



U.S. Department of Housing and Urban Development

Fair Housing and Equal Opportunity

Fair Housing Initiatives Program - Education and Outreach Initiative for the American Rescue
Plan

FR-6700-N-78-A
05/11/2023

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Program Office:

Fair Housing and Equal Opportunity

Funding Opportunity Title:

Fair Housing Initiatives Program - Education and Outreach Initiative for the American Rescue Plan

Funding Opportunity Number:

FR-6700-N-78-A

Assistance Listing Number (formerly CFDA Number):

14.416

Due Date for Applications:

05/11/2023

OVERVIEW

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

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

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

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

OMB Approval Number(s):

2529-0033

I. FUNDING OPPORTUNITY DESCRIPTION**A. Program Description****1. Purpose**

The American Rescue Plan Act of 2021 (hereinafter referred to as ARP) recognizes that fair housing enforcement and education and outreach services are essential components of protecting persons from housing discrimination in the United States.

The ARP appropriated twenty million dollars (\$20,000,000) in supplemental Fair Housing Initiatives Program (FHIP) funding to HUD to provide relief to the following fair housing organizations to carry out eligible activities: Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs), public or private not-for-profit organizations or institutions, and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; agencies of State or local governments; and agencies that participate in the Fair Housing Assistance Program (FHAP). This NOFO will provide funding to such eligible organizations to address fair housing education and outreach activities, and the costs of delivering or adapting these services relating to the coronavirus pandemic. In keeping with Congress's intent in enacting the ARP, applicants may propose new fair housing education and outreach projects relating to discrimination arising in connection with the pandemic or focus on sustaining core fair housing education activities.

The FHIP ARP Education and Outreach Initiative (EOI) NOFO invites applications from eligible EOI organizations seeking support for fair housing activities that are connected to or adversely impacted by the coronavirus pandemic. Through this funding opportunity, HUD will award grants to eligible organizations to help them continue to advance their mission during the interruption of their operation and recovery efforts resulting from the coronavirus pandemic. (See Section III. Eligibility Information). As of February 2023, approximately \$16.014 million in ARP FHIP funding has been awarded, ensuring that much needed relief was received by victims of housing discrimination within months of enactment of the ARP; the current ARP NOFO provides additional funding for eligible organizations to continue fair housing activities connected to or adversely impacted by the coronavirus pandemic.

The Department encourages projects that reflect on the organization's quest for a more just, inclusive, and sustainable society. The Department especially welcomes education and outreach activities which help ensure that victims of housing discrimination who have been hit the hardest relating to the coronavirus pandemic are provided with the resources and support they need to emerge from the pandemic stronger. Eligible organizations may use ARP funds to provide fair housing education and outreach services through a number of vehicles (print, television and radio advertisements, mass media, brochures, digital/social media advertising, and trainings) to equitably expand fair housing activities. These education and outreach activities should be expanded for underserved populations that need these services the most including underserved communities: populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer, (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; persons otherwise adversely affected by persistent poverty or inequality; young adults; persons with limited English proficiency and other groups of federally protected class members experiencing housing discrimination. In addition, services should be provided to people experiencing or on the verge of housing instability or homelessness, including those that may face possible displacement due to the end of the pandemic related eviction and foreclosure moratoriums, senior citizens and people with disabilities who are trying to escape the heightened

risk of coronavirus associated with institutional or congregate settings, and people with inadequate access to technology.

HUD has designed a simplified application process including expedited review for the distribution of these critical relief funds. This ARP EOI NOFO makes available approximately \$3,385,353 to develop, implement, and coordinate education and outreach programs designed to inform members of the public of their rights and obligations under the provisions of the Fair Housing Act. Each application must provide a plan to deliver information on how to file a discrimination complaint through HUD or a local fair housing agency. The activities under this ARP EOI NOFO are divided into two components:

ARP National Media Campaign Component

This NOFO will make available \$1 million for a National Media Campaign. The focus of this national media campaign is to address housing discrimination issues relating to the coronavirus pandemic, especially in underserved communities. The campaign must ensure that those most impacted by housing related issues resulting from the pandemic are provided with educational and other resources to identify and combat housing discrimination. The campaign should also focus on areas hit hardest by discriminatory foreclosures and evictions, people experiencing or on the verge of housing instability or homelessness, including those that may face possible displacement due to the end of the pandemic related foreclosure and eviction moratoriums, senior citizens and people with disabilities who are trying to escape the heightened risk of coronavirus associated with institutional or congregate settings.

Studies show that evictions disproportionately affect women of color, with landlords filing for eviction against Black and Hispanic women at higher rates than as against men and as against women who are not Black or Hispanic. The grantee's objective will be to create and disseminate fair housing education and outreach materials in areas most significantly affected by the COVID-19 pandemic, especially in highly segregated areas, rural areas and areas with high incidences of discriminatory foreclosure and eviction. HUD wants to remind housing providers and the public of important federal fair housing laws that protect persons from discrimination, including housing provider and neighbor harassment and intimidation, in housing and related services on the basis of race, color, religion, national origin, sex (including sexual orientation and gender identity), familial status and disability. HUD recognizes that persons with disabilities, including those who are older and have underlying medical conditions, are vulnerable and may be at high risk for a severe, life-threatening response to COVID-19; therefore, these persons may face unique fair housing and civil rights issues that need to be addressed. The campaign will provide information for all protected classes on how to file a housing discrimination complaint through HUD or a local fair housing agency.

ARP EOI Regional/Local/General Component

The purpose of this funding component is to prevent, mitigate, and respond to the fair housing related effects of COVID-19 through enhanced fair housing education and outreach services and related infrastructure. Consistent with this purpose, funding may support a wide range of education and outreach activities which are COVID-19 related and which may change as COVID-19 circumstances and related community, public, and organizational needs evolve over the 12 to 18 month grant period of performance. This ARP EOI NOFO makes available

approximately \$2,385,353 to support eligible organizations and activities under the General Component (GC).

This ARP EOI NOFO provides broad flexibility to each applicant to address specific fair housing education and outreach needs in their communities related to COVID-19. Below are examples of eligible activities and allowable use of funds under this NOFO:

- Develop and disseminate fair housing education and outreach materials designed to inform members of the public of their rights under the Fair Housing Act and how they can file a housing discrimination complaint. Applicants should focus their efforts on those geographic areas that have been significantly impacted by the COVID-19 pandemic and should educate the public about the warning signs of discriminatory foreclosures and evictions related to the pandemic, and the remedies available. Applicants may also utilize funding for adaptive services and technology to provide outreach to the public when in-person services are not available due to the rise in or relating to coronavirus cases.
- Rehire fair housing staff laid off in connection with or relating to the pandemic and promote workforce development. Establish, expand, sustain and develop fair housing staff to carry out fair housing education and outreach services relating to the coronavirus pandemic.
- Develop, implement and sustain technological updates in the operations of the fair housing organization to avert disruptive and costly delays in the provision of fair housing education and outreach services caused by COVID-19.
- Engage in and implement education and outreach activities relating to the coronavirus pandemic that invest in equity and fair housing opportunities for underserved communities as described above, who need the services the most.
- Work to close housing disparities and increase access to affordable housing by educating the public, address sexual harassment prevention, and engage in community-based fair housing crisis intervention relating to the coronavirus pandemic.
- Develop, implement and provide: fair housing technical assistance to local governments, to members of the public or to other individuals needing or requesting fair housing assistance; fair housing staff training; and new fair housing curricula for other fair housing organizations, for law schools and/or for other educational institutions; all relating to the coronavirus pandemic.

HUD issues this ARP NOFO to invite applications from eligible applicants for the program and purpose described herein. Prospective applicants should carefully read all instructions in all sections to avoid submitting an incomplete or ineligible application. HUD funding is highly competitive. Failure to respond accurately to any submission requirement could result in an incomplete or noncompetitive proposal.

2. HUD and Program-Specific Goals and Objectives

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

You are expected to align your application to the applicable strategic goals and objectives below. Use the information in this section to describe in your application the specific goals, objectives,

and measures that your project is expected to help accomplish. If your project is selected for funding, you are also expected to establish a plan to track progress related to those goals, objectives, and measures. HUD will monitor compliance with the goals, objectives, and measures in your project.

Applicable Goals and Objectives from HUD's Strategic Plan

1. Strategic Goal 1: Support Underserved Communities

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

2. 1A: Advance Housing Justice

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

3. 1B: Reduce Homelessness

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

4. 1C: Invest in the Success of Communities

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

5. 4C: Integrate Health and Housing

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

Through this ARP NOFO HUD aims to assist communities and regions impacted by the coronavirus pandemic by supporting fair housing enforcement and education and outreach services that are an essential component of protecting persons from housing discrimination, especially among underserved communities. The pandemic has caused, and continues to cause, fair housing inequities in U.S. communities and regions in devastating and unprecedented ways.

Please refer to Section I. A. 1 above for additional goals and objectives information.

3. Changes from Previous NOFO

a. This FHIP ARP NOFO removes the Private Enforcement Initiative and introduces two new components under the Education and Outreach Initiative:

1. ARP EOI - National Media Campaign Component

2. ARP EOI – Region/Local/General Component

b. HUD is publishing this current NOFO to award the remaining ARP FY2021 carryover funding of approximately \$3,385,353 in addition to any recovery funds which may become available and which must be obligated by September 30, 2023.

c. FY2023 NOFO Template. This NOFO is consistent with the Department's new FY2023 Notice of Funding Opportunity Template.

d. Section III. F. Program Specific Requirements

i. **Advancing Racial Equity.** HUD's template for fiscal year 2023 includes a requirement under Section III. F. that all applicants submit a narrative explaining how their proposed project activities will advance racial equity in accordance with Executive Order 13985.

ii. **Affirmative Marketing.** HUD’s template for fiscal year 2023 includes a requirement under Section III. F. that all applicants submit an Affirmative Marketing narrative demonstrating that the housing, services, or other benefits provided under the NOFO will be affirmatively marketed broadly throughout the local area and nearby areas to any demographic groups that would be unlikely or least likely to apply absent such efforts.

e. Section IV. G. Other Submission Requirements. All applicants must discuss in their application how they will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations, and how applicants will meet the requirements of the definition of AFFH at 24 CFR 5.151.

f. Section V.A.2. Preference Points. The possible preference points for this NOFO include two (2) possible points for each category for projects in a Promise Zones and/or for Minority Serving Institutions (MSIs) or organizations partnered with MSIs. The maximum number of preference points available under this section is four (4) points. HUD may award no more than four total preference points for these preferences; any preference points awarded will be added to applicant’s total score. See Section V. for information on preference points requirements.

g. Section V.B.3. Experience Promoting Racial Equity. This is a separate section which informs applicants that HUD will consider the extent to which the application demonstrates that the applicant has the experience and the resources necessary to effectively address the needs of underserved communities in evaluating applications for funding.

4. Definitions

a. Standard Definitions

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

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

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

Expanded Authorized Organization Representative is a user in Grants.gov who is authorized by the E-Biz POC to perform the functions of a Standard AOR, initiate and

submit applications on behalf of your organization, and is allowed to modify organization-level settings and certifications in Grants.gov.

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

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

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

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

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

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

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

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

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

E-Business Point of Contact (E-Biz POC) is an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see

Authorized Organization Representative definition). There can only be one E-Biz POC per unique entity identifier (see definition of Unique Entity Identifier below).

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

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

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

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

(1)

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

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

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

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

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

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

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

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

Minority-Serving Institutions (MSIs) are

- (1) a part B institution (as defined in [20 U.S.C. 1601](#));
- (2) a Hispanic-serving institution (as defined in [20 U.S.C. 1101a\(5\)](#));
- (3) a Tribal College or University (as defined in [20 U.S.C. 1059c](#));
- (4) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in [20 U.S.C. 1059d\(b\)](#));
- (5) a Predominantly Black Institution (as defined in [20 U.S.C. 1059e](#));
- (6) an Asian American and Native American Pacific Islander-serving institution (as defined in [20 U.S.C. 1059g](#)); or
- (7) a Native American-serving nontribal institution (as defined in [20 U.S.C. 1059f](#)).

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

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

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

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

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

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

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

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

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

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

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

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

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

b. Program Definitions.

Administrative Costs are reasonable costs of overall program management, coordination, monitoring and evaluation. Such costs include, but are not limited to, necessary expenditures for the following: (1) Salaries, wages, and related costs of the recipient’s staff or other staff engaged in program administration; and (2) Providing or securing legal services, providing or securing financial management services such as accountants, consultants, sub-contractors, or others retained by the organization.

Affiliate is a business entity effectively controlling or controlled by another or associated with others under common ownership or control.

Appraisal is a valuation of property through an estimate or opinion of the value of a specified residential or commercial property made in a business context in connection with the sale, rental, financing or refinancing of a dwelling or in connection with any activity that otherwise affects the availability of a residential real estate related transactions made by an authorized person.

Broad-based means not limited to a single fair housing issue (such as insurance, mortgage lending, or advertising), but rather covering more than one issue related to discrimination in the provision of housing covered under the Fair Housing Act.

Complaint is a filed fair housing complaint accepted by HUD or a Fair Housing Assistance Program agency as jurisdictional, or a complaint filed in a state or federal court alleging violations of the Fair Housing Act.

Fair Housing Act is Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601-3620).

Fair Housing Assistance Program (FHAP) Agencies, as described in 24 CFR 115, are State and local fair housing enforcement government agencies that receive FHAP funds to administer laws deemed substantially equivalent to the Fair Housing Act.

Fair Housing Enforcement Organization (FHO) is an organization engaged in fair housing activities as defined in 24 CFR 125.103.

Government Technical Monitor (GTM) means the HUD individual who has been designated to provide technical monitoring, advice, and assistance, to aid the Government Technical Representative (GTR) in the technical and financial oversight and evaluation of the grantee's performance.

Government Technical Representative (GTR) means the HUD individual who is responsible for the technical administration of the grant, the evaluation of performance under the grant, the acceptance of technical reports or projects, and other such specific responsibilities as may be stipulated in the grant, and approval of payment.

Intake is a fair housing allegation contact/query received by a fair housing organization. Intake does not include inquiries unrelated to fair housing including general housing, landlord/tenant or others. Intakes may be in-person or by phone, mail or email contact and documented through the fair housing organization's standard intake form or database entry. Information gathered at intake starts the fair housing process. Repetitive contacts from a single individual may not be counted as an additional intake unless the contact contains a new allegation or relates to a new respondent. Intakes do not include someone returning a non-enforcement related telephone call, a telemarketer calling the office, or incoming personal telephone calls.

Integration or Integrated Settings, for purposes of this NOFO, means in the context of housing, settings that enable individuals with disabilities to live like individuals without disabilities. Integrated settings also enable individuals with disabilities to live independently with individuals without disabilities and without restrictive rules that limit their activities or impede their ability to interact with individuals without disabilities. Examples of integrated settings include scattered-site apartments providing permanent supportive housing, tenant-based rental

assistance that enables individuals with disabilities to lease housing in integrated developments, and apartments for individuals with various disabilities scattered throughout public and multifamily housing developments. By contrast, segregated settings are occupied exclusively or primarily by individuals with disabilities. Segregated settings sometimes have qualities of an institutional nature, including but not limited to, regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, limitations on the ability of individuals to engage freely in community activities and manage their own activities of daily living, or planned daytime activities primarily with other individuals with disabilities.

Lending discrimination means discriminatory practices against persons protected under the Fair Housing Act, in the mortgage process and includes actions that may violate the Fair Housing Act in the making, servicing, or purchasing of home loans or loans secured by a home. For instance, it includes – but is not limited to – the use of deceptive, misleading or discriminatory practices to sell services that promise foreclosure relief to homeowners, and the failure to deliver those services.

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

Partnership is a collaboration with one or more identified agencies, task forces, FHAP organizations, or other groups to successfully realize the service or activity planned. A partnership may be formal and contractual with specific roles and deliverables defined, or less formal cooperation through volunteer efforts accomplished without a contract.

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

Referral means referring an intake to HUD or a FHAP agency.

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

Rural Areas include any of the following:

- a. A non-urban place having fewer than 2,500 inhabitants (within or outside of the metropolitan areas).
- b. A county or parish with an urban population of 20,000 inhabitants or less.
- c. Territory, including its persons and housing units, in rural portions of “extended cities.”

The Census Bureau identifies the rural portions of extended cities.

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

- e. Any place in whole or in part, not located in a Metropolitan Statistical Area.

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

Technical Evaluation Panel (TEP) is a panel whose mission is to accomplish sound, impartial, and comprehensive evaluation of proposals consistent with the NOFO. TEP members are selected from a diverse pool of evaluators, including HUD staff and outside (contract) individuals. Individuals are selected for TEP participation based on skill, background or expertise in areas which include but are not limited to fair housing experience, grant writing and evaluation expertise, strong analytical and writing skill, or education and outreach, civil rights or other related experience.

Testing is an investigative tool used to gather evidence. A test is a covert investigation by a QFHO or FHO involving one or more persons who initiate contact with a person or entity for gathering information about housing policies, treatment and/or practices to compare with the requirements of fair housing laws or other civil rights laws. A test may involve comparing how persons similarly situated except for a protected characteristic are being treated.

Underserved Areas are areas where there are no FHIP or FHAP agencies, and where either no public or private fair housing enforcement organizations exist, or the jurisdiction is not sufficiently served by one or more public or private enforcement fair housing organizations and there is a need for service.

Underserved Populations means groups of individuals who are:

- a. persons of immigrant populations (especially racial and ethnic groups who are non-English-speaking or have limited English proficiency);
- b. persons living in a rural areas, particularly persons from low-income backgrounds;
- c. persons who are homeless or otherwise experiencing housing instability;
- d. persons with physical or mental disabilities, particularly persons living in housing with one or more qualities of an institutional setting, persons leaving institutions, or persons at risk of institutionalization;
- e. persons living in areas currently underserved or unserved by a State or local government or private fair housing organizations providing fair housing services;
- f. persons living in impoverished areas or experiencing persistent poverty or inequality, including historical wealth disparities as compared to other groups;
- g. lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons, and particularly LGBTQ+ youth;
- h. persons from low-income backgrounds and/or persons systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color, members of religious groups, persons with disabilities, and other groups of federally protected class members experiencing housing discrimination; or
- i. persons experiencing housing instability and/or, persons whose access to housing opportunity has been negatively impacted due to the COVID-19 pandemic.

B. Authority

1. Section 561 of the Housing and Community Development Act of 1987, as amended (see 42 U.S.C. 3616a), established FHIP. The implementing regulations are found at 24 CFR Part 125.

- Funding for this NOFO is provided pursuant to Section 3208 the American Rescue Plan Act of 2021 (ARP) (Public Law 117-2, approved March 11, 2021), which made available \$20,000,000 in grant funding through HUD’s FHIP for additional relief to fair housing organizations to address the continued impact during and relating to the coronavirus pandemic. Under prior rounds of this NOFO, HUD awarded approximately \$16.014 million and an appropriated amount of \$600,000 was directly transferred to HUD Salaries and Expenses as authorized by the ARP.

II. AWARD INFORMATION

A. Available Funds

Funding of approximately **\$3,385,353** is available through this NOFO.

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

If an applicant is awarded funding, HUD is not under any obligation to provide any future funding in connection with that award or to make any future award(s). Amendments to extend the period of performance are at the sole discretion of HUD.

Publication of this announcement does not obligate HUD to award any specific grant or cooperative agreement or to obligate all or any part of available funds. HUD may even limit the number and amount of actual awards made under this NOFO. The granting of any award is subject to the availability of funds at the time of the award as well as to HUD priorities at the time of award. HUD will not be held responsible for application preparation costs.

B. Number of Awards

HUD expects to make approximately 32 awards from the funds available under this NOFO.

This includes one (1) award under the National Media Campaign Component and approximately thirty-one (31) awards under the Regional/Local/General Component.

The number of awards made from funds available under this NOFO depends on the number of eligible applicants and other factors. For information on the methodology used to make award determinations under this NOFO, please see Section V.B. Review and Selection Process below.

C. Minimum/Maximum Award Information

The maximum award possible under this NOFO varies by component. The specific minimum and maximum award amounts per component are listed in the NOFO under Section III. Eligibility Information.

Estimated Total Funding:

\$3,385,353

Minimum Award Amount:

\$25,000

Per Project Period

Maximum Award Amount:

\$1,000,000
Per Project Period

D. Period of Performance

Estimated Project Start Date:
07/25/2023

Estimated Project End Date:
07/24/2024

Length of Project Periods:
Other

Length of Periods Explanation of Other:

The period of performance under this initiative is 12 to 18 months. Grant agreements executed by HUD and the grantee should be completed within thirty days of Notice of Award [initial announcement of award through HUD press release and Award Notification Letter] and all grants should be expended within the specified time frame(s) established in negotiations. However, expenditures must be made no more than 18 months from the date of award.

E. Type of Funding Instrument

Funding Instrument Type:
G (Grant)

HUD expects to award a grant or cooperative agreement to each applicant selected for an award. The document will set forth the relationship between HUD and the awardee using a grant or cooperative agreement, where the principal purpose of the document is the transfer of funds, property, services, or anything of value, to the awardee to accomplish an eligible public purpose.

The agreement will identify the eligible activities to be undertaken, the financial controls and special conditions, including sanctions for violations of the agreement, the reporting requirements including sub-recipient reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, and integrity requirements under Section 872 of the Duncan Hunter Defense Authorization Act of 2009. HUD will determine the type of instrument under which the award will be made and will monitor progress to ensure that the awardee has achieved the objectives set out in the agreement. Failure to meet such objectives may be the basis for HUD determining the awardee to be in default of the grant or cooperative agreement and for exercising available sanctions including suspension, termination of the agreement and/or recapture of funds. Additionally, HUD may refer violations or suspected violations to enforcement offices within HUD, the Department of Justice, or other enforcement authorities.

For both grants and cooperatives agreements, HUD will conduct monitoring reviews, request quarterly reports, and approve all proposed deliverables as documented in the applicant's Work Plan or SOW. Most FHIP funds are awarded under grant agreements. However, funds for national projects are awarded under cooperative agreements and remain in Headquarters since the grants have a nationwide impact, and therefore require more complex and frequent oversight as well as Departmental approval of deliverables. If funds are provided subject to a cooperative

agreement, HUD will also exercise its right to have substantial involvement in all proposed deliverables, as well as the Work Plan or Statement of Work (SOW). This is a higher-level approval process than that utilized for funds awarded under grant agreements.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants

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

Additional Information on Eligibility

Pursuant to Section 24 CFR 125.103 (Eligible Recipients) eligible applicants under this NOFO include Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs), public or private not-for-profit organizations or institutions, and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices; agencies of State or local governments; and agencies that participate in the Fair Housing Assistance Program (FHAP). All applicants are required to complete Appendix B, ARP EOI Eligibility Certification and submit it as a part of their application.

Organizations that received ARP FHIP grants through prior funding opportunities **may** apply under this current NOFO.

HUD will not evaluate applications from ineligible applicants.

The following list details the EOI Components, the approximate available funding, and the eligible applicants and activities:

ARP National Media Campaign Component (ARP EOI-NMCC)

- Amount Available - \$1,000,000 (HUD reserves the right to re-allocate funds to the EOI General Component as appropriate).
- Applicant Eligibility - QFHOs, other FHOs, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968. Applicants must have at least 5 years of experience as an advertising, media or public relations organization or must partner with an advertising and media services organization with at least 5 years of experience as an advertising, media, or public relations organization.
- Project Period: 12 to 18 months
- Maximum Award: \$1,000,000
- Minimum Award: \$250,000
- Eligible Activities: Create a multi-faceted media campaign to address the fair housing effects of COVID-19 in relation to areas where underserved populations reside: including underserved communities: populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise

adversely affected by persistent poverty or inequality; as well as persons with limited English proficiency and other groups of federally protected class members experiencing housing discrimination; and populations impacted by discriminatory evictions that have been hit the hardest during or relating to the coronavirus pandemic; and provide the resources and support required. The objective is to create and disseminate fair housing education and outreach information in COVID-19 affected areas and areas with pandemic related high eviction activity, and to inform the public of their rights pertaining to housing including how to file a housing discrimination complaint. See Section I. A. for other examples of eligible activities.

ARP Regional/Local/General Component (ARP EOI-GC)

- Amount Available - approximately \$2,385,353.12
- Applicant Eligibility - QFHOs, other FHOs, and other nonprofit organizations representing groups of persons protected under Title VIII of the Civil Rights Act of 1968, agencies of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act, or other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.
- Project Period: 12 to 18 months
- Maximum Award: \$75,000
- Minimum Award: \$25,000
- Eligible Activities: Develop and disseminate informational fair housing flyers, brochures and other media relating to the coronavirus pandemic. Create workshops and trainings to educate the public about their rights under the Fair Housing Act and other federal, state, and local laws, especially in areas most heavily affected by the COVID-19 pandemic. See Section I. A. for examples of other eligible education and outreach activities.
- Applicants should look to adopt a common theme in the development of all fair housing materials. All activities must have a direct connection to the Fair Housing Act or issues that may violate the Act. Housing Counseling Services are not eligible activities.
- Applicants must describe a referral process that will result in referral of fair housing complaints to HUD or FHAP substantially equivalent agencies. If funded, the grantee must develop and implement the complaint referral process referenced in the application.

Faith-based organizations

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

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

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

B. Ineligible Applicants

HUD is not authorized to provide grants or cooperative agreements to individuals. HUD will not evaluate applications from ineligible applicants, including those that do not meet the threshold, statutory and regulatory requirements, or program eligibility requirements under NOFO Sections III. D, E and F.

C. Cost Sharing or Matching

This Program does not require cost sharing or matching.

D. Threshold Eligibility Requirements

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

1. Resolution of Civil Rights Matters

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

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

(1) Charges from HUD concerning a systemic violation of the Fair Housing Act or receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of a substantially equivalent state or local fair housing law proscribing discrimination because of race, color, religion, sex (including sexual orientation and gender identity), national origin, disability or familial status;

(2) Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);

(3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act, Violence Against Women Act, or a claim under the False Claims Act related to fair

housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;

(4) Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; Violence Against Women Act; or the Americans with Disabilities Act; or

(5) Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

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

(1) Current compliance with a voluntary compliance agreement signed by all the parties;

(2) Current compliance with a HUD-approved conciliation agreement signed by all the parties;

(3) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;

(4) Current compliance with a consent order or consent decree;

(5) Current compliance with a final judicial ruling or administrative ruling or decision; or

(6) Dismissal of charges.

2. Timely Submission of Applications

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

3. Minimum Score. Applicants must receive a minimum Technical Evaluation Panel (TEP) score of 75 points, exclusive of preference points, to be eligible for funding.

4. Eligible Activities. If the majority of applicant's proposed activities (more than 50%) are ineligible, HUD will not fund the application.

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

6. Other Litigation. An application is ineligible for funding if the organization proposes in its current application, or used FHIP funds provided by HUD within the last three years under this Program, to fund or support the settlement of a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (42 U.S.C. 3616a).

Only applicants and applications deemed eligible will be ranked and rated. Applicants that fail to meet one or more of the threshold requirements or program specific requirements will not be eligible for funding.

E. Statutory and Regulatory Requirements Affecting Eligibility

Eligibility Requirements for Applicants of HUD's Financial Assistance Programs

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

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

In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of [24 CFR part 170](#) if the applicant receives an award, unless an exception applies as provided in [2 CFR 170.110](#).

F. Program-Specific Requirements

Applicants who fail to meet any of the following Program-Specific eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated, rated or ranked.

1. Fair Housing Related Activities. All program activities/tasks and costs within the SOW and budget must be fair housing related activities and must demonstrate an explicit connection to furthering the non-discrimination provisions of the Fair Housing Act. HUD will not fund any portion of an application that is not eligible for funding under the regulatory requirements or that does not meet the requirements under this NOFO. Only the eligible portions of a successful application will be funded.
2. Fair Housing Act/Protected Classes. All FHIP-funded projects must address housing discrimination based on race, color, religion, sex (including sexual orientation and gender identity), disability, familial status, and national origin. Projects should also address discrimination in real-estate related transactions to include appraisal and algorithmic biases; and discriminatory effect discrimination (i.e. source of income discrimination and discrimination resulting from criminal history bias and other actions that violate the non-discrimination provisions of the Fair Housing Act. All services and activities must be available to all protected class members. The application's proposed activities must reflect a commitment to address housing discrimination affecting protected classes.
3. Applicants must describe a referral process that will result in referral of fair housing complaints to HUD or FHAP or substantially equivalent agencies. If funded, the grantee must develop and implement the complaint referral process referenced in the application.
4. If the application has income restrictions for services, the application must identify the restrictions, and describe how individuals who fall outside the restrictions will be equally served and how service will be provided. If applicable, and the income restriction

information is not provided, applicant will be deemed ineligible. HUD reserves the right to request proof if the organization is selected for funding.

5. HUD will not fund an organization if the parent or its affiliate/subsidiary organization has an open grant (previously funded) under the same EOI component. In addition, HUD will not fund both a parent organization and its affiliate/subsidiary organization under this NOFO for the same component. In addition, HUD will not allow affiliate and parent organization staff sharing protocols whereby the parent organization shares key staff with an affiliate(s). All funded organizations must be fully independent functional organizations, e.g., able to conduct business on an on-going basis without support from parent or its staff to complete proposed program activities and set apart from parent organization.
6. Co-applicants or members of a consortium must each meet the eligibility requirements of this NOFO, or the applicant will be deemed ineligible. All applicants must be eligible as defined in Section III A.
7. If an applicant is applying as a 501(c)(3) organization, the applicant must be a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service (IRS) prior to the application deadline date to be eligible for funding. Applications must include an IRS report showing 501(c)(3) status. If an applicant's 501(c)(3) status has expired prior to application deadline date, the application must show that the organization has applied for renewal of tax-exempt status and that the application is pending. If 501(c)(3) status has expired and there is no information regarding the application for renewal in the organization's application at the deadline date, the applicant will be deemed ineligible. In addition, if an organization with a pending 501(c)(3) application is selected for a funding award, the applicant must provide proof that the 501(c)(3) renewal is approved prior to release of funding. If the applicant's pending application for renewal is subsequently denied, the applicant's organization will be deemed ineligible and the award selection will be rescinded. Further, the applicant must maintain 501(c)(3) status throughout the grant period.
8. Funding Request exceeding the Maximum Amount. Applicants may not request funding over the maximum amount allowed under the initiative or component for which they have applied, or the application will be deemed ineligible.
9. Inconsistencies in the Requested Amount or Miscalculations. Inconsistencies in the requested amount and/or miscalculations that result in amounts over the maximum award amount will be considered excessive and the application will be deemed ineligible.
10. Performance. An organization is ineligible for funding under this NOFO if it received a "poor" rating **on its latest or most recent** performance assessment on a prior FHIP grant for any initiative/component. The organization will remain ineligible for a period of one year after the NOFO closure date unless the organization provides evidence that the rating was overturned through an appeal, or that another resolution was accepted by the Government Technical Representative/Government Technical Monitor (GTR/GTM) to improve future performance. In addition, if an applicant receives a "poor" performance rating on another FHIP grant after selection and receipt of funding under this NOFO, all remaining FHIP grant funds awarded under this NOFO will be rescinded and the organization will be deemed ineligible. The organization will remain ineligible for a period of one year after receipt of the "poor" performance rating unless the organization

provides evidence that the rating was overturned through an appeal or that another resolution was accepted by the GTR/GTM to improve future performance.

11. FHAP agencies under a suspension or performance improvement plan, as designated under 24 CFR Part 115.210 (a) and (b) at the time of application submission are ineligible for funding unless the performance issues are resolved to HUD's satisfaction before the application deadline.
12. Research/Survey Activities. Applications are ineligible for funding if the proposed project is aimed solely at research or data gathering (such as Audit Testing). If a successful application contains research and other related activities, only the eligible portions of the application will be funded. Proposed surveys or data gathering must be approved by HUD or OMB under the Paperwork Reduction Act before the application submission, or the activity is deemed ineligible.
13. An applicant that receives an award under the EOI National Media Campaign Component is not eligible to receive an award under the EOI Regional/Local General Component.
14. Applicants must submit a complete separate application for each component and/or initiative for which the applicant applies.
15. Resolution of Civil Rights Matters. Outstanding civil rights matters must be resolved before the application deadline. Applicants who, after review, are confirmed to have civil rights matters unresolved at the application deadline will be deemed ineligible; the application will receive no further review, will not be rated and ranked, and will not receive funding.
16. Applicants and recipients are required to submit assurances of compliance with federal civil rights requirements. See, e.g., Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975; see also 24 C.F.R. §§ 1.5; 3.115; 8.50; and 146.25. HUD accepts these assurances in the form of the SF-424B and SF-424D, which also require compliance with all general federal nondiscrimination requirements in the administration of the grant.

Advancing Racial Equity

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

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

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

Applicants must submit a separate one-page narrative as an attachment to the application entitled "Advancing Racial Equity Narrative" that addresses the requirements listed above (and may

include in this narrative information about applicant’s experience promoting racial equity as described in Section V. B. 3.).

Affirmative Marketing

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

Applicants must submit a separate one-page narrative as an attachment to the application entitled “Affirmative Marketing Narrative” that addresses the requirements listed above.

G. Criteria for Beneficiaries.

1. Single Audit Requirement. All applicants who have expended \$750,000 or more in Federal financial assistance within a single year (this can be a program or fiscal year) must be audited in accordance with the requirements as established in 2 CFR Part 200.501. If an applicant receives \$750,000 or more in Federal financial assistance, the application must set aside funds to complete the audit.

2. UEI. UEI Numbering Requirement (refer to the www.Sam.gov website). The UEI number used in the application must be for the applicant organization identified in Box 8a on the SF-424, Application for Federal Financial Assistance.

3. Independence of Awards. The application submitted must be independent and capable of being implemented without reliance of other applications, or other grantees(s), including staff sharing protocols of key staff. Applicants applying under one of the FHIP Initiatives may not use the performance (e.g., performance review rating or successfully completed activities) of another organization to meet the requirements of Rating Factor 1, Staffing and Organizational Experience.

4. Training Funds. The applicant's proposed budget must set aside \$5,000 to be utilized to participate in HUD sponsored mandatory or approved training. Grants that have a performance period of 12-18 months are considered 12-month grants for purposes of this requirement. Do not specify amounts over \$5,000 for this training set-aside under the applicant’s budget submission. If an applicant is awarded more than one FHIP grant (under more than one component), HUD reserves the right to examine and review the requested training needs. If additional training funds are determined by HUD to be unnecessary, HUD reserves the right to transfer funds back to fair housing activities during negotiations.

5. Grant Closeouts. Closeouts should be undertaken as specified in 2 CFR 200.344 “Closeouts.”

IV. APPLICATION AND SUBMISSION INFORMATION

A. Obtain an Application Package

Instructions for Applicants

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

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

Name:

Stephanie W. Thomas

Email:

Stephanie.W.Thomas@hud.gov

HUD Organization:

FHIP

Street:

451 7th Street, S.W.

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

All waiver of electronic application submission requests will be submitted to FHEO's Assistant Secretary (or designee) for a final determination.

If you are granted a waiver, the notification will provide instructions on how and where to submit the application and how many paper copies are required. If you receive a waiver of the electronic application submission requirement, your paper application must be received by HUD in Room 5222B no later than 4:30 PM ET on the application deadline date. HUD applications are scanned. The scanning facility at HUD Headquarters closes at 5:00 PM ET. Applicants must allow adequate time for the application to be scanned through this facility. Applications not received in Room 5222B by 4:30 PM ET on the deadline date shall be deemed ineligible. There is no grace period for paper application submissions.

HUD will not accept a paper application without a waiver being granted; any paper application received without a duly authorized waiver will be returned to sender.

B. Content and Form of Application Submission

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

Submission of an application that is otherwise sufficient, under the wrong Assistance Listing and Funding Opportunity Number is a Non-Curable Deficiency, unless otherwise stated under the Threshold requirements section.

1. Content

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Application for Federal Assistance (SF-424)	Review section IV.G. of this NOFO for detailed submission requirements.	
Applicant and Recipient Assurances and Certifications (HUD 424-B)	Review section IV.G. of this NOFO for detailed submission requirements.	
Applicant/Recipient Disclosure/Update Report (HUD 2880)	Review section IV.G. of this NOFO for detailed submission requirements	
Disclosure of Lobbying Activities (SF-LLL)	Review section IV.G. of this NOFO for detailed submission requirements.	Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe’s sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement.
Certification Regarding Lobbying (Lobbying Form)	Review section IV.G. of this NOFO for detailed submission requirements.	
Standard Form 424A (SF-424A):	Applicants must provide a complete and detailed	For the budget recorded on form SF-424A, provide a

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	budget for the total performance period of the expected award through the submission of the SF-424A. The data submitted on the SF-424A form will inform the expected financial assistance award for this NOFO.	breakdown of the aggregate numbers detailing their allocation to each activity. The budget must also include a yearly breakdown of costs for each activity. In addition to the SF-424A form instructions available on grants.gov, applicants should use Appendix I. HUD's Guidance for Preparing a Budget Request in this NOFO, to complete the SF-424A.
HUD Form 424-CBW Grant Application Detailed Budget Worksheet	Required Form.	Review Section V.A.1. Rating Factor 3 of the NOFO for more information.
Certification of Consistency with Promise Zone Goals and Implementation.	HUD Form 50153 Promise Zone Certification	This form is required only if applicant wants to be considered for Promise Zone preference points.
HUD-27061 Race and Ethnic Data Reporting Form	Required Form - Post Award.	
Minority Serving Institution (MSI) Certification or Letter	MSI Certification or Letter of Collaboration/Partnership with MSI.	This document is required only if applicant wants to be considered for MSI preference points.

Your complete application must include the following narratives and non-form attachments:

- Separate narrative responses to Rating Factors 1 through 4 criteria for each factor as described in Section V. A. Rating Factors.
- Project Abstract – One page summary of coronavirus pandemic related project or initiative. At a minimum, summary must include the Component; amount of funding requested; purpose of the award; activities to be performed; deliverables and expected outcomes; intended beneficiaries; and subrecipient activities (See Appendix C).

- Separate SOW Narrative and SOW Chart (see Appendix A for sample chart) for Rating Factor 3.
- Budget Narrative and a Form HUD 424-CBW Grant Application Detailed Budget Worksheet for Factor 3.
- Rating Factor charts required under Section V. of this NOFO.
- Completed Appendix B, ARP EOI Eligibility Certification submitted as a part of the application.
- Advancing Racial Equity Narrative.
- Affirmative Marketing Narrative.

Furthermore, all applicants must read and adhere to Initiative and Component specific submission requirements under Section III. Eligibility. Applicants must submit a separate complete electronic application for each Initiative and Component for which the applicant applies. To be eligible for consideration, all applications must be submitted and received by HUD by or before the deadline date.

2. Format and Form

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

3 Pages maximum length of narratives

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

Narratives and other attachments to your application must follow the following format guidelines:

- a. HUD will not review any materials that exceed the stated page limits for a Rating Factor (except for materials specifically excluded from the page limits as provided in Section V. A. 1. Rating Factors).
- b. The maximum length of the narrative response is three (3) pages for each separate Rating Factor. Applicants may submit fewer pages if desired. The narrative pages must be double-spaced. This includes all text, titles and headings. Applicants must use Times Roman 12-point font and respond fully to each rating factor to obtain maximum points. Failure to provide narrative responses to all Rating Factors 1 through 4 or omitting requested information will result in less than the maximum points available being awarded for the rating factor or sub-factor. The following items do not count towards the 3-page maximum: any required charts that are expressly exempt from the page limits; and Factor 3 in its entirety, i.e. Proposed Statement of Work (SOW) and Information Requirements and Budget and Cost Estimates.

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

1. SAM Registration Requirement

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

have an active Federal award or an application or plan under consideration by HUD.

2. UEI Requirement

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

3. Requirement to Register with Grants.gov

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

D. Application Submission Dates and Times

1. Application Due Date Explanation

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

05/11/2023

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

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

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

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

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

2. Grants.gov Customer Support

Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html>. If you have difficulty accessing the application

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

3. Grants.gov Application Submission

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

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

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

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

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

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

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

NOTE: Busy servers, slow processing, large file sizes, improper registration

or password issues are not valid circumstances to extend the deadline dates or the grace period.

4. Amending or Resubmitting an Application

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

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

5. Grace Period for Grants.gov Submissions

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

6. Late Applications

An application received after the NOFO deadline date that does not meet the Grace Period requirements will be marked late and will not be reviewed by HUD for funding

consideration. Improper or expired registration and password issues are not sufficient causes to allow HUD to accept applications after the deadline date.

7. Corrections to Deficient Applications

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

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

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

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

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

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

8. Authoritative Versions of HUD NOFOs

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

9. Exemptions

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

E. Intergovernmental Review

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

F. Funding Restrictions

- 1. Retainer Fees.** FHIP recipients are under specific restrictions (outlined in the grant agreement documents) regarding establishment of retainer agreements and recovery of legal fees from HUD-funded cases. Data on fees, settlements, and verdicts are matters of public record. Awardees must provide this information to HUD annually. Neither the grantee nor the individual(s) on whose behalf any action is filed can request that HUD waive these provisions.
- 2. Number of Awards.** An organization may not receive more than one award under a single component. This restriction includes two organizations with separate EINs that apply for separate funding under a single component but identify more than one of the same direct personnel and/or key staff for both organizations (i.e. key staff sharing). FHIP will fund only one organization. This restriction ensures FHIP's commitment to continued program integrity by eliminating double payments under a single component to an organization or individuals. This restriction includes but is not limited to any organization affiliate, associate, subsidiary, or other organizations that engage in direct personnel and/or key staff sharing protocols.
- 3. Performance Standards.** Applicants must maintain an annual performance assessment rating from the FHIP HUD GTR of at least "good" or funding may be reduced until performance issues are resolved; and, if unresolved, HUD has a right to rescind funding.
- 4. Funding.** Grantees must use FHIP ARP EOI funds only for those activities funded under their grant agreement.
- 5. Administrative Costs.** Salaries, fringe benefits and other administrative costs charged against the project or program element for the sole purpose of administering the grant/cooperative agreements shall not exceed 10% of the annual grant award (Federal and cost share). One hundred percent of the salaries and fringe benefits related to these

functions are considered administrative costs. Examples of administrative costs include but are not limited to: preparation and submission of grant applications, fiscal tracking of grants funds, maintaining project files and performance measures, collection and submission of deliverables accounting staff wages and benefits, building rent, consulting expenses, management wages and benefits (such as Executive Director and support staff), depreciation of office equipment, insurance, legal staff wages and benefits, office supplies. Building rent is eligible only under the following conditions: the rent must be for existing facilities not requiring rehabilitation or construction except for minimal alterations to make the facilities accessible for a person with disabilities; no repairs or renovations of the property may be undertaken with funds under this NOFO; and properties in the Coastal Barrier Resources System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased or rented with federal funds.

6. **Non-administrative Costs.** Salaries and fringe benefits related to the implementation of the project or program element of the grant/cooperative agreement are not considered administrative costs. For example, the salaries and fringe benefits for technical staff to conduct work to accomplish specific Fair Housing goals as outlined in the program or project elements are not administrative costs.
7. **Pre-award Costs.** Applicants incur pre-award expenditures at their own risk, and a recipient's authority to approve such costs does not impose an obligation on HUD in the event an award is not made or is made for an amount less than the recipient anticipated. All project activities and expenditures of project funds must occur during the period of performance.
8. **Travel (both foreign and domestic).** In light of the coronavirus pandemic and as a matter of programmatic policy, travel (both foreign and domestic) is permitted consistent with CDC guidelines. Local ground transportation is allowable. In addition, travel-related subsistence (i.e., lodging and per diem) is allowed in the program.
9. **Equipment costs.** Equipment costs must not exceed 20% of your total grant request to HUD.
10. **Construction, purchase of real property, major alteration and renovation.** These funds cannot be utilized for these purposes except for those physical changes to the workplace needed to ensure the health and safety of employees and customers in light of the coronavirus pandemic.

Indirect Cost Rate

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

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your organization does not have a current negotiated rate (including provisional rate) and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis

rate of 10% of Modified Total Direct Costs (MTDC), as defined at [2 CFR 200.1](#). Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both, as described in [2 CFR 200.403](#). Once elected, the de minimis rate must be applied consistently for all Federal awards until the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

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

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

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

As further explained below, this program is subject to a statute or regulation that imposes indirect cost rate restrictions that are different from the indirect cost rate requirements in [2 CFR 200](#).

Statutory or regulatory restrictions apply ONLY if a statute or regulation imposes restrictions that are different from the indirect cost rate requirements in [2 CFR 200](#).

G. Other Submission Requirements

1. Standard Application, Assurances, Certifications and Disclosures

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

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

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), you and the signing authorized organization representative affirm that you both have reviewed the certifications and assurances associated with the application for Federal assistance and (1) are aware the submission of the SF-424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that

the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized organization representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to Federally recognized Indian tribes, or Alaskan native villages and those applicable to applicants other than Federally recognized Indian tribes, or Alaskan native villages.

Assurances (HUD 424-B)

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

Applicant Disclosure Report Form 2880 (HUD 2880)

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

Code of Conduct

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

standards are compliant with the noted requirements and that HUD has the latest version of the written standards. Updated written standards should be submitted with the application. Any updates to your written standards, after the application period, should be submitted as directed by the HUD program contact for this NOFO.

Affirmatively Furthering Fair Housing

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

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

Rating factors will consider whether the application proposes meaningful actions that (1) address significant disparities in housing needs for protected groups (2) address disparities in access to opportunity for protected groups (3) address segregation and promote integration (4) transform racially or ethnically concentrated areas of poverty into areas of opportunity, and (5) foster and maintain compliance with civil rights and fair housing laws. Applicants should describe which of their proposed activities under the NOFO are aligned with or in support of existing fair housing planning goals/strategies that are occurring in the jurisdiction where activities under the NOFO will be performed. Applicants must provide more than a bare statement that they will affirmatively further fair housing. Applicants may:

- a) describe one or more of the specific activities that they are proposing under the NOFO;
- b) when applicable, identify the fair housing planning document(s) which the applicant believes their proposed NOFO activities would work in furtherance of; and
- c) explain how their proposed NOFO activities would contribute to affirmatively furthering fair housing. Namely, how will the applicants' proposed NOFO activities contribute to overcoming patterns of segregation, addressing disparities in access to opportunity for protected class groups, addressing disproportionate housing needs for protected class groups, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and/or fostering and maintaining compliance with fair housing and civil rights.

2. Other Program-Specific Requirements

Form HUD 424-CBW – Grant Application Detailed Budget Worksheet. This budget form is required as part of applicant's response to Rating Factor 3. Points will be deducted from applicant's score if Form HUD 424-CBW is not submitted.

V. APPLICATION REVIEW INFORMATION

A. Review Criteria

The criteria for rating and ranking applications and the maximum points for each Rating Factor are provided below. Applicants must provide separate responses to all four rating factors below or points will be deducted.

1. Rating Factors

Rating Factors* Used to Rate and Rank Applications

The Rating Factors for Award, and maximum points for each factor, are outlined below. These Rating Factors will be used to evaluate applications for all applicants. HUD may rely on other information, such as performance reports, financial status information, monitoring reports, audit reports and other information available to HUD in making score determinations under any Rating Factor.

**Rating Factors include questions or point distributions unique to EOI components.*

Rating Factors Summary	Points
Rating Factor 1. Capacity of Applicant and Relevant Organizational Experience	
(1) Description and Expertise of Staff	10
(2) Organizational Experience and Capacity	10
Rating Factor 2. Need/Distress/Extent of the Problem	
(1) Problem Statement and Impact of COVID-19 Pandemic	10
(2) Underserved Communities Focus	8
(3) Proposed Solutions and Sustainability	12
(4) Application of Funding	5
Rating Factor 3. Soundness of Approach	
(1) Proposed Statement of Work (SOW) and Information Requirements	16
(2) Budget and Cost Estimates	14
Rating Factor 4. Achieving Equity, Results and Program Evaluation	
(1) Equity	5
(2) Measurement Goals and Impact	5
(3) Evaluation Plan	5

TOTAL	100
Preference Points - Promise Zone (PZ) or Minority Serving Institutions (MSI) (maximum preference points possible=4)	+4
Total Maximum Rating Factor Points and Available Preference Points	104

Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience

Maximum Points: 20

This factor addresses the extent to which the organization has the relevant personnel for the proposed activities, and the organizational capacity necessary to successfully complete the proposed project for the duration of the grant performance period, including its financial and management capability; its experience and capacity in managing federal grants, subawards, staff/consultants and/or contractors, and its ability to meet stated metrics throughout this period. This factor also addresses the degree to which the project will support the creation of new fair housing programs or activities or sustain/maintain existing programs or activities threatened or affected by the coronavirus pandemic; and the degree to which the proposed project will retain fair housing jobs threatened or affected by the coronavirus pandemic or create new jobs. Under this rating factor, HUD will consider the extent to which the applicant clearly addresses:

(1) Description and Expertise of Staff (Up to 10 points). In the applicant narrative, describe your organization’s staff expertise to show that the applicant organization will have sufficient and qualified staff available to complete the proposed activities. The applicant must: describe the organization staffing plan including a proposal to add staff (employees) or contractors or consultants, if applicable. To receive full points, the staffing plan must:

- a. Demonstrate that there is sufficient current applicant organizational staff (more than one key staff member) with fair housing related experience at the time of the application due date, and indicate the number and titles of the positions that would be maintained or created in conducting the proposed activities, including contractors or consultants. Explain how these positions have been affected by the coronavirus pandemic, or, if new, how they would help your organization or your part of the fair housing service response to the pandemic’s impact. Identify the people who hold (or will hold) these positions and describe the work they will do. Include salaried personnel employed by your organization and contractors/consultants.

If applicable, the applicant must describe a plan which ensures that current staff do not exceed 100% staff time under all current FHIP grant awards. If the applicant’s staff perform activities in any capacity on other FHIP grants, the applicant must list the name of the grant, and if applicable the organization sharing activities, the role, and the percentage of time staff devote to all FHIP related activities that the organization/staff is undertaking, including as a grantee, sub-grantee, affiliate, contractor, consultant, or in any other capacity. This information may be provided in a chart or list and will not be counted toward the 3-page limit for Rating Factor 1.

The application description must demonstrate that the applicant organization is independent and capable of implementing the proposed project without relying on other applicants or other grantee(s), including sharing of key staff. Applicants may not use the performance (e.g., performance review rating or successfully completed activities) of another organization to meet the requirements of this Rating Factor. **(Up to 3 points)**

b. The staffing plan must identify each staff person assigned to the proposed project by name and position, and the percentage of estimated time that each will devote to the proposed project. This description must also identify the proposed Project Manager, by name and the percentage of their work time that individual will devote to the proposed project. The Project Manager must be currently on staff and must devote at least 30 percent of their time to the proposed project during the entire period of performance. Points will be deducted if less time is identified.

Furthermore, the plan must describe how the applicant will evaluate and provide oversight for each contractor, if applicable.

Applicants who are applying for, or currently have multiple open FHIP grants must describe how the applicant will manage, operate, and maintain activities, performance requirements and timetables for these multiple grants. **(Up to 3 points)**

c. Describe each key staff person's experience as it relates to the proposed project position. This should include fair housing related experience if the position is for a fair housing related professional. Experience included should relate to enforcement activities and proposed fair housing training or disseminating information to the community. The staffing plan must describe how all key staff position (fair housing or otherwise) experience contributes to the proposed project. Please do not include resumes. For proposed hires, the applicant must identify the position, percentage of time the proposed staff will devote to the project, and the position requirements that will assist the organization in successful project completion. For proposed consultants or contractors, the applicant must describe the experience that contributes to the organization completing the proposed activities, including any fair housing related experience, if applicable. **(Up to 2 points)**

d. Demonstrate that your organization has current available staff (more than 1 staff member with housing related experience) and will hire (if appropriate) staff with the appropriate training, expertise, and experience in conducting educational symposia and/or training, including developing, printing, and distributing material utilizing various methods which may include printed and electronic media to effectively reach and deliver information to groups with varying skill levels. If an applicant proposes other eligible ARP education and outreach activities the applicant must describe the specialized staff training or expertise and/or experience to complete the proposed project. **(Up to 2 points)**

Failure to provide information that demonstrates that the applicant organization has sufficient current staff with fair housing related experience to complete the proposed project will result in the applicant receiving 0 points under this subfactor.

(2) Organizational Experience and Capacity (up to 10 points). The applicant must describe the degree to which the applicant advances the fair housing education work in their areas; the importance of the proposed fair housing activities to the applicant's mission, to the population of

the targeted areas of need, and to the general public; and the feasibility of successfully completing the proposed activities within the period of performance.

ARP NATIONAL MEDIA CAMPAIGN COMPONENT ONLY

a. Applicant must demonstrate it has the existing organizational resources and experience necessary to successfully implement the proposed activities in a timely manner, and the ability to develop and implement large information campaign projects as appropriate on a national level and a regional/local level. Describe organizational experience in executing similar campaigns; describe past project(s) conducted similar in scope and complexity (whether FHIP funded or not) to the project proposed that, although not necessarily the same, required organizational skills and knowledge that are readily transferable to the proposed project; and state the results. **(Up to 2 points)**

b. Describe your organization's current experience (over the past two years) in its ability to meet its stated metrics in each of the following:

(i) the number of people reached in total;

(ii) the number of people served from protected class groups and underserved communities: populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality; and

(iii) the number of referrals, if any.

Applicants must show how they have met these requirements in the past 2 years and outline specific instances for each category. This information may be provided in a list or chart form and will not count against the 3-page limit for Rating Factor 1. **(Up to 4 points)**

If this information is not provided, there will be a 4-point reduction from the applicant's Rating Factor 1, Organization Experience final score.

c. Applicant must describe its organizational capacity to produce written materials relating to a national fair housing media campaign to educate the American public regarding the forms of housing related discrimination, including experience and ability to produce and distribute materials and information in at least two languages other than English and in alternative accessible formats for persons with disabilities. The proposed campaign must provide a nexus between the Fair Housing Act and members of the protected classes under the Act, as well as populations that have been disproportionately adversely affected by the coronavirus pandemic due to discriminatory evictions and/or foreclosures and showcase organizational capacity to administer an award of federal emergency funds in compliance with relevant regulations given the challenges brought on by the coronavirus pandemic (such as suspended operations, telework, etc.). Demonstrate organizational ability to develop, implement, make modifications as necessary, and manage a multi-level traditional (TV/Print/Radio) and interactive digital/online media campaign on a national and regional/local scale for members of all protected classes under the Fair Housing Act, with a focus on underserved

communities: populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality; including those experiencing homeless or housing instability, persons whose housing has been adversely affected by the pandemic and areas of high rates of discriminatory evictions and/or foreclosures. This capacity may be demonstrated via partnership with an organization that has comparable experience to undertake a national fair housing education and outreach **(Up to 4 points)**.

Failure to provide information that demonstrates that the applicant organization has the national media campaign experience (either on its own or through partnership with a media organization) required to complete the proposed project will result in a reduction of 4 points under this subfactor.

ARP LOCAL/GENERAL/REGIONAL COMPONENT ONLY

a. Briefly provide examples of how your organization has conducted past project(s) similar in scope and complexity (whether FHIP funded or not) to the project proposed, or engaged in activities that, although not necessarily the same, required organizational skills and knowledge that are readily transferable to the proposed project; and describe the results. **(Up to 2 points)**

b. Describe your organization's experience working with populations of the targeted area of need, including diverse populations, those who have been hit hardest by the coronavirus pandemic, individuals experiencing homelessness or on the verge of homelessness, and underserved communities: populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. **(Up to 2 points)**

c. Describe your organization's capacity to administer an award of federal relief funds in compliance with relevant regulations given the challenges brought on by the coronavirus pandemic (such as suspended operations, telework, etc.). Briefly summarize how the proposed activities fit within your overall strategy to ensure your organization's long-term viability. In addition, the applicant must describe its ability to deliver or adapt its continued or expanded fair housing services related to the COVID-19 pandemic. **(Up to 2 points)**

d. Describe your organization's current experience (over the past two years) in its ability to meet its stated metrics in each of the following:

(i) the number of people reached in total;

(ii) the number of people served from protected class groups and underserved communities: populations sharing a particular characteristic, as well as geographic

communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality; and

(iii) the number of referrals, if any.

Applicants must show how they have met these requirements in the past 2 years and outline specific instances for each category. This information may be provided in a list or chart form and will not count against the 3-page limit for Rating Factor 1. **(Up to 4 points).**

If this information is not provided, there will be a 4-point reduction from the applicant's Rating Factor 1, Organization Experience final score.

Rating Factor 2: Need/Distress/Extent of the Problem

Maximum Points: 35

This factor addresses the extent to which the applicant has clearly articulated the fair housing impact related to the coronavirus pandemic on the organization and its community and provide relevant evidence to support its claims; the appropriateness of the proposed activities in addressing the need(s) identified including addressing the needs of underserved populations and underserved communities: populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. The need(s) described must relate to the activities enumerated as a response to Rating Factor 3, for which funds are being requested.

To receive maximum points for Rating Factor 2, applicants must demonstrate a direct relationship between the purpose of the program, the applicant's proposed coronavirus pandemic related activities, the fair housing needs of the communities disproportionately impacted by or relating to the coronavirus pandemic, their plan to create and disseminate fair housing education and outreach materials in areas most significantly affected by the COVID-19 pandemic, especially in highly segregated areas and rural areas and areas with high incidences of discriminatory eviction and foreclosure, and explain how the applicant plans to address discrimination, including systemic discrimination, in a way that meets those fair housing needs.

(1) Problem Statement and Impact of COVID-19 Pandemic (Up to 10 points). Describe the impact of or relating to the COVID-19 pandemic on your organization, in both quantitative and qualitative terms (e.g., suspended operations, reductions in revenue, staff furloughs, reduction in inquiries, etc.). Explain how your organization has attempted to offset the pandemic and its related impact. Describe how you have continued to deliver on your fair housing services and goals during or relating to the pandemic despite these challenges. Applicant must identify and reference supporting data/evidence demonstrating need. The applicant must also include a description of the project's location and region. The locations and regions should directly correspond to Question 14 and 16 of SF-424 and align with the information provided in the narrative. If the applicant expects impacts beyond the noted location or region, the applicant

should note the location or region of expected impact. Additionally, applicants must identify their proposed service area(s) by county or counties.

- Applicants for the ARP EOI National Media Campaign Component. Describe the need for the creation and distribution of fair housing education and outreach materials designed to inform members of the public concerning their rights and obligations under the Fair Housing Act and especially in COVID-19 affected areas such as rural areas and areas with high rates of evictions and foreclosures based on discrimination/discriminatory practices.
- Applicants for the ARP EOI General Component. Describe the need for developing and disseminating fair housing education and outreach materials designed to inform members of the public concerning their rights and obligations under the Fair Housing Act or other proposed eligible education and outreach activities in COVID-19 affected areas.

(2) Underserved Communities Focus (Up to 8 points). Provide evidence demonstrating that your organization has equitably expanded housing activities or services for underserved communities who need these services the most. Applicants should provide evidence demonstrating that they have provided fair housing services in highly segregated areas, rural areas, and/or underserved communities, including but not limited to taking meaningful actions that: address significant disparities in housing opportunity and needs for protected groups; address segregation and promoting integration; transform racially or ethnically concentrated areas of poverty into areas of opportunity; and foster and maintain compliance with civil rights and fair housing laws. Maximum points will be provided if the applicant demonstrates how the funds requested through this NOFO will allow the organization to continue or expand work with populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality; persons with limited English proficiency; people experiencing or on the verge of housing instability or homelessness, including those that may face possible displacement due to the end of pandemic related eviction and foreclosure moratoriums; senior citizens and people with disabilities who are trying to escape or are recovering from the heightened risk of coronavirus and people trying to relocate due to the heightened risk associated with institutional or congregate settings relating to the pandemic; and people with inadequate access to technology.

(3) Proposed Solutions and Sustainability (Up to 12 points). Describe the new activities or expansion of existing activities to be funded by a FHIP ARP EOI award. Explain how these activities will position your organization to address or overcome the challenges described in your fair housing need or problem statement. Applicant should describe how the proposed activities would support the mission and goals of your organization and advance the fair housing services for the general public and the targeted area of need during the coronavirus pandemic. Provide a sustainability plan for FHIP ARP EOI post-award, including anticipated challenges, potential barriers, a forecast of post-award operations, and a specific plan to become self-sustaining once grant funds have been expended. This plan should also explain the steps you would take to ensure that the fair housing benefits of the project will be shared by all communities in the project region, including protected classes and underserved communities. Your explanation

should address the communities affected, barriers those communities may face in assessing benefits of the project, contemplated outreach efforts, and other planned steps to address the identified barriers, as appropriate. In addition, including a description of the extent to which the project demonstrates support from stakeholders (private, public, and non-profit entities, community-based, etc.) and is aligned with the AFFH/Consolidated Plan currently ongoing or planned for the community and region. Applicants must address the need to secure or provide language services in languages other than English by describing the target population's language needs, and the reasonable steps the applicant will take to ensure meaningful access for LEP persons. All printed material disseminated to the public must be in English and two other languages. Please provide a brief description of what other languages will be used based on the targeted population and how materials will be translated and by whom. Applicant must also describe its plan for providing alternative communication for persons with disabilities.

(4) Application of Funding (Up to 5 points). Applicants must specify how the use of FHIP ARP EOI funds provided under this NOFO will differ from prior projects regarding the expansion or maintenance of FHIP education and outreach activities and services during or relating to the COVID-19 pandemic.

Rating Factor 3: Soundness of Approach

Maximum Points: 30

This factor addresses the soundness, quality and reasonableness of the proposed work plan and expenditures in relation to the proposed activities, the applicant's capacity to properly administer federal relief funds in the current environment, and the long-term viability of the organization. Two sub-factor requirements make up the total possible points (up to 30 points) for this rating factor.

All Rating Factor 3 criteria are exempt from the 3-page limit.

(1) Proposed SOW and Information Requirements (Up to 16 points). Each applicant should complete a detailed SOW Narrative and Chart. The SOW Narrative will be evaluated on the extent to which it provides a clear, detailed description of the proposed project activities that will take place during the period of performance to achieve each of applicant's proposed objectives.

a. The SOW Narrative should identify quantifiable project goals and describe how those goals are related to each of the specific needs identified in Rating Factor 2 "Need/Distress/Extent of Problem." Goals are the results or outcomes the applicant aims to accomplish. Explain how outcomes from one activity will carry over to the next. The SOW Narrative should also be consistent with and identify and explain the proposed activities, specific deliverables, and anticipated outcomes outlined in the required SOW Chart. **(Up to 6 points)**

b. Proposed SOW Chart (Appendix A format). All applicants should use the format outlined in Appendix A as an example to describe the organization's specific SOW tasks. The Administrative Tasks in Appendix A are standard general tasks, but the tasks may be edited to fit the applicant's specific tasks. Under the Program Tasks section, applicant should include detailed SOW information based on the specific activities proposed in the organization's application, including activities, and tasks, and proposed outcomes where applicable. The SOW program tasks must include education and outreach activities and describe:

- i. all proposed project activities and major tasks chronologically (**up to 3 points**);
- ii. with specificity the list of team members/staff or partners involved with the project as identified in Rating Factor 1 who will be responsible and accountable for completing each activity and task. Include the start date for any new position(s) that will be funded under this award (**up to 3 points**);
- iii. the steps to complete the proposed activities required to successfully implement the proposed project (**up to 2 points**); and
- iv. the proposed outcomes where applicable under program tasks (**up to 2 points**).

Applicants may receive up to **6 points** for the submission of a complete SOW Narrative and up to **10 points** for a complete SOW Chart.

(2) Budget and Cost Estimates (up to 14 points).

HUD will assess the reasonableness of the proposed budget in relation to the proposed activities, the applicant’s capacity to properly administer federal relief funds in the current environment, and the long-term viability of the organization. All costs must be reasonable, necessary to accomplish project objectives, allowable in terms of 2 CFR 200 Subpart E – Cost Principles, auditable, and incurred during the period of performance. All costs are subject to audit, record retention, and other requirements set forth in 2 CFR 200 Subpart F. The applicant’s budget submission must include: the applicant’s Budget Narrative and Form HUD-424-CBW Grant Application Detailed Budget Worksheet (HUD-424-CBW); a Budget Narrative for all sub-contractors or sub-recipients; and a Grant Application Detailed Budget Worksheet (HUD-424-CBW) for sub-contractors or sub-recipients whose budget exceeds \$5,000. Applicant must set aside \$5000 for HUD sponsored mandatory or approved training costs for each 12 month period of performance (for purposes of this NOFO the 12 to 18 month grant period of performance is considered 12 months and requires a set aside of \$5,000 only for training costs).

- a. The applicant’s Budget Narrative and HUD-424-CBW must relate to the tasks in the SOW, including identifying the name of the project director and other senior/key persons who are employed by the applicant organization and involved in the project. Do not include contractors or consultants here; they will be included in other direct costs. Applicant’s budget narrative should describe the organization’s Financial Management Capacity, and its Board’s role in financial management and oversight. In addition, applicants with current or prior FHIP grants must provide a list or chart of the HUD FHIP grants received since 2019.
- b. The applicant’s narrative must describe the organization’s capabilities in handling financial resources, disseminating payments to third parties (e.g., contractors), and maintaining adequate accounting and internal control procedures.

Applicants may receive up to **7 points** for the Narrative Budget Work Plan, and up to **7 points** for a completed HUD-424-CBW. There will be an automatic 5 point deduction from applicant’s Budget and Cost Estimates subfactor score (in addition to any other appropriate point deductions) if the applicant submits a HUD-424-CB instead of the required detailed HUD-424-CBW.

Factor 4: Achieving Equity, Results and Program Evaluation

Maximum Points: 15

HUD will assess the applicant's plan to achieve its proposed project objectives and goals. Based on the narrative statements (staff, proposed activities, etc.) that the applicant provided for Rating Factors 1-3, HUD will assess the extent to which the applicant will measure project outputs, results, and outcomes and hold itself accountable to ensure effective program management. The applicant should outline its strategy for evaluating and improving (as necessary) its program performance against proposed activity goals during the grant period. The applicant must describe:

(1) Equity (Up to 5 points). The extent to which the application articulates a plan for sharing the project's fair housing benefits across all affected communities, and how resident and community leadership will be engaged throughout the project's duration. Describe efforts to reach underserved communities who need the services the most, populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, including Black, Latino, Indigenous, Native American, Asian, Pacific Islander, and other, persons of color; members of religious groups; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality; as well as persons with limited English proficiency and other groups of federally protected class members experiencing housing discrimination. Applicant's strategies should create the connectivity and conditions for growth where it may not exist, such as in rural, underserved and highly segregated areas.

(2) Measurement Goals and Impact (Up to 5 points). Describe the strategies your organization will use to measure its outputs and outcomes. Outputs are results from measurable organizational activities while outcomes measure progress made towards achieving the program goals. Points will be awarded to applicants that propose outputs, outcomes, and methods of measurement that result in reliable, valid data. This description should include but is not limited to: (a) quantifiable outputs and outcomes that measure progress toward the goals identified in the Factor 3, SOW; (b) data collection methods used to measure outputs and expected outcomes; (c) the frequency of data collection; (d) technological tools in place to capture, maintain, store and share data; and (e) an explanation of how the applicant's data will be validated. Applicant measurement of outcomes should reflect the anticipated effect or impact the organization's proposed activities will have on its beneficiaries.

(3) Evaluation Plan (up to 5 points). Describe your organization's plan to evaluate its progress towards meeting its stated objectives and goals. This answer should include: (a) a description of the output and outcome data that will be used to determine progress on objectives/goals; (b) timelines for continuous evaluation and adjustments as needed; (c) a description of how evaluation results will be used to improve program progress and increase efficiency; and (d) an explanation of how evaluation of progress results will be used to make adjustments to program activities if expectations are not on track to be met.

The Evaluation Plan should also include a description of the public interest outputs and outcomes that applicant expects to achieve based upon applicant's past experience. This description may include the applicant's expectations in terms of people served, relief obtained, and/or any other reasonable metric of the impact of the applicant's education and outreach work. To understand long term outcomes the applicant may examine metrics that indicate changes in

levels of systemic housing discrimination related to or experienced as a result of the coronavirus pandemic.

This program does not offer points for Section 3.

2. Other Factors

Preference Points

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

Promise Zones (PZ) (2 points)

Minority-Serving Institutions (2 points)

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

This program does not offer points for Climate Change

This program does not offer points for Environmental Justice.

Minority-Serving Institutions

Pursuant to Executive Orders [13985](#), [14041](#), [14045](#), and [14031](#), you may receive up to two (2) preference points if you are an applicant designated as a minority-serving institution (MSI) or if your application proposes one or more partnerships with minority-serving educational institutions that have been historically underserved.

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

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

Promise Zones

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

B. Review and Selection Process

1. Past Performance

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

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

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

Timely use of funds received from HUD

Timely submission and quality of reports submitted to HUD

Meeting program requirements

Meeting performance targets as established in the grant agreement

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

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

The number of persons served or targeted for assistance

Producing positive outcomes and results

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

2. Assessing Applicant Risk

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

(1) Financial stability;

(2) Quality of management systems and ability to meet the management standards prescribed in this part;

(3) History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, failing to make significant progress in a timely manner, failing to meet planned activities in a timely manner, conformance to the terms and conditions of previous Federal

awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;

(4) Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and

(5) The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

This section incorporates past performance with the assessment of an applicant's risk. For current FHIP grantees, past performance will be based on the applicant's most recent FHIP GTR Final Performance Assessment Report. GTR Final Performance Assessment Reports contain these items: (1) performance of all requirements under the grant, (2) acceptance of work performed, and (3) quality of performance.

Points will be deducted from an applicant's overall rating score based on risk assessment, as stated below:

- **one (1)** point if applicant received less than an "Excellent" rating on its most recent Report
- **five (5)** points if the applicant received less than a "Good" rating on its most recent Report
- **one (1)** point if the applicant is deemed "High Risk" (i.e. a new FHIP applicant)

An organization is ineligible for funding under this NOFO if the organization received a “poor” rating on its last performance assessment on a prior FHIP grant for any initiative/component. Applicants who have not received a performance assessment within the last year will be deemed a new applicant for purposes of this NOFO.

In addition, HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD's files, the federal Do Not Pay Portal, public information and information received during HUD's Name Check Review process. If the integrity evaluation results in an adverse finding, HUD reserves the right to take any of the remedies provided in the [Pre-Selection Review of Performance section of the *Eligibility Requirements for Applicants of HUD Financial Assistance Programs*](#).

3. Experience Promoting Racial Equity

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

This may also include, for example,

experience encouraging specific and authentic engagement with historically underserved neighborhoods and communities of color to guide policy outcomes;

having staff, or recruitment of staff, who have lived experience and/or expertise to provide services in a culturally competent way or resources to hire such staff for NOFO funded work; experience building community partnerships with grassroots and resident-led organizations; experience using, or resources to hire and train, community engagement officers and/or similar staff positions to bridge the gap between people of color and their larger communities; experience designing or operating programs that have provided tangible reductions in racial disparities; history of or commitment to contracting with minority and women owned businesses; and history of or commitment to hiring, training, contracting, and providing other economic opportunities to low-income individuals, especially to individuals who receive housing assistance in furtherance of Section 3 requirements (ensuring that employment and other economic opportunities generated by Federal financial assistance for housing are directed toward low- and very low-income persons).

Applicant may incorporate this information into the narrative required in Section III. F. Advancing Racial Equity.

4. Funding. Applicants may be funded under these **Education and Outreach Initiative (EOI)** Components:

National Based Program - ARP EOI National Media Campaign Component - \$1,000,000.00

Regional/Local/Community Based Program - ARP EOI General Component - \$2,385,353

5. Rating and Ranking. The maximum number of points to be awarded under this NOFO for the Rating Factors is 100. Applicants may also be awarded up to four (4) preference points for Promise Zones and/or MSI. Applicants may receive a total of **104 points** including the Rating Factors and Preference Points.

a. **Ineligible Applications.** Ineligible applications will not be rated or ranked.

b. **Minimum Score to be Funded.** Only applications with a rating score of 75 points, exclusive of preference points, or more will be considered of sufficient quality for funding.

c. **Ranking.** All eligible applicants will be placed in rank order based on the total application score.

d. **Tie Breaking.** When two or more applications have the same total overall score, the application with the higher score under Rating Factor 2 will be ranked higher. If applications still have the same score, the tie will be broken by the Rating Factor 1 score. If a tie remains, then the tie will be broken by the Rating Factor 3 score.

6. Other Application Review Considerations. In accordance with 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Federal awarding agency will review and consider applications for funding pursuant 2 CFR Part 200.

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notices

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

1. Final Grant

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

2. Adjustments to Funding

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

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

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

b. HUD may adjust the funding for an application to ensure funding diversity, geographic diversity, and alignment with HUD administrative priorities.

c. If an applicant turns down an award offer, or if HUD and an applicant do not finalize the terms and conditions of the award in a timely manner, HUD may withdraw the award offer and make an offer of funding to another eligible application.

d. If funds remain after all selections have been made, remaining funds may be made available within the current fiscal year for other competitions within the program area, or be held for future competitions (if allowable in accordance with the applicable appropriation or authorizing statute), or be used as otherwise provided by authorizing statute or appropriation.

e. If, after announcement of awards made under the current NOFO, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations or recapture of funds, HUD may, in accordance with the appropriation, use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

3. Funding Errors

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

4. Reallocation of Funds. If any funds remain after all grant award selections have been made, HUD will have the discretion to reallocate those remaining funds among Initiatives as follows: Funds from any EOI component will be reallocated within the EOI Initiative.

5. Other Adjustments to Funding. HUD may approve an application for an amount lower than the amount requested, fund only portions of the application, withhold funds after approval, reallocate funds among activities and/or require that special conditions be added to the grant agreement under 24 CFR 84.14, or where:

- a. HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;
- b. An ineligible activity is proposed in an otherwise eligible project;
- c. Insufficient funding amounts remain to award the full amount requested in the application, and HUD determines that partial funding is a viable option;
- d. The past record of key personnel warrants special conditions;
- e. An applicant has not included the mandatory training funds allocation in the budget and the applicant is selected for an award; HUD will modify the applicant's budget, reallocating the appropriate training amount;
- f. An applicant is awarded more than one grant; HUD reserves the right to examine the requested training needs and transfer funds back to fair housing activities during negotiations, if additional training funds are not needed;
- g. Based on HUD's review of the applicant's risk under [2 CFR 200.206](#);
- h. When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award;
- i. When the applicant or recipient fails to meet expected performance goals contained in a federal award; or
- j. When the applicant or recipient is not otherwise responsible.

6. Notification. Information about the review and award process will not be available during the HUD evaluation period, which begins on the application deadline date for this NOFO and lasts for approximately 90 days thereafter. However, you will be advised, in writing or by telephone, if HUD determines that your application is ineligible, or that it has technical deficiencies which may be corrected. HUD will only communicate with persons specifically identified in the SF-424 submitted with the application. HUD will not provide information about the application to any third party such as contractors.

7. Negotiations. If you are selected for funding, HUD will require you to participate in negotiations to determine the specific terms of your grant agreement. The selection is conditional and does not become final until negotiations are successfully concluded and the grant agreement is fully executed based upon the negotiations. HUD will negotiate only with the person identified in the application as the Director of the organization or if specifically identified in the application as the Project Manager. HUD will not negotiate with any third party (e.g., a contractor, etc.). The Grant Officer and GTR will determine on a case-by-case basis if technical assistance or special

conditions are required.

8. Applicant Scores. After awards are announced, applicants will receive a copy of their final score. HUD will not release the names of applicants or their scores to any third party. Upon request via email, FHEO will provide applicants a list of frequent areas where the Technical Evaluation Panel (TEP) frequently deducted points. This TEP information will consist of a review of areas for which applicants frequently lost points such that all applicants may make modifications to strengthen future applications.

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

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

1. Compliance with The Fair Housing Act ([42 U.S.C. 3601-3619](#)) and implementing regulations at [24 CFR part 100 et seq](#)
2. Compliance with Title VI of the Civil Rights Act of 1964, [42 U.S.C. 2000d-2000d-4](#) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at [24 CFR part 1](#)
3. Compliance with the Age Discrimination Act of 1975 ([42 U.S.C. 6101-6107](#)) and implementing regulations at [24 CFR part 146](#)
4. Compliance with Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](#)) and implementing regulations at [24 CFR part 8](#)
5. Compliance with the Americans with Disabilities Act, [42 U.S.C. 12101 et seq](#)
6. Compliance with Affirmatively Furthering Fair Housing (AFFH) requirements, including those listed on HUD's [Affirmatively Furthering Fair Housing](#) webpage
7. Compliance with Economic Opportunities for Low-and Very Low-income Persons (Section 3) requirements, including those listed at [24 CFR part 75](#)
8. Compliance with Improving Access to Services for Persons with Limited English Proficiency (LEP) requirements, including those listed within [Federal Register Notice, FR-4878-N-02](#) (also see [HUD's webpage](#))
9. Compliance with Accessible Technology requirements, including those listed on in [HUD's Policy on Section 508 of the Rehabilitation Act and Accessible Technology](#)
10. Compliance with Equal Access Requirements (see [24 CFR 5.105\(a\)\(2\)](#) and [5.106](#))
11. Compliance with Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business requirements at [2 CFR 200.321](#)
12. Compliance with Energy Efficient, Sustainable, Accessible, and Free from Discrimination by Design
13. Compliance with Real Estate Acquisition and Relocation requirements (see [49 CFR part 24](#) and applicable program regulations)
14. Compliance with Participation in HUD-Sponsored Program Evaluation (see [Federal Register Notice, FR-6278-N-01](#))
15. Compliance with OMB Uniform Administrative Requirements, Cost Principles, and Audit

Requirements for Federal Awards (see [2 CFR part 200](#))

16. Compliance with Drug-Free Workplace requirements (see [2 CFR part 2429](#), which is HUD's implementation of [41 U.S.C. 701, et seq.](#))
17. Compliance with the requirements related to safeguarding resident/client files
18. Compliance with the Federal Funding Accountability and Transparency Act of 2006 ([2 CFR part 170](#)) (FFATA), as amended
19. Compliance with Eminent Domain
20. Compliance with Accessibility for Persons with Disabilities requirements on [HUD's Disability Overview](#) webpage
21. Compliance with Violence Against Women Act at [24 CFR part 5](#), subpart L and applicable program regulations
22. Compliance with Conducting Business in Accordance with Ethical Standards/Code of Conduct, including [2 CFR 200.317](#), [2 CFR 200.318\(c\)](#) and other applicable conflicts of interest requirements
23. Compliance with the [Build America, Buy America \(BABA\) Act](#) procurement requirements and [implementing guidance available on HUD's dedicated webpage](#)
24. Compliance with System for Award Management and Universal Identifier Requirements at [2 CFR part 25](#)
25. Compliance with [section 106\(g\) of the Trafficking Victims Protection Act of 2000 \(TVPA\), as amended \(22 USC 7104\(g\)\)](#) and implementing regulations at [2 CFR part 175](#) (Award Term for Trafficking in Persons)
26. Compliance with Award Term and Condition for Recipient Integrity and Performance Matters (see [Appendix XII to 2 CFR part 200](#))
27. Compliance with Suspension and Debarment (see [2 CFR part 2424](#) and [2 CFR part 180](#))
28. Compliance with environmental justice requirements under Executive Orders [12898](#) and [14008](#), and OMB Memorandum [M-21-28](#), which implements the Justice40 Initiative, section 223 of Executive Order [14008](#).
29. Compliance with Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation in HUD Programs (see [HUD Secretary Fudge's April 12, 2022 memorandum](#))
30. Compliance with equity requirements, which include compliance with racial equity and underserved communities and LGBTQ+ requirements under Executive Orders [13985](#) and [13988](#)
31. Compliance with waste, fraud, and abuse requirements, including whistleblower protections (see [HUD's webpage](#))

Environmental Review

In accordance with 24 CFR 24 CFR 50.19(b)(2), (3), (4), (9), (12), and (13), activities funded under this NOFO are exempt or categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

Prohibition on Surveillance

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

Remedies for Noncompliance

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

Lead-Based Paint Requirements

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

C. Reporting

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

1. Recipient Integrity and Performance Matters

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

2. Race, Ethnicity and Other Data Reporting

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

Applicants must submit Form HUD-27061, Racial and Ethnic Data Reporting Form found at https://www.hud.gov/program_offices/administration/hudclips/forms/.

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

FFATA requires information on federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to [2 CFR part 170](#), "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be

added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than \$30,000.

4. Program-Specific Reporting Requirements

a. Performance Reporting. All HUD-funded programs, including this program, require recipients to submit, not less than annually, a report documenting achievement of outcomes under the purpose of the program and the work plan in the award agreement.

b. Quarterly Reporting/Final Report. All grant recipients under this NOFO are required to submit quarterly reports and a final report which must include meaningful data derived from client feedback on how they benefited from the organization's project activities. Reports must also include outcomes and evidence of continued project success in quarterly reports and final performance reports, which may include but are not limited to: (1) positive customer experience; (2) efficient and effective administrative costs; (3) high ethical standards; (4) overall positive community/target area changes; (5) innovative strategies that contribute to cost-effectiveness and other program improvements and success stories. Grantees will be required to track outcomes in the final report using the following forms: Types of Closures (HUD-904-A); Bases and Issues in Test (HUD-904-B); and Bases and Issues of Reports of Discrimination (HUD-904-C). These forms can be found at the following links:

<https://www.hud.gov/sites/dfiles/FHEO/images/904-A-OMB2529-0033.pdf>

<https://www.hud.gov/sites/dfiles/FHEO/images/904-B-OMB2529-0033.pdf>

<https://www.hud.gov/sites/dfiles/FHEO/images/904-C-OMB%202529-0033.pdf>

D. Debriefing

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

Non-funded applicants will receive the total application score, and non-funded and ineligible applicants will receive a debriefing summary to include overall applicant Rating Factor scoring averages and technical guidance on common application errors.

VII. AGENCY CONTACT(S)

HUD staff will be available to provide clarification on the content of this NOFO.

Questions regarding specific program requirements for this NOFO should be directed to the POC listed below.

Name:

Stephanie W. Thomas

Phone:
202-402-6938

Email:
Stephanie.W.Thomas@hud.gov

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

VIII. OTHER INFORMATION

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

This NOFO provides for assistance in promoting or enforcing fair housing or nondiscrimination. Accordingly, under [24 CFR 50.19\(c\)\(3\)](#), this NOFO is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

2. Web Resources.

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

- [System for Award Management \(SAM\)](#)
- [Real Estate Acquisition and Relocation](#)
- [Unique Entity Identifier](#)
- [USA Spending](#)

3. Program Relevant Web Resources

www.hud.gov/fairhousing

APPENDIX

APPENDIX A

STATEMENT OF WORK (SOW) - SAMPLE FORMAT - All applicants should use the format outlined below as an example and guidance to describe the organization's specific SOW tasks. The Administrative Tasks listed in Appendix A are standard tasks; however an applicant may edit the section to conform to applicant’s specific tasks relative to the proposed project. Under the Program Tasks section, each applicant should complete a detailed SOW based on the specific EOI activities proposed in the organization's application corresponding to the component for which it applies, including specific activities and tasks, and proposed outcomes where applicable.

FY2023 EOI ARP NOFO Statement of Work (SOW) for:

The recipient, _____, agrees to undertake the following activities in accordance with its FY 2023 application for funding for _____ Project under the _____ Initiative for a ____-month project commencing _____ 2023 in the geographic area of _____.

STATEMENT OF WORK (SOW)			
ADMINISTRATIVE TASKS			
Activities	Tasks	Submitted By	Key Staff
1. Assign staff to project	Submit assignment memo or other documentation assigning staff by name and number of hours to be spent on the project.	30 days	
2. Execute subcontract agreements (if any)	Submit draft contract for GTR approval. Submit copy of signed agreement.	30 days	
3. Submit evidence of compliance with 24 CFR 125.107 (if program activities include testing)	Submit copy of organization written conflict of interest policy, demonstrating 24 CFR 125.107 compliance including conflict of interest and other requirements	TBD during negotiations	
4. Complete HUD-2880 Disclosure Statements	Submit Disclosure Statement. If no changes occur, submit statement of no change.	Quarterly when changes occur	

5. Complete SF-LLL Disclosure of Lobbying Activities	Submit updated form. If no changes occur, submit statement of no change.	Quarterly when changes occur	
6. Quarterly Report of Performance	Submit two copies of quarterly report of performance. Include outcomes and progress towards achieving outcomes.	Quarterly	
7. Complete SF-425 Financial Status Report and Written Quarterly Status Reports on All Activities	Submit two copies of SF-425 and Copy of Written Report.	Quarterly	
8. Voucher of Payment	Submit payment request to LOCCS.	Per payment schedule	
9. Complete listing of current or pending Grants/Contracts/Other Financial Agreements	Submit listing for Recipient and any contractors.	45 days and at the end of grant	
10. Prepare summary of First Year (36 month grants)	Submit summary of first year accomplishments.	395 days	
11. Prepare and submit draft of Final Report and HUD Forms 904-A, 904B and 904C.	Submit two copies of draft final report. Report summary should include objectives, accomplishments and results (outcomes) . Complaint and testing activities should summarize data on complaints received and test conducted by basis and issue and outcomes should include number of credible, legitimate complaints filed with HUD, State and local Fair Housing Agency, Department of Justice or Private Litigator; and Types of Relief/Results.	One month before end of grant term.	
12. Complete final report and all program	Submit two copies of the Final Report and all final products not previously submitted to GTR and	Within 90 days after	

products produced under the grant (with CD/ flash drive, where feasible) to HUD.	GTM. Submit activities and database entry sheet(s) or detailed description of items to HUD.	end of grant term.	
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PROGRAM TASKS			
*Activities/task below are a sample ONLY. Your list of Program Tasks must be based on the organization's individual proposed activities and tasks.			
Activities/Tasks	Outcome(s)	Submitted By	Key Staff
1. Contact HUD and/or other information sources to obtain any appropriate materials prior to development of new material. Task: List of materials requested and copy of final products.		90 days	
2. Review/refine process to refer potential victims to HUD, DOJ, a state or local fair housing agency, or a private attorney. Task: Copy of referral process. All audit-based enforcement actions should be referred to HUD.		45 days	
3. Submit tester training and other forms for review/approval.		60 days	
4. Train staff on fair housing. Task: number of hours spent in training.			
5. Conduct at least ____ trainings for landlords, lenders, insurers, real estate agents, or other housing providers.			
6. Conduct at least ____ trainings for potential victims of discrimination.			
7. Make at least ____ referrals of non-fair housing issues.			
8. Evaluate at least ____ potential complaints for enforcement.			
9. Conduct ____ meetings with housing industry or government officials.			
10. Conduct ____ fair housing workshops for members of protected classes and housing industry personnel			

11. Distribute Fair Housing PSA to ____media outlets			
12. Distribute fair housing materials to ____ locations/ ____ members of the public			
13. Develop partnership with local university/ (other entities) to craft and implement innovative approaches for the creation of diverse communities			

APPENDIX B

Education & Outreach Application ARP CERTIFICATION

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

In accordance with 24 CFR 125.103 (definitions) and 125.301 (Education and Outreach Initiative), which states:

§ 125.301 Education and Outreach Initiative.

(a) The Education and Outreach Initiative provides funding for the purpose of developing, implementing carrying out, or coordinating education and outreach programs designed to inform members of the public concerning their rights and obligations under the provisions of fair housing laws.

1. Fair Housing Enforcement & Qualified Fair Housing Enforcement Organizations

I/WE, _____, certify under penalty of perjury
AOR Applicant name as it appears on SF-424

that _____ is a private,
Applicant Organization name as it appears on SF-424
tax-exempt, nonprofit, charitable organization and has a “letter of determination” from the IRS confirming 501(c)(3).

AND

I _____ certify that
Applicant name as it appears on SF-424
_____ is a Qualified Fair Housing
Organization (QFHO) or a Fair Housing Enforcement Organization (FHO)
Applicant Organization name as it appears on SF-42

with at least one year’s experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims.

As defined by 24 CFR Part 125.103, my organization is:

___ QFHO (entity has at least two years of enforcement-related experience); and is currently engaged in each of the activities at the time this application is submitted: Complaint intake; Complaint investigation; Testing for fair housing violations; and Enforcement of meritorious claims.

OR

___ FHO (entity has at least one year of enforcement-related experience); and is currently engaged in each of the following activities and upon receipt of funds will continue to be engaged in each enforcement-related activity: Complaint intake; Complaint investigation; Testing for fair housing violations; and Enforcement of meritorious claims

OR

2. Other

Nonprofit organization representing groups of persons protected under Title VIII of the Civil Rights Act of 1968.

Agency of State or local governments and agencies certified by the Secretary under section 810(f) of the Fair Housing Act.

Other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices.

I/We, _____ the undersigned, certify under penalty of perjury

AOR Named on SF-424

that the information provided above is true and correct.

Authorized Signature

Date

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

ADDITIONAL CERTIFICATION FOR NATIONAL MEDIA CAMPAIGN

COMPONENT ONLY. Applicants must have at least five years of experience as an advertising, media or public relations organization or must partner with an advertising and media services organization with at least five years of experience as an advertising public relations organization.

I/We _____ certify under penalty of perjury that the applicant

AOR Named on the SF-424

organization _____ has at least five years of experience as an advertising, media or public relations organization or must partner with an advertising and media services organization with at least five years of experience as an advertising public relations organization.

Authorized Signature

Date

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

NOTE: The Technical Evaluation Panel will verify this certification through the organization's response to Factor 1.

APPENDIX C

REQUIRED ABSTRACT – SAMPLE FORMAT - All applicants should use the format outlined in this Appendix as an example and as guidance to describe the organization's project.

FY2023 NOFO ABSTRACT for:

Applicant _____, if selected for an award, agrees to undertake the following activities in accordance with its FY2023 application for funding in the amount of \$_____ under the _____ Initiative-_____ Component (if applicable) for a ____-month project commencing (month/year) in the geographic area of _____.

(Insert Name of Applicant) **is/is not** (select one) a new FHIP applicant.

Award Description:

a. Purpose (up to 3,600 character limit)

b. Activities to be Performed (up to 4,900 character limit)

c. Expected Outcomes (up to 4,900 character limit)

d. Intended Beneficiaries (up to 3,600 character limit)

e. Subrecipient Activities, Or Indicate “None” if the applicant does not intend to subaward funds (up to 1,000 character limit)

Award Description Key Words/Phrases	Definitions
Purpose	A brief summary of how and where the award funds will or may be used.
Activities To Be Performed	A list of eligible proposed activities that the applicant proposes to implement within the grant period of performance.
Expected Outcomes	A list of the proposed outcomes or performance measures for the grant award.
Intended Beneficiaries	A list of intended eligible beneficiaries or protected classes to be targeted through the grant award activities.
Subrecipient Activities	A list of eligible proposed activities that must be executed within the subaward's period of performance.