, hereafter referred to as the “Homelessness Prevention and Rapid Re-Housing Program (HPRP),” under Title XII of the American Recovery and Reinvestment Act of 2009 (“Recovery Act”). Congress has designated \$1.5 billion for communities to provide financial assistance and services to either prevent individuals and families from becoming homeless or help those who are experiencing homelessness to be quickly re-housed and stabilized. In order to receive these funds, eligible grantees must submit a substantial amendment to the Consolidated Plan 2008 Action Plan (referred to in this Notice as the “substantial amendment”).

EFFECTIVE DATE: March 19, 2009

OVERVIEW INFORMATION

A. Federal Agency Name: Department of Housing and Urban Development, Office of Community Planning and Development.

B. Funding Opportunity Title: Funding Availability for the Homelessness Prevention Fund created under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (“Recovery Act”), referred to in this Notice as the “Homelessness Prevention and Rapid Re-Housing Program (HPRP).”

C. Publication: This Notice is initially being published on HUD's web site. It will also be published in the Federal Register. All HUD materials will be posted on the HUD Homelessness Resource Exchange at: www.hudhre.info.

D. Catalog of Federal Domestic Assistance (CFDA) Number: 14.257: Homelessness Prevention and Rapid Re-Housing Program (HPRP).

E. Dates: Substantial amendments submitted pursuant to this Notice must be received by HUD no later than 60 days from the date of publication of this Notice. HUD will complete its review of all correctly completed substantial amendments no later than July 2, 2009. HUD intends to execute all grant agreements no later than September 1, 2009. Grantees must obligate funds to their subgrantees by September 30, 2009. The Recovery Act requires grantees to expend 60 percent of HPRP grant funds within two years of the date that funds become available to the grantees for obligation (the date that HUD signs the grant agreement), and 100 percent of funds within three years of this date.

F. Additional Overview Content Information:

1. Funding Allocations. As required by the Recovery Act, funds will be allocated according to the formula used for the Emergency Shelter Grants (ESG) Program. Pursuant to HUD's discretion under the Recovery Act, HUD has set a minimum grant amount of \$500,000. Funds for communities that would receive less than this amount will be reallocated to the state in which the community is located. A list of eligible grantees is provided in Appendix A.
2. Modified Requirements for the Consolidated Plan. The requirements at 24 CFR part 91, as modified by this Notice, shall apply to the application and approval process for HPRP funds. Specifically, the following requirements shall apply:
 - a. In order to receive HPRP funds, each eligible grantee must prepare and submit a substantial

amendment to its Consolidated Plan 2008 Action Plan (“substantial amendment”) in accordance with section IV.E. below. The substantial amendment and other required documents must be received by HUD within 60 days of the publication of this Notice.

b. In preparing the substantial amendment, each eligible grantee must follow its citizen participation plan in accordance with 24 CFR part 91, except that the minimum time period for citizens to comment on the substantial amendment shall be reduced to 12 days. HUD does not require that grantees establish a second period of public comment regarding the process for determining subgrantees, but if a grantee has this requirement in place locally, this public comment period may be reduced to 3 days.

c. Each substantial amendment submitted to HUD will be subject to the approval process set forth in 24 CFR 91.500, except that: HUD will approve or disapprove the substantial amendment by July 2, 2009; jurisdictions with disapproved substantial amendments may revise and resubmit a substantial amendment within 15 days after HUD sends the first notification of its disapproval; and HUD will approve or disapprove the revised substantial amendment within 15 days of receiving the resubmission.

d. Grantees are not required to report on uses of HPRP funds in their Consolidated Annual Performance and Evaluation Report (CAPER). Instead, the use of HPRP funds will be subject to the reporting requirements established by the Recovery Act, as specified by HUD and the Office of Management and Budget (OMB).

3. Recovery.gov web site: To encourage transparency, HUD will require grantees receiving assistance under HPRP to provide reports that will be used for postings on the Recovery.gov web site. This portal is designed to provide one centralized location for the public to find and analyze information, and report potential fraud, waste, and abuse pertaining to the Recovery Act.

G. For Further Information: For questions about HPRP, please call 1-800-998-9999. For more information about the HPRP, or to view a copy of the Recovery Act, go to www.hudhre.info. Written questions may be sent to: Ann Marie Oliva, Director, Office of Special Needs Assistance Programs, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7266, Washington, DC, 20410. Persons with hearing or speech impairments may access the above telephone number via TTY by calling the Federal Information Relay Service at 800-877-8339.

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I. Funding Opportunity Description

A. Program Description

1. Description. Congress enacted the Recovery Act to help persons affected by the current economic crisis. The purpose of the Homelessness Prevention and Rapid Re-Housing Program (HPRP) is to provide homelessness prevention assistance to households who would otherwise become homeless—many due to the economic crisis—and to provide assistance to rapidly re-house persons who are homeless as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302). While HUD will allow grantees the discretion to develop prevention and/or rapid re-housing programs that meet locally-defined needs, HUD also expects

that these resources will be targeted and prioritized to serve households that are most in need of this temporary assistance and are most likely to achieve stable housing, whether subsidized or unsubsidized, outside of HPRP after the program concludes. Grantees should take this opportunity to develop strategies to identify eligible program participants, review existing models for prevention and rapid re-housing programs, and create a plan that utilizes all resources available through the Recovery Act in order to provide a comprehensive menu of services to assist eligible program participants.

HPRP is focused on housing for homeless and at-risk households. It will provide temporary financial assistance and housing relocation and stabilization services to individuals and families who are homeless or would be homeless *but for* this assistance. The funds under this program are intended to target two populations of persons facing housing instability: 1) individuals and families who are currently in housing but are at risk of becoming homeless and need temporary rent or utility assistance to prevent them from becoming homeless or assistance to move to another unit (prevention), and 2) individuals and families who are experiencing homelessness (residing in emergency or transitional shelters or on the street) and need temporary assistance in order to obtain housing and retain it (rapid re-housing). Although all eligible activities (described in section IV.A. below) can be used for both populations, considering two eligible populations is a framework for targeting funds that grantees might find useful in establishing local programs and considering the most effective use of funds. HUD is establishing eligibility requirements for program participants (described in section IV.D. below).

It is important to note that HPRP is not a mortgage assistance program. Congress has established other programs to assist with the current mortgage crisis. HPRP funds are only eligible to help program participants—whether they are renters or homeowners about to become

homeless—pay for utilities, moving costs, security deposits and rent in a new unit, storage fees, and other financial costs or services as described in this Notice. HPRP funds are not eligible to pay for any mortgage costs or legal or other fees associated with retaining homeowners' housing.

2. Match. Grantees are not required to match HPRP funds with any other funding source.

3. New Program. Although the funding allocation is based on that of the ESG program, HPRP is a separate program, with a different program purpose and requirements. The table in Appendix B highlights the differences between ESG and HPRP.

B. Definitions

Applicant means a state, territory, metropolitan city, or urban county that submits a substantial amendment and other required documents pursuant to the provisions of this Notice.

Certification means a written assertion, based on supporting evidence, that must be kept available for inspection by HUD, by the Inspector General of HUD, and by the public. The assertion shall be deemed to be accurate unless HUD determines otherwise, after inspecting the evidence and providing due notice and opportunity for comment.

Consolidated Plan means the plan prepared in accordance with 24 CFR Part 91.

Grantee means the legal entity to which HUD awards an HPRP grant and which is accountable for the use of the funds provided.

Homeless means as the term is defined by section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

HUD means the U.S. Department of Housing and Urban Development.

Metropolitan city means a city that was classified as a metropolitan city under section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)) for Fiscal Year 2008.

Non-profit subgrantee means any private non-profit organization to which a grantee provides funds to carry out the eligible activities under the grant and which is accountable to the grantee for the use of funds provided.

Private non-profit organization means an organization described in 26 U.S.C. 501(c) that is exempt from taxation under subtitle A of the Internal Revenue Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance.

Program participant means an individual or family with or without children that is provided HPRP financial assistance or housing relocation and stabilization services through a rapid re-housing or prevention program. In this Notice, the term "household" refers to individuals or families.

State means each of the several States and the Commonwealth of Puerto Rico.

State subgrantee means any unit of general local government or private non-profit organization to which a state distributes HPRP grant amounts.

Subgrantee means any private non-profit organization or unit of general local government to which a grantee provides funds to carry out the eligible activities under the grant and which is accountable to the grantee for the use of the funds provided.

Territory means each of the following: the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

Unit of general local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a state.

Urban county means a county that was classified as an urban county under section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)) for Fiscal Year 2008.

II. ALLOCATIONS

A. Initial Allocation

1. Allocation Formula. The Recovery Act directs HUD to allocate funds to grantees that are eligible under the ESG program, as defined and designated in sections 411 and 412 of subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, pursuant to the formula authorized by section 413 of that Act. States, urban counties, metropolitan cities, and U.S. territories are eligible grantees under HPRP. Of the \$1.5 billion total appropriated by the Recovery Act for HPRP, Congress set aside 0.5 percent (\$7.5 million) for a portion of HUD's administration of this assistance, including staffing, training, technical assistance, technology, monitoring, research, and evaluation activities. Therefore, \$1,492,500,000 is available for allocation to eligible grantees. Pursuant to law, U.S. territories received 0.2 percent of the total amount of the funding allocation, or \$3,000,000, to be distributed among the several territories based on the ESG formula. After subtracting the grant amount designated for territories, HUD used the ESG formula to allocate the remaining amount, or \$1,489,500,000, to metropolitan cities, urban counties, and states.

2. Minimum Grant Size. Under the ESG program, if, after allocation, any metropolitan city or urban county would receive a grant less than 0.05 percent of the funds available, such amount would be instead reallocated to the state. The Recovery Act provides that the Secretary may establish a minimum grant size for HPRP. The Secretary has utilized this discretion to set the grant minimum at \$500,000, rather than 0.05 percent (or approximately \$750,000), in order to increase the number of metropolitan cities and urban counties eligible to directly receive formula funds under HPRP. Funds for urban counties and metropolitan cities that fell under this threshold were reallocated to the state in which the jurisdiction was located. The \$500,000 grant

minimum resulted in 485 metropolitan cities and urban counties eligible to receive funding, compared to 305 metropolitan cities and urban counties funded under the ESG program. This represents an increase of 180 eligible metropolitan cities and urban counties. Including states and territories, a total of 540 grantees are eligible to receive HPRP funds.

3. Eligible Grantees. Attachment A of this Notice lists all HPRP eligible grantees and the amounts they are eligible to receive.

B. Reallocation

1. Reallocation of Initial Grant. HUD encourages each local jurisdiction receiving an allocation to carefully consider its administrative capacity to use the funds within the statutory deadlines, compared to the capacity of the state administrator. HUD expects that, after such consideration, some jurisdictions may choose to apply for less than the full amount, which will allow the balance of their grants to be reallocated to the state.

a. Declining the grant. If an eligible grantee receiving an allocation of funds under this Notice (as designated in Attachment A) wishes to decline its allocation, the legally authorized official must notify its local HUD field office in writing of its intent to do so. A list of field office contacts is available at: <http://www.hud.gov/offices/cpd/about/staff/fodirectors/>.

b. Requesting less than the allocation. If an eligible grantee wishes to request less than the total allocation amount for which it is eligible, the legally authorized official must notify its local HUD field office in writing of the amount it will request on or before May 18, 2009.

c. Failure to submit a complete application. If an eligible grantee fails to submit a substantially complete substantial amendment for its grant allocation within the timeframes established in sections IV.E. and IV.F. of this Notice, HUD will notify the jurisdiction of the cancellation of its allocation amount and proceed to reallocate the funds.

d. Distribution of reallocated funds. In the case where an urban county or metropolitan city refuses or requests less than its allocation, HUD will reallocate the funds to the state in which the jurisdiction is located. For a state or territory that refuses or requests less than its allocation, HUD will reallocate the funds nationally according to the original formula.

2. Reallocation at 2-Year Statutory Expenditure Deadline. The Recovery Act requires HUD to obligate all funds to grantees by September 30, 2011. In order to meet this requirement and allow for reallocation if grantees have not spent 60 percent of their funds within 2 years, HUD will be closely tracking grantee expenditures via quarterly reporting and the Integrated Disbursement and Information System (IDIS). If any grantee fails to meet the statutory requirement to expend at least 60 percent of its grant amount within 2 years of the date of the grant agreement, or, for grants signed after July 30, 2009 where it appears that the grantee will fail to meet this requirement, HUD will notify the grantee no later than August 1, 2011, and allow the grantee 21 days to submit information to HUD regarding any additional eligible expenses of HPRP funds accrued within the 2-year period in order to bring grantees into compliance with the 60 percent expenditure threshold. If the grantees cannot do this, HUD may then proceed to recapture the unused HPRP funds and reallocate them. The Secretary will determine the process for reallocation of HPRP funds and notify grantees regarding details at a later date. Grantees should note that all reallocated funds received must be expended within 3 years of the date of the grantee's original grant agreement.

III. WHO MAY CARRY OUT ELIGIBLE ACTIVITIES

A. States

A state grantee must make available all of its formula allocation, except for an appropriate share of funds for administrative costs, to the subgrantees listed below to carry out all eligible

activities. Any organization receiving HPRP funds shall be subject to all of the requirements that apply to the grantee under this Notice.

1. Units of general local government in the state, which may include metropolitan cities and urban counties that receive grant amounts directly from HUD.
2. Private non-profit organizations, if the local government for the locality in which the program is located certifies that it approves of the program.

B. Metropolitan Cities, Urban Counties, and Territories

Metropolitan cities, urban counties, and territories, or an agency of those governments, may directly carry out eligible activities, or may distribute all or part of their grant amounts to private non-profit organizations to carry out HPRP activities. Any organization receiving HPRP funds shall be subject to all of the requirements that apply to the grantee under this Notice.

C. Alternate Grant Arrangements

Any local government grantee may enter into a subgrant with another local government to carry out the program. A local government grantee may choose this arrangement because another local government has greater capacity or because the grantee wants its program to be cooperatively carried out with another local government. Any organization receiving HPRP funds shall be subject to all of the requirements that apply to the grantee under this Notice.

IV. REQUIREMENTS FOR FUNDING

A. Eligible Activities

Grant funds must be used for eligible activities as described in this Notice. There are four categories of eligible activities for the HPRP program: financial assistance, housing relocation and stabilization services, data collection and evaluation, and administrative costs. These eligible activities are intentionally focused on housing—either financial assistance to help pay

for housing, or services designed to keep people in housing or to find housing. Generally, the intent of HPRP assistance is to rapidly transition program participants to stability, either through their own means or through public assistance, as appropriate. HPRP assistance is not intended to provide long-term support for program participants, nor will it be able to address all of the financial and supportive services needs of households that affect housing stability. Rather, assistance should be focused on housing stabilization, linking program participants to community resources and mainstream benefits, and helping them develop a plan for preventing future housing instability. Grantee programs should therefore ensure that there is a clear process for determining the type, level, and duration of assistance for each program participant.

1. Financial Assistance. Financial assistance is limited to the following activities: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel and hotel vouchers. Grantees and subgrantees must not make payments directly to program participants, but only to third parties, such as landlords or utility companies. In addition, an assisted property may not be owned by the grantee, subgrantee or the parent, subsidiary or affiliated organization of the subgrantee.

a. Rental Assistance.

(1) Short- and medium-term rental assistance are tenant-based rental assistance that can be used to allow individuals and families to remain in their existing rental units or to help them obtain and remain in rental units they select. Short-term rental assistance may not exceed rental costs accrued over a period of 3 months. Medium-term rental assistance may not exceed actual rental costs accrued over a period of 4 to 18 months. No program participant may receive more than 18 months of assistance under HPRP. After 3 months, if program participants receiving short-term rental assistance need additional financial assistance to remain housed, they must be evaluated

for eligibility to receive up to 15 additional months of medium-term rental assistance, for a total of 18 months. HUD is requiring grantees and subgrantees to certify eligibility at least once every 3 months for all program participants receiving medium-term rental assistance. HUD additionally encourages grantees and subgrantees to provide ongoing case management, as needed, to all program participants receiving rental assistance in order to transition them to independence, including permanent housing arrangements (subsidized or unsubsidized).

(2) The grantee determines the amount of short-term and medium-term rental assistance provided, such as “shallow subsidies” (payment of a portion of the rent), payment of 100 percent of the rent charged, or graduated/declining subsidies. A grantee may also set a maximum amount of assistance that a single individual or family may receive from HPRP funds, or may set a maximum number of times that an individual or family may receive assistance, as long as the total amount of assistance that any individual or family receives does not exceed an amount equal to 18 months of rental assistance. Grantees may require program participants to share in the costs of rent, utilities, security and utility deposits, moving, hotel or motel, and other expenses as a condition of receiving HPRP financial assistance. For example, a program may require a program participant to pay a portion of the rent expense for a unit. HPRP assistance should be “needs-based,” meaning that grantees and/or subgrantees should determine the amount of assistance based on the minimum amount needed to prevent the program participant from becoming homeless or returning to homelessness in the near term. This will also help communities to utilize program resources efficiently to serve as many households as possible.

(3) Rental assistance may also be used to pay up to 6 months of rental arrears for eligible program participants. Rental arrears may be paid if the payment enables the program participant to remain in the housing unit for which the arrears are being paid or move to another unit. If

HPRP funds are used to pay rental arrears, arrears must be included in determining the total period of the program participant's rental assistance, which may not exceed 18 months.

(4) The rental assistance paid cannot exceed the actual rental cost, which must be in compliance with HUD's standard of "rent reasonableness." "Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units. To make this determination, the grantee or subgrantee should consider (a) the location, quality, size, type, and age of the unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner. Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). For more information, see HUD's worksheet on rent reasonableness at:

www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc.

(5) Rental assistance payments cannot be made on behalf of eligible individuals or families for the same period of time and for the same cost types that are being provided through another federal, state or local housing subsidy program. Cost types are the categories of eligible HPRP financial assistance: rent, either the client portion or the subsidy; security deposits, utility deposits, utility payments, moving cost assistance, and hotel/motel vouchers.

b. Security and utility deposits. HPRP funds may be used to pay for security deposits, including utility deposits, for eligible program participants. In contrast to the requirements regarding rental assistance payments, security and utility deposits covering the same period of time in which

assistance is being provided through another housing subsidy program are eligible, as long as they cover separate cost types. One example of this would be providing a security deposit for a participant in the HUD-VA Supportive Housing (HUD-VASH) program, which provides rental assistance and services. A program description of HUD-VASH can be found at:

<http://www.hud.gov/offices/pih/programs/hcv/vash/index.cfm>.

c. Utility payments. HPRP funds may be used for up to 18 months of utility payments, including up to 6 months of utility payments in arrears, for each program participant, provided that the program participant or a member of his/her household has an account in his/her name with a utility company or proof of responsibility to make utility payments, such as cancelled checks or receipts in his/her name from a utility company.

d. Moving cost assistance. HPRP funds may be used for reasonable moving costs, such as truck rental, hiring a moving company, or short-term storage fees for a maximum of 3 months or until the program participant is in housing, whichever is shorter.

e. Motel and hotel vouchers. HPRP funds may be used for reasonable and appropriate motel and hotel vouchers for up to 30 days if no appropriate shelter beds are available and subsequent rental housing has been identified but is not immediately available for move-in by the program participants.

2. Housing Relocation and Stabilization Services. HPRP funds may be used for services that assist program participants with housing stability and placement. These services are limited to the following eligible activities:

a. Case management. HPRP case management funds may be used for activities for the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of program participants and helping them obtain housing stability. Component services

and activities may include: counseling; developing, securing, and coordinating services; monitoring and evaluating program participant progress; assuring that program participants' rights are protected; and developing an individualized housing and service plan, including a path to permanent housing stability subsequent to HPRP financial assistance.

b. Outreach and engagement. HPRP funds may be used for services or assistance designed to publicize the availability of programs to make persons who are homeless or almost homeless aware of these and other available services and programs.

c. Housing search and placement. HPRP housing search and placement funds may be used for services or activities designed to assist individuals or families in locating, obtaining, and retaining suitable housing. Component services or activities may include: tenant counseling; assisting individuals and families to understand leases; securing utilities; making moving arrangements; representative payee services concerning rent and utilities; and mediation and outreach to property owners related to locating or retaining housing.

d. Legal services. HPRP funds may be used for legal services to help people stay in their homes, such as services or activities provided by a lawyer or other person(s) under the supervision of a lawyer to assist program participants with legal advice and representation in administrative or court proceedings related to tenant/landlord matters or housing issues. Legal services related to mortgages are not eligible.

e. Credit repair. HPRP funds may be used for services that are targeted to assist program participants with critical skills related to household budgeting, money management, accessing a free personal credit report, and resolving personal credit issues.

3. Data Collection and Evaluation.

a. Data Collection. The Recovery Act requires that data collection and reporting for HPRP be

conducted through the use of Homeless Management Information Systems (HMIS) or a comparable client-level database. Therefore, reasonable and appropriate costs associated with operating an HMIS for purposes of collecting and reporting data required under HPRP and analyzing patterns of use of HPRP funds are eligible. Eligible costs include the purchase of HMIS software and/or user licenses, leasing or purchasing needed computer equipment for providers and the central server, costs associated with data collection, entry and analysis, and staffing associated with the operation of the HMIS, including training. HMIS activities that are ineligible include planning and development of HMIS systems, development of new software systems, and replacing state and local government funding for an existing HMIS. Only those jurisdictions that do not have an HMIS already implemented may use a portion of these funds for HMIS implementation or start-up activities.

b. Evaluation. Grantees and subgrantees must comply if asked to participate in HUD-sponsored research and evaluation of HPRP. HPRP funds are eligible for costs to the grantee of participating in HUD research and evaluation of the program.

4. Administrative Costs.

a. Administrative costs may be used for: pre-award administrative costs, as defined in section b. below; accounting for the use of grant funds; preparing reports for submission to HUD; obtaining program audits; similar costs related to administering the grant after the award; and grantee or subgrantee staff salaries associated with these administrative costs. Administrative costs also include training for staff who will administer the program or case managers who will serve program participants, as long as this training is directly related to learning about HPRP.

Administrative costs *do not* include the costs of issuing financial assistance, providing housing relocation and stabilization services, or carrying out eligible data collection and evaluation

activities, as specified above, such as grantee or subgrantee staff salaries, costs of conducting housing inspections, and other operating costs. These costs should be included under one of the three other eligible activity categories.

b. Pre-award administrative costs. Given the urgent need in many communities for this funding and the short timeframe set forth in section V.A.1. for obligation to grantees, grantees will need to act quickly to prepare the HPRP substantial amendment and to undertake other administrative actions. Therefore, HUD is granting permission to grantees receiving a direct allocation of HPRP funds (see Attachment A) to incur pre-award costs in accordance with OMB Circular A-87, Attachment B, paragraph 31 (24 CFR part 225, Appendix B, paragraph 31). All costs and activities funded with pre-award HPRP funds must comply with the Recovery Act statutory language relevant to HPRP, and they must comply with the requirements of HPRP as described in this Notice. Eligible pre-award costs that grantees may incur are costs that are directly related to preparing the application for submission to HUD, starting with the publication of this Notice and ending with the submission of the substantial amendment or, if applicable, the revised substantial amendment. This includes, but is not limited to, staff costs for preparing the substantial amendment and publication, other costs related to the public comment process, or costs related to participation in HUD-sponsored HPRP training.

c. Limitations on administrative costs. No more than 5 percent of the total HPRP grant to the grantee may be spent on administrative costs, whether by the grantee or subgrantee(s). In addition, all administrative costs must be incurred, and all funds for administrative costs must be drawn down from IDIS (defined in section V.B.), prior to the 3-year expenditure deadline (described in section V.A.2).

d. Sharing of administrative funds. Grantees shall share a reasonable and appropriate amount of

their administrative funds with subgrantees.

B. Ineligible and Prohibited Activities

1. **Coordination with Recovery Act Resources.** Grantees are strongly encouraged, as part of local planning, to maximize all resources that may be available with Recovery Act funds other than HPRP (see chart on Recovery Act resources located at www.hudhre.info). A grantee's local plan for spending HPRP funds should coordinate closely with other Recovery Act funding streams, so that eligible activities under other Recovery Act programs are aligned with HPRP funds to create a comprehensive package of housing and service options available to eligible program participants. The intent of HPRP is to provide funding for housing expenses to persons who are homeless or who would be homeless if not for this assistance. Therefore, financial assistance or services to pay for expenses that are available through other Recovery Act programs, including child care and employment training, are not eligible. Case managers should work to link program participants to these other resources.
2. **Mortgage Costs are Ineligible.** Financial assistance may not be used to pay for any mortgage costs or costs needed by homeowners to assist with any fees, taxes, or other costs of refinancing a mortgage to make it affordable.
3. **Other Ineligible and Prohibited Activities.** HPRP funds may not be used to pay for any of the following items: construction or rehabilitation; credit card bills or other consumer debt; car repair or other transportation costs; travel costs; food; medical or dental care and medicines; clothing and grooming; home furnishings; pet care; entertainment activities; work or education related materials; and cash assistance to program participants. HPRP funds may not be used to develop discharge planning programs in mainstream institutions such as hospitals, jails, or prisons. Finally, while training for case managers and program administrators is an eligible

administrative cost as long as it is directly related to HPRP program operations, HPRP funds may not be used to pay for certifications, licenses, and general training classes. Programs may not charge fees to HPRP program participants. Any HPRP funds used to support program participants must be issued directly to the appropriate third party, such as the landlord or utility company, and in no case are funds eligible to be issued directly to program participants. If funds are found to be used for ineligible activities as determined by HUD, the grantee will be required to reimburse its line of credit.

C. Discharge Coordination Policy

Grantees must agree to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions), in order to prevent such discharge from immediately resulting in homelessness for such persons. Developing or updating system discharge plans and policies is not an eligible expense under HPRP. However, persons who are being imminently discharged into homelessness from such publicly funded institutions are eligible to receive financial assistance or services through HPRP as long as they meet the minimum requirements as discussed in section D.2. below.

D. Eligible Program Participants

1. General. HUD allows grantees significant discretion in program design and operation while targeting those who are most in need of temporary homelessness prevention and rapid re-housing assistance. When establishing local programs, grantees should consider how their programs will identify eligible program participants and meet their needs as intended by the Recovery Act. Grantees should consider serving two eligible populations with HPRP funds: persons who are

still housed but at risk of becoming homeless and persons who are already homeless. Although persons in both target populations are eligible to receive financial assistance and services under HPRP, creating this distinction can help communities serve households most in need of temporary assistance, as well as track the funds used for rapid re-housing and prevention. Since not all program participants in either of the target populations will have the same level of need, it is not expected that all persons in each target population will receive identical levels of assistance. For example, the scope and intensity of assistance provided to a homeless family may be greater than that provided to a homeless individual. Likewise, a family on the verge of becoming homeless within a few days may require more services or a higher level of assistance than a family whose risk of homelessness is not as imminent or one who may only need a shorter period of financial assistance. Grantees are responsible for verifying and documenting the individuals' risk of homelessness that qualifies them for receiving rental assistance. HUD requires grantees and/or subgrantees to evaluate and certify the eligibility of program participants at least once every 3 months for all persons receiving medium-term rental assistance. Similarly, grantees and subgrantees should carefully assess a household's need and appropriateness for HPRP. If the household needs more intensive supportive services or long-term assistance, or if a household is not at risk of homelessness, grantees and subgrantees should work to link them to other appropriate available resources.

2. Requirements for All Program Participants. In order to receive financial assistance or services funded by HPRP, individuals and families—whether homeless or housed—must at least meet the following minimum criteria:

1) Any individual or family provided with financial assistance through HPRP must have at least an initial consultation with a case manager or other authorized representative who can determine

the appropriate type of assistance to meet their needs. HUD encourages communities to have a process in place to refer persons ineligible for HPRP to the appropriate resources or service provider that can assist them.

2) The household must be at or below 50 percent of Area Median Income (AMI). Income limits are available on HUD's web site at: <http://www.huduser.org/DATASETS/il.html>. Grantees should use HUD's Section 8 income eligibility standards for HPRP.

3) The household must be either homeless or at risk of losing its housing and meet both of the following circumstances: (1) no appropriate subsequent housing options have been identified; AND (2) the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing.

3. Prevention Assistance. While HUD's definition of homelessness is well-understood, it can be more challenging to identify persons who are housed but who have a very high risk of becoming homeless. There are many people who are housed and have great need but would not become homeless if they did not receive assistance. HUD strongly encourages grantees and subgrantees to target prevention assistance to those individuals and families at the greatest risk of becoming homeless. It is helpful to remember that the defining question to ask is: "Would this individual or family be homeless *but* for this assistance?"

The requirements set forth in paragraph 2 of this section establish HUD's minimum conditions that an individual or family must meet in order to receive assistance through HPRP. However, HUD strongly encourages communities to consider more factors when designing their local programs and determining a household's level of need for receiving assistance through HPRP. To aid grantees and subgrantees in targeting HPRP funds toward persons most at risk of becoming homeless, a number of potential "risk factors" are listed below that could indicate that

a person or family is at a higher risk of becoming homeless. This list represents examples of some commonly identified risk factors for homelessness from scholarly research and practical experience drawn from existing homelessness prevention programs. One way a grantee or subgrantee could use these factors would be to consider the first four criteria on this list as indicative of the most urgent need, and could require that a program participant meet one of these criteria in order to receive the most expensive benefit, “medium-term” rental assistance. Likewise, a grantee might require that a program participant have at least two or more of the risk factors to qualify for any assistance. Grantees and subgrantees should note, however, that this list is optional and not exhaustive; grantees and subgrantees may consider other risk factors or other ways to target persons at risk of homelessness when developing local programs and requirements. Grantees and subgrantees may also consider the expected ability of the program participant to achieve stable housing, unsubsidized or subsidized, outside of HPRP. HUD will provide technical assistance to communities to assist them in developing local programs.

The risk factors for homelessness for consideration by grantees and subgrantees in developing their programs are as follows:

- Eviction within 2 weeks from a private dwelling (including housing provided by family or friends);
- Discharge within 2 weeks from an institution in which the person has been a resident for more than 180 days (including prisons, mental health institutions, hospitals);
- Residency in housing that has been condemned by housing officials and is no longer meant for human habitation;
- Sudden and significant loss of income;
- Sudden and significant increase in utility costs;

- Mental health and substance abuse issues;
- Physical disabilities and other chronic health issues, including HIV/AIDS;
- Severe housing cost burden (greater than 50 percent of income for housing costs);
- Homeless in last 12 months;
- Young head of household (under 25 with children or pregnant);
- Current or past involvement with child welfare, including foster care;
- Pending foreclosure of rental housing;
- Extremely low income (less than 30 percent of Area Median Income);
- High overcrowding (the number of persons exceeds health and/or safety standards for the housing unit size);
- Past institutional care (prison, treatment facility, hospital);
- Recent traumatic life event, such as death of a spouse or primary care provider, or recent health crisis that prevented the household from meeting its financial responsibilities;
- Credit problems that preclude obtaining of housing; or
- Significant amount of medical debt.

4. Rapid Re-Housing Assistance. Rapid re-housing assistance is available for persons who are homeless according to HUD's definition. Individuals and families who meet one of the following criteria, along with the minimum requirements established in paragraph 2 of this section, are eligible under the rapid re-housing portion of HPRP:

- a. Sleeping in an emergency shelter;
- b. Sleeping in a place not meant for human habitation, such as cars, parks, abandoned buildings, streets/sidewalks;
- c. Staying in a hospital or other institution for up to 180 days but was sleeping in an emergency

shelter or other place not meant for human habitation (cars, parks, streets, etc.) immediately prior to entry into the hospital or institution;

d. Graduating from, or timing out of a transitional housing program; and

e. Victims of domestic violence.

Generally, rapid re-housing program models include short- or medium-term rental assistance and services for households who have barriers to housing, but who are likely to sustain housing after the subsidy ends. The purpose of HPRP rapid re-housing funds is to assist eligible program participants to quickly obtain and sustain stable housing. Therefore, organizations providing assistance should utilize a process to assess, for all potential program participants, their level of service need, other resources available to them, and the appropriateness of their participation in the rapid re-housing assistance portion of HPRP. Program participants who require longer-term housing assistance and services should be directed to programs that can provide the requisite services and financial assistance.

Persons familiar with the Rapid Re-Housing Demonstration Program in the 2008 Continuum of Care competition should note that these funds are not subject to the same requirements as under that demonstration program. HPRP provides flexibility to grantees to use these funds in a way that meets the needs of the community, as long as grantees, subgrantees, and program participants meet the requirements established in this Notice.

E. Application Requirements

1. Required Submission Documents. HUD will consider a completed application to contain the following three documents:

a. A completed and signed Standard Form 424 (SF-424);

b. A completed and signed substantial amendment using form HUD-40119; and

c. A signed copy of the required certifications.

2. Substantial Amendment. To receive its grant allocation, each grantee must prepare and submit to HUD for approval a substantial amendment to its Consolidated Plan 2008 Action Plan using the form HUD-40119. Each grantee must prepare its substantial amendment in accordance with the Consolidated Plan procedures as modified by this Notice, or HUD will reallocate the funds allocated for that grantee. Eligible grantees must download a copy of HUD-40119 to use in completing and submitting their HPRP substantial amendment from HUD's web site at: www.hud.gov/recovery. To request a paper copy of this form, call 1-800-998-9999. HUD will not approve and will return to the grantee amendments not submitted in the required format. The substantial amendment form requires the grantee to address six major components of its plan to use HPRP funds:

- a. Grantee contact information;
- b. The citizen participation plan and public comments received;
- c. The grantee's plan for distribution, administration, and oversight of funds;
- d. The grantee's plan for collaboration with local organizations receiving Recovery Act funds and Continuums of Care, and ensuring consistency with the Consolidated Plan;
- e. An estimated budget for HPRP funds; and
- f. The signature of the official authorized to sign the substantial amendment.

3. Deadline. To receive funding, each eligible HPRP grantee listed in Attachment A must ensure that its complete application is postmarked no later than May 18, 2009. Some grantees' local Consolidated Plan processes require that the grantee make available for public comment a list of the proposed awards to subgrantees prior to finalizing agreements with those subgrantees. A grantee with such local requirements or other timing considerations may need to submit its

application in advance of the May 18 deadline in order to obligate funds to subgrantees by September 30, 2009.

4. Process for Submission. Each eligible grantee must provide HUD with two hard copies of the completed substantial amendment, along with the required SF-424 form and certifications. Each eligible grantee must send one hard copy to HUD Headquarters in Washington, DC, and the other to the appropriate HUD Field Office.

a. Addresses for submission:

(1) To HUD Headquarters. Submit the original completed HPRP application (the HPRP substantial amendment form with the other original signed documents) to: U.S. Department of Housing and Urban Development, Office of Special Needs Assistance Programs, Robert C. Weaver Building, 451 Seventh Street, SW, Room 7262, Washington, DC 20410, Attention: Homelessness Prevention and Rapid Re-Housing Program.

(2) To the appropriate CPD Field Office. Also submit one copy of the completed substantial amendment package to the Office of Community Planning and Development of the appropriate HUD field office for your jurisdiction. Please see the following web site for field office addresses: <http://www.hud.gov/localoffices.cfm>.

b. Security procedures. HUD recommends grantees use the United States Postal Service (USPS) to submit their substantial amendment packages. However, grantees may also use United Parcel Service (UPS), FedEx, or DHL. Due to HUD security regulations, no other delivery service is permitted into HUD Headquarters without escort. Grantees must, therefore, use one of the four carriers listed above.

5. Posting Substantial Amendments Online. To improve transparency, HUD strongly recommends that each grantee post its substantial amendment materials on the grantee's official

website as the materials are developed, published, and submitted to HUD.

6. Coordination with CDBG-R. Many grantees will be simultaneously developing a substantial amendment for funding under the Community Development Block Grant-Recovery (CDBG-R) program, pursuant to the requirements in the CDBG-R Notice. In order to ease administrative burden for grantees, any HPRP grantee that is receiving a direct allocation of CDBG-R funding may consolidate the two amendment processes and may submit their CDBG-R substantial amendment simultaneously with their HPRP substantial amendment by the HPRP submission deadline. Grantees interested in this option must also follow the requirements and guidelines described in the CDBG-R Notice.

7. Coordination with Other Community Planning Efforts. Each grantee must coordinate with the local Continuum(s) of Care (CoC) to ensure that HPRP activities are aligned with the CoC's strategies for preventing and ending homelessness (state grantees may designate subgrantees to assume this responsibility). Because persons who are homeless are eligible to receive assistance through HPRP, the impact of these funds will ultimately be reported by CoCs through required point-in-time counts and through other data collected by HUD. In addition, HUD strongly encourages grantees to coordinate with other local organizations that are planning and carrying out activities related to prevention and rapid re-housing. Such organizations include other Continuums of Care, FEMA Boards, local agencies responsible for administering and implementing ten-year plans (and other plans) to end homelessness, and agencies that administer mainstream resources such as Temporary Assistance to Needy Families (TANF).

HUD also strongly encourages grantees to ensure that program participants are enrolled in all applicable mainstream resources. In particular, grantees should carefully assess how HPRP funds can be used in conjunction with other funds from the Recovery Act to prevent

homelessness and rapidly re-house homeless persons, and plan a coordinated approach to serving similar target populations. Federal agencies that received funding for serving persons who are homeless or unstably housed include the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor.

8. DUNS Number. All grantees and subgrantees are required to register with Dun and Bradstreet to obtain a DUNS number, if they have not already done so, and complete or renew their registration in the Central Contractor Registration (CCR). For more information see 73 FR 23483, April 30, 2008 or go to www.dnb.com.

9. Compliance with Fair Housing and Civil Rights Laws. (1) Grantees and subgrantees must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a). (2) If the grantee or subgrantee: (a) Has been charged with an ongoing systemic violation of the Fair Housing Act; or (b) Is a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an ongoing pattern or practice of discrimination; or (c) Has received a letter of findings identifying ongoing systemic noncompliance under Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, or section 109 of the Housing and Community Development Act of 1974, and the charge, lawsuit, or letter of findings referenced in subparagraphs (a), (b), or (c) above has not been resolved to HUD's satisfaction before the application deadline, then the grantee is ineligible. HUD will determine if actions to resolve the charge, lawsuit, or letter of findings are sufficient to resolve the matter. Examples of actions that would normally be considered sufficient to resolve the matter include, but are not limited to: (i) A voluntary compliance agreement signed by all parties in response to a letter of findings; (ii) A HUD-approved conciliation agreement signed by all parties; (iii) A consent order or consent decree; or (iv) An issuance of a final judicial ruling or a HUD Administrative Law Judge's

decision.

F. Review and Approval of Applications

1. Review of Applications. HUD will review each application for completeness and consistency with the requirements of this Notice, and will disapprove incomplete and inconsistent substantial amendments in accordance with 24 CFR 91.500. HUD will notify the grantee within 45 days of receipt, and no later than July 2, 2009, that it was either accepted or that it did not meet the requirements of this Notice. If HUD fails to review and/or notify the grantee of approval or required resubmission within 45 days of receipt of the application, the grantee may consider it automatically approved.

2. Resubmission. If the application is not approved, the grantee may submit a revised application to HUD, and will have 15 days after HUD sends the first notification of its disapproval to do so, per the same submission requirements above. HUD will then approve or disapprove the revised application within 15 days of receiving the resubmission.

3. Conditional Grant. For HPRP grantees that HUD determines are high risk in accordance with 24 CFR 85.12(a), HUD will apply additional grant conditions in accordance with 24 CFR 85.12(b) (see Appendix D of this Notice). Conditional grants may be made where there is substantial evidence that there has been, or there will be, a failure to meet the requirements of this Notice. In such a case, the reason for the conditional grant, the action necessary to remove the condition, and the deadline for taking those actions will be specified. Failure to satisfy the condition may result in imposition of a sanction or in any other action authorized under applicable federal law.

4. Grant Agreement. The grant will be made by means of a grant agreement executed by HUD and the grantee. The statutory 2- and 3-year deadlines for expenditure of funds begin when the

grant agreement is signed by HUD. The grantee must sign and return the grant agreement to HUD within 15 days of the date that HUD signs the grant agreement, or risk losing part or all of the grant amount. Grantees should ensure that sufficient planning is in place to begin to expend funds shortly after the grant agreement is executed.

5. Line of Credit. After HUD processes and approves the substantial amendment and there is a fully executed grant agreement, HUD will establish the grantee's line of credit in the amount of funds included in the substantial amendment, up to the allocation amount.

V. Post-Award Process Requirements

A. Deadlines for Using Grant Amounts

1. Grantee Obligation. Grantees must award or enter into legally binding grant agreements with all subgrantees by September 30, 2009.

2. Expenditure. Each grantee must draw down from IDIS 60 percent of its HPRP grant funds within 2 years of the date that HUD signed the grant agreement, and 100 percent of funds within 3 years of this date. No funds may be drawn down from IDIS after the 3-year expenditure deadline. If a grantee cannot spend 60 percent of its grant funds within 2 years of the date that HUD signed the grant agreement, HUD will reallocate the grantee's funds. See Section II.B.2 of this Notice for the process of reallocation.

B. Method of Payment

Payments are made to the grantee upon its request after the grant agreement has been fully executed. Grantees will use the Integrated Disbursement and Information System (IDIS) to draw down funds. A draw-down is a request for payment against a grantee's line of credit for allowable costs (defined in OMB Circulars A-87 and A-122 (2 CFR parts 225 and 230)) for eligible HPRP activities. Unlike ESG, grantees and subgrantees may be paid in advance,

pursuant to procedures outlined in 24 CFR 84.22 for non-profit organizations and 24 CFR 85.21 for units of government.

C. Timeliness Standards

HUD requires that the grantee, or subgrantee if applicable, draw down funds at least quarterly from IDIS.

D. Confidentiality

Each HPRP grantee or subgrantee must develop and implement procedures to ensure:

- (1) The confidentiality of records pertaining to any individual provided with assistance; and
- (2) That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

E. Termination of Housing Assistance

The grantee may terminate assistance to a program participant who violates program requirements. Grantees may resume assistance to a program participant whose assistance was previously terminated. In terminating assistance to a program participant, the grantee must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process, at a minimum, must consist of:

- (1) Written notice to the program participant containing a clear statement of the reasons for termination;
- (2) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- (3) Prompt written notice of the final decision to the program participant.

F. Responsibility for Grant Administration

Grantees are responsible for ensuring that HPRP amounts are administered in accordance with the requirements of this Notice and other applicable laws. Each grantee is responsible for ensuring that its subgrantees carry out the HPRP eligible activities in compliance with all applicable requirements.

G. Recordkeeping

Each grantee and subgrantee must keep any records and make any reports (including those pertaining to race, ethnicity, gender, and disability status data) that HUD may require within the timeframe required.

H. Sanctions

1. HUD Sanctions. If HUD determines that, after following appropriate procedures, a grantee is not complying with the requirements of this Notice or of other applicable federal laws, HUD may (in addition to any remedies that may otherwise be available) take any of the following sanctions, as appropriate:

- a. Issue a warning letter that further failure to comply with such requirements will result in a more serious sanction;
- b. Direct the grantee to cease incurring costs with grant funds; or
- c. Require that some or all of the grant amounts be remitted to HUD.

2. Grantee Sanctions. If a grantee determines that a subgrantee is not complying with the requirements of this Notice or other applicable federal laws, the grantee must take appropriate actions, which may include the actions described in part 1 of this section. Any grant amounts that become available to a state as a result of a sanction under this section must, at the option of the state, be made available (as soon as practicable) to other private non-profit organizations or units of general local government located in the state for use within the time periods specified in

this Notice, or to HUD for reallocation.

I. Monitoring

Grantees are responsible for monitoring all HPRP activities, including activities that are carried out by a subgrantee, to ensure that the program requirements established by this Notice and any subsequent guidance are met. The grantees must follow the monitoring procedures it established in its substantial amendment submitted for HPRP or as described in its approved Consolidated Plan. Monitoring may be conducted by the local HUD Office of Community Planning and Development, HUD's Office of Special Needs Assistance Programs, HUD's Office of Inspector General, HUD's Office of Fair Housing and Equal Opportunity, or another federal agency to determine whether the grantee complied with the requirements of this program.

J. Summary of the Expedited Process for HPRP Grant Allocations

In combination, the Notice requirements provide the following expedited steps for HPRP grants:

- Proposed substantial amendment published according to the citizen action plan, except that the public comment period may be reduced to 12 calendar days;
- Final application submitted to HUD on or before May 18, 2009 (grant application includes the substantial amendment, SF-424, and certifications);
- HUD expedites review, completing all reviews not requiring additional information from the grantee by July 2, 2009;
- HUD either accepts the substantial amendment and prepares a cover letter, grant agreement, and grant conditions, or disapproves it after allowing the grantee a resubmission;
- Grant agreement is signed by HUD and immediately transmitted to the grantee, "starting the clock" for statutory expenditure deadlines;

- Grantee signs and returns the grant agreements;
- After all requirements are complete and approved by HUD, the grantee may draw down funds from the line of credit and reimburse any eligible pre-award costs incurred.
- Grantee signs agreements with subgrantees by September 30, 2009;
- Initial Performance Report is due to HUD October 10, 2009;
- Quarterly Performance Reports are due to HUD 10 days after the end of each quarter, and Annual Performance Reports are due 60 days after the end of each federal fiscal year;
- Grantee expends 60 percent of grant funds within 2 years of the date that HUD signed the grant agreement. Funds may be recaptured and reallocated if not spent;
- Grantee expends 100 percent of grant funds within 3 years of the date HUD signed the grant agreement. Funds will be recaptured if not spent.

VI. Reporting Requirements

A. IDIS

Grantees, and as applicable, subgrantees, will use the Integrated Disbursement and Information System (IDIS) to draw down HPRP funding and report on grant expenditures.

B. HMIS

The Recovery Act requires HPRP grantees to report client-level data, such as the number of persons served and their demographic information, in a Homeless Management Information System (HMIS) or a comparable database. HMIS is an electronic data collection system that facilitates the collection of information on persons who are homeless or at risk of becoming homeless, that is managed and operated locally. HPRP grantees and subgrantees providing financial assistance and services directly will use the HMIS in the applicable Continuum of Care to collect data and report on outputs and outcomes as required by HUD. The required data

elements that will be collected in HMIS for HPRP will be included in the revised HMIS Data and Technical Standards, which are forthcoming. If an HMIS has not been implemented in the HPRP grantee's jurisdiction, the grantee may use an alternate system for collecting and reporting data to HUD as long as it meets the data collection and reporting requirements set forth in this Notice and is consistent with HUD's HMIS Data and Technical standards. A list of Continuums of Care is available at: <http://www.hudhre.info/index.cfm?do=viewCocContacts>.

C. Performance Reports

1. The Recovery Act requires grantees to submit quarterly reports. It also requires grantees to have systems and internal controls in place that allow them to separately track and report on Recovery Act funds. These reporting requirements are outlined in section 1512 of the Recovery Act, a copy of which can be found at:

<http://www.hudhre.info/documents/AmericanRecoveryReinvestmentAct.pdf> (see pages 173-174).

2. Each grantee must submit the following performance reports to HUD:

a. An Initial Performance Report, which must cover the period between the grant agreement execution date and September 30, 2009 and which will serve as the first Quarterly Performance Report. Grantees will provide information required by Congress and HUD in a format to be prescribed by OMB and HUD, including but not limited to the following items: the total amount of Recovery Act funds received from HUD; the subgrantees and total amounts awarded to each; the amounts of HPRP funds allocated for the four eligible HPRP activity categories (Financial Assistance, Services, Data Collection and Evaluation, and Administrative Costs); the amount expended for each of the above categories; the estimated number of unduplicated individuals and families served; and the estimated numbers of new jobs created and jobs retained. The Initial

Performance Report will be due on October 10, 2009.

b. A Quarterly Performance Report, submitted in a format to be prescribed by HUD. Grantees will report on many of the same items as in the Initial Performance Report, including HPRP funds expended by activity type, the number of unduplicated individuals and families served, the number of new jobs created, the number of jobs retained, challenges to effective program operation, and other data items. Quarterly Performance Reports are due within 10 days of the end of each quarter for the period of program operation, and will include current quarter and cumulative data.

c. An Annual Performance Report will be submitted to HUD in a format to be prescribed by HUD within 60 days of the end of each federal fiscal year. The first Annual Performance Report is due November 30, 2010 for the period ending September 30, 2010. In the Annual Performance Report, grantees will report on outputs, such as the number of persons served and the demographic characteristics of persons served, HPRP funds expended by activity type, and the number of jobs created and retained, as well as outcomes related to housing stability, to be specified by HUD.

Report Type	Reporting Period
Initial Performance Report - Due 60 days after the end of the federal fiscal year for which HPRP funds are expended. October 10, 2009.	October 1 - September 30, 2009.
Quarterly Performance Reports – Due 10 days after the end of each fiscal quarter in which HPRP funds are expended.	October 1 - December 31 January 1 – March 31 April 1 – June 30 July 1 – September 30
Annual Performance Report - Due 60 days after the end of the federal fiscal year for which HPRP funds are expended.	October 1 - September 30

VII. Other Federal Requirements

A. Conflicts of Interest

1. General. With respect to the use of HPRP funds to procure services, equipment, supplies or other property, states, territories and units of general local government that receive HPRP funds shall comply with 24 CFR 85.36(b)(3), and non-profit subgrantees shall comply with 24 CFR 84.42. With respect to all other decisions involving the use of HPRP funds, the following restriction shall apply: No person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.
2. Exceptions. Upon the written request of the grantee, HUD may grant an exception to the restrictions in paragraph 1 above on a case-by-case basis when it determines that the exception will serve to further the purposes of the HPRP program and promote the efficient use of HPRP funds. In requesting an exception, the grantee must provide the following:
 - a. For states and other governmental entities, a disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
 - b. For all grantees, an opinion of the grantee's attorney that the interest for which the exception is sought would not violate state or local law.

B. Environmental Requirements

This Notice does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing (other than tenant-based rental assistance), rehabilitation, alteration, demolition, or new construction, or establish, revise or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c)(1), this Notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Moreover, consistent with the provisions for administrative and management expenses, tenant-based rental assistance, and supportive services in 24 CFR 50.19(b)(3), (11), and (12), the eligible activities to be assisted under this Notice are categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and are not subject to environmental review under the related laws and authorities.

C. Habitability Standards

Organizations providing rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Units should be inspected on an annual basis and upon a change of tenancy. The minimum habitability standards are listed in Appendix C. Grantees may require more stringent standards.

D. Nondiscrimination and Equal Opportunity Requirements

As stated in section IV.E.8., grantees and subgrantees must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a). In addition, grantees must make known that HPRP rental assistance and services are available to all on a nondiscriminatory basis and ensure that all citizens have equal access to information about HPRP and equal access to the

financial assistance and services provided under this program. Among other things, this means that each grantee must take reasonable steps to ensure meaningful access to programs to persons with limited English proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964. This may mean providing language assistance or ensuring that program information is available in the appropriate languages for the geographic area served by the jurisdiction and that limited English proficient persons have meaningful access to HPRP assistance. This will be a particular issue for state grantees that may not be aware of LEP speaking populations in jurisdictions that are not normally served with ESG funds. To assist grantees, the Department published the “Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons” (72 Federal Register 2732; January 22, 2007). In addition, all notices and communications shall be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR 8.6.

If the procedures that the grantee intends to use to make known the availability of the rental assistance and services are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for such rental assistance and services, the grantee must establish additional procedures that will ensure that such persons are made aware of the rental assistance and services.

E. Affirmatively Furthering Fair Housing

Under section 808(e)(5) of the Fair Housing Act, HUD has a statutory duty to affirmatively further fair housing. HUD requires the same of its funding recipients. Grantees and subgrantees will have a duty to affirmatively further fair housing opportunities for classes protected under the

Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status. Examples of affirmatively furthering fair housing include: (1) marketing the program to all eligible persons, including persons with disabilities and persons with limited English proficiency; (2) making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities (see, for example, HUD's rule on effective communications at 24 CFR 8.6); (3) providing fair housing counseling services or referrals to fair housing agencies; (4) informing participants of how to file a housing discrimination complaint, including providing the toll-free number for the Housing Discrimination Hotline: 1-800-669-9777; and (5) recruiting landlords and service providers in areas that expand housing choice to program participants.

F. Lead-Based Paint Requirements

The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.), as amended by the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.) and implementing regulations at 24 CFR part 35, subparts A, B, M, and R shall apply to housing occupied by families receiving assistance through HPRP.

G. Uniform Administrative Requirements

All States, Territories, Urban Counties, and Metropolitan cities receiving funds under HPRP shall be subject to the requirements of 24 CFR part 85. Non-profit subgrantees shall be subject to the requirements of 24 CFR part 84. Note that the closeout requirements apply to all entities receiving HPRP funds, but that no charges may be applied to the grant beyond the Recovery Act's 3-year expenditure deadline, as explained in section V.A.2.

H. Equal Participation of Religious Organizations

1. Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in HPRP. Neither the federal government nor a grantee shall discriminate against an organization on the basis of the organization's religious character or affiliation.
2. Organizations that are directly funded under HPRP may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under HPRP. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under HPRP, and participation must be voluntary for the program participants.
3. A religious organization that participates in HPRP will retain its independence from federal, state, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct HPRP funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide HPRP-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, a HPRP-funded religious organization retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
4. An organization that participates in the HPRP program shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

5. If a state or local government voluntarily contributes its own funds to supplement federally funded activities, the state or local government has the option to segregate the federal funds or commingle them. However, if the funds are commingled, the requirements listed above apply to all of the commingled funds.

I. Lobbying and Disclosure Requirements

The disclosure requirements and prohibitions of section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the Byrd Amendment), and implementing regulations at 24 CFR part 87, apply to HPRP. Applicants must disclose, using Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts.

J. Drug-Free Workplace Requirements


The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD's implementing regulations at 24 CFR part 21 apply to HPRP.

K. Procurement of Recovered Materials

State agencies and agencies of a political subdivision of a state that are using assistance under a HUD program for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with section 6002, these agencies and persons must procure items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the

quantity acquired in the preceding fiscal year exceeded \$10,000; must procure solid waste management services in a manner that maximizes energy and resource recovery; and must have established an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Dated: MAR 19 2009



Shaun Donovan
Secretary

[FR-5307-N-01]

VIII. Appendices

Appendix A: Eligible Grantees

The following list indicates all grantees eligible to receive assistance under HPRP. This list is also available at: <http://www.hud.gov/recovery/homelesspreventrecov.xls>.

State	Grantee Name	Allocation Amounts
AK	AK State Program	\$1,143,986
AK	Anchorage	\$776,469
AL	AL State Program	\$13,328,942
AL	Birmingham	\$2,735,730
AL	Huntsville	\$529,697
AL	Jefferson County	\$845,709
AL	Mobile	\$1,186,394
AL	Mobile County	\$586,571
AL	Montgomery	\$860,653
AR	AR State Program	\$10,530,746
AR	Little Rock	\$682,197
AS	American Samoa	\$412,935
AZ	AZ State Program	\$7,033,520
AZ	Chandler	\$575,271
AZ	Glendale	\$914,122
AZ	Maricopa County	\$900,303
AZ	Mesa	\$1,405,094
AZ	Phoenix	\$6,996,243
AZ	Pima County	\$1,063,430
AZ	Tempe	\$661,474
AZ	Tucson	\$2,534,340
CA	CA State Program	\$44,466,877
CA	Alameda	\$552,208
CA	Alameda County	\$802,915
CA	Alhambra	\$567,605
CA	Anaheim	\$2,046,908
CA	Bakersfield	\$1,372,351
CA	Baldwin Park	\$605,041
CA	Berkeley	\$1,332,952
CA	Chula Vista	\$819,738
CA	Compton	\$848,514
CA	Contra Costa County	\$1,421,551
CA	Costa Mesa	\$560,237
CA	Daly City	\$510,070
CA	Downey	\$611,834
CA	El Cajon	\$512,686
CA	El Monte	\$1,110,506
CA	Escondido	\$709,782
CA	Fontana	\$783,380

State	Grantee Name	Allocation Amounts
CA	Fremont	\$682,331
CA	Fresno	\$3,130,746
CA	Fresno County	\$1,634,630
CA	Fullerton	\$622,710
CA	Garden Grove	\$1,068,707
CA	Glendale	\$1,346,899
CA	Hawthorne	\$703,261
CA	Hayward	\$703,342
CA	Huntington Beach	\$566,611
CA	Huntington Park	\$656,002
CA	Inglewood	\$918,344
CA	Irvine	\$540,656
CA	Kern County	\$2,076,503
CA	Lancaster	\$564,646
CA	Long Beach	\$3,566,451
CA	Los Angeles	\$29,446,304
CA	Los Angeles County	\$12,197,108
CA	Lynwood	\$646,575
CA	Marin County	\$659,106
CA	Merced	\$515,203
CA	Modesto	\$966,016
CA	Moreno Valley	\$732,872
CA	Norwalk	\$633,782
CA	Oakland	\$3,458,120
CA	Oceanside	\$742,791
CA	Ontario	\$997,869
CA	Orange	\$545,636
CA	Orange County	\$1,556,026
CA	Oxnard	\$1,124,994
CA	Palmdale	\$615,530
CA	Pasadena	\$908,395
CA	Pomona	\$1,164,766
CA	Rialto	\$546,485
CA	Richmond	\$559,735
CA	Riverside	\$1,383,070
CA	Riverside County	\$4,276,900
CA	Sacramento	\$2,375,126
CA	Sacramento County	\$2,396,773
CA	Salinas	\$1,013,978

State	Grantee Name	Allocation Amounts
CA	San Bernardino	\$1,455,066
CA	San Bernardino County	\$3,040,382
CA	San Diego	\$6,168,104
CA	San Diego County	\$1,925,974
CA	San Francisco	\$8,757,780
CA	San Joaquin County	\$1,460,619
CA	San Jose	\$4,128,763
CA	San Luis Obispo County	\$855,184
CA	San Mateo County	\$1,166,526
CA	Santa Ana	\$2,831,989
CA	Santa Barbara County	\$829,013
CA	Santa Clara County	\$717,484
CA	Santa Maria	\$521,839
CA	Santa Monica	\$553,576
CA	Santa Rosa	\$516,527
CA	Sonoma County	\$817,572
CA	South Gate	\$865,273
CA	Stanislaus County	\$1,023,163
CA	Stockton	\$1,725,572
CA	Sunnyvale	\$508,191
CA	Ventura County	\$826,094
CA	Westminster	\$511,454
CO	CO State Program	\$8,154,036
CO	Adams County	\$836,047
CO	Aurora	\$1,009,717
CO	Colorado Springs	\$1,043,089
CO	Denver	\$3,769,259
CO	Pueblo	\$678,970
CT	CT State Program	\$10,818,309
CT	Bridgeport	\$1,351,004
CT	Hartford	\$1,572,727
CT	New Britain	\$772,694
CT	New Haven	\$1,514,570
CT	Waterbury	\$931,128
DC	District Of Columbia	\$7,489,476
DE	DC State Program	\$934,980
DE	New Castle County	\$978,285
DE	Wilmington	\$1,008,057
FL	FL State Program	\$21,507,109
FL	Brevard County	\$644,208
FL	Broward County	\$1,579,569
FL	Collier County	\$888,850
FL	Escambia County	\$855,417
FL	Ft Lauderdale	\$852,872
FL	Gainesville	\$567,404
FL	Hialeah	\$1,734,021

State	Grantee Name	Allocation Amounts
FL	Hillsborough County	\$2,458,811
FL	Hollywood	\$625,671
FL	Jacksonville-Duval Count	\$2,779,039
FL	Lee County	\$881,538
FL	Manatee County	\$635,485
FL	Marion County	\$727,072
FL	Miami-Dade County	\$7,468,222
FL	Miami	\$3,392,918
FL	Miami Beach	\$715,418
FL	Miami Gardens City	\$567,612
FL	North Miami	\$507,641
FL	Orange County	\$2,523,982
FL	Orlando	\$921,665
FL	Palm Beach County	\$2,823,871
FL	Pasco County	\$1,055,241
FL	Pinellas County	\$1,237,464
FL	Polk County	\$1,222,920
FL	Pompano Beach	\$507,694
FL	Sarasota County	\$581,819
FL	Seminole County	\$991,180
FL	St Petersburg	\$914,999
FL	Tallahassee	\$784,267
FL	Tampa	\$1,538,393
FL	Volusia County	\$805,614
GA	GA State Program	\$19,084,426
GA	Athens-Clarke County	\$604,969
GA	Atlanta	\$3,441,091
GA	Augusta-Richmond County	\$927,319
GA	Clayton County	\$856,410
GA	Cobb County	\$1,337,048
GA	Columbus-Muscogee County	\$740,907
GA	De Kalb County	\$2,359,998
GA	Fulton County	\$896,069
GA	Gwinnett County	\$1,713,730
GA	Macon	\$541,299
GA	Savannah	\$1,121,523
GU	Guam	\$1,221,922
HI	HI State Program	\$2,166,888
HI	Honolulu	\$4,016,074
IA	IA State Program	\$11,866,889
IA	Cedar Rapids	\$536,843
IA	Davenport	\$711,923
IA	Des Moines	\$1,763,874
IA	Dubuque	\$502,294
IA	Sioux City	\$779,497
IA	Waterloo	\$570,881

State	Grantee Name	Allocation Amounts
ID	ID State Program	\$4,438,807
ID	Boise	\$533,411
IL	IL State Program	\$20,286,504
IL	Aurora	\$506,883
IL	Berwyn	\$559,545
IL	Chicago	\$34,356,259
IL	Cicero	\$581,065
IL	Cook County	\$4,121,046
IL	Decatur	\$623,309
IL	Du Page County	\$1,443,723
IL	East St Louis	\$750,339
IL	Evanston	\$801,460
IL	Kane County	\$517,394
IL	Lake County	\$1,057,106
IL	Madison County	\$566,987
IL	McHenry County	\$540,732
IL	Oak Park	\$796,581
IL	Peoria	\$790,404
IL	Rockford	\$861,073
IL	Springfield	\$516,191
IL	St Clair County	\$586,413
IL	Will County	\$602,271
IN	IN State Program	\$16,293,551
IN	East Chicago	\$559,073
IN	Evansville	\$1,217,598
IN	Fort Wayne	\$874,319
IN	Gary	\$1,498,882
IN	Hammond	\$948,137
IN	Indianapolis	\$3,942,177
IN	Lake County	\$550,643
IN	Muncie	\$590,276
IN	South Bend	\$1,148,607
IN	Terre Haute	\$760,163
KS	KS State Program	\$8,360,995
KS	Kansas City	\$1,003,797
KS	Topeka	\$816,686
KS	Wichita	\$1,168,490
KY	KY State Program	\$12,157,352
KY	Covington	\$679,522
KY	Lexington-Fayette	\$849,668
KY	Louisville	\$4,870,830
LA	LA State Program	\$13,541,639
LA	Baton Rouge	\$1,734,745
LA	Houma-Terrebonne	\$507,405
LA	Jefferson Parish	\$1,469,179
LA	Lafayette	\$672,893

State	Grantee Name	Allocation Amounts
LA	New Orleans	\$7,578,168
LA	Shreveport	\$1,072,168
MA	MA State Program	\$18,443,744
MA	Arlington	\$533,800
MA	Boston	\$8,209,151
MA	Brockton	\$610,110
MA	Brookline	\$667,436
MA	Cambridge	\$1,302,128
MA	Chicopee	\$531,528
MA	Fall River	\$1,232,852
MA	Holyoke	\$551,671
MA	Lawrence	\$710,503
MA	Lowell	\$979,048
MA	Lynn	\$1,033,392
MA	Malden	\$636,677
MA	Medford	\$716,681
MA	New Bedford	\$1,228,020
MA	Newton	\$923,339
MA	Pittsfield	\$613,738
MA	Quincy	\$848,274
MA	Somerville	\$1,181,067
MA	Springfield	\$1,700,802
MA	Worcester	\$1,904,831
MD	MD State Program	\$5,680,393
MD	Anne Arundel County	\$865,183
MD	Baltimore	\$9,523,896
MD	Baltimore County	\$1,721,080
MD	Montgomery County	\$2,104,743
MD	Prince Georges County	\$2,512,242
ME	Me State Program	\$6,575,089
ME	Cumberland County	\$605,763
ME	Portland	\$876,120
MI	MI State Program	\$22,108,890
MI	Battle Creek	\$531,444
MI	Bay City	\$592,249
MI	Dearborn	\$873,199
MI	Detroit	\$15,234,947
MI	Flint	\$1,763,839
MI	Genesee County	\$756,066
MI	Grand Rapids	\$1,650,890
MI	Jackson	\$568,942
MI	Kalamazoo	\$758,089
MI	Kent County	\$639,448
MI	Lansing	\$898,823
MI	Macomb County	\$687,708
MI	Oakland County	\$1,553,232

State	Grantee Name	Allocation Amounts
MI	Pontiac	\$633,479
MI	Royal Oak	\$558,226
MI	Saginaw	\$1,022,177
MI	Wayne County	\$2,308,510
MN	MN State Program	\$10,865,236
MN	Dakota County	\$704,252
MN	Duluth	\$1,162,800
MN	Hennepin County	\$993,011
MN	Minneapolis	\$5,520,902
MN	St Louis County	\$1,001,832
MN	St Paul	\$3,298,163
MO	MO State Program	\$12,011,262
MO	Kansas City	\$3,628,139
MO	Springfield	\$551,673
MO	St Joseph	\$727,371
MO	St Louis	\$8,156,188
MO	St Louis County	\$2,188,751
MP	Northern Marianas	\$589,165
MS	Ms State Program	\$13,348,427
MS	Jackson	\$1,031,154
MT	MT State Program	\$3,731,327
NC	NC State Program	\$22,157,468
NC	Asheville	\$509,460
NC	Charlotte	\$1,930,217
NC	Durham	\$789,101
NC	Fayetteville	\$589,648
NC	Greensboro	\$781,141
NC	Raleigh	\$991,091
NC	Wake County	\$582,164
NC	Winston-Salem	\$748,097
ND	ND State Program	\$2,582,637
NE	Ne State Program	\$5,128,578
NE	Lincoln	\$726,148
NE	Omaha	\$2,017,088
NH	NH State Program	\$4,612,322
NH	Manchester	\$766,545
NJ	NJ State Program	\$10,221,710
NJ	Atlantic City	\$553,438
NJ	Atlantic County	\$545,890
NJ	Bayonne	\$779,080
NJ	Bergen County	\$4,333,887
NJ	Burlington County	\$663,041
NJ	Camden	\$1,149,122
NJ	Camden County	\$1,057,935
NJ	Clifton	\$581,485
NJ	East Orange	\$693,362

State	Grantee Name	Allocation Amounts
NJ	Elizabeth	\$839,604
NJ	Essex County	\$2,520,882
NJ	Gloucester County	\$581,762
NJ	Hudson County	\$1,535,992
NJ	Jersey City	\$2,676,991
NJ	Middlesex County	\$800,475
NJ	Monmouth County	\$1,240,040
NJ	Morris County	\$931,156
NJ	Newark	\$3,533,348
NJ	Paterson	\$1,184,137
NJ	Somerset County	\$519,821
NJ	Trenton	\$1,251,452
NJ	Union City	\$555,355
NJ	Union County	\$2,169,536
NM	Nm State Program	\$6,778,653
NM	Albuquerque	\$1,807,256
NV	NV State Program	\$2,035,393
NV	Clark County	\$2,595,173
NV	Las Vegas	\$2,105,118
NV	North Las Vegas	\$677,704
NV	Reno	\$836,301
NY	NY State Program	\$25,527,382
NY	Albany	\$1,523,772
NY	Babylon Town	\$526,925
NY	Binghamton	\$955,655
NY	Buffalo	\$6,594,081
NY	Dutchess County	\$654,862
NY	Elmira	\$560,951
NY	Erie County	\$1,209,200
NY	Islip Town	\$840,437
NY	Jamestown	\$573,517
NY	Monroe County	\$789,300
NY	Mount Vernon	\$745,701
NY	Nassau County	\$6,458,352
NY	New Rochelle	\$686,935
NY	New York	\$73,929,729
NY	Niagara Falls	\$1,037,411
NY	Onondaga County	\$897,454
NY	Orange County	\$713,117
NY	Rochester	\$3,954,235
NY	Rockland County	\$860,643
NY	Schenectady	\$1,048,938
NY	Suffolk County	\$1,511,657
NY	Syracuse	\$2,524,997
NY	Tonawanda Town	\$772,574
NY	Troy	\$845,286

State	Grantee Name	Allocation Amounts
NY	Union Town	\$578,661
NY	Utica	\$1,192,417
NY	Westchester County	\$2,373,791
NY	Yonkers	\$1,533,003
OH	OH State Program	\$26,205,724
OH	Akron	\$2,790,522
OH	Canton	\$1,183,577
OH	Cincinnati	\$5,339,182
OH	Cleveland	\$9,801,913
OH	Cleveland Heights	\$715,677
OH	Columbus	\$2,642,649
OH	Cuyahoga County	\$1,552,324
OH	Dayton	\$2,595,505
OH	Franklin County	\$746,920
OH	Hamilton City	\$605,828
OH	Hamilton County	\$1,396,621
OH	Lake County	\$575,083
OH	Lakewood	\$902,439
OH	Lima	\$506,015
OH	Lorain	\$502,230
OH	Montgomery County	\$759,496
OH	Springfield	\$815,869
OH	Stark County	\$589,412
OH	Toledo	\$3,275,494
OH	Warren	\$541,184
OH	Youngstown	\$1,610,332
OK	OK State Program	\$8,101,391
OK	Oklahoma City	\$2,161,404
OK	Tulsa	\$1,513,504
OK	Tulsa County	\$521,635
OR	OR State Program	\$7,873,436
OR	Clackamas County	\$871,505
OR	Eugene	\$567,404
OR	Portland	\$4,172,282
OR	Salem	\$597,562
OR	Washington County	\$824,990
PA	PA State Program	\$23,411,484
PA	Allegheny County	\$6,714,064
PA	Allentown	\$1,129,049
PA	Altoona	\$819,718
PA	Beaver County	\$1,596,719
PA	Berks County	\$1,109,659
PA	Bethlehem	\$687,480
PA	Bucks County	\$975,905
PA	Chester	\$586,664
PA	Chester County	\$1,130,871

State	Grantee Name	Allocation Amounts
PA	Cumberland County	\$558,742
PA	Dauphin County	\$621,187
PA	Delaware County	\$1,700,587
PA	Erie	\$1,458,364
PA	Harrisburg	\$855,478
PA	Johnstown	\$644,490
PA	Lancaster	\$738,012
PA	Lancaster County	\$1,382,274
PA	Lehigh County	\$574,614
PA	Luzerne County	\$2,057,026
PA	Mckeesport	\$500,957
PA	Montgomery County	\$1,514,639
PA	Northampton County	\$738,192
PA	Philadelphia	\$21,486,240
PA	Pittsburgh	\$6,848,936
PA	Reading	\$1,267,021
PA	Scranton	\$1,401,868
PA	Upper Darby	\$797,813
PA	Washington County	\$1,762,094
PA	Westmoreland County	\$1,832,195
PA	Wilkes-Barre	\$794,109
PA	Williamsport	\$518,859
PA	York	\$693,600
PA	York County	\$1,074,741
PR	PR State Program	\$20,835,644
PR	Aguadilla Municipio	\$764,657
PR	Arecibo Municipio	\$1,124,937
PR	Bayamon Municipio	\$1,874,802
PR	Cabo Rojo Municipio	\$509,023
PR	Caguas Municipio	\$1,390,581
PR	Canovanas Municipio	\$548,313
PR	Carolina Municipio	\$1,596,195
PR	Cayey Municipio	\$536,499
PR	Guayama Municipio	\$506,041
PR	Guaynabo Municipio	\$786,550
PR	Humacao Municipio	\$642,921
PR	Isabela Municipio	\$537,621
PR	Juana Diaz Municipio	\$651,677
PR	Manati Municipio	\$542,285
PR	Mayaguez Municipio	\$1,168,388
PR	Ponce Municipio	\$2,118,806
PR	Rio Grande Municipio	\$587,542
PR	San Juan Municipio	\$4,253,787
PR	San Sebastian Municipio	\$568,040
PR	Toa Alta Municipio	\$635,194
PR	Toa Baja Municipio	\$871,335

State	Grantee Name	Allocation Amounts
PR	Trujillo Alto Municipio	\$643,815
PR	Vega Baja Municipio	\$706,348
PR	Yauco Municipio	\$601,387
RI	RI State Program	\$3,282,670
RI	Pawtucket	\$845,934
RI	Providence	\$2,303,402
RI	Woonsocket	\$545,802
SC	SC State Program	\$11,136,176
SC	Charleston County	\$831,125
SC	Columbia	\$524,731
SC	Greenville County	\$984,729
SC	Horry County	\$622,075
SC	Lexington County	\$588,970
SC	Richland County	\$568,201
SC	Spartanburg County	\$532,752
SD	SD State Program	\$3,254,060
TN	TN State Program	\$13,467,433
TN	Chattanooga	\$712,946
TN	Knoxville	\$771,803
TN	Memphis	\$3,329,685
TN	Nashville-Davidson	\$2,012,994
TX	TX State Program	\$41,472,772
TX	Amarillo	\$739,071
TX	Arlington	\$1,304,792
TX	Austin	\$3,062,820
TX	Beaumont	\$741,325
TX	Bexar County	\$701,160
TX	Brazoria County	\$707,747
TX	Brownsville	\$1,347,839
TX	Corpus Christi	\$1,393,181
TX	Dallas	\$7,187,357
TX	Dallas County	\$866,753
TX	El Paso	\$3,492,976
TX	Fort Bend County	\$777,971
TX	Fort Worth	\$2,746,929
TX	Galveston	\$585,604
TX	Garland	\$858,997
TX	Grand Prairie	\$569,746
TX	Harris County	\$4,463,961
TX	Hidalgo County	\$3,463,905
TX	Houston	\$12,375,861
TX	Irving	\$930,680
TX	Laredo	\$1,490,976
TX	Lubbock	\$947,453
TX	Mc Allen	\$733,518
TX	Montgomery County	\$741,614

State	Grantee Name	Allocation Amounts
TX	Pasadena	\$790,214
TX	Plano	\$509,050
TX	Port Arthur	\$564,089
TX	San Antonio	\$5,974,286
TX	Tarrant County	\$1,156,125
TX	Waco	\$685,599
TX	Wichita Falls	\$583,425
UT	UT State Program	\$5,021,811
UT	Provo	\$700,321
UT	Salt Lake City	\$1,680,347
UT	Salt Lake County	\$1,005,916
VA	VA State Program	\$11,389,160
VA	Alexandria	\$512,214
VA	Arlington County	\$728,367
VA	Chesapeake	\$507,406
VA	Chesterfield County	\$515,089
VA	Fairfax County	\$2,462,398
VA	Henrico County	\$603,481
VA	Newport News	\$659,087
VA	Norfolk	\$2,097,079
VA	Portsmouth	\$724,490
VA	Prince William County	\$789,775
VA	Richmond	\$2,044,088
VA	Roanoke	\$766,017
VA	Virginia Beach	\$1,010,599
VI	Virgin Islands	\$775,978
VT	VT State Program	\$3,398,824
WA	WA State Program	\$11,126,387
WA	Clark County	\$559,180
WA	King County	\$1,863,675
WA	Pierce County	\$1,224,641
WA	Seattle	\$4,993,052
WA	Snohomish County	\$1,262,714
WA	Spokane	\$1,564,373
WA	Spokane County	\$622,278
WA	Tacoma	\$1,182,824
WA	Vancouver	\$549,529
WI	WI State Program	\$17,101,862
WI	Madison	\$817,092
WI	Milwaukee	\$6,912,159
WI	Milwaukee County	\$712,755
WI	Racine	\$817,554
WI	West Allis	\$574,434
WV	WV State Program	\$7,977,649
WV	Charleston	\$760,168
WV	Huntington	\$854,337

WV	Wheeling	\$606,447
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WY	WY STATE PROGRAM	\$1,718,313
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Appendix B: Comparison of ESG and HPRP

	Emergency Shelter Grants (ESG) Program	Homelessness Prevention and Rapid Re-Housing Program (HPRP)
Amount Available	<ul style="list-style-type: none"> • \$160 million in FY 2009 	<ul style="list-style-type: none"> • \$1.5 billion one-time appropriation
Eligible Grantees	<ul style="list-style-type: none"> • States (51, including Puerto Rico) • Metropolitan cities (203 in FY 2009) and urban counties (102 in FY 2009) • Total number of grantees (including 4 territories): 360 	<ul style="list-style-type: none"> • States (51, including Puerto Rico) • Metropolitan cities (337) and urban counties (148) • Total number of grantees (including 4 territories): 540
Eligible Sub-Recipients	<ul style="list-style-type: none"> • Territories and local government grantees may provide ESG funds for projects operated by their own agencies and private non-profit organizations. • State grantees must provide all funds to local governments or private non-profit organizations acting as sub-recipients. 	<ul style="list-style-type: none"> • Territories and local government grantees may provide HPRP funds for projects operated by their own agencies, other local governments, and private non-profit organizations. • State grantees must provide all funds to local governments or private non-profit organizations, except for a reasonable portion of funds for administrative costs.
Eligible Activities	<ul style="list-style-type: none"> • Renovation, major rehabilitation, or conversion of a building to a shelter. • Essential Services (limited to 30 percent of grant, can be waived). • Operations of homeless shelters (staff salaries for operations management limited to 10 percent of grant). • Homelessness Prevention, including short-term mortgage/rent, short-term utilities, security deposits, first month's rent, landlord-tenant mediation, tenant legal services (limited by law to 30 percent of grant). • Administration (limited to 5 percent of grant). 	<ul style="list-style-type: none"> • Financial assistance, including short-term rental assistance (up to 3 months) and medium-term rental assistance (up to 18 months), security deposits, utility deposits, utility payments, moving costs, and hotel/motel vouchers. • Housing relocation and stabilization services, including case management, outreach, housing search and placement, legal services, and credit repair. • Data collection and evaluation, including HMIS costs. • Administration (limited to 5 percent of grant).

Eligible Program Participants	<ul style="list-style-type: none"> • Homeless persons • Persons at risk of becoming homeless who must meet four specific criteria to receive homelessness prevention assistance: <ul style="list-style-type: none"> - The inability of the family to make the required payments is due to a sudden reduction in income; - The assistance is necessary to avoid the eviction or termination of services; - There is a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and - The assistance will not supplant funding for pre-existing homelessness prevention activities from other sources. 	<ul style="list-style-type: none"> • Homeless persons and persons at risk of becoming homeless, who meet the following three criteria: <ul style="list-style-type: none"> - Any individual or family receiving rental assistance must have at least an initial consultation with a case manager to determine need. - Household must be at or below 50 percent of Area Median Income (AMI) - Household must meet both of the following circumstances: <ul style="list-style-type: none"> (1) no appropriate subsequent housing options have been identified; AND (2) the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing.
Allocation Formula	<ul style="list-style-type: none"> • Based on the previous year's Community Development Block Grants (CDBG) formula, with minimum grant allocation at 0.05 percent of the total. Territories receive 0.2 percent of the total ESG allocation. 	<ul style="list-style-type: none"> • Based on FY2008 CDBG formula; minimum grant allocation set by HUD Secretary at \$500,000.
Match	<ul style="list-style-type: none"> • Match grant funds with an equal amount of funds from cash or in-kind sources, with states exempt from matching the first \$100,000 of their awards. 	<ul style="list-style-type: none"> • No match is required for HPRP.
Expenditure Deadlines	<ul style="list-style-type: none"> • Local government: spend all ESG grant funds within 24 months of grant award. • State grantees: make grant funds available to subrecipients within 65 days of the grant award by HUD with obligation by 180 days of availability from the state, and spent within 2 years of grant award. 	<ul style="list-style-type: none"> • All grantees must spend at least 60 percent of funds within 2 years of the date that HUD signs the grant agreement, and 100 percent of funds within 3 years of this date. • HUD may recapture unexpended funds in violation of the 2-year expenditure requirement and reallocate such funds to grantees in

	State prevention funds should be available within 180 days, and obligated and spent within 30 days, and 180 days respectively.	compliance with that requirement.
Reporting and Access of Program Funding	<ul style="list-style-type: none"> • Integrated Disbursement and Information System (IDIS): Request ESG payments and report accomplishments • HMIS: Collect beneficiary data • Consolidated Annual Performance and Evaluation Reporting (CAPER) 	<ul style="list-style-type: none"> • IDIS: Request HPRP payments and report accomplishments • HMIS: Collect data on use of funds and persons served • Quarterly reporting required by Recovery Act: HUD will establish requirements pursuant to direction by OMB

Appendix C: Habitability Standards for HPRP

Organizations providing rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Following are the habitability standards that grantees must follow:

(a) State and local requirements. Each grantee or subgrantee under this Notice must ensure that housing occupied by a family or individual receiving HPRP assistance is in compliance with all applicable state and local housing codes, licensing requirements, and any other requirements in the jurisdiction in which the housing is located regarding the condition of the structure and the operation of the housing or services.

(b) Habitability standards. Except for less stringent variations as are proposed by the grantee or subgrantee and approved by HUD, housing occupied by a family or individual receiving HPRP assistance must meet the following minimum requirements:

(1) Structure and materials. The structures must be structurally sound so as not to pose any threat to the health and safety of the occupants and so as to protect the residents from the elements.

(2) Access. The housing must be accessible and capable of being utilized without unauthorized use of other private properties. Structures must provide alternate means of egress in case of fire.

(3) Space and security. Each resident must be afforded adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.

(4) Interior air quality. Every room or space must be provided with natural or mechanical ventilation. Structures must be free of pollutants in the air at levels that threaten the health of residents.

(5) Water supply. The water supply must be free from contamination.

(6) Sanitary facilities. Residents must have access to sufficient sanitary facilities that are in proper operating condition, may be used in privacy, and are adequate for personal cleanliness and the disposal of human waste.

(7) Thermal environment. The housing must have adequate heating and/or cooling facilities in proper operating condition.

(8) Illumination and electricity. The housing must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of residents. Sufficient electrical sources must be provided to permit use of essential electrical appliances while assuring safety from fire.

(9) Food preparation and refuse disposal. All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a sanitary manner.

(10) Sanitary condition. The housing and any equipment must be maintained in sanitary condition.

(11) Fire safety.

(i) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.

(ii) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

Appendix D: Special Grant or Subgrant Conditions for “High-Risk” Grantees

(a) A grantee or subgrantee may be considered high risk if HUD determines that a grantee or subgrantee:

(1) Has a history of unsatisfactory performance, or

(2) Is not financially stable, or

(3) Has a management system which does not meet the management standards set forth in this part, or

(4) Has not conformed to terms and conditions of previous awards, or

(5) Is otherwise not responsible; and if the awarding agency determines that an award will be made, special conditions and/or restrictions shall correspond to the high risk condition and shall be included in the award.

(b) Special conditions or restrictions may include:

(1) Payment on a reimbursement basis;

(2) Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given funding period;

(3) Requiring additional, more detailed financial reports;

(4) Additional monitoring;

(5) Requiring the grantee or subgrantee to obtain technical or management assistance; or

(6) Establishing additional prior approvals.

(c) If an awarding agency decides to impose such conditions, the awarding official will notify the grantee or subgrantee as early as possible, in writing, of:

(1) The nature of the special conditions/restrictions;

(2) The reason(s) for imposing them;

(3) The corrective actions which must be taken before they will be removed and the time allowed for completing the corrective actions; and

(4) The method of requesting reconsideration of the conditions/restrictions imposed.

Data Sources for Resource Documentation Table

RESOURCE DOCUMENTATION TABLE

A separate Resource Documentation Table must be completed for **each county** in which your organization proposes to provide ESGP services. Include verifiable sources for all data included.

The following websites may be useful in gathering this information:

Texas State Data Center:	www.txcdc.tamu.edu/
Texas Education Agency:	www.tea.state.tx.us
Texas Housing Association	http://txtha.home.texas.net/
Low-Income Texas Housing Information	www.texashousing.org
Texas Information and Referral Network	www.hhsc.state.tx.us/tirn/tirnhome.htm
Texas Workforce Commission:	www.twc.state.tx.us/
TX Chambers of Commerce:	www.tded.state.tx.us/guide/search/s-chamber.cfm
Texas Homeless Network:	www.thn.org
National Coalition for the Homeless	www.nationalhomeless.org/
The U.S. Conference of Mayors	www.usmayors.org

Other sources of local information include public, community college, or university libraries, homeless coalitions and local rental associations.

4

DISASTER RECOVERY DIVISION

**BOARD ACTION REQUEST
April 23, 2009**

Action Item

Presentation and Discussion of the Disaster Recovery Division's Status Report on CDBG and FEMA AHPP Contracts Administered by TDHCA

Requested Action

Presentation and Discussion of the Disaster Recovery Division's Status Report on CDBG and FEMA AHPP Contracts Administered by TDHCA

Background

This Board Action Request summarizes the activities of the Disaster Recovery Division which has oversight responsibility for Community Development Block Grant (CDBG) Disaster Recovery Programs for Round I and Round II funding administered by TDHCA, as well as the FEMA Alternative Housing Pilot Program (AHPP).

Public Law 109-148 – 1st Supplemental (\$74.5 Million)

Under the **1st Supplemental CDBG Disaster Recovery Program (referred to as Round I)**, there are three Councils of Governments (COGs) responsible for administering housing contracts to help restore and rebuild in areas of the State most directly impacted by Hurricane Rita. Of the \$74.5 million, the total funding allocation administered by the COGs is \$40,259,276 broken down as follows:

- Deep East Texas Council Of Governments (DETCOG) - \$6,745,034
- Houston-Galveston Area Council (H-GAC) - \$7,015,70
- South East Texas Regional Planning Commission (SETRPC) - \$26,348,536
 - SETRPC - \$15,520,536
 - Beaumont - \$5,232,000
 - Port Arthur - \$5,596,000

As detailed below, the Deep East Texas Council of Governments is wrapping up contract activities this month. The Houston-Galveston Area Council was unable to complete their contract this month as a result of permitting issues as well as delays related to hurricane Ike and requested an extension to October 31, 2009 with a minor corresponding budget adjustment. The South East Texas Regional Planning Commission will complete their contractually required number to be served by the end of this month; however, as a result of a competitive bid process, SETRPC identified approximately \$2.2 million remaining in project funding that will be used to assist an additional twenty-five (25) households. As a result, SETRPC anticipates that activities will continue through October 2009 through an amendment as stated during the last Governing Board meeting. Cumulatively, the COGs have completed assistance to four hundred thirty-four (434) households, have another forty-one (41) homes under construction, and have sixty-two (62) more homes under contract pending the onset of construction activities. Cumulatively, there are five hundred thirty-seven (537) homes either under bid award, under construction, or completed as of April 9, 2009 which represents one hundred twenty-five percent (125%) of the contracted number of households to be served. Program efficiencies have allowed for a greater number to be served than was originally anticipated.

The COGs have committed \$700,970 of HTF dollars to assist with gap financing needs, and \$465,698 of that has been drawn. More of these HTF dollars are anticipated to be obligated to address the gap financing needs of the additional homeowners being served under this program.

Financial Summary

	Current Budget	Admin \$ Drawn To Date	Project \$ Drawn To Date	Total Drawn	% of Funds Disbursed
DETCOG	\$6,745,034.00	\$669,419.13	\$5,423,847.17	\$6,093,266.30	90.81%
H-GAC	\$7,015,706.00	\$859,871.81	\$4,255,072.06	\$5,114,943.87	76.06%
SETRPC	\$26,348,536.00	\$2,234,437.79	\$12,520,190.20	\$14,754,627.99	57.58%
SETRPC	\$15,520,536.00	\$1,885,055.74	\$7,406,289.39	\$9,291,345.13	61.02%
Beaumont	\$5,232,000.00	\$327,806.71	\$2,612,539.47	\$2,940,346.18	58.99%
Port Arthur	\$5,596,000.00	\$21,575.34	\$2,501,361.34	\$2,522,936.68	46.72%
Totals	\$40,109,276.00	\$3,763,728.73	\$22,199,109.43	\$25,962,838.16	66.40%

Project Summary

	* No. to be Served per Contract	No. out for Bid	** Units Under Contract	No. Site-built Under Construction	Total Rehabilitated /Reconstructed	No. of MHUs Delivered	Total No. Constructed/ Delivered
DETCOG	96	0	6	0	13	109	122
H-GAC	105	1	9	2	20	71	91
SETRPC	229	0	47	39	170	51	221
SETRPC	127	0	26	22	87	51	138
Beaumont	56	0	6	3	46	0	46
Port Arthur	46	0	15	14	37	0	37
Total	430	1	62	41	203	231	434

* Based on the contractual number of households that the COGs are required to serve with the funding allocation

** Total of MHUs ordered but not yet delivered and construction contracts signed for site-built units

Public Law 109-234 – Round II (\$428 Million)

The **2nd Supplemental CDBG Disaster Recovery Funding (referred to Round II)** is the second of two awards in CDBG funding to help restore and rebuild in areas of the State most directly impacted by hurricane Rita, but it also addresses needs arising from hurricane Katrina evacuees. The total funding allocation is \$428,671,849, broken down as follows:

2nd Supplemental CDBG Disaster Recovery Activity	Available Funding	Amount Contracted per Activity	Cumulative Expenditures	% of Expenditures Disbursed	Balance Remaining
Rental Housing Stock Restoration Program (“Rental”)	\$82,866,984	\$81,147,333	\$15,141,245.92	18.66%	\$66,006,087.08
ORCA’s Restoration of Critical Infrastructure Program (Infrastructure)	\$42,000,000	\$42,000,000	\$7,691,326.46	18.31%	\$34,308,673.54
City of Houston and Harris County Public Service and CDP (“Houston/Harris”)	\$60,000,000	\$60,000,000	\$27,192,035.74	45.32%	\$32,807,964.26
Homeowner Assistance Program (“HAP”)	\$210,371,273	\$210,371,273	\$7,880,455.56	3.752%	\$202,490,817.44
Sabine Pass Restoration Program (“SPRP”)	\$12,000,000	\$12,000,000	\$941,788.39	7.85%	\$11,058,211.61
State Administration Funds (Used to Administer Funding)	\$21,433,592	\$21,433,592	\$5,512,460.47	25.72%	\$15,921,131.53
Total CDBG Round 2 Funding	\$428,671,849	\$426,952,198	\$64,359,312.54	15.07%	\$362,592,885.46

CDBG Round 2 City of Houston and Harris County Public Service and Community Development Program

City of Houston

Funding of \$20 million was allocated to the Houston Police Department for establishment of the Housing Safety Component, composed of civilian and officer personnel. Civilian personnel consist of administrative staff that supports the officer personnel and the entry of the overtime incurred by officers on behalf of the hurricane evacuee population. Funding of \$20 million was also allocated to carry out rehabilitation of existing multi-family housing stock through the existing Apartment to Standards Program. These funds will provide rehabilitation of multi-family housing to the evacuee population. Additionally, the City of Houston has a \$2,000,000 administrative budget.

The City of Houston's Housing Safety Component has expended \$18,574,649.11 (92.87%) of their \$20,000,000 allocation Housing Safety and Apartment to Standards program has expended \$6,585,097.76 (32.93%) of their \$20,000,000 allocation for multifamily housing with a separate administrative allocation of \$2,000,000. Administrative expenditures have yet to be submitted for reimbursement.

The Apartment to Standards program has allocated funds for two rehabilitation projects. Expenditures represent progress on one of the two projects, the second which is expected to commence in the first quarter of 2009.

Harris County

Funding of \$20 million was allocated to provide services to the residents of Harris County among five different program components: Expanded Services to Hurricane Evacuees (Harris County Sheriff's Dept.), Evacuee Medical Services (Harris County Hospital District), Katrina Crisis Counseling Program (Mental Health and Mental Retardation Authority), Youth Offenders Services (Harris County Sheriff's Dept.) and the Disaster Housing Assistance Program Component (Harris County).

Harris County has expended approximately 5.07% of its \$20,000,000 allocation along with a separate administrative allocation of \$1,000,000. Administrative expenditures remain at \$189,151.05 (18.92%) from the previous month. Expenditures incurred among the five different programs are \$2,032,288.87 (10.16%).

CDBG Round 2 Multifamily Rental Housing Stock Restoration Program

On September 13, 2007, the TDHCA Board awarded \$81.1 million to repair or rebuild seven Golden Triangle-area affordable multifamily rental properties damaged or destroyed by Hurricane Rita. The construction work, once completed, will restore rental unit housing to 813 low-income individuals and families. Award-specific status is outlined in the table below:

Loan Number	Development Name	City	Total Units	Type of Activity	CDBG Loan Amount	Funds Drawn/ Expended	Loan Closing Date
7060007	Orange Navy Homes	Orange	115	Recon.	\$14,189,439	\$1,928,240.26	10/15/2008
7060010	Brittany Place II Single Family	Port Arthur	100	Recon.	\$13,077,366	\$1,202,874.20	12/04/08
7060006	Pointe North	Beaumont	158	Recon.	\$13,778,332	\$270,100.61	8/31/2008
7060011	Gulfbreeze Plaza I	Port Arthur	86	Recon.	\$9,067,577	\$407,164.87	12/17/2008
7060012	Gulfbreeze Plaza II	Port Arthur	148	Recon.	\$13,280,250	\$3,573,935.80	6/11/2008
7060008	Virginia Estates	Beaumont	110	Rehab	\$6,707,534	\$2,949,659.32	5/26/2008
7060009	Brittany Place I Multifamily	Port Arthur	96	Recon.	\$11,046,835	\$4,809,270.86	4/9/2008

Totals:	813		\$81,147,333	\$15,141,245.92	
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CDBG Round 2 Homeowner Assistance Program and Sabine Pass Restoration Program Update from ACS State & Local Solutions, Inc.

Program activities continue to gain momentum. Reflected in the chart below are the number of applicants that have moved through the Homeowners Assistance and Sabine Pass Restoration Programs (HAP and SPRP) as of April 2nd. Changes in the total of key metrics from those reported in the March Board Meeting include:

- Completed applications increased by 365 from 1,930 to 2,295
- An additional 449 applicants have been declared eligible
- Completed inspections now total 1,303, an increase of 290 over the last reporting period
- A total of 722 homes have been assigned to contractors, an increase of 330
- The total number of Benefit selection meetings held increased by 336. An additional 123 meetings were being scheduled as of 4/2/09
- Closings have increased by 73 to a total of 121
- Not reflected below is that as of 4/2/09, 746 Environmental Work Orders have been submitted to, and approved by, TDHCA

AS OF 4/2/09	HAP	SPRP	Total
Completed Applications	2,194	101	2,295
Eligibility Determined	1,403	91	1,494
Inspections Complete	1,200	103	1,303
Projects Assigned to Contractors	661	61	722
Benefit Selection Meetings Held	667	61	728
Closings	71	50	121
Construction Starts	30	03	60

Six homes have been completed and construction has begun on 54 more; 24 in SPRP and 30 in HAP. This reflects 39 additional starts since February 20th. Application for construction permits has been made for a total of 248 homes, 43 in SPRP and 205 in HAP, an increase of 224 since the last report. All of these permits are expected to be granted before the end of April. Pictured below is Ms. Melba Richardson of Vidor, Texas being presented the keys to her new home by Belinda Humphries and Randy Wilson, representatives of American Homestar/Oak Creek Homes, the construction contractor. Ms. Humphries is the latest applicant to receive a home under the program.



In order to maintain focus on expediting the permitting process, close contact has been maintained with permitting officials in the construction area with whom the program met in February. As can be seen by the marked increase in construction permits granted, these measures together with combining the Benefit Selection and Construction Kick-Off meeting mentioned in our last report continue to improve the process by which these permits are obtained.

The program has also intensified the degree of direct involvement with the construction contractors. Several lengthy, all-hands meetings have been held with the contractors in South East Texas. These meetings included additional training in the provisions of the program, the construction management system, closing requirements and further definition of the workflow and timeframes for completion of the various stages of the process. Program representation in the construction areas has been augmented and several program specialists have been “embedded” with contractors to continue the accelerated learning curve.

The initiative to address almost 1,800 applicants from whom no response has been received since the mailing of the original Supplemental Applications continues. On March 17, an additional 81 Final Notices were mailed to non-respondents, bringing the total to 1,257. Results of this mailing are indicated below:

AS OF 3/30/09	Results
Withdrawn	69
Interested in Continuing	100
Scheduled Appointments	163
*Returned as undeliverable	258
Certified Mail Receipts Returned	706
Returned Mail (held at PO & unclaimed)	244

*Those Final Notices returned as undeliverable are again checked against a national database to obtain an updated address. As a result, on March 4, eighty-eight (88) Final Notices were re-mailed to applicants.

Once the 14-day response period expires on the Final Notices mailed, a like number of Applications are mailed to homeowners on the Wait List. To date, 895 applications have been dispatched with the following results:

AS OF 3/30/09	Results
Withdrawn	104
*Applications Returned	307
Pending Eligibility	161

*Distribution of returned applications by county: Jefferson – 165; Jasper – 36; Newton – 31; Orange – 23; Hardin – 16; Liberty – 10; 7 other counties - 26

The Call Center continues to follow-up by phone on both Final Notices and applications that have not yet been returned.

Despite delays and lost days caused by rainy weather in Southeast Texas, construction efforts in HAP and SPRP continue to gain greater traction. The next challenge is to ensure that the homeowners vacate their property so that construction can begin. This has posed some difficulties for a number of homeowners and the program is exploring the feasibility of providing some assistance in this area.

FEMA Affordable Housing Pilot Program

The Disaster Recovery Division is also responsible for administration of the Federal Emergency Management Agency (FEMA) award of \$16,471,725 for the Affordable Housing Pilot Program (AHPP). The purpose of the AHPP is to demonstrate an alternative housing solution to the FEMA trailer in the areas affected by the 2005 Hurricanes.

On January 7, 2008, the Federal Emergency Management Agency (FEMA) announced that TDHCA was awarded \$16,471,725 for the Affordable Housing Pilot Program (AHPP). The purpose of the AHPP is to demonstrate an alternative housing solution to the FEMA trailer in the areas affected by the 2005 Hurricanes for a time period of twenty-four months. A one-time exemption to the Stafford Act, AHPP permits the use of FEMA funding to study alternatives to the FEMA trailer by examining cost-effective solutions that meet a variety of housing needs. Pursuant to FEMA requirements, the pre-fabricated units must be awarded within the 22 counties affected by the 2005 Hurricanes.

The Heston Group was selected to pilot a pre-fabricated, panelized solution which can be deployed quickly and built to accommodate a diverse population.

The Department has been working diligently with the Heston Group to identify and manage activities to be performed in preparation of the construction of 18 homes in East Texas and up to 60 homes in the City of Houston.

There are currently 18 eligible families in East Texas with 14 of those sites having been submitted to FEMA for Environmental Clearance. FEMA has given Environmental Clearance for seven sites to date; one home is ready for occupancy to date. The keys for the first completed home in East Texas (Jasper) were handed over to the applicant on March 7, 2009. TDHCA and Heston staff walked the applicant through necessary paperwork as well as give the applicant an introduction to the unit and maintenance of it.

TDHCA staff is working closely with the city of Houston on the placement of a ten home infill site program to further address housing needs in the area as well as planning for the 30-40 unit group site that will address the renter population that relocated from East Texas due to Hurricane Rita.

4c

DISASTER RECOVERY DIVISION

BOARD ACTION REQUEST

April 23, 2009

Action Item

Presentation, Discussion, and Possible Action to authorize staff to proceed with the issuance of three requests for proposals: Contract Management, Environmental Clearance, and Technical Assistance services, each relating to the procurement of one or more third parties to provide assistance to the department in the administration of CDBG Disaster Funding related to Hurricanes Ike and Dolly.

Requested Action

Authorize staff to take any and all necessary action to issue the requests for proposals. .

Background

The delivery of Hurricane Dolly and Ike housing program activities will involve working with a range of subrecipients, as determined by the Councils of Government in their methods of distribution. These subrecipients will be providing a range of housing related relief. Although the Department has emphasized in working with the COGs and the likely subrecipients, that for the sake of efficiency and to assure the availability of necessary capacity, smaller subrecipients are strongly encouraged to form consortiums. Nonetheless, the Department needs to be prepared for the contingency of working with a significant array of subrecipients delivering varied disaster relief programs. Staff believes that one of the most effective ways to ensure that it has the capacity and flexibility to address this contingency is to procure qualified third parties to provide specialized services. Specifically, staff proposes to solicit proposals to provide technical assistance, contract management, and environmental services.

Technical Assistance – This would involve providing specific and accurate technical information regarding housing programs, administration of funds, and eligibility information including: explaining grant award criteria, housing program design and eligibility; compliance with low and moderate income national objectives; compliance with CDBG citizen participation requirements; strategies for designing and implementing programs relating to fair housing, affirmative marketing, anti-discrimination, and accessibility; procuring and providing contract management of subcontractors; coordinating and overseeing construction activities; complying with applicable labor standards requirements; maintenance of program records, including applicant records, assisting assistance applicants with application processes; project assessment preliminary assessment of environmental issues, and cost estimates; and other TDHCA compliance requirements.

Contract Management – This would involve providing assistance to ensure that CDBG disaster fund subrecipients comply in a documented, auditable manner with all applicable program requirements. This would include assistance with preparation, review, and administration of contracts; providing of administrative support services for contracts and service agreements; fiscal support (including assistance with bookkeeping, auditing, documentation of draws, etc.); preparation and tracking of budgets, expenditures, and achievement of benchmarks; development of programs to protect against fraud, waste, abuse, and mismanagement; development of schedules and tracking mechanisms to ensure timely commencement and completion of program objectives; developing processes to manage the distribution of funds and track them from initial approval to final draw; development of processes to ensure adherence

to expense limitations; development of plans for validating eligibility and determining benefits; developing and assisting with administering programs to process grant and loan applications in accordance with program requirements, including prioritization; development of and assisting with administration of processes for property inspections and monitoring of contractors' work product; development of any needed mediation or other dispute resolution processes involving vendors, contractors, or recipients; and providing necessary reporting of activity, financial aspects, and progress.

Environmental – This will involve assistance with the identification, assessment, and addressing of environmental issues. It will also involve assisting in the making of informed decisions about such matters and assisting in explaining and supporting such decisions. The range of capabilities and potential services required will include site and program specific consulting; environmental audits and site assessments, sampling, abatement, remediation, monitoring, liaison activity with other local, state, and federal entities, disposal, training, assurance of compliance with public notice requirements and other requirements, assurance of adequate and fully compliant documentation and support for actions, identification of exceptions to requirements, and compliance with historic preservation, flood plain, wetlands, and other similar requirements. Ability to assist with environmental issues commonly encountered in residential settings – lead based paint, mold, asbestos, and hazardous waste (including methamphetamine-related matters)—will be especially important.

The plan is to publish this RFP in the Texas Register, the Electronic State Business Daily, and on the agency's website.

Staff Recommendation:

Authorize staff to proceed with the RFP process and take all necessary actions.

5

Technical Correction to Item 5a:

Presentation, Discussion and Possible Approval of HOME Program Award Recommendations.

This technical correction replaces incorrect support documentation provided in the Original Board Book posting with the Application and Award Logs for Item 5a as reflected on the agenda.

HOME AND HOUSING TRUST PROGRAMS DIVISION
BOARD ACTION REQUEST
April 23, 2009

Action Item

Presentation, Discussion and Possible Approval of HOME Program Award Recommendations.

Requested Action

Approve, Deny, or Approve with Amendments the HOME Program Award Recommendations.

Background

Awards for contracts from all active Notices of Funding Availability (NOFAs), reflecting multiple activity types, and disaster relief, are combined in this one action item.

***OWNER OCCUPIED HOUSING ASSISTANCE, HOMEBUYER ASSISTANCE, AND
TENANT- BASED RENTAL ASSISTANCE***

On July 31, 2008, the Board approved the 2008 Single Family (Owner Occupied Housing Assistance, Tenant-Based Rental Assistance, and Homebuyer Assistance Programs) Notice of Funding Availability (NOFA) which made available \$23,034,118. These funds are the Department's 2008 annual HOME allocation from the U. S. Department of Housing and Urban Development. The NOFA published in the *Texas Register* on August 29, 2008. As published in the 2008 State of Texas Consolidated Plan One-Year Action Plan, \$16,123,882 is available for the Owner-Occupied Housing Assistance (OCC) Program, \$3,455,118 is available for the Homebuyer Assistance (HBA) Program, and \$3,455,118 is available for the Tenant-Based Rental Assistance (TBRA) Program. Funds were made available under an open cycle and subject to the Regional Allocation Formula (RAF) until October 15, 2008. On October 16, 2008, any funds not requested were made available statewide in any Uniform State Service Region and remained within each HOME Program Activity specified in the NOFA until January 15, 2009. On January 16, 2009, any funds not awarded or requested were made available in any Uniform State Service Region for any Eligible HOME Program Activity specified in the NOFA until the earlier of the award of all funds or Thursday, April 30, 2009.

On December 18, 2008, the Board approved the transfer of \$4,000,000 in declined HOME funds to the current 2008 Single Family (Owner Occupied Housing Assistance, Homebuyer Assistance, and Tenant-Based Rental Assistance Programs) NOFA which increased the total amount of the NOFA to \$27,034,118. The additional \$4 million was used to increase the Owner Occupied Housing Assistance Program Activity set aside funds from \$16,123,882 to \$20,123,882.

The OCC Program provides eligible households with loans for the rehabilitation or reconstruction of their existing owner-occupied home and earning 80% or less of the Area Median family Income (AMFI) as defined by HUD. The assisted unit must be the principal residence of the homeowner and, meet all program eligibility requirements.

The HBA Program provides downpayment and closing costs assistance, to eligible first-time homebuyers for the acquisition of affordable single family housing. The assisted homebuyer must earn 80% or less of the AMFI, occupy the unit as their principal residence, and meet all program eligibility requirements.

The TBRA Program provides eligible households with rental subsidies, including security and utility deposits for a period not to exceed 24 months. Tenants must earning 80% or less of the AMFI, participate in a self-sufficiency program, and meet all program eligibility requirements. Ninety percent (90%) of the households assisted with respect to rental or TBRA units must have incomes at or below 60% of the AMFI, in accordance with 24 CFR §92.216.

To date, 95 applications totaling \$32,387,777 in project funds and \$982,987 in administrative funds have been received. The Board has approved funding for 60 applications totaling \$19,514,161 in project funds and \$593,284 in administrative funds, although one awardee subsequently declined funds. Ten applications have been terminated, one application has withdrawn, Two applications are currently under review and/or are in the process of clearing deficiencies, and 22 applications are being presented for a funding recommendation today.

During the open application cycle, eligible applications were categorized by date, time received, and were reviewed and scored in accordance with the requirements in the NOFA. Attached are the Application Logs and Award Recommendation Logs for each HOME Activity. The Single Family NOFA is over subscribed by \$405,043. Staff is recommending the Board utilize \$405,043 of declined HOME funds which are available to commit in order to fully fund all eligible applications received and reflected in the Award Recommendation Logs.

Staff is recommending for award 22 applications, totaling \$8,300,000 in project funds and \$356,000 in administrative funds, which will result in 145 affordable housing units.

Award Recommendations Summary:

HOME Activity	# of Awards Recommended	Total Project Funds Recommended	Total Admin. Funds Recommended	# of Units Recommended
OCC	20	\$7,500,000	\$300,000	100
HBA	1	\$ 500,000	\$ 20,000	25
TBRA	1	\$ 300,000	\$ 36,000	20
Totals	22	\$8,300,000	\$356,000	145

All applications have been reviewed by the Portfolio Management and Compliance Division and no issues of material non-compliance, unresolved audit findings or questioned or disallowed costs have been identified.

If the attached award recommendations are approved, the Single Family NOFA will have no remaining funds. Moreover, the \$28,373,445 in project and administrative funds awarded to 81

viable applications under this NOFA since December 18, 2008 will be used to assist 591 households access safe, decent, and affordable housing.

Attached:

- 2008 HOME Single Family NOFA (OCC) – Award Recommendations Log;
- 2008 HOME Single Family NOFA (HBA) – Award Recommendations Log;
- 2008 HOME Single Family NOFA (TBRA) – Award Recommendations Log; and,
- 2008 HOME Single Family NOFA - Application Log.

CONTRACT FOR DEED PROGRAM

On May 5, 2008 the Board approved the Notice of Funding Availability (NOFA) for the Contract for Deed Program which made approximately \$9,280,000 in funding available, which is not subject to the Regional Allocation Formula. The Contract for Deed Program assists eligible households with the acquisition (deed conversion) or the acquisition and rehabilitation, new construction or reconstruction of properties for the purpose of converting an eligible contract for deed to homeownership and bringing the assisted unit up to housing standards. Assisted households must reside in a colonia, have a household income that does not exceed 60% of the area median family income (AMFI) and meet all program eligibility requirements. This open cycle NOFA makes funds available on a first-come, first-served basis until all funds have been awarded or 5:00 p.m., May 1, 2009, whichever is first to occur.

To date, four applications totaling \$2,000,000 in project funds and \$80,000 in administrative funds have been received. The Board has approved funding for 3 applications totaling \$1,500,000 in project funds and \$60,000 in administrative funds. One application for \$500,000 in project funds and \$20,000 in administrative funds is being recommended for funding today.

If the attached award recommendation is approved, a total of \$7,280,000 will remain in the NOFA.

Attached:

- HOME Contract for Deed NOFA – Award Recommendations; and,
- HOME Contract for Deed NOFA - Application Log;

DISASTER RELIEF PROGRAM

On October 27, 2008, the Department received a letter from Governor Rick Perry recognizing that a disaster occurred on August 18, 2008, in Starr County due to severe storms which caused major flooding in the City of Roma and Starr County. The letter requests for the Department make available any and all assistance to the citizens of Starr County. The availability of HOME disaster relief funds, as permitted by the Deobligated Funds Policy, was shared with the Starr County Judge and City of Roma officials. Technical assistance for completing an application was also provided by staff.

In accordance with the Department's HOME Program Rule at 10 TAC §53.47(a)(2), applications for disaster relief will only be accepted within six months after the first day assistance under the program is made available.

The City of Roma submitted an application for assistance under the HOME Owner Occupied Housing Assistance for Disaster Relief Program. The City is requesting \$500,000 in project funds and \$20,000 in administrative funds and is proposing to assist 7 eligible households that were directly affected by the disaster. The proposed application reflects that 13 inches of rain fell within a short period of time, causing flooding and wind damage in three neighborhoods located south of US Highway 83. This disaster affected approximately 774 homes. Most of the homeowners did not have insurance and continue to live in substandard housing conditions. The City of Roma has previously been awarded three HOME OCC contracts totaling \$1,072,965 and assisted 20 households. Eight of the 20 households were served under a previous award of Disaster Relief funds.

Staff recommends an award to the City of Roma for \$500,000 and approval of 4% of project funds requested for program administration.

Attached:

- Disaster Relief Award Recommendation; and
- Disaster Relief Application Log

Recommendation

Staff recommends that the Board approve all of the awards as detailed in the Award Recommendations logs attached.

2008 SF Application Log Final Collapse

Sorted by date/time received

Total NOFA Amount - \$27,034,118

Total Amount Available: \$7,894,957

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0065 2008 OCC	9/8/2008	9:39 AM	City of Carthage	4	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0064 2008 OCC	9/8/2008	9:40 AM	City of Center	5	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0066 2008 OCC	9/8/2008	11:09 AM	City of Jacksonville	4	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0063 2008 OCC	9/8/2008	11:10 AM	City of Crockett	5	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0062 2008 OCC	9/8/2008	3:27 PM	City of Palestine	4	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0067 2008 OCC	9/15/2008	9:07 AM	City of Wortham	8	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0068 2008 TBRA	9/16/2008	2:09 PM	Ellis Community Resources Inc.	9	\$300,000	\$12,000	28	\$300,000	\$36,000	28	Awarded 2/5/2009
2008-0069 2008 OCC	9/16/2008	4:38 PM	City of Corsicana	3	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 2/5/2009
2008-0070 2008 TBRA	9/17/2008	1:11 PM	Buckner Children & Family Services, Inc. dba Buckner Family Place	5	\$87,360	\$3,494	7	\$87,360	\$3,494	7	Awarded 12/18/2008
2008-0071 2008 OCC	9/18/2008	1:06 PM	City of Gladewater	4	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0072 2008 OCC	9/18/2008	3:58 PM	County of La Salle	11	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0073 2008 OCC	9/22/2008	2:57 PM	City of La Grange	7	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 2/5/2009
2008-0074 2008 OCC	9/22/2008	2:58 PM	City of Moody	8	\$375,000	\$7,500	6	\$375,000	\$15,000	6	Awarded 12/18/2008
2008-0075 2008 OCC	9/22/2008	2:59 PM	City of La Feria	11	\$375,000	\$7,500	6	\$375,000	\$15,000	6	Awarded 12/18/2008
2008-0076 2008 OCC	9/22/2008	4:30 PM	City of Teague	8	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0079 2008 OCC	9/23/2008	2:53 PM	City of Devine	9	\$375,000	\$7,500	6	\$375,000	\$15,000	6	Awarded 12/18/2008
2008-0077 2008 OCC	9/24/2008	3:07 PM	City of Smithville	7	\$375,000	\$7,500	6	\$375,000	\$15,000	6	Awarded 12/18/2008
2008-0078 2008 OCC	9/25/2008	9:39 AM	City of Temple	8	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0080 2008 OCC	9/25/2008	3:09 PM	City of Conroe	6	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0081 2008 OCC	10/2/2008	3:38 PM	City of Hallettsville	10	\$375,000	\$7,500	6	\$375,000	\$15,000	6	Awarded 12/18/2008
2008-0082 2008 OCC	10/3/2008	2:33 PM	City of Taylor	7	\$375,000	\$7,500	6	\$375,000	\$15,000	6	Awarded 12/18/2008
2008-0083 2008 OCC	10/6/2008	11:23 AM	City of Hughes Springs	4	\$360,000	\$7,200	6	\$360,000	\$7,200	6	Awarded 12/18/2008

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0084 2008 OCC	10/7/2008	1:02 PM	Webb County	11	\$240,000	\$4,800	8	\$240,000	\$4,800	4	Awarded 12/18/2008
2008-0087 2008 OCC	10/9/2008	1:36 PM	City of Cuney	4	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0086 2008 OCC	10/9/2008	1:46 PM	City of Redwater	4	\$180,000	\$3,600	3	\$180,000	\$3,600	3	Awarded 12/18/2008
2008-0085 2008 OCC	10/9/2008	3:53 PM	City of Midland	12	\$160,000	\$3,200	5	\$160,000	\$3,200	5	Awarded 12/18/2008
2008-0088 2008 TBRA	10/13/2008	8:13 AM	Buckner Children & Family Services, Inc. dba Buckner Family Place at Hearthstone	12	\$151,008	\$6,040	6	\$151,008	\$6,040	6	Awarded 12/18/2008
2008-0099 2008 OCC	10/14/2008	10:27 AM	City of Bogata	4	\$300,000	\$6,000	5	\$300,000	\$6,000	5	Awarded 12/18/2008
2008-0100 2008 OCC	10/14/2008	10:27 AM	City of Clarksville	4	\$360,000	\$7,200	6	\$360,000	\$7,200	6	Awarded 12/18/2008
2008-0098 2008 OCC	10/14/2008	10:28 AM	San Benito Housing Authority	11	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0097 2008 OCC	10/14/2008	12:29 PM	Franklin County	4	\$300,000	\$6,000	5	\$300,000	\$6,000	5	Awarded 12/18/2008
2008-0096 2008 OCC	10/14/2008	3:11 PM	City of McKinney	3	\$300,000	\$6,000	5	\$300,000	\$6,000	5	Awarded 12/18/2008
2008-0091 2008 HBA	10/15/2008	1:31 PM	Midland Community Development Corp.	12	\$100,000	\$4,000	10	\$100,000	\$4,000	10	Awarded 12/18/2008
2008-0092 2008 OCC	10/15/2008	1:33 PM	Red River County	4	\$360,000	\$7,200	6	\$360,000	\$7,200	6	Awarded 12/18/2008

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0093 2008 OCC	10/15/2008	1:35 PM	Cass County	4	\$360,000	\$7,200	6	\$360,000	\$7,200	6	Awarded 12/18/2008
2008-0094 2008 OCC	10/15/2008	1:36 PM	City of Bloomburg	4	\$180,000	\$3,600	3				Terminated
2008-0095 2008 OCC	10/15/2008	1:37 PM	South Plains Community Action Association, Inc.	1	\$375,000	\$7,500	5				Under Review
2008-0089 2008 OCC	10/15/2008	4:27 PM	City of Terrell	3	\$360,000	\$7,200	5	\$360,000	\$7,200	6	Awarded 12/18/2008
2008-0090 2008 OCC	10/15/2008	4:31 PM	City of Nacogdoches	5	\$375,000	\$7,500	6	\$375,000	\$7,500	6	Awarded 12/18/2008
2008-0102 2008 OCC	10/22/2008	3:04 PM	City Of Paris	4	\$375,000	\$7,500	5	\$375,000	\$7,500	5	Awarded 2/5/2009
2008-0103 2008 OCC	10/22/2008	3:05 PM	City of Meadow	1	\$375,000	\$7,500	5	\$375,000	\$7,500	5	Awarded 12/18/2008
2008-0104 2008 OCC	10/29/2008	2:26 PM	City of Bonham	3	\$375,000	\$7,500	5	\$375,000	\$7,500	5	Awarded 2/5/2009
2008-0110 2008 OCC	10/30/2008	11:29 AM	City of Mineola	4	\$375,000	\$7,500	5				Terminated
2008-0107 2008 OCC	11/3/2008	9:57 AM	Community Council of Southwest Texas, Inc.	11	\$375,000	\$7,500	6	\$375,000	\$7,500	5	Awarded 2/5/2009
2008-0108 2008 HBA	11/3/2008	10:03 AM	Community Council of Southwest Texas, Inc.	0	\$500,000	\$20,000	50	\$500,000	\$20,000	50	Awarded 2/5/2009
2008-0109 2008 OCC	11/3/2008	10:05 AM	County of Lamar	4	\$375,000	\$7,500	5	\$375,000	\$7,500	5	Awarded 2/5/2009

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0106 2008 OCC	11/3/2008	3:34 PM	City of Sundown	1	\$375,000	\$7,500	5	\$375,000	\$7,500	5	Awarded 12/18/2008
2008-0111 2008 TBRA	11/5/2008	10:05 AM	Affordable Caring Housing, Inc.	4	\$110,561	\$4,422	10	\$110,561	\$4,422	10	Awarded 12/18/2008
2008-0112 2008 OCC	11/10/2008	8:59 AM	El Paso Collaborative for Community and Economic Development	13	\$375,000	\$7,500	7	\$375,000	\$7,500	7	Awarded 2/5/2009
2008-0114 2008 OCC	11/14/2008	4:27 PM	City of Godley	3	\$150,000	\$3,000	2	\$150,000	\$3,000	2	Awarded 12/18/2008
2008-0113 2008 HBA	11/14/2008	4:36 PM	Affordable Homes of South Texas, Inc.	11	\$300,000	\$12,000	30	\$300,000	\$12,000	30	Awarded 12/18/2008
2008-0115 2008 OCC	11/20/2008	6:17 AM	City of New Braunfels	9	\$375,000	\$7,500	15	\$375,000	\$15,000	5	Awarded 2/5/2009
2008-0116 2008 OCC	11/21/2008	4:19 PM	City of Pilot Point	3	\$150,000	\$3,000	2	\$150,000	\$3,000	2	Awarded 12/18/2008
2008-0118 2008 TBRA	12/8/2008	3:31 PM	Affordable Caring Housing, Inc.	8	\$110,232	\$4,409	10	\$110,232	\$13,228	10	Awarded 2/5/2009
2008-0120 2008 OCC	12/16/2008	4:01 PM	City of Anton	1	\$375,000	\$7,500	5	\$375,000	\$15,000	5	declined
2008-0119 2008 HBA	12/16/2008	4:03 PM	City of Midland	12	\$100,000	\$4,000	10	\$100,000	\$4,000	10	Awarded 2/5/2009
2008-0121 2008 OCC	12/23/2008	8:43 AM	City of Abernathy	1	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Awarded 2/5/2009
2008-0123 2008 OCC	12/23/2008	1:35 PM	City of McCamey	12	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Awarded 2/5/2009

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0122 2008 OCC	12/23/2008	1:36 PM	City of Ralls	1	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Awarded 2/5/2009
2008-0124 2008 TBRA	12/30/2008	1:28 PM	Fort Bend County Women's Center, Inc.	6	\$322,056	\$12,882	19	\$300,000	\$36,000	19	Awarded 2/5/2009
2008-0125 2008 OCC	1/7/2009	2:05 PM	City of Winters	2	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Awarded 2/5/2009
2008-0126 2008 OCC	1/13/2009	1:30 PM	City of Turkey	1	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Awarded 2/5/2009
2008-0128 2008 OCC	1/15/2009	4:05 PM	Hill Country Home Opportunity Council, Inc.	9	\$375,000	\$7,500	5				Terminated
2008-0127 2008 OCC	1/15/2009	1:12 PM	City of Socorro	13	\$375,000	\$15,000	25	\$375,000	\$15,000	6	Awarded 2/5/2009
2008-0136 2008 OCC	1/20/2009	8:34 AM	Azteca Economic Development Corporation	1	\$374,000	\$15,600	5				Terminated
2008-0130 2008 OCC	2/2/2009	2:33 PM	City of Mart	8	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0139 2008 OCC	2/3/2009	3:44 AM	City of Seminole	12	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0135 2008 OCC	2/4/2009	3:49 PM	City of Trinidad	4	\$375,000	\$7,500	5				Terminated
2008-0134 2008 OCC	2/6/2009	5:18 PM	City of Point Comfort	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0132 2008 OCC	2/11/2009	1:13 PM	City of Agua Dulce	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0133 2008 OCC	2/17/2009	4:29 PM	County of Delta	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0137 2008 OCC	2/19/2009	2:26 PM	City of Willis	6	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0138 2008 OCC	2/20/2009	3:57 AM	Frio County	9	\$375,000	\$15,000	5				Withdrawn
2008-0140 2008 OCC	2/24/2009	1:23 AM	City of Mount Vernon	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0141 2008 TBRA	2/24/2009	9:47 AM	Travis County Housing Finance Corporation	7	\$300,000	\$12,000	20				Terminated
2008-0142 2008 OCC	2/26/2009	4:49 PM	City of Mineola	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0143 2008 OCC	2/27/2009	4:41 AM	City of Carrizo Springs	11	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0144 2008 OCC	2/27/2009	4:42 AM	City of Seadrift	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0145 2008 OCC	3/3/2009	2:28 AM	City of Valentine	13	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0148 2008 OCC	3/9/2009	2:07 AM	City of Roxton	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0151 2008 TBRA	3/9/2009	2:08 AM	Four Rivers Outreach, Inc.	3	\$322,560	\$13,440	21				Terminated
2008-0147 2008 OCC	3/9/2009	2:09 AM	City of Greenville	3	\$375,000	\$15,000	5				Terminated

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0150 2008 OCC	3/9/2009	4:24 AM	City of Trinidad	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0149 2008 OCC	3/10/2009	11:59 AM	City of Harker Heights	8	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0152 2008 OCC	3/11/2009	9:14 AM	City of Encinal	11	\$375,000	\$15,000	5				Under Review
2008-0153 2008 TBRA	3/12/2009	3:41 AM	Travis County Housing Finance Corporation	7	\$300,000	\$36,000	20	\$300,000	\$36,000	20	Pending Award
2008-0154 2008 OCC	3/16/2009	1:18 AM	City of Smyer	1	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0155 2008 OCC	3/16/2009	1:30 AM	City of Detroit	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0156 2008 OCC	3/16/2009	1:31 PM	City of Pecan Gap	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0157 2008 HBA	3/18/2009	1:27 AM	Paris Living - A Community Development Corporation	4	\$500,000	\$20,000	25	\$500,000	\$20,000	25	Pending Award
2008-0158 2008 OCC	3/18/2009	4:38 PM	City of Annona	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0159 2008 OCC	3/24/2009	2:54 AM	City of Charlotte	9	\$375,000	\$15,000	5				Terminated
2008-0161 2008 OCC	3/26/2009	3:45 PM	Refugio County	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0160 2008 OCC	3/26/2009	3:48 PM	Dimmit County	11	\$375,000	\$15,000	5	\$0	\$0	0	Terminated

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0162 2008 OCC	4/1/2009	2:06 PM	City of Taboka	I	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
Totals:					\$32,387,777	\$982,987	723	\$27,814,161	\$949,284	596	

2008 HOME SF NOFA (2008 OCC) - Award Recommendations Log

April 16, 2009

Sorted by Date and Time Received

Statewide Summary	Totals
SF NOFA Amount:	\$27,034,118
OCC Set-Aside Amount:	\$20,123,882
Total Recommended:	\$7,500,000
Total Apps. Recommended:	20

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0130	2/2/2009	2:33 PM	City of Mart	8	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0139	2/3/2009	3:44 AM	City of Seminole	12	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0134	2/6/2009	5:18 PM	City of Point Comfort	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0132	2/11/2009	1:13 PM	City of Agua Dulce	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0133	2/17/2009	4:29 PM	County of Delta	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0137	2/19/2009	2:26 PM	City of Willis	6	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0140	2/24/2009	1:23 AM	City of Mount Vernon	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0142	2/26/2009	4:49 PM	City of Mineola	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0143	2/27/2009	4:41 AM	City of Carrizo Springs	11	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0144	2/27/2009	4:42 AM	City of Seadrift	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0145	3/3/2009	2:28 AM	City of Valentine	13	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0148	3/9/2009	2:07 AM	City of Roxton	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0150	3/9/2009	4:24 AM	City of Trinidad	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0149	3/10/2009	11:59 AM	City of Harker Heights	8	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0154	3/16/2009	1:18 AM	City of Smyer	1	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0155	3/16/2009	1:30 AM	City of Detroit	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0156	3/16/2009	1:31 PM	City of Pecan Gap	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0158	3/18/2009	4:38 PM	City of Annona	4	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0161	3/26/2009	3:45 PM	Refugio County	10	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
2008-0162	4/1/2009	2:06 PM	City of Tahoka	1	\$375,000	\$15,000	5	\$375,000	\$15,000	5	Pending Award
Totals:					\$7,500,000	\$300,000	100	\$7,500,000	\$300,000	100	

2008 HOME SF NOFA (2008 HBA) - Award Recommendations Log

April 16, 2009

Sorted by Date and Time Received

Statewide Summary	Totals
SF NOFA Amount:	\$27,034,118
HBA Set-Aside Amount:	\$3,455,118
Total Recommended:	\$500,000
Total Apps. Recommended:	1

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0157	3/18/2009	1:27 AM	Paris Living - A Community Development Corporation	4	\$500,000	\$20,000	25	\$500,000	\$20,000	25	Pending Award
Totals:					\$500,000	\$20,000	25	\$500,000	\$20,000	25	

2008 HOME SF NOFA (2008 TBRA) - Award Recommendations Log
April 16, 2009

Sorted by Date and Time Received

Statewide Summary	Totals
SF NOFA Amount:	\$27,034,118
TBRA Set-Aside Amount:	\$3,455,118
Total Recommended:	\$300,000
Total Apps. Recommended:	1

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0153	3/12/2009	3:41 AM	Travis County Housing Finance Corporation	7	\$300,000	\$36,000	20	\$300,000	\$36,000	20	Pending Award
Totals:					\$300,000	\$36,000	20	\$300,000	\$36,000	20	

Contract For Deed - Application Log

Sorted by date/time received

Total NOFA Amount - \$9,280,000

Total Amount Available: \$7,780,000

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0101	10/20/2008	2:56 PM	El Paso Collaborative for Community and Economic Development	13	\$500,000	\$20,000	5	\$500,000	\$20,000	5	Awarded 12/18/2008
2008-0105	11/3/2008	3:46 PM	Adults & Youth Development Association, Inc.	13	\$500,000	\$20,000	5	\$500,000	\$20,000	5	Awarded 12/18/2008
2008-0117	12/1/2008	1:22 PM	Organizacion Progresiva De San Elizario	13	\$500,000	\$20,000	5	\$500,000	\$20,000	5	Awarded 2/5/2009
2008-0129	1/20/2009	2:59 PM	FUTURO Communities, Inc.	11	\$500,000	\$20,000	10	\$500,000	\$20,000	10	Pending Award
Totals:					\$2,000,000	\$80,000	25	\$2,000,000	\$80,000	25	

Contract For Deed - Award Recommendations Log

Sorted by date/time received

Total NOFA Amount - \$9,280,000

Total Amount Available: \$7,780,000

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0129	1/20/2009	2:59 PM	FUTURO Communities, Inc.	11	\$500,000	\$20,000	10	\$500,000	\$20,000	10	Pending Award
Totals:					\$500,000	\$20,000	10	\$500,000	\$20,000	10	

Disaster - Application Log

Sorted by date/time received

Total NOFA Amount - \$6,800,000

Total Amount Available: \$3,300,000

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0010	2/18/2008	11:36 AM	City of Ames	6	\$500,000	\$20,000	6	\$500,000	\$10,000	7	Awarded 5/8/2008
2008-0009	2/19/2008	9:30 AM	City of Cleveland	6	\$500,000	\$20,000	6	\$500,000	\$10,000	7	Awarded 5/8/2008
2008-0011	2/20/2008	10:27 AM	Liberty County	6	\$500,000	\$20,000	5	\$500,000	\$10,000	7	Awarded 5/8/2008
2008-0029	3/27/2008	11:15 AM	Baylor County	3	\$500,000	\$20,000	10	\$500,000	\$10,000	10	Awarded 5/8/2008
2008-0056	5/29/2008	4:06 PM	City of Dayton	6	\$500,000	\$20,000	6	\$500,000	\$10,000	7	Awarded 7/31/2008
2008-0061	7/23/2008	4:13 PM	County of La Salle	11	\$500,000	\$10,000	9	\$500,000	\$10,000	7	Awarded 9/4/2008
2008-0131	2/13/2009	2:21 PM	City of Roma	11	\$500,000	\$20,000	7	\$500,000	\$20,000	7	Pending Award
Totals:					\$3,500,000	\$130,000	49	\$3,500,000	\$80,000	52	

Disaster - Award Recommendations Log

Sorted by date/time received

Total NOFA Amount - \$6,800,000

Total Amount Available: \$3,300,000

App number	Received Date	Time Received	Applicant	Region	Project Funds Requested	Admin Funds Requested	Total Units	Project Funds Awarded and/or Recommended	Admin Funds Awarded and/or Recommended	Total Units	Comments
2008-0131	2/13/2009	2:21 PM	City of Roma	11	\$500,000	\$20,000	7	\$500,000	\$20,000	7	Pending Award
<i>Totals:</i>					\$500,000	\$20,000	7	\$500,000	\$20,000	7	

7c

09137

Meadowlake Village

Appeal

Documentation

Timely Filed

MULTIFAMILY FINANCE PRODUCTION DIVISION
BOARD ACTION REQUEST
April 23, 2009

Action Item

Presentation, Discussion and Possible Action for 2009 Competitive Housing Tax Credit (HTC) Appeals

Requested Action

Approve, Deny or Approve with Amendments a determination on the appeal for Meadowlake Village Apartments.

Background and Recommendations

Meadowlake Village Apartments - 09137

On February 27, 2009, Mr. Warren Maupin attempted to submit an Application for the above-referenced development. The Department's governing statute, Texas Government Code §2306.6724(d) requires that "An applicant for a low income housing tax credit to be issued a commitment during the initial allocation cycle in a calendar year must submit an application to the Department not later than March 1." The Department's last business day and hour was on February 27, 2009 at 5:00 p.m. CST, the Application deadline set by the Department in the 2009 Application Submission Procedures Manual.

The circumstances surrounding the termination are as follows:

- Mr. Maupin arrived at the location to submit the Application without the required Application CD-R disc.
- After the 5:00 deadline had passed and Mr. Maupin had still not produced a CD-R disc for the Application, Mr. Maupin requested that staff search the Holland House Apartments file submitted by Mr. Maupin to see if the disc was mistakenly placed there.
- Staff searched the Holland House Apartments file and did not locate a CD-R disc for the Meadowlake Village Apartments.
- Staff was not able to confirm receipt of the required Application materials for Meadowlake Village Apartments by the deadline.

Relevant documentation related to this appeal is provided behind the Board Action Request.

Applicant: Mabank Residential Apartments, LP, a Texas limited partnership
Site Location: 209 Grand Avenue
City/County: Mabank/Kaufman

Regional Allocation Category: Rural
Population Served: General
Region: 3
Set Aside: At-Risk/USDA
Type of Development: Acquisition/Rehabilitation
Units: 40
Credits Requested: \$344,288

Staff Recommendation: The Executive Director denied the original appeal. Staff is recommending that the Board also deny the appeal.



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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April 15, 2009

Ms. Cynthia Bast
Locke, Lord, Bissell & Liddell, LLP
100 Congress Ave., Ste 300
Austin, Texas 78701

Re: Application #09137, Meadowlake Village Apartments

Dear Ms. Bast:

Appeal Review

I have carefully reviewed the circumstances surrounding the attempted submission of this Application, as well as the appeal that was received on April 2, 2009, regarding your request that this Application be reconsidered for participation in the 2009 Competitive Housing Tax Credit cycle. The circumstances surrounding the attempted delivery of the Application are as follows:

- Mr. Maupin arrived at the location to submit the Application without the required Application CD-R disc.
- Mr. Maupin requested that staff search the Holland House Apartments file submitted by Mr. Maupin to see if the disc was mistakenly placed there.
- Staff searched the Holland House Apartments file and did not locate a CD-R disc for the Meadowlake Village Apartments.
- Staff was not able to confirm receipt of the required Application materials for Meadowlake Village Apartments.


Contrary to your statement in your appeal letter, the circumstances surrounding this Application are not the same as those of the Gateway to Eden Application. In that instance, the Applicant arrived with an Application CD-R disc that was inaccessible due to technical problems. In this instance, the Applicant did not submit an Application CD-R disc.

Appeal Determination

The appeal is denied.

Pursuant to §49.17(b)(4) of the 2009 QAP, you may file an appeal to be considered by the Board at the April 23, 2009 Board meeting. If you wish to submit any further documentation for your Board appeal, the documentation **must** be received by 5:00 p.m. CST on April 16, 2009 to be placed with the April 23, 2009 Board materials. If no documentation is submitted, the appeal documentation to the Executive Director will be utilized.

Sincerely,


Michael Gerber
Executive Director



100 Congress, Suite 300
Austin, TX 78701
Telephone: 512-305-4700
Fax: 512-305-4800
www.lockelord.com

Locke Lord Bissell & Liddell LLP

Attorneys & Counselors

Cynthia L. Bast
Direct Telephone: 512-305-4707
Direct Fax: 512-391-4707
cbast@lockelord.com

April 2, 2009

VIA HAND DELIVERY



EXECUTIVE DIRECTOR

Mr. Michael Gerber
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701

Re: Appeal for Meadowlake Village Apartments (Mabank)
TDHCA No. 09137

Dear Mike:

We represent the Applicant for the above-referenced Development. The Applicant proposes to acquire, renovate, and refinance the Meadowlake Village Apartments in Mabank. This property consists of 40 units currently financed by the USDA. The USDA loan is in default and at risk of foreclosure. Consequently, Meadowlake Village is considered a "Rural Rescue" project.

The Applicant first applied for tax credits for this Development in 2007 and received an award at that time. The Applicant has received USDA approval to acquire the Development and refinance it on favorable terms with a below-market interest rate. This refinancing is approved under the MPR program, which provides for a deferral of principal and interest payments for 20 years and an increase in reserves. However, the current economic crisis made it impossible to achieve equity syndication in 2007 and 2008. The Applicant was encouraged to return the tax credits and reapply in 2009, which it did. It is essential for the Applicant to have a pending 2009 tax credit Application in order to be able to access the TCAP and exchange funds that may be available.

The Applicant employed a consultant to prepare the Application. This same consultant prepared the applications for Holland House Apartments (TDHCA No. 09126) and Gateway to Eden (TDHCA No. 09136). This consultant advises that she saved each application to a CD on the same computer, using the same software and process. She then took each CD to another computer to ensure the file would open properly. In each instance, it did. For reasons the consultant cannot explain, the Holland House CD worked as intended. However, the Meadowlake Village and Gateway to Eden CDs were not readable. Moreover, the Meadowlake Village CD was accidentally enclosed in the envelope for the Holland House application. The Applicant endeavored to remedy the problem by downloading the Meadowland Village application to TDHCA's FTP server on the night of February 27. We understand this download

Mr. Michael Gerber
April 2, 2009
Page 2

was successful. Nonetheless, the consultant has prepared another set of CDs, and they are enclosed herewith.

We are aware that TDHCA has already granted an appeal and reinstated the application for Gateway to Eden, which experienced the same unfortunate technological difficulties, and was terminated on the same grounds, as Meadowlake Village. We hope you will agree that, because of the circumstances, this appeal should be granted and the Application for Meadowlake Village should be reinstated.

Having worked on this Development for over two years and with a desire to preserve a Rural Rescue project, the Applicant is simply asking for a chance to remain in the competition and eligible for additional consideration. Please grant this appeal and, if you cannot do so, please allow this appeal to be heard at the April 23 Board meeting.

Thank you for your consideration.

Sincerely,



Cynthia L. Bast

CLB:saf

cc: Warren Maupin
Mary Graves

Enclosure



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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Juan S. Muñoz, Ph.D.

March 27, 2009

Mr. Warren Maupin
Mabank Residential Apartments, L.P.
P O Box 130
Temple, Texas 76534

Re: Meadowlake Village Apartments

Dear Mr. Maupin

The Texas Department of Housing and Community Affairs (the "Department") received an electronic CD-R Disc for the 2009 Competitive Housing Tax Credit Application Cycle on February 27, 2009, for the above referenced development.

The following are the events of the submission:

- A disc was submitted prior to 5:00 p.m. on February 27, 2009. However, the information was not for the above mentioned development.
- You left the application acceptance site (after the 5:00 p.m. deadline) to go search your vehicle to see if the disc had fallen out of the file folder.
- You did not locate the disc and asked staff to check the file of another application you submitted to see if Meadowlake disc was in that application.
- You were told by staff that we would check the other application on Monday, March 3, 2009.
- At 11:50 p.m. on February 27, 2009, you downloaded the application to the Department's FTP server.

The Department staff did locate another disc in the Holland Apartments application. However, the Department was unable to access the information on the CD-R disc.

The Department's governing statute, Texas Government Code §2306.6724(d) requires that "An Applicant for a low income housing tax credit to be issued a commitment during the initial allocation cycle in a calendar year must submit an application to the department not later than March 1". Therefore, the Department's last "business hour" prior to that date would have been 5:00 p.m. February 27, 2009.

Additionally, the 2009 Qualified Allocation Plan and Rules (QAP) §49.9(a), the Department's rule that governs the tax credit program, states "Only complete Applications will be accepted. All required volumes must be submitted as required by the Application Submission Procedures Manual and fully complete for submission with all required copies and **received by the Department not later than 5:00 p.m. on the date the Application is due.** A bookmarked electronic copy of all required volumes and exhibits, unless otherwise indicated in the Application Submission Procedures Manual, must be submitted in the format of a single file presented in the

order as required by the Application Submission Procedures Manual on a CD-R (non-rewritable) clearly labeled with the report type, Development name, and Development location is required for submission and must be received by the Department not later than 5:00 p.m. on the date the Application is due.”

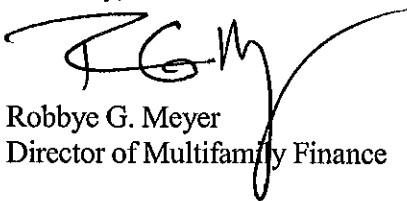
Furthermore, §49.5(a)(10) of the QAP states “an applicant is ineligible if: A submitted Application has an entire Volume of the Application missing; has excessive omissions of documentation from the Threshold Criteria or Uniform Application documentation; or is so unclear, disjointed or incomplete that a thorough review cannot reasonably be performed by the Department, as determined by the Department. If an Application is determined ineligible pursuant to this subsection, the Application will be terminated without being processed as an Administrative Deficiency. To the extent that a review was able to be performed, specific reasons for the Department's determination of ineligibly will be included in the termination letter to the Applicant”.

In accordance with the Department's rules and procedures, the application was determined to be unacceptable and ineligible for consideration for the 2009 Competitive Housing Tax Credit Cycle.

An Appeals Policy does exist for the Housing Tax Credit Program. The requirements relating to the filing of an appeal can be found in §49.17(b) of the 2009 QAP. If you choose to appeal this determination, you must first submit an appeal to the Executive Director no later than 5:00 pm on **April 3, 2009**. In the event an appeal is denied by the Executive Director, you may appeal to the Board, provided a written appeal to the Board is received by **April 16, 2009**. **To ensure all documentation is presented to the Board in a timely manner, it is strongly encouraged that you submit the appeal no later than 5:00 pm on April 9, 2009.**

If you have any questions, please do not hesitate to contact me at (512) 475-2213 or at email address robbye.meyer@tdhca.state.tx.us.

Sincerely,



Robbye G. Meyer
Director of Multifamily Finance

MFF/rgm

09227

Mineral Wells
Pioneer Crossing
Appeal
Documentation
Timely Filed

MULTIFAMILY FINANCE PRODUCTION DIVISION
BOARD ACTION REQUEST
April 23, 2009

Action Item

Presentation, Discussion and Possible Action for 2009 Competitive Housing Tax Credit (HTC) Appeals

Requested Action

Approve, Deny or Approve with Amendments a determination on the appeal for Mineral Wells Pioneer Crossing for Seniors.

Background and Recommendations

Mineral Wells Pioneer Crossing for Seniors - 09227

On February 27, 2009, an Application was submitted for the above-referenced development. Pursuant to §49.5(a)(10) of the 2009 Qualified Allocation Plan and Rules (“QAP”), an Application is ineligible if:

“A submitted Application has an entire Volume of the Application missing; has excessive omissions of documentation from the Threshold Criteria or Uniform Application documentation; or is so unclear, disjointed or incomplete that a thorough review can not reasonably be performed by the Department, as determined by the Department. If an Application is determined ineligible pursuant to this subsection, the Application will be terminated without being processed as an Administrative Deficiency. To the extent that a review was able to be performed, specific reasons for the Department's determination of ineligibility will be included in the termination letter to the Applicant.”

During the first review of the Threshold and Selection requirements, the Department identified numerous omissions, clarifications or required corrections, the significance of which rendered the Application substantially incomplete. The Department determined the application to be ineligible for consideration because a “thorough review cannot reasonably be performed”.

The Applicant’s appeal of the termination included a submission of the deficient items. Staff’s review of the appeal and the subsequent submission identified the following items to still be deficient:

- Volume 1, Tab 2, Part B Rent Schedule and Part F Building/Unit Configuration form: There are still inconsistencies in these forms, the site plan, and the unit plans that do not allow for a complete review of the Application
- Volume 1, Tab 3 Site Work Costs: The required letter from a Certified Public Accountant was not submitted.
- Volume 1, Tab 5, Part A.2: This form was not provided

- Volume 3, Tab 2, Zoning: The required hold harmless letter was not submitted.
- Authorization to Release Credit Information and Financial Statements: The required forms were not submitted.

Relevant documentation related to this appeal is provided behind the Board Action Request.

Applicant:	Mineral Wells Pioneer Crossing II, LP, a Texas limited partnership
Site Location:	805 SE 14 th Avenue
City/County:	Mineral Wells/Palo Pinto
Regional Allocation Category:	Rural
Population Served:	Elderly
Region:	3
Set Aside:	None
Type of Development:	New Construction
Units:	36
Credits Requested:	\$515,678

Staff Recommendation: The Executive Director denied the original appeal. Staff is recommending that the Board also deny the appeal.



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April 16, 2009

Mr. NoorAllah Jooma
Mineral Wells Pioneer Crossing II, LP
P.O. Box 113267
Carrollton, Texas 75001

Re: Application #09227, Mineral Wells Pioneer Crossing for Seniors

Dear Mr. Jooma,

Appeal Review

I have carefully reviewed the application you submitted, as well as your appeal that was received on April 2, 2009, regarding your request that your application be reconsidered for participation in the 2009 Competitive Housing Tax Credit cycle under §49.5(a)(10) of the 2009 Qualified Allocation Plan and Rules ("QAP"), Threshold Criteria.

This section of the QAP very clearly states that an Application will be terminated, without being processed as an Administrative Deficiency, if the Application has excessive omissions of documentation from the Threshold Criteria or Uniform Application documentation; or is so unclear, disjointed or incomplete that a thorough review can not reasonably be performed by the Department, as determined by the Department.

This Application was not terminated based on the number of deficient items found in our review, but on the significance of the items that were omitted, incorrect, or unclear. In reviewing your response, we noticed that you corrected many of the items listed in your termination, but the following items remain deficient:

- Volume 1, Tab 2, Part B Rent Schedule and Part F Building/Unit Configuration form: There are still inconsistencies in these forms, the site plan, and the unit plans that do not allow for a complete review of the Application
- Volume 1, Tab 3 Site Work Costs: You did not submit the required letter from a Certified Public Accountant
- Volume 1, Tab 5, Part A.2: This form was not provided
- Volume 3, Tab 2, Zoning: No information regarding the hold harmless letter was submitted
- Authorization to Release Credit Information and Financial Statements: None were submitted.

My review of the Application confirms staff's determination that this Application has violated §49.5(a)(10) of the 2009 QAP.

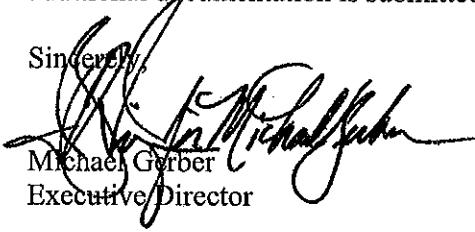
Appeal Determination

Your appeal is denied.

Mr. Jooma
April 16, 2009
Page 2 of 2

Pursuant to §49.17(b)(4) of the 2009 QAP, you may file an appeal to be considered by the Board at the April 23, 2009 Board meeting. If you wish to submit any further documentation for your Board appeal, the documentation **must** be received by 5:00 p.m. CST on April 16, 2009 to be placed with the April 23, 2009 Board materials. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Gerber", written over the typed name and title.

Michael Gerber
Executive Director

MINERAL WELLS PIONEER CROSSING II, LP
P.O. BOX 113267
CARROLLTON TX 75011
972-242-7602 PH
972-245-7655 FAX
NOORJOOMA@GMAIL.COM

April 3, 2009

via email

Michael Gerber
Executive Director
Texas Dept. of Housing
And Community Affairs
221 East 11th
Austin, Texas 78711-3941

Re: Application No. 09227, Mineral Wells Pioneer Crossing for Seniors

Dear Mr. Gerber:

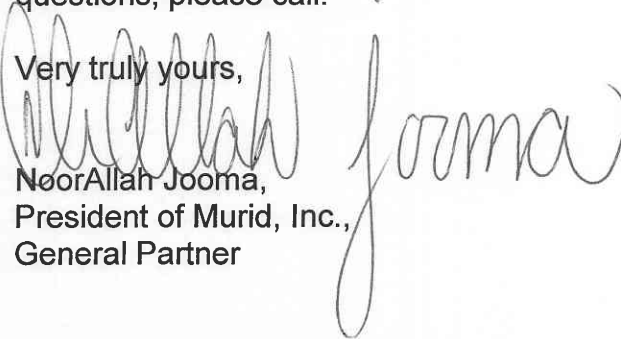
We are in receipt of your letter dated March 27, 2009, and pursuant to §49.17(b) of the 2009 QAP, we hereby appeal the determination that this Application is terminated.

As a basis for the appeal, we are submitting an Amended Application which clarifies and corrects all of the items set forth in your March 27, 2009, letter. We are submitting an Amended Application on disk, along with a separate disk which contains just the corrected items for your convenience in review. Based on this documentation, we believe that a thorough review of the Application can now reasonably be performed.

As a novice in this area, we have learned significantly from our mistakes, and we are confident that all future submissions will be in accordance with the Department's rules and regulations. Based on this appeal and the documentation submitted herewith, we would respectfully request that you withdraw the termination of the Application and permit us to continue with this Application.

Thank you for your courtesy and cooperation in this matter. Should you have any questions, please call.

Very truly yours,


Noor Allan Jooma,
President of Murid, Inc.,
General Partner



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Sonny Flores
Juan S. Muñoz, Ph.D.

March 27, 2009

Mr. Noor Jooma
Mineral Wells Pioneer Crossing II, LP
P.O. Box 113267
Carrollton, Texas 75001

Re: Application #09227, Mineral Wells Pioneer Crossing for Seniors

Dear Mr. Jooma,

The Texas Department of Housing and Community Affairs received an application for the above referenced development on February 27, 2009. During the first review of the Threshold and Selection requirements, the Department identified the following omissions, clarifications or corrections:

1. Volume 1 Tab 2 Part C Utility Allowances: The form does not include the Energy Source and the Effective Date.
2. Volume 1 Tab 2 Part F Building/Unit Type Configuration: The number of residential buildings on this form is not consistent with Volume 3 Tab 1 Specifications and Amenities and the site plan.
3. Volume 1 Tab 3 Development Cost Schedule: The cost schedule has not been executed by the Contractor.
4. Volume 1 Tab 3 Site Work Costs: The Part C Site Work Costs exhibit and CPA letter were not provided.
5. Volume 1 Tab 5 Organizational Chart: It appears as though the incorrect organization chart was submitted.
6. Volume 1 Tab 5 Part B and C Organizations and Principals with Ownership Interest...: This form must include any principals or entities added to the organization chart.
7. Volume 1 Tab 5 Part D Certificate of Principal: An executed form for each principal and entity on the organization chart was not provided.
8. Volume 1 Tab 7 Part E Applicant Credit Limit Documentation Part 1: Part 1 Section C must include every entity and principal listed on the organization chart.
9. Volume 1 Tab 7 Part E Applicant Credit Limit Documentation Part 2: A separate Part 2 for every entity and principal listed on the organization chart must be submitted, and the form does not indicate whether the application involves a joint venture.
10. Volume 1 Tab 8 Public Notifications Information and Certification Form: The form does not include initials at the bottom of each page and is not signed.

11. Volume 2 Tab 1: The contact information for the CURRENT OWNER of the property was not provided.
12. Volume 3 Tab 1 Part B Specifications & Amenities: The number of residential buildings indicated on this form is not consistent with Volume 1 documents.
13. Volume 3 Tab 1 Part C Common Amenities: Green Building: The appropriate boxes under c, e, and f are not selected. In addition, it appears you have selected the same items under Volume 4 Tab 16 Green Building Initiatives. You cannot use the same items to qualify for both sections.
14. Volume 3 Tab 1 Architectural Drawings: The Unit floor plans for each unit type were not provided.
15. Volume 3 Tab 2 Site Information: Section 1 does not include the current zoning designation
16. Volume 3 Tab 2 Current Tax Assessment: The tax rates for all applicable jurisdictions were not provided.
17. Volume 3 Tab 2 Site Control: The closing date of the contract is not clearly stated.
18. Volume 3 Tab 2 Zoning: It appears as though the site is not presently zoned for the proposed Development and no evidence of application for rezoning, including the hold harmless letter, was provided.
19. Volume 3 Tab 3 Signage on the Property: Nothing was provided for this exhibit.
20. Volume 3 Tab 4 Organizational Documents: Evidence of reservation of entity name for all organizations on the organization chart was not provided.
21. Volume 3 Tab 5 Experience Certificate: The certificate is submitted for Monique Allen who is not on the submitted organization chart.
22. Volume 4 Self Score: The self-score form does not include the total requested points.
23. Volume 4 Tab 2 Financial Feasibility: TDHCA HOME funds do not qualify under this item. To be eligible for this item you must be able to provide certain documents (i.e. lender pro forma and letter stating feasibility) which are not available for such funds.
24. Volume 4 Tab 11 Housing Needs Characteristics: A map with the boundaries of the City of Mineral Wells outlined and the location of the Development clearly marked was not provided.
25. Volume 4 Tab 14 Economic Development Initiatives: While you selected Box B, you did not mark the sub boxes as required. Based upon this it is unclear from what program funds were received and to what area they were awarded.
26. Volume 4 Tab 14 Economic Development Initiatives: Evidence of the award as requested under box B was not provided.
27. Volume 4 Tab 16 Green Building Initiatives: You have selected items c, e, and f; however, you did not complete the form and select the additional boxes under items c and f. In addition, it appears you have selected the same items under Volume 3 Tab 1 Common Amenities to meet threshold. You cannot use the same items to qualify for both sections.
28. Volume 4 Tab 22 QCT with Revitalization: You requested points for this item; however you did not complete the required form nor did you provide any of the required documentation to substantiate the request.
29. Volume 4 Tab 25 Leveraging of Private, State and Federal Resources: To be eligible for this point item the funding must be in addition to the primary funding source. Based on the information provided in the application it appears as though TDHCA HOME funds are the primary source of funding for the construction and permanent stages, therefore it is not an eligible source for this item.
30. Volume 4 Tab 27 Scoring Criteria Imposing Penalties: An executed affidavit that certifies no instance of removal by a Lender or Equity Provider was not provided.

§49.5(a)(10) of the 2009 Qualified Allocation Plan and Rules (“QAP”) states that an application is ineligible for an allocation of Housing Tax Credits if:

“A submitted Application has an entire Volume of the Application missing; has excessive omissions of documentation from the Threshold Criteria or Uniform Application documentation; or is so unclear, disjointed or incomplete that a thorough review can not reasonably be performed by the Department, as determined by the Department. If an Application is determined ineligible pursuant to this subsection, the Application will be terminated without being processed as an Administrative Deficiency. To the extent that a review was able to be performed, specific reasons for the Department's determination of ineligibly will be included in the termination letter to the Applicant.”

In accordance with §49.5(a)(10) of the 2009 QAP, the Department has determined the application to be ineligible for consideration because a “thorough review can not reasonably be performed”. Therefore, the application is terminated.

An Appeals Policy exists for the Housing Tax Credit Program. The restrictions and requirements relating to the filing of an appeal can be found in §49.17(b) of the 2009 QAP. If you choose to appeal this determination, you must first submit an appeal to the Executive Director no later than 5:00 pm on **April 3, 2009**. In the event an appeal is denied by the Executive Director, you may appeal directly in writing to the Board, provided that an appeal filed with the Board is received by **April 16, 2009, although it is strongly encouraged that you submit the appeal no later than 5:00 pm on April 10, 2009.**

If you have any questions, please do not hesitate to contact Sharon Gamble at 512-475-4610 or sharon.gamble@tdhca.state.tx.us .

Sincerely,



Robbye Meyer
Director of Multifamily Finance

09279
Waterford Place
Appeal
Documentation
Timely Filed

MULTIFAMILY FINANCE PRODUCTION DIVISION
BOARD ACTION REQUEST
April 23, 2009

Action Item

Presentation, Discussion and Possible Action for 2009 Competitive Housing Tax Credit (HTC) Appeals

Requested Action

Approve, Deny or Approve with Amendments a determination on the appeal for Waterford Place.

Background and Recommendations

Waterford Place - 09279

On February 27, 2009, an Application was submitted for the above-referenced development. Pursuant to §49.5(a)(10) of the 2009 Qualified Allocation Plan and Rules (“QAP”), an Application is ineligible if:

“A submitted Application has an entire Volume of the Application missing; has excessive omissions of documentation from the Threshold Criteria or Uniform Application documentation; or is so unclear, disjointed or incomplete that a thorough review can not reasonably be performed by the Department, as determined by the Department. If an Application is determined ineligible pursuant to this subsection, the Application will be terminated without being processed as an Administrative Deficiency. To the extent that a review was able to be performed, specific reasons for the Department's determination of ineligibility will be included in the termination letter to the Applicant.”

During the first review of the Threshold and Selection requirements, the Department identified numerous omissions, clarifications or required corrections, the significance of which rendered the Application substantially incomplete. The Department determined the application to be ineligible for consideration because a “thorough review could reasonably be performed”.

The Applicant’s appeal of the termination included a submission of the deficient items. Staff’s review of the appeal and the subsequent submission identified the following items to still be deficient:

- Volume 1, Tab 7 Part B Confirmation of Set-Aside: The At-Risk Set-Aside was eliminated but the Applicant did not submit an updated form noting the change in the Application
- Volume 1, Tab 2, Part F Building/Unit Configuration Form: The form was not included. Staff is unable to verify the consistency of information in the Application.

- Volume 1, Tab 4 Summary of Sources and Uses, Financing Participants, and Financing Narrative: The information listed in these forms is inconsistent.
- Volume 1, Tab 4, Commitment or Term Sheet: No information regarding the funds from the Federal Home Loan Bank was provided
- Volume 3, Tab 1, Site Plan: The number of residential buildings depicted on the plan is still inconsistent with other Application documents
- Volume 3, Tab 6, Relocation Expenses: The Development Cost Schedule includes \$50,000 in relocation expense. The Applicant's response included an explanation that this amount is included in the Development Cost Schedule, but a budget for the expense was not submitted as required by the QAP.

Relevant documentation related to this appeal is provided behind the Board Action Request. It is noted that the Application indicates the At-Risk Set-Aside. However the Application does not meet any of the statutorily defined qualifications to be placed in the At-Risk Set-Aside.

Applicant:	Waterford Affordable Housing, LP, a Texas limited partnership
Site Location:	3125 Crestdale Drive
City/County:	Houston/Harris
Regional Allocation Category:	Urban
Population Served:	General
Region:	6
Set Aside:	At-Risk
Type of Development:	Acquisition/Rehabilitation
Units:	546
Credits Requested:	\$2,665,096

Staff Recommendation: The Executive Director denied the original appeal. Staff is recommending that the Board also deny the appeal.



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Rick Perry
GOVERNOR

Michael Gerber
EXECUTIVE DIRECTOR

April 15, 2009

Mr. Ryan McCord
Waterford Affordable Housing, LP
1021 Main Street, Ste 1400
Houston, Texas 77002

Re: Application #09279, Waterford Place Apartments

Dear Mr. McCord,

Appeal Review

I have carefully reviewed the application you submitted, as well as your appeal that was received on April 1, 2009, regarding your request that your application be reconsidered for participation in the 2009 Competitive Housing Tax Credit cycle under §49.5(a)(10) of the 2009 Qualified Allocation Plan and Rules ("QAP"), Threshold Criteria.

This section of the QAP very clearly states that an Application will be terminated, without being processed as an Administrative Deficiency, if the Application has excessive omissions of documentation from the Threshold Criteria or Uniform Application documentation; or is so unclear, disjointed or incomplete that a thorough review can not reasonably be performed by the Department, as determined by the Department.

This Application was not terminated based on the number of deficient items found in our review, but on the significance of the items that were omitted, incorrect, or unclear. In reviewing your response, we noticed that you corrected many of the items listed in your termination, but the following items remain deficient:

- Volume 1, Tab 7 Part B Confirmation of Set-Aside: You dropped the At-Risk Set-Aside but did not submit an updated form noting the change in the Application
- Volume 1, Tab 2, Part F Building/Unit Configuration Form: Your response still did not include this form. Without it, we are unable to verify the consistency of Application information
- Volume 1, Tab 4 Summary of Sources and Uses, Financing Participants, and Financing Narrative: These are still inconsistent, as the intent to request \$1 million in funds from the Federal Home Loan Bank is not consistently mentioned
- Volume 1, Tab 4, Commitment or Term Sheet: No information regarding the funds from the Federal Home Loan Bank was provided
- Volume 3, Tab 1, Site Plan: The number of residential buildings depicted on the plan is still inconsistent with other Application documents
- Volume 3, Tab 6, Relocation Expenses: The Development Cost Schedule includes \$50,000 in relocation expense. Your response included an explanation that this amount is included in the Development Cost Schedule, but a budget for the expense was not submitted as required by the QAP

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Juan S. Muñoz, Ph.D.

Mr. McCord
April 15, 2009
Page 2 of 2

My review of the Application confirms staff's determination that this Application has violated §49.5(a)(10) of the 2009 QAP.

Appeal Determination

Your appeal is denied.

Per your request, your appeal to the Board has been placed on the April 23, 2009 Board meeting agenda. Pursuant to §49.17(b)(4) of the 2009 QAP, if you wish to submit any further documentation for your Board appeal, the documentation **must** be received by 5:00 p.m. CST on April 16, 2009 to be placed with the April 23, 2009 Board materials. If no additional documentation is submitted, the appeal documentation to the Executive Director will be utilized.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Gerber", with a long horizontal flourish extending to the right.

Michael Gerber
Executive Director

April 3, 2009

Ryan McCord
McCord Development, Inc.
1021 Main Street, Suite 1400
Houston, TX 77002

Texas Department of Housing & Community Affairs
Attn: Michael Gerber
221 East 11th Street
Austin, TX 78701

RE: Termination Appeal for TDHCA# 09279 – Waterford Apartments

Dear Mr. Gerber:

We would like to take this opportunity to respond to the termination notice sent on March 27, 2009 for application #09279. TDHCA determined that the application had excessive omissions of and inconsistencies in threshold documentation to the point a review could not be completed. We disagree with this determination and would like you to consider our appeal in accordance with §49.17(b)(1)(D) of the QAP based on the following:

We concede that the architectural renderings had inconsistencies when compared to the rent schedule, but these were minor and can be easily rectified through the deficiency process. In previous years, this would have been identified as a single deficiency – instead they collectively resulted in nine, or 1/3, of the deficiency items.

Additionally, the other deficiency items such as language, other clarifications in narratives and signature forms would not inhibit the application's review and can be easily rectified. As evidence, we have attached responses to all deficiency items listed in the termination notice for your review.

Lastly, the new electronic submission process uses an application whose design prevents it from effectively lending itself for this type of submission. Please take into consideration the additional complications this factor created for many applicants.

We respectfully request that the Waterford Apartments' application be reinstated for the reasons listed above.

Thank you very much for your time and consideration.

Sincerely,


Ryan McCord



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

www.tdhca.state.tx.us

Rick Perry
GOVERNOR

Michael Gerber
EXECUTIVE DIRECTOR

March 27, 2009

Mr. Ryan McCord
Waterford Affordable Housing, LP
1021 Main Street, Ste 1400
Houston, Texas 77002

Re: Application #09279, Waterford Place Apartments

Dear Mr. McCord,

The Texas Department of Housing and Community Affairs received an application for the above referenced development on February 27, 2009. During the first review of the Threshold and Selection requirements, the Department identified the following omissions, clarifications or corrections:

1. Volume 1, Tab 2, Rent Schedule – The form does not correctly reflect bedrooms as counted per ASPM and QAP.
2. Volume 1, Tab 2, Rent Schedule – The form does not correctly reflect bathrooms per finalized Project Summary on site plan.
3. Volume 1, Tab 2, Part F, Building/Unit Type Configuration – The complete form was not provided.
4. Volume 1, Tab 4, Part B, Financing Participants – The form does not match commitments on all facts, including funds from each source, interests rates and syndication factor.
5. Volume 1, Tab 4, Financing Narrative. The narrative does not match commitments.
6. Volume 1, Tab 5, Part D, Certification of Principal - The GP (LLC) certification was not signed.
7. Volume 1, Tab 7, Part E, Part II, Credit Limit Certification – The form for Frederick R. McCord was not provided.
8. Volume 1, Tab 7, Part B, 9% HTC Confirmation of Set-Aside - The form states sec. 42 as the source of the subsidy or benefit that authorizes the application to claim the At-Risk set-aside. The evidence provided does not reference one of the eight statutory sources of authority for the At-Risk Set-Aside listed in "Part A" of the "Confirmation" form. No other statutory constructs are acceptable to qualify for the At-Risk Set-Aside.
9. Volume 2, Tab 5 - Photographs of the development were not provided.
10. Volume 3, Tab 1, Architectural Plans - The unit plans do not match the rent schedule.
11. Volume 3, Tab 1, Plans - The site plan unit labels do not match the units as tallied in the Project Summary.
12. Volume 3, Tab 1, Plans – The bedroom counts submitted are incorrect/inconsistent.

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13. Volume 3, Tab 1, Plans – The Project Summary on site plan reflects incorrect/inconsistent bedroom count.
14. Volume 3, Tab 1, Site Plan – The plan contains omissions/skips in building numbers.
15. Volume 3, Tab 1, Elevations - Elevations were not provided.
16. Volume 3, Tab 2, Site Control - Receipt from escrow agent for escrowed earnest money and/or other funds was not provided.
17. Volume 3, Tab 2, Site Information - The form incorrectly indicates that the site is in a Qualified Census Tract.
18. Volume 3, Tab 6, Operating Statements - Operating statements that exactly match one of the descriptions in the QAP/ASPM were not provided.
19. Volume 3, Tab 6, Acquisition and/or Rehabilitation Form - The form is inconsistent with the development cost schedule.
20. Volume 3, Tab 6, Relocation Plan - The plan is inconsistent with the Development Cost Schedule.
21. Volume 3, Tab 6, Subsidy - Documentation of the subsidy indicated in the Acquisition and/or Rehabilitation Form was not provided.
22. Volume 3, Tab 8, Property Condition Assessment - A letter from the provider stating that the report will be delivered by April 1, 2009 was not provided.
23. Volume 4, Tab 1, Applicant Self-Score - The form provided was not signed by the owner and dated.
24. Volume 4, Tab 3, Income Levels - The Rent Schedule does not show at least 7 units set-aside for tenants at the 80% of AMGI level and at least 25 units set-aside at 30% of AMGI.
25. Volume 4, Tab 5, Commitment of Funding by Local Political Subdivision - The "Intent to Apply" affidavit does not state that the loan will be for a minimum of "later of one year or PIS date" and at interest rate at or below the Applicable Federal Rate at the time of closing.
26. Volume 4, Tab 7, Cost of the Development by Square Foot - The NRA in the plans does not match the Rent Schedule.
27. Volume 4, Tab 25, Leveraging of Private, State and Federal - The Rent Schedule does not show at least 3% of units set-aside at 30% of AMGI.

§49.5(a)(10) of the 2009 Qualified Allocation Plan and Rules ("QAP") states that an application is ineligible for an allocation of Housing Tax Credits if:

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In accordance with §49.5(a)(10) of the 2009 QAP, the Department has determined the application to be ineligible for consideration because a "thorough review can not reasonably be performed". Therefore, the application is terminated.

An Appeals Policy exists for the Housing Tax Credit Program. The restrictions and requirements relating to the filing of an appeal can be found in §49.17(b) of the 2009 QAP. If you choose to appeal this determination, you must first submit an appeal to the Executive Director no later than 5:00 pm on **April 3**,

2009. In the event an appeal is denied by the Executive Director, you may appeal directly in writing to the Board, provided that an appeal filed with the Board is received by **April 16, 2009**, **although it is strongly encouraged that you submit the appeal no later than 5:00 pm on April 10, 2009.**

If you have any questions, please do not hesitate to contact Sharon Gamble at 512-475-4610 or sharon.gamble@tdhca.state.tx.us .

Sincerely,

A handwritten signature in black ink, appearing to read 'RGM', with a long horizontal flourish extending to the right.

Robbye Meyer
Director of Multifamily Finance

