

Funding Availability for the Youthbuild Program

Program Overview

Purpose of the Program. The purpose of the Youthbuild program is to provide disadvantaged young adults with education, employment, and leadership skills.

Available Funds. Approximately \$40,000,000 is available for the Youthbuild Program.

Eligible Applicants. Eligible applicants are public or private nonprofit agencies, State or local housing agencies or authorities, State or local units of general local government, or any entity eligible to provide education and employment training under other Federal employment training programs, as further defined in 24 CFR 585.4.

Application Deadline. April 30, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application (one original and two copies) is due on or before 12:00 midnight, Eastern time, on April 30, 1999.

See the General Section of this SuperNOFA for specific procedures that you must follow for the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting

Applications. To HUD Headquarters. Submit your original completed application (that contains the original application and one copy), by hand or mail delivery, to: Processing and Control Branch, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7255, Washington, D.C. 20410, Attention: Youthbuild Grant.

To the Appropriate CPD Field Office. Submit the second copy of your application to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction.

For Application Kits. For an application kit and any supplemental information please call the SuperNOFA Information Center at 1-800-HUD-8929. Persons with hearing or speech

impairments may call the Center's TTY number at 1-800-483-2209. An application kit also will be available on the Internet through the HUD web site at <http://www.hud.gov>. When requesting an application kit, please refer to Youthbuild and provide your name, address (including zip code), and telephone number (including area code).

For Further Information. Phyllis Williams, Office of Economic Development and Empowerment Service in the Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7140, Washington, DC 20410, telephone (202) 708-2035. Persons with speech or hearing impairments may call HUD's TTY number (202) 708-0770, or 1-800-877-8399 (the Federal Information Relay Service TTY). Other than the "800" number, these numbers are not toll-free.

For Technical Assistance. Peter Twichell, YouthBuild USA, 58 Day Street, Somerville, MA 02144, telephone (617) 623-9900, ext. 1211, under contract with HUD to provide technical assistance in developing your application.

II. Amount Allocated

Approximately \$40,000,000 is available for the Youthbuild Program. The net available program funds will be divided between two categories of grants (as further specified in Section III(C)):

1. \$ 4,800,000—Grants for new applicants for up to \$300,000; and
2. \$35,200,000—Grants for up to \$700,000.

III. Program Description; Eligible Applicants; Eligible Activities; Eligible Participants

(A) Program Description

The purposes of the Youthbuild Program are:

- (1) To provide economically-disadvantaged young adults with opportunities to obtain education, employment skills, and meaningful on-site construction work experience as a service to their communities and a means to achieve self-sufficiency;
- (2) To foster the development of leadership skills and commitment to community;
- (3) To expand the supply of permanent affordable housing for homeless and low- and very low-income persons by providing implementation grants for carrying out a Youthbuild program.
- (4) To provide disadvantaged young adults with meaningful on-site training

experiences in housing construction and rehabilitation to enable them to provide a service to their communities by helping to meet the housing needs of homeless and low-income families;

(5) To give, to the greatest extent feasible, job training, employment, contracting and other economic opportunities to low-income persons.

(B) Eligible Activities

(1) Work and activities associated with the acquisition, rehabilitation or construction of the housing and related facilities to be used in the program;

(2) Relocation payments and other assistance required to comply with 24 CFR 585.308;

(3) Costs of ongoing training and technical assistance needs related to carrying out a Youthbuild program;

(4) Education, job training, counseling, employment leadership development services and activities;

(5) Wages, benefits, and need-based stipends for participants; and (6) Administrative costs—Youthbuild funds for these costs should not exceed 15 percent of the total amount of Youthbuild assistance, unless a higher amount is justified to support capacity development by a private nonprofit organization.

Please refer to 24 CFR 585.305 for further details on eligible activities.

(C) Eligible Participants

Participants in a Youthbuild program must be very low-income high school dropouts between the ages of 16 and 24, inclusive, at the time of enrollment. Up to 25 percent of participants may be above very low-income or high school graduates (or equivalent), but must have educational needs that justify their participation in the program.

IV. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, as an applicant you must comply with the following requirements:

(A) Resources From Other Federal, State, Local or Private Entities

You should use existing housing and homeless assistance programs administered by HUD or other Federal, State, local, or private and nonprofit housing programs as part of your Youthbuild program. In addition, you should use other non-Youthbuild funds available for vocational, adult, and bilingual education programs or for job training under the Job Training Partnership Act and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The

selection process described in this Youthbuild Program section of the SuperNOFA provides for applicants to receive points where grant applications contain firm commitments from Federal, State, local, or private sources to provide resources to carry out Youthbuild activities.

(B) Grant Period

You should expend funds awarded within 30 months of the effective date of the grant agreement, or such other period specified.

(C) Locational Limitations

You may submit more than one application in the current competition if your program's participant recruitment and housing areas are in different jurisdictions. Each application you submit may only propose activities to carry out one Youthbuild program, i.e., to start a new Youthbuild program or to fund new classes of Youthbuild participants for an existing program.

(D) Youthbuild Program Components

Youthbuild programs that receive assistance under this Youthbuild Program section of the SuperNOFA must contain the three components described in paragraphs (1), (2), and (4) below. Other activities described in paragraph (3) are optional.

(1) Educational and job training services.

(2) Leadership training, counseling, and other support activities.

(3) Special activities such as entrepreneurial training, drivers' education, internships, programs for those with learning disabilities, and in-house staff training. (Optional)

(4) On-site training through actual housing rehabilitation and/or construction work, including the provision of alternative training experiences that are necessary as reasonable accommodation for students with disabilities. Each program must be structured so that 50 percent of each participant's time is spent in on-site training.

(E) Desirable Elements of a Youthbuild Program

You should document the extent to which HUD's policy priorities are furthered by the proposed activities. Such policy priority areas are:

- (1) Affirmatively furthering fair housing by promoting greater opportunities for housing choice for minorities and persons with disabilities;
- (2) Promoting healthy homes;
- (3) Providing opportunities for self-sufficiency, particularly for persons enrolled in welfare to work programs;

(4) Providing educational and job training opportunities and linking programs to Americorps activities; and

(5) Promoting welfare reform. Refer to 24 CFR 585.3 for a detailed description of program components.

V. Application Selection Process

You, the applicant, must meet all of the applicable threshold requirements of Section II(B) of the General Section of the SuperNOFA. HUD will review each application and assign points in accordance with the selection factors described in this section. The maximum number of points is 102 (except for an application submitted by the City of Dallas, Texas, which would be eligible for a maximum of 104 points, in accordance with Rating Factor 3, paragraph (3), below). This maximum includes two EZ/EC bonus points as described in the General Section of the SuperNOFA.

To afford applicants every opportunity to submit a ratable application, while at the same time ensure the fairness, integrity and timeliness of the selection process, the following application submission and selection procedures apply to this program:

(A) *Rating and Ranking.* HUD will rate each eligible application based upon the rating factors described in Section V of this Youthbuild Program section of the SuperNOFA. Using the scores assigned, HUD will place the application in rank order within each category. HUD will select applications for funding in accordance with their rank order. An application will be eligible for EZ/EC bonus points and for the Housing Program Priority points in Rating Factor 3, paragraph (2), only if the application receives a combined score of at least 50 points for Rating Factor 1, Rating Factor 2, and Rating Factor 3, paragraph (1), under this Section V.

If two or more applications are rated fundable, and have the same score, but there are insufficient funds to fund all of them, HUD will select the application(s) with the highest score for Rating Factor 3(1) under Soundness of Approach.

(B) *Initial Screening.* During the period immediately following the application deadline, HUD will screen each application to determine eligibility. Applications will be rejected if they:

- (1) Are submitted by ineligible applicants, or
 - (2) Propose a program for which significant activities are ineligible.
- (C) *Categories of Grants.*

HUD will award Youthbuild implementation grants only to eligible applicants for the purpose of carrying out Youthbuild programs in accordance with subtitle D of title IV of the Act. HUD will select applications in a competition in accordance with the grant selection process described in Section V of this Youthbuild Program section of the SuperNOFA.

HUD will make grants in two categories:

(1) Grants for new applicants that have not previously received Youthbuild Implementation Grants and that have elected not to apply under category (2), below. These grants will be limited to \$300,000, for a period of 18 months, with a maximum of 20 students.

(2) Grants for up to \$700,000 to implement a full range of Youthbuild activities for up to a 30-month period. HUD will award half the funding in this category to applicants that propose grants of \$400,000 or less for up to 24 months. Applicants in category (1) will receive twelve percent of the funds available. Applicants in category (2) will receive the remainder of the funds available, which in turn will be split evenly between grants for up to and including \$400,000, and grants over \$400,000. If you have not received funding before, you may apply in either category. If you have received funding before for implementation, you may apply only in category (2).

(D) Maximum Awards.

Under the competition established by this Youthbuild Program section of the SuperNOFA, the maximum award for a Youthbuild grant is \$700,000. HUD reserves the right to determine the maximum or minimum of any Youthbuild award per application, project, program or budget line item. HUD will not make amendments to awards under this competition that will increase previously approved grant amounts. In order to ensure reasonable geographic diversity, HUD will not give a CDBG entitlement jurisdiction more than \$2.1 million in Youthbuild grants.

(E) *Potential Environmental Disqualification.* HUD reserves the right to disqualify an application where one or more environmental thresholds are exceeded if HUD determines that it cannot conduct the environmental review and satisfactorily complete the review within the HUD review period. (See 24 CFR 585.307.)

(F) *Notification of Approval or Disapproval.* HUD will notify you whether or not you have been selected for an award. If you are selected, HUD's notice to you of the amount of the grant award based on the approved

application will constitute HUD's preliminary approval, subject to execution of the grant agreement by HUD.

(G) *Economic Opportunities for Low and Very Low-Income Persons (Section 3)*. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is applicable to Youthbuild implementation grant recipients. Please see Section II(E) of the General Section of the SuperNOFA.

(H) Factors for Award Used to Evaluate and Rate Applications.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience (30 Points)

This factor addresses the qualification and experience of the applicant and participating parties to implement a successful young adult education and training program within a reasonable time period. HUD will review and evaluate the information provided documenting capability. In assigning points for this criterion, HUD will consider evidence in the application that demonstrates the following:

(1) Experience in implementing a comprehensive, integrated, multidisciplinary program with the following components:

(a) Young adult education and training programs, including programs for low-income persons from economically distressed neighborhoods.

(b) Young adult leadership development training and related activities for young adults.

(c) Young adult on-site training in housing construction or rehabilitation for the production of sound and affordable housing for the homeless and low-income families.

(2) The extent to which you or participating parties have been successful in past education, training, and employment programs and activities, including Federally-funded Youthbuild programs. If you have received a Youthbuild grant, you must submit a performance narrative as outlined in the application package, and copies of your last two progress reports or, if applicable, a closeout report. In applying the rating criteria, HUD will take into consideration your performance (including meeting target dates and schedules) as reported.

(3) The extent to which you, including your program director, principal staff, or participating parties have demonstrated past ability to leverage other resources to cover administrative, educational, and training costs.

(4) Staff capacity should address the extent to which you demonstrate that

your proposed Staff and Program Manager possess the background, experience, and capacity to conduct the proposed project, as evidenced by recent work experience in managing projects of the same or similar size, dollar amount, and types of activities as those proposed in the application.

Rating Factor 2: Need/Extent of the Problem (15 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities and an indication of the urgency of meeting the need in the target area. Documentation of need should address the extent to which you document a critical level of need for the proposed activities in the area where activities will be implemented. The documentation must apply to the targeted area rather than the entire locality. If the target area is an entire locality or State, then documenting need at this level is appropriate.

Your documentation of need should demonstrate the extent and urgency of the problem the proposed activities address. To the extent that your community's Consolidated Plan or Analysis of Impediments to Fair Housing Choice (AI) identifies the level of the problem and the urgency in meeting the need, you should include references to these documents in your response. HUD will review more favorably those applicants that use these documents to identify need, when applicable. Examples of data you might use to demonstrate need include, but are not limited to, economic and demographic data relevant to the target area, including poverty and unemployment rates; levels of homelessness; extent of drug usage and crime statistics; lead poisoning rates; housing market data available from HUD or other data sources including the Public Housing Authorities' Five Year Comprehensive Plan, State or local Welfare Department's Welfare Reform Plan (including, where applicable, the Welfare to Work Plan Addendum); and/or lack of other Federal, State, or local funding that could be or are used to address the problem HUD program funds are designed to address. If the proposed activity is not covered under the scope of the Consolidated Plan and AI, you should indicate such, and use other sound data sources to identify the level of need and the urgency in meeting the need. Types of other sources include, but are not limited to, Census reports, Continuum of Care gaps analysis, law enforcement agency crime reports, Public Housing Authorities' Five Year Comprehensive Plan, etc.

Rating Factor 3: Soundness of Approach (40 Points)

(1) (30 points) HUD will consider the overall quality and feasibility of the proposed program as measured by the principles and goals of the proposed program; whether proposed program activities meet the overall objectives of the Youthbuild program; whether the proposed program activities will be accomplished within the projected time frame; whether the proposed program activities are comprehensive and integrated; and the potential for success of the proposed program. Areas HUD will consider in evaluating the overall quality of the proposed program are:

(a) Outreach, recruitment and selection activities including:

(i) Specific steps you will take to attract potential eligible participants who are unlikely to be aware of this program (because of race, ethnicity, sex or disability) and selection strategies;

(ii) Special outreach efforts you will make to recruit eligible young women, young women with dependent children, and persons receiving public assistance; and

(iii) Recruitment arrangements you have made with public agencies, courts, homeless shelters, local school systems, local workforce development systems, community-based organizations, etc.

(b) Educational and job training services and activities including:

(i) The types of instructional services you will provide;

(ii) The number and qualification of program instructors and ratio of instructors to participants;

(iii) Realistic scheduling plan for classroom and on-the-job training; and

(iv) Reasonable payments of participants' wages, stipends, and incentives.

(c) Leadership development, including the leadership development training you will offer to participants, and including the strategies, activities, and plans to build group cohesion and peer support.

(d) Support services, including documentation of counseling and referral services to be offered to participants, including the type of counseling, social services, and/or need-based stipends you will provide (supported by letters of commitments from providers).

(e) On-site training, including:

(i) The housing construction or rehabilitation activities participants will undertake at the site(s) to be used for the on-site training component of the program;

(ii) The qualification and number of on-site supervisors;

(iii) The ratio of trainers to students;
 (iv) The number of students per site;
 and

(v) The amounts, reasonable wages, and/or stipends you will pay to participants during on-site work.

(f) Job placement assistance, including your commitments, strategies, and procedures for:

(i) Participant placement in meaningful employment, enrollment in postsecondary education programs, job development, starting business enterprises, or other opportunities leading to economic independence; and

(ii) Follow-up assistance and support activities to program graduates.

(g) Americorps support or participation as evidenced by approval of Americorps or appropriate State agency.

(2) (10 points) HUD will assign Housing Program Priority Points to all applications that contain evidence that housing resources from other Federal, State, local, or private sources that are available to cover the cost, in full, for the following housing activities for the proposed Youthbuild program: acquisition, architectural and engineering fees, construction, and rehabilitation. It also is imperative that your proposed housing sites provide quality training. The number of units you propose to rehabilitate or construct is secondary in rating this factor. Applications that do not include proper documentation of commitment of non-Youthbuild resources or propose to use Youthbuild grant funds, in whole or in part, for any one of the housing activities listed above will not be entitled to the full priority points. HUD will not use housing resources in evaluating the Leveraging Resources factor.

HUD considers that the quality of the training to be provided is more important than the number of units per se, in evaluating housing sites proposed for Youthbuild training.

(3) HUD will award up to two (2) additional points to any application submitted by the City of Dallas, Texas, to the extent this subfactor is addressed. Due to an order of the U.S. District Court for the Northern District of Texas, Dallas Division, with respect to any application submitted by the City of Dallas, Texas, HUD will consider the extent to which the application's proposed activities will eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the extent to which firm commitment of resources are obtained from Federal, State, local, and private and nonprofit sources other than the applicant. In assigning points for this criterion, HUD will consider the level of nonhousing resources obtained for cash or in-kind contribution to cover the following kinds of areas:

(1) Social services (i.e., counseling and training);

(2) Use of existing vocational, adult, and bilingual educational courses;

(3) Donation of labor, resource personnel, supplies, materials, classroom, and/or meeting space;

(4) Other commitments.

In rating this element, HUD will consider only those contributions for which current firm commitments have been provided. HUD will evaluate the level of nonhousing resources proposed based on their importance to the total program.

Rating Factor 5: Comprehensiveness and Coordination (5 Points)

This factor addresses the extent to which your program reflects a coordinated, community-based process of identifying needs and building a system to address the needs by using available HUD funding resources and other resources available to the community.

In evaluating this factor, HUD will consider the extent to which you demonstrate that you have:

(1) Coordinated your proposed activities with those of other groups or organizations in order to best complement, support, and coordinate all known activities, and the specific steps you will take to share information on solutions and outcomes with others. You should describe any written agreements, memoranda of understanding in place, or those that will be in place after award.

(2) Taken or will take specific steps to become active in the community's Consolidated Planning process (including the Analysis of Impediments to Fair Housing Choice) established to identify and address a need/problem that is related to the activities you propose.

(3) Taken or will take specific steps to develop linkages to coordinate comprehensive solutions through meetings, information networks, planning processes, or other mechanisms with:

(a) Other HUD funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other activities funded by HUD, Federal, State, or local sources, including those proposed or on-going in the community(s) served.

VI. Application Submission Requirements

You must complete and submit your application for a Youthbuild grant in accordance with the instructions in the FY 1999 Youthbuild application kit. The application kit will request information in sufficient detail for HUD to determine whether your proposed activities are feasible and meet all the requirements of applicable statutes and regulations. The application kit requires you to describe: your and participating parties' experiences in young adult and housing programs; your proposed Youthbuild program; the other public and private resources to be used for the program, including other housing resources (including documentation of these). In addition, you must submit a schedule for the program, budgets, identification of housing sites, and demonstration of site access. The application kit also contains necessary certifications regarding Federal requirements. In addition, you must provide the required certification that the proposed activities are consistent with the HUD-approved Consolidated Plan in accordance with 24 CFR part 91. You should refer to the Youthbuild application kit for further instructions and take into account the uniform guidebook available to all applicants.

VII. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VIII. Environmental Requirements

Environmental procedures apply to HUD approval of grants when you propose to use Youthbuild funds to cover any costs for the lease, acquisition, rehabilitation, or new construction of real property proposed for housing project development. Environmental procedures do not apply to HUD approval of your application when you propose to use your Youthbuild funds solely to cover costs for classroom and/or on-the-job construction training and support services.

If you propose to use your Youthbuild funds to cover any costs of the lease, acquisition, rehabilitation, or new construction of real property, you must submit all relevant environmental information in your application to support HUD decisionmaking in accordance with the environmental

procedures and standards set forth in 24 CFR 585.307.

IX. Authority

This program is authorized under subtitle D of title IV of the Cranston-

Gonzalez National Affordable Housing Act (the Act), as added by section 164 of the Housing and Community Development Act of 1992 (Pub. L. 102-550, 106 Stat. 3723, 42 U.S.C. 12899).

The Youthbuild Program regulations are found in 24 CFR part 585.

BILLING CODE 4210-32-P

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

**CONTINUUM OF CARE HOMELESS
ASSISTANCE PROGRAMS**

Supportive Housing Program (SHP)

Shelter Plus Care (S+C)

Section 8 Moderate Rehabilitation Single
Room Occupancy for Homeless Individuals
(SRO)

Funding Availability for Continuum of Care Homeless Assistance Programs—Supportive Housing Program (SHP), Shelter Plus Care (S+C), Section 8 Moderate Rehabilitation Single Room Occupancy Program for Homeless Individuals (SRO)

Program Overview

Purpose of the Programs. The purpose of the Continuum of Care Homeless Assistance Programs is to fund projects that will fill gaps in locally developed Continuum of Care systems to assist homeless persons move to self-sufficiency and permanent housing.

Available Funds. Approximately \$750 million.

Eligible Applicants. The chart in the Appendix to this program section of this SuperNOFA identifies the eligible applicants for each of the three programs under the Continuum of Care.

Application Deadline. June 2, 1999.

Match. Yes.

Additional Information

If you are interested in applying for funding under any of the Continuum of Care Homeless Assistance programs, please review carefully the General Section of the SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Your completed application (an original containing the signed documentation and two copies) is due on or before 12:00 midnight, Eastern time, on June 2, 1999 to the addresses shown below. See the General Section of this SuperNOFA for specific procedures that you must follow for the form of application submissions (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Addresses for Submitting Applications. To HUD Headquarters. Submit your original completed application (the application with the original signed documentation) to: Room 7270, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, Attention: Continuum of Care Programs.

To the Appropriate CPD Field Office. Also submit two copies of your completed application to the Community Planning and Development Division of the appropriate HUD Field Office for your jurisdiction. The HUD Field Office must receive the two copies of your application by the deadline date as well. The determination, however,

that your application was received on time will be made *solely on receipt of the application at HUD Headquarters in Washington*. Reviews will be based upon the contents of the application submitted to HUD Headquarters.

For Application Kits. For an application kit, please call the SuperNOFA Information Center at 1-800-HUD-8929 (voice) or 1-800-483-2209 (TTY), or you may download an application by Internet at <http://www.HUD.gov>.

For Further Information. For answers to your questions, you may call the HUD Field Office serving your area, at the telephone number shown in the application kit for this program, or you may contact the Community Connections Information Center at 1-800-998-9999 (voice) or 1-800-483-2209 (TTY) or by Internet at: <http://www.comcon.org/ccprog.html>.

For Technical Assistance. Before the application deadline, HUD staff will be available to provide you with general guidance. HUD staff, however, cannot provide you with guidance in actually preparing your application. HUD Field Office staff also will be available to help you identify organizations in your community that are involved in developing the Continuum of Care system and, in the case of renewals, to determine the HUD final year amount (e.g., leasing, supportive services and operations for SHP, and rental assistance for S+C). Following conditional selection of applications, HUD staff will be available to assist selected applicants in clarifying or confirming information that is a prerequisite to the offer of a grant agreement or Annual Contributions Contract by HUD. However, between the application deadline and the announcement of conditional selections, HUD will accept no information that would improve the substantive quality of your application pertinent to HUD's funding decision.

II. Amount Allocated

Approximately \$750 million is available for this competition in FY 1999. Any unobligated funds from previous competitions or additional funds that may become available as a result of deobligations or recaptures from previous awards may be used in addition to 1999 appropriations to fund applications submitted in response to this program section of this SuperNOFA. The funds available for the Continuum of Care program can be used under any of three programs that can assist in creating community systems for combating homelessness. The three programs are:

- (1) Supportive Housing;
- (2) Shelter Plus Care; and
- (3) Section 8 Moderate Rehabilitation for Single Room Occupancy Dwellings for Homeless Individuals.

The chart in the Appendix to this program section of this SuperNOFA summarizes key aspects of the programs, and also provides the citations for the statutes and regulations that authorize these programs. The regulations listed in the chart provide more detailed descriptions of each of the programs.

As in previous funding availability announcements for the Continuum of Care Homeless Assistance Programs, HUD will not specify amounts for each of the three programs this year. Instead, the distribution of funds among the three programs will depend largely on locally determined priorities and overall demand. Local priorities notwithstanding, due to recent Congressional action, not less than 30 percent of this year's total homeless assistance appropriation of \$975 million must be used for permanent housing projects. Pursuant to the provisions of the FY 1998 NOFA, up to \$60 million of the FY 1999 appropriation may be made available under the FY 1998 NOFA. Permanent housing projects funded with that \$60 million will be counted toward the 30 percent requirement. (See Sections V(A)(4)(b) and V(A)(7) of this program section of the SuperNOFA for additional information.)

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

(1) *Developing Continuum of Care Systems.* The purpose of the Continuum of Care Homeless Assistance Programs is to fund projects that will fill gaps in locally developed Continuum of Care systems to assist homeless persons move to self-sufficiency and permanent housing. The process of developing a Continuum of Care system to assist homeless persons is part of the community's larger effort of developing a Consolidated Plan. For a community to successfully address its often complex and interrelated problems, including homelessness, the community must marshal its varied resources—community and economic development resources, social service resources, housing and homeless assistance resources—and use them in a coordinated and effective manner. The Consolidated Plan, including the Analysis of Impediments to Fair Housing Choice, serves as the vehicle for a community to comprehensively

identify each of its needs and to coordinate a plan of action for addressing them.

A Continuum of Care system consists of four basic components:

- (a) A system of outreach and assessment for determining the needs and conditions of an individual or family who is homeless;
- (b) Emergency shelters with appropriate supportive services to help ensure that homeless individuals and families receive adequate emergency shelter and referral to necessary service providers or housing finders;
- (c) Transitional housing with appropriate supportive services to help those homeless individuals and families who are not prepared to make the transition to permanent housing and independent living; and
- (d) Permanent housing, or permanent supportive housing, to help meet the long-term needs of homeless individuals and families.

A Continuum of Care system is developed through a community-wide or region-wide process involving nonprofit organizations (including those representing persons with disabilities), government agencies, other homeless providers, housing developers and service providers, private foundations, neighborhood groups, and homeless or formerly homeless persons. A Continuum of Care system should address the specific needs of each homeless subpopulation: the jobless, veterans, persons with serious mental illnesses, persons with substance abuse issues, persons with HIV/AIDS, persons with multiple diagnoses, victims of domestic violence, youth, and any others. The term "multiple diagnoses" may include diagnoses of multiple physical disabilities or multiple mental disabilities or a combination of these two types.

As an applicant, the community process you use in developing a Continuum of Care system should include interested veteran service organizations. To ensure that the Continuum of Care system addresses the needs of homeless veterans, it is particularly important that you involve veteran service organizations with specific experience in serving homeless veterans. In addition, given the large number of youths aging out of the Foster Care system each year, you should seek to include persons knowledgeable on this issue in the planning process and ensure that your continuum of Care system adequately addresses this need.

Your application will be given a high score under the Continuum of Care scoring factors if the application

demonstrates the achievement of two basic goals:

- That you have provided maximum participation by non-profit providers of housing and services; homeless and formerly homeless persons; state and local governments and agencies; veteran service organizations; organizations representing persons with disabilities; the private sector; housing developers; foundations and other community organizations.
- That you have created, maintained and built upon a community-wide inventory of housing and services for homeless families and individuals; identified the full spectrum of needs of homeless families and individuals; and coordinated efforts to obtain resources, particularly resources sought through this program section of the SuperNOFA, to fill gaps between the current inventory and existing needs. This coordinated effort must appropriately address all aspects of the continuum, especially permanent housing.

In deciding the geographic area you will cover in your Continuum of Care strategy, you should be aware that the single most important factor in being awarded funding under this competition will be the strength of your Continuum of Care strategy when measured against the Continuum of Care rating factors described in this SuperNOFA. When you determine what jurisdictions to include in your Continuum of Care strategy area, include only those jurisdictions that are involved in the development and implementation of the Continuum of Care strategy.

The more jurisdictions you include in the Continuum of Care strategy area, the larger the pro rata need share that will be allocated to the strategy area (as described in Section V(A)(4) of this program section of the SuperNOFA). However, it would be a mistake to include jurisdictions that are not fully involved in the development and implementation of the Continuum of Care strategy since this would adversely affect the Continuum of Care score. If you are a rural county, you may wish to consider working with larger groups of contiguous counties to develop a region-wide or multi-county Continuum of Care strategy covering the combined service areas of these counties.

Since the basic concept of a Continuum of Care strategy is to create a single, coordinated, inclusive homeless assistance system for an area, the areas covered by Continuum of Care strategies should not overlap. If your Continuum of Care strategy geographically overlaps to the extent that they are essentially competing with each other, projects in the applications/

Continuum of Care that receive the highest score out of the possible 60 points for Continuum of Care will be eligible for up to 40 points under Need. Projects in the competing applications/Continuum of Care with the less effective Continuum of Care strategies will be eligible for only 10 points under Need. In no case will the same geographical area be used more than one time in assigning Need points. The local HUD Field Office can help you determine if any of the areas proposed for inclusion by your Continuum of Care system is also likely to be claimed under another Continuum of Care system in this competition.

(2) *Prioritizing.* HUD's policy is that decisions about priority are best made through a locally-driven process and are key to the ultimate goal of reducing homelessness. Again this year, you must list all projects proposed for funding under this program section of the SuperNOFA in priority order from the highest priority to the lowest. Generally, this priority order will mean, for example, that if HUD has funds available only to award 8 of 10 proposed projects, then it will award funding to the first eight eligible projects listed, except as may be necessary to achieve the new 30 percent overall permanent housing requirement—in which case higher priority non-permanent housing projects may be skipped over in order to fund lower priority permanent housing projects. You should give non-profit organizations an opportunity to participate in establishing these priorities.

In order to promote permanent housing, a special incentive is being provided to continuum of care systems that place an eligible, new permanent housing project in the number one priority slot on the priority list. See Section V(A)(4)(b) of this program section of the SuperNOFA for a description of this incentive.

HUD will use this priority list to award up to 40 points per project under the "Need" scoring factors. Higher priority projects will receive more points under Need than lower priority projects. A project priority chart is included in the application kit and you should complete and submit it. If you do not submit clear project priority designations for the continuum, or if HUD, at its sole discretion, cannot determine priority designations, then HUD will give all projects the lowest score for Need.

Project renewals. If your Supportive Housing, Supportive Housing Demonstration Program, SAFAH, or Shelter Plus Care grants will be expiring in calendar year 2000, you must apply

under this Continuum of Care program section of the SuperNOFA to get continued funding.

Your local needs analysis process must consider the need to continue funding for projects expiring in calendar year 2000, and you must assign a priority to those projects requesting renewal. HUD will not fund renewals out of order on the priority list except as may be necessary to achieve the new 30 percent overall permanent housing requirement. HUD reserves the authority to use FY 2000 funds, if available, to conditionally select lower-rated eligible SHP renewal projects that are assigned 40 need points in continuum of care systems that would not otherwise receive funding.

Regardless of the priority assigned to expiring projects, you should fully consider how persons currently being served by those projects will continue to be served, and address this issue in your gaps analysis. In previous competitions, some renewal projects that were not assigned top priority by a locality did not receive funding. To the extent your community desires to have such projects renewed, you should give them the top priorities on the priority projects listing in the application. Since renewal projects receive no special consideration during the review, it is important that they meet minimum project eligibility, capacity, and quality standards identified in this program section of the SuperNOFA or they will be rejected.

For the renewal of a Supportive Housing Program project, Supportive Housing Demonstration Program project or SAFAH project, you may request funding for one (1), two (2) or three (3) years. The amount of this request can be up to the total of HUD grant funds for leasing, operations, and supportive services approved for the final year of the expiring grant's term. For the renewal of a Shelter Plus Care project, the grant term is fixed at five (5) years as required by statute. You may request up to the amount determined by multiplying the number of units under lease at the time of application for renewal funding under this SuperNOFA by the applicable current Fair Market Rent(s) by 60 months. While full funding of existing grants may be requested, there is no guarantee that the entire amount will be awarded. As is the case with SHP, HUD will recapture Shelter Plus Care grant funds remaining unspent at the end of the original grant period when it renews a grant.

This program section of the SuperNOFA is not applicable to the renewal of funding under the SRO program. For further guidance on SRO

renewals, please contact your local HUD Field Office.

As a project applicant, you are eligible to apply for renewal of a grant only if you have executed a grant agreement for the project directly with HUD. If you are a project sponsor or subrecipient who has not signed such an agreement, you are not eligible to apply for renewal of these projects. HUD will reject applications for renewal submitted by ineligible applicants. If you have questions about your eligibility to apply for project renewal, contact the local HUD field office. To be considered an applicant when applying as part of a consolidated application, you must submit an originally signed HUD Form SF-424 and the necessary certifications and assurances.

(B) Eligible Applicants

See Appendix.

(C) Eligible Activities

See Appendix.

IV. Program Requirements

(A) Statutory and Regulatory Requirements

(1) SRO Program. As an applicant, you need to know that the following limitations apply to the Section 8 SRO program:

- Under section 8(e)(2) of the United States Housing Act of 1937, no single project may contain more than 100 assisted units;
- Under 24 CFR 882.802, applicants that are private nonprofit organizations must subcontract with a Public Housing Authority to administer the SRO assistance;
- Under section 8(e)(2) of the United States Housing Act of 1937 and 24 CFR 882.802, rehabilitation must involve a minimum expenditure of \$3000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to upgrade conditions to comply with the Housing Quality Standards.

- Under section 441(e) of the McKinney Act and 24 CFR 882.805(d)(1), HUD publishes the SRO per unit rehabilitation cost limit each year to take into account changes in construction costs. This cost limitation applies to rehabilitation that is compensated for in a Housing Assistance Payments Contract. For purposes of Fiscal Year 1999 funding, the cost limitation is raised from \$17,200 to \$17,500 per unit to take into account increases in construction costs during the past 12-month period.

(2) Shelter Plus Care/Section 8 SRO Component. With regard to the SRO

component of the Shelter Plus Care program, if you are a State or a unit of general local government, you must subcontract with a Public Housing Authority to administer the Shelter Plus Care assistance. Also with regard to this component, no single project may contain more than 100 units.

(B) Match

You must match Supportive Housing Program funds provided for acquisition, rehabilitation, and new construction with an equal amount of funds from other sources. In addition, in this year's competition, you must match by 25% all funding for supportive services. The cash source may be you, the Federal Government, State and local governments, or private resources. You must match rental assistance provided through the Shelter Plus Care Program in the aggregate with supportive services.

(C) Linking Supportive Housing Programs and AmeriCorps

Applicants for the Supportive Housing Program are encouraged to link their proposed projects with AmeriCorps, a national service program engaging thousands of Americans on a full or part-time basis to help communities address their toughest challenges, while earning support for college, graduate school, or job training. For information about AmeriCorps SHP partnerships, call the Corporation for National Service at (202) 606-5000, extension 486.

(D) Timeliness Standards

As an applicant, you are expected to initiate your approved projects promptly. HUD may take action if you fail to satisfy certain timeliness standards:

- (1) Supportive Housing Program.*
- HUD will deobligate SHP funds if you have not demonstrated site control within one (1) year after you were initially notified of the grant award, as provided in 24 CFR 583.320(a), subject to the exceptions noted in that regulation.
 - Except where HUD finds that delay was due to factors beyond your control, HUD may deobligate SHP funds if you do not meet the following additional timeliness standards:
 - You must begin construction activities within eighteen (18) months after initial notification of your grant award and complete them within thirty-six (36) months after that notification.
 - For activities that cannot begin until construction activities are completed, such as supportive service or

operating activities that will be conducted within the building being rehabilitated or newly constructed, you must begin these activities within three (3) months after you complete construction.

—You must begin all activities that may proceed independent of construction activities within twelve (12) months after initial notification of your grant award.

(2) *Shelter Plus Care Program*

Components Except SRO Component.

Except where HUD finds that delay was due to factors beyond your control, HUD will deobligate S+C funds if you do not meet the following timeliness standards:

- For Tenant-based Rental Assistance, for Sponsor-based Rental Assistance, and for Project-based Rental Assistance without rehabilitation, you must start the rental assistance within twelve (12) months of the initial announcement of the grant award.

- For Project-based Rental Assistance with rehabilitation, you must complete the rehabilitation within twelve (12) months of initial notification of the grant award.

(3) *SRO Program and SRO Component of the Shelter Plus Care Program.*

For projects carried out under the SRO program and the SRO component of the S+C program, the rehabilitation work must be completed and the Housing Assistance Payments contract executed within twelve (12) months of execution of the Annual Contributions Contract. HUD may reduce the number of units or the amount of the annual contribution commitment if, in HUD's determination, the Public Housing Authority fails to demonstrate a good faith effort to adhere to this schedule.

V. Application Selection Process

(A) *Review, Rating and Conditional Selection*

HUD will use the same review, rating, and conditional selection process for all three programs (S+C, SRO, and SHP). The standard factors for award identified in the General Section of this SuperNOFA have been modified in this program section as described below. Only the factors described in this program section—Continuum of Care and Need—will be used to assign points. To review and rate applications, HUD may establish panels. To obtain certain expertise and outside points of view, including views from other Federal agencies, these panels may include persons not currently employed by HUD. Two types of reviews will be conducted. Paragraphs (1) and (2) below describe threshold reviews and

paragraphs (3) and (4) describe factors—Continuum of Care and Need—that will be used to assign points. Up to 104 points (including bonus points and points for the court-ordered consideration described in Section III(C) (1) and (2) of the General Section of the SuperNOFA) will be assigned using these factors.

(1) *Applicant and sponsor eligibility and capacity.* HUD will review your capacity as the applicant and project sponsor to ensure the eligibility and capacity standards in this section are met. If HUD determines these standards are not met, the project will be rejected from the competition. The eligibility and capacity standards are:

- You must be eligible to apply for the specific program;
- You must demonstrate ability to carry out the project(s). With respect to each proposed project, this means that in addition to knowledge of and experience with homelessness in general, the organization carrying out the project, its employees, or its partners, must have the necessary experience and knowledge to carry out the specific activities proposed, such as housing development, housing management, and service delivery;

- If you or the project sponsors are current or past recipients of assistance under a HUD McKinney Act program or the HUD Single Family Property Disposition Homeless Program, there must have been no delay in implementing projects exceeding applicable program timeliness standards that HUD determines is within your or the project sponsor's control, unresolved HUD finding, or outstanding audit finding of a material nature regarding the administration of HUD McKinney Act programs or the HUD Single Family Property Disposition Homeless Program; and

- You and the project sponsors must be in compliance with applicable civil rights laws and Executive Orders, and must meet the threshold requirements of Section II(B) of the General Section of the SuperNOFA.

(2) *Project eligibility and quality.* HUD will review projects to determine if they meet the following eligibility and quality standards. If HUD determines the following standards are not met by a specific project or activity, the project or activity will be rejected from the competition.

- The population to be served must meet the eligibility requirements of the specific program, as described in the application instructions;
- At least one of the activity(ies) for which assistance is requested must be

eligible under the specific program, as described in the program regulations;

- The housing and services proposed must be appropriate to the needs of the persons to be served. HUD may find a project to be inappropriate if:

- The type and scale of the housing or services clearly does not fit the needs of the proposed participants (e.g., housing homeless families with children in the same space as homeless individuals, or separating members of the same family, without an acceptable rationale provided);
- Participant safety is not ensured;
- The housing or services are clearly designed to principally meet emergency needs rather than helping participants achieve self-sufficiency;
- Transportation and community amenities are not available and accessible; or
- Housing accessibility for persons with disabilities is not provided as required by applicable laws;

- The project must be cost-effective in HUD's opinion, including costs associated with construction, operations, and administration, with such costs not deviating substantially from the norm in that locale for the type of structure or kind of activity;

- Supportive services only projects, and all others, must show how participants will be helped to access permanent housing and achieve self-sufficiency;

- For the Section 8 SRO program, at least 25 percent of the units to be assisted at any one site must be vacant at the time of application; and

- For those projects proposed under the SHP innovative category: Whether or not a project is considered innovative will be determined on the basis that the particular approach proposed is new within its geographic area, and can be replicated.

(3) *Continuum of Care.* HUD will award up to 60 points as follows:

(a) *Process and Strategy.* HUD will award up to 30 points based on the extent to which your application demonstrates:

- The existence of a coordinated and inclusive community process, including organizational structure(s), for developing and implementing a Continuum of Care strategy which includes nonprofit organizations (such as veterans service organizations, organizations representing persons with disabilities, and other groups serving homeless persons), State and local governmental agencies, other homeless providers, housing developers and service providers, private foundations, local businesses and the banking

community, neighborhood groups, and homeless or formerly homeless persons; and

- That a well-defined and comprehensive strategy has been developed which addresses the components of a Continuum of Care system (i.e., outreach, intake, and assessment; emergency shelter; transitional housing; permanent and permanent supportive housing) and that strategy has been designed to serve all homeless subpopulations in the community (e.g., seriously mentally ill, persons with multiple diagnoses, veterans, persons with HIV/AIDS), including those persons living in emergency shelters, supportive housing for homeless persons, or in places not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(b) *Gaps and Priorities.* HUD will award up to 20 points based on the extent to which your application:

- Describes the gap analysis performed, uses reliable information and sources that are presented completely and accurately, and establishes the relative priority of homeless needs identified in the Continuum of Care strategy; and
- Proposes projects that are consistent with the priority analysis described in the Continuum of Care strategy, describes a fair project selection process, explains how gaps identified through the analysis are being addressed, and correctly completes the priority chart.

When HUD reviews a community's Continuum of Care to determine the points to assign, HUD will consider whether the community took its renewal needs into account in preparing its project priority list. (See discussion on renewals in Section III(A)(2) of this NOFA.)

(c) *Supplemental Resources.* HUD will award up to 10 points based on the extent to which your application demonstrates leveraging of funds requested under this program section of the SuperNOFA with other resources, including private, other public, and mainstream services and housing programs.

(d) *EZ/EC bonus points.* As provided for in Section III(C)(1) of the General Section of this SuperNOFA, HUD will add a bonus of up to 2 points to the Continuum of Care score when: (1) at least one proposed homeless assistance project will be located within the boundaries and/or will principally serve the residents of a high performing federal Empowerment Zone, Enterprise Community or Enhanced Enterprise Community (collectively "EZ/EC"); and

(2) if priority placement will be given by the project(s) to homeless persons living on the streets or in shelters within the EZ/EC, or whose last known address was within the high performing EZ/EC. In addition, and in order for a Continuum of Care system to receive any of the bonus points, the applicant must specifically state how it meets the requirements for the two EZ/EC bonus points, and provide a narrative describing the extent of the linkages and coordination between proposed projects and the EZ/EC. Examples of such coordination include having common board or committee membership (EZ/EC and Continuum of Care), and having EZ/EC resources directed toward Continuum of Care activities. The greater the extent of EZ/EC involvement in and coordination with the implementation strategy for the Continuum of Care system and projects, the greater the likelihood that bonus points will be awarded.

(e) *Court-ordered consideration.* Section III(C)(2) of the General Section is applicable to this program.

(4) *Need.* HUD will award up to 40 points for need. There is a three-step approach to determining the need scores to be awarded to projects:

(a) *Determining relative need:* To determine the homeless assistance need of a particular jurisdiction, HUD will use nationally available data, including the following factors as used in the Emergency Shelter Grants program: data on poverty, housing overcrowding, population, age of housing, and growth lag. Applying those factors to a particular jurisdiction provides an estimate of the relative need index for that jurisdiction compared to other jurisdictions applying for assistance under this program section of the SuperNOFA.

(b) *Applying relative need:* HUD will then apply that relative need index to the total amount of funding estimated to be available under this program section of the SuperNOFA to determine a jurisdiction's pro rata need. However, in order to promote permanent housing for the homeless, if a continuum of care's number one priority project qualifies as an eligible, new permanent housing project, then the full amount of that project's eligible activities, up to \$250,000, will be added to the final pro rata need amount for the continuum. HUD also reserves the right to adjust pro rata need, if necessary, to address the issue of project renewals.

(c) *Awarding need points to projects:* Once the pro rata need is established, it is applied against the priority project list in the application. Starting from the highest priority project, HUD proceeds

down the list to award need points to each project. An eligible project will receive the full 40 points for need if at least one half of its requested amount falls within the pro rata need amount for that Continuum of Care (COC). Thereafter, HUD proceeds further down the priority project list and awards 20 points for need to each project if at least one half of its requested amount falls within the "second tier" of pro rata need amount for that Continuum of Care (COC). The "second tier" is the amount between the pro rata need and twice the pro rata need for the COC. Remaining projects each receive 10 points. If projects are not prioritized for the continuum, then all projects will receive 10 points for Need.

In the case of competing applications from a single jurisdiction or service area, projects in the application that received the highest score out of the possible 60 points for Continuum of Care are eligible for up to 40 points under Need. Projects in the competing applications with lower Continuum of Care scores are eligible for only 10 points under Need.

(5) *Ranking.* HUD will add the score for Continuum of Care to the Need score in order to obtain a total score for each project. The projects will then be ranked from highest to lowest according to the total combined score.

(6) *Conditional Selection and Adjustments to Funding.*

(a) *Conditional Selection.* Whether a project is conditionally selected, as described in Section V(B) below, will depend on its overall ranking compared to others, except that HUD reserves the right to select lower rated eligible projects in order to meet the new 30 percent overall permanent housing requirement.

When insufficient funds remain to fund all projects having the same total score, HUD will first fund permanent housing projects if necessary to achieve the 30 percent overall permanent housing requirement. HUD will then break ties among the remaining projects with the same total score by comparing scores received by the projects for each of the following scoring factors, in the order shown: Need, Overall Continuum of Care (COC) score, COC Process and Strategy, COC Gaps and Priorities, and COC Supplemental Resources. The final tie-breaking factor is the priority number of the competing projects on the applicable COC priority list(s).

(b) *Adjustments to Funding.* The Secretary of HUD has determined that geographic diversity is appropriate to carrying out homeless assistance programs in an effective manner. HUD believes that geographic diversity can be

achieved best by awarding grants to as many COCs as possible. To this end, in instances where any of the 50 States does not have at least one funded COC, HUD reserves the right to fund eligible project(s) receiving 40 Need points in the COC with the highest total score in that State. In the case of two or more COCs with the same total score, HUD will use the tie-breaking rules described above. In addition, if the highest priority project passing threshold requirements within a COC fails to meet the criteria for receiving 40 Need points, HUD reserves the right to reduce the total requested amount for that project in order to allow it to qualify for 40 Need points. HUD may otherwise adjust funding of applications in accordance with the provisions of Section III(E) of the General Section of the SuperNOFA. In addition, HUD reserves the right to ensure that a project that is applying for, and eligible for, selection under this competition is not awarded funds that duplicate activities.

(7) *Additional selection considerations.* HUD also will apply the limitations on funding described below in making conditional selections.

In accordance with the appropriation for homeless assistance grants in the Fiscal Year 1999 Appropriation Act for HUD (Pub. L. 105-276, approved October 21, 1998), HUD will use not less than 30 percent of the total FY 1999 homeless grant assistance appropriation to fund projects that meet the definition of permanent housing. Projects meeting the definition of permanent housing are: (1) New Shelter Plus Care projects; (2) Shelter Plus Care renewal projects; (3) Section 8 SRO projects; and (4) new and renewal projects designated as permanent housing for homeless persons with disabilities under the Supportive Housing Program. Since the FY 1999 homeless grant assistance appropriation is \$975 million, not less than \$292.5 million must be awarded to permanent housing projects unless an insufficient number of approvable permanent housing projects is submitted in which case HUD will carry over the amount of the permanent housing funding shortfall to next year's competition. This permanent housing funding requirement may result in higher scoring non-permanent housing projects being skipped over in order to fund lower scoring permanent housing projects or, within a continuum, higher priority non-permanent housing projects being skipped over in order to fund lower priority permanent housing projects.

In accordance with section 429 of the McKinney Act, HUD will award Supportive Housing funds as follows:

not less than 25 percent for projects that primarily serve homeless families with children; not less than 25 percent for projects that primarily serve homeless persons with disabilities; and not less than 10 percent for supportive services not provided in conjunction with supportive housing. After projects are rated and ranked, based on the factors described above, HUD will determine if the conditionally selected projects achieve these minimum percentages. If not, HUD will skip higher-ranked projects in order to achieve these minimum percentages.

In accordance with section 463(a) of the McKinney Act, as amended by the Housing and Community Development Act of 1992, at least 10 percent of Shelter Plus Care funds will be awarded for each of the four components of the program: Tenant-based Rental Assistance; Sponsor-based Rental Assistance; Project-based Rental Assistance; and Section 8 Moderate Rehabilitation of Single Room Occupancy Dwellings for Homeless Individuals (provided there are sufficient numbers of approvable projects to achieve these percentages). After projects are rated and ranked, based on the factors described above, HUD will determine if the conditionally selected projects achieve these minimum percentages. If necessary, HUD will skip higher-ranked projects in order to achieve these minimum percentages.

In accordance with section 455(b) of the McKinney Act, no more than 10 percent of the assistance made available for Shelter Plus Care in any fiscal year may be used for programs located within any one unit of general local government. In accordance with section 441(c) of the McKinney Act, no city or urban county may have Section 8 SRO projects receiving a total of more than 10 percent of the assistance made available under this program. HUD is defining the 10 percent availability this fiscal year as \$10 million for Shelter Plus Care and \$10 million for Section 8 SRO. However, if the amount awarded under either of these two programs exceeds \$100 million, then the amount awarded to any one unit of general local government (for purposes of the Shelter Plus Care program) or city or urban county (for the purposes of the SRO program) could be up to 10 percent of the actual total amount awarded for that program.

Lastly, HUD reserves the right to reduce the amount of a grant if necessary to ensure that no more than 10 percent of assistance made available under this program section of the SuperNOFA will be awarded for

projects located within any one unit of general local government or within the geographic area covered by any one Continuum of Care. If HUD exercises a right it has reserved under this program section of the SuperNOFA, that right will be exercised uniformly across all applications received in response to this program section of the SuperNOFA.

(B) Action on Conditionally Selected Applications

HUD will notify conditionally selected applicants in writing. As necessary, HUD will subsequently request them to submit additional project information, which may include documentation to show the project is financially feasible; documentation of firm commitments for cash match; documentation showing site control; information necessary for HUD to perform an environmental review, where applicable; and such other documentation as specified by HUD in writing to the applicant, that confirms or clarifies information provided in the application. HUD will notify SHP, SRO, S+C and S+C/SRO applicants of the deadline for submission of such information. If an applicant is unable to meet any conditions for fund award within the specified timeframe, HUD reserves the right not to award funds to the applicant, but instead to either: use them to select the next highest ranked application(s) from the original competition for which there are sufficient funds available; or add them to funds available for the next competition for the applicable program.

VI. Application Submission Requirements

The application kit provides the application materials, including Form SF-424 and certifications, that must be used in applying for homeless assistance under this SuperNOFA. These application materials substitute for the forms, certifications, and assurances listed in Section II(G) of the General Section of the SuperNOFA.

The application requires a description of the Continuum of Care system and proposed project(s). The application kit also contains certifications that the applicant will comply with fair housing and civil rights requirements, program regulations, and other Federal requirements, and (where applicable) that the proposed activities are consistent with the HUD-approved Consolidated Plan of the applicable State or unit of general local government, including the Analysis of Impediments to Fair Housing Choice and the Action Plan to address these impediments. Projects funded under

this SuperNOFA shall operate in a fashion that does not deprive any individual of any right protected by the Fair Housing Act (42 U.S.C. 3601-19), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301) or the Age Discrimination Act of 1974 (42 U.S.C. 6101). Section II(D) of the General Section of this SuperNOFA regarding Affirmatively Furthering Fair Housing does not apply to the Continuum of Care Homeless Assistance programs.

There are three options for submitting an application under this program section of the SuperNOFA.

One: A "Consolidated Application" is submitted when a jurisdiction (or a consortium of jurisdictions) submits a single application encompassing a Continuum of Care strategy and containing all the projects within that strategy for which funding is being requested. Individual projects are contained within the one consolidated application. Grant funding may go to one entity which then administers all funded projects submitted in the application, or under this option, grant funding may go to all or any of the projects individually. Your application will specify the grantee for each project.

Two: "Associated Applications" are submitted when applicants plan and organize a single Continuum of Care strategy which is adopted by project sponsors or operators who choose to submit separate applications for projects while including the identical Continuum of Care strategy. In this case, project funding would go to each successful applicant individually and each would be responsible to HUD for administering its separate grant.

Three: A "Solo Application" is submitted when an applicant applies for a project exclusive of participation in any community-wide or region-wide Continuum of Care development process.

Options one and two are not substantively different and will be considered equally competitive. Applicants are advised that projects that are not a part of a Continuum of Care strategy will receive few, if any, points under the Continuum of Care rating factors.

VII. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications (See Section V of the General Section).

VIII. Environmental and Local Resident Employment Requirements

(A) Environmental Requirements

All Continuum of Care assistance is subject to the National Environmental Policy Act of 1969 and related Federal environmental authorities. No Federal or non-Federal funds or assistance that limits reasonable choices or could produce a significant adverse environmental impact may be committed to a project until all required environmental reviews and notifications have been completed. Conditional selection of projects under the Continuum of Care Program is subject to the environmental review requirements under 24 CFR 582.230, 583.230, and 882.804(c), as applicable.

(B) Local Resident Employment

To the extent that any housing assistance (including rental assistance) funded through this program section of the SuperNOFA is used for housing rehabilitation (including reduction and

abatement of lead-based paint hazards, but excluding routine maintenance, repair, and replacement) or housing construction, then it is subject to section 3 of the Housing and Urban Rehabilitation Act of 1968, and the implementing regulations at 24 CFR part 135. Section 3, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be given to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

IX. Authority

The Supportive Housing Program is authorized by title IV, subtitle C, of the Stewart B. McKinney Homeless Assistance Act (McKinney Act), 42 U.S.C. 11381. Funds made available under this program section of the SuperNOFA for the Supportive Housing Program are subject to the program regulations at 24 CFR part 583.

The Shelter Plus Care program is authorized by title IV, subtitle F, of the McKinney Act, 42 U.S.C. 11403. Funds made available under this program section of the SuperNOFA for the Shelter Plus Care program are subject to the program regulations at 24 CFR part 582.

The Section 8 Moderate Rehabilitation Program for Single Room Occupancy Dwellings for Homeless Individuals (SRO) is authorized by section 441 of the McKinney Act, 42 U.S.C. 11401. Funds made available under this NOFA for the SRO program are subject to the program regulations at 24 CFR part 882, subpart H.

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Appendix

CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAMS

ELEMENT	SUPPORTIVE HOUSING	SHELTER PLUS CARE	SECTION 8 SRO
AUTHORIZING LEGISLATION	Subtitle C of Title IV of the Stewart B. McKinney Homeless Assistance Act	Subtitle F of Title IV of the Stewart B. McKinney Homeless Assistance Act	Section 441 of the Stewart B. McKinney Homeless Assistance Act
IMPLEMENTING REGULATIONS	24 CFR part 583	24 CFR part 582	24 CFR part 882
ELIGIBLE APPLICANT(S)	<ul style="list-style-type: none"> ● States ● Units of general local government ● Special purpose units of government such as public housing agencies (PHAs) ● Private nonprofit organizations ● CMHCs that are public nonprofit organizations 	<ul style="list-style-type: none"> ● States ● Units of general local government ● PHAs 	<ul style="list-style-type: none"> ● PHAs ● Private nonprofit organizations
ELIGIBLE COMPONENTS	<ul style="list-style-type: none"> ● Transitional housing ● Permanent housing for disabled persons only ● Supportive services not in conjunction with supportive housing ● Safe Havens ● Innovative supportive housing 	<ul style="list-style-type: none"> ● Tenant-based ● Sponsor-based ● Project-based ● SRO-based 	<ul style="list-style-type: none"> ● SRO housing
ELIGIBLE ACTIVITIES See footnotes 1, 2, and 3	<ul style="list-style-type: none"> ● Acquisition ● Rehabilitation ● New construction ● Leasing ● Operating costs ● Supportive services 	<ul style="list-style-type: none"> ● Rental assistance 	<ul style="list-style-type: none"> ● Rental Assistance
ELIGIBLE POPULATIONS See footnote 2	<ul style="list-style-type: none"> ● Homeless persons 	<ul style="list-style-type: none"> ● Homeless disabled individuals ● Homeless disabled individuals and their families 	<ul style="list-style-type: none"> ● Homeless individuals ● Section 8 eligible current occupants

POPULATIONS GIVEN SPECIAL CONSIDERATION	<ul style="list-style-type: none"> ● Homeless persons with disabilities ● Homeless families with children 	Homeless persons who: <ul style="list-style-type: none"> ● are seriously mentally ill ● have chronic problems with alcohol and/or drugs ● have AIDS and related diseases 	N/A
INITIAL TERM OF ASSISTANCE	3 years	5 years: TRA, SRA, and PRA if no rehab 10 years: SRO and PRA with rehab	10 years

Footnote 1: Homeless prevention activities are statutorily ineligible under these programs.

Footnote 2: Persons at risk of homelessness are statutorily ineligible for assistance under these programs.

Footnote 3: Acquisition, construction, rehabilitation, leasing, and operating costs for emergency shelters are statutorily ineligible for assistance under Shelter Plus Care and Section 8 SRO.

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

**HOUSING OPPORTUNITIES FOR
PERSONS WITH AIDS (HOPWA)
PROGRAM**

Funding Availability for the Housing Opportunities for Persons With AIDS (HOPWA) Program

Program Overview

Purpose of the Program. To provide States and localities with the resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons with HIV/AIDS and their families.

Available funds. \$22,275,000 (and under a related part of this SuperNOFA, up to \$2,250,000 for technical assistance for the HOPWA program).

Eligible Applicants. (1) States, units of general local government, and nonprofit organizations for grants for Special Projects of National Significance (SPNS) grants.

(2) States and units of general local government may apply for projects under the Long-Term category of grants, if activities will serve areas that were not eligible for HOPWA formula allocations in fiscal year 1999. An appendix in the application kit identifies the formula areas.

Application Deadline. June 2, 1999.

Match. None.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. You must submit applications on or before 12:00 midnight, Eastern time, on June 2, 1999 at HUD Headquarters.

See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. You must submit your completed original application to: Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC 20410. The original application submitted to HUD headquarters is considered the official application.

In addition, you must submit two (2) copies of your application to the area CPD Field Office or Offices that serve the area in which activities are proposed; the list of addresses for area CPD Field Offices is provided in the HOPWA application kit. If you propose nationwide activities, you must send all copies to the HUD headquarters office.

When submitting your applications, please refer to HOPWA, and include your name, mailing address (including zip code) and telephone number (including area code).

For Application Kits. For an application kit, please call the SuperNOFA Information Center at 1-800-HUD-8929 (1-800-483-8929). Persons with hearing or speech impairments may call the Center's TTY number at 1-800-483-2209. The application kit also will be available on the Internet through the HUD web site at <http://www.hud.gov>.

For Further Information and Technical Assistance. For answers to your questions, you may call the HUD Field Office serving your area, at the telephone number shown in the application kit for this program, or you may contact the Community Connections Information Center at 1-800-998-9999 (voice) or 1-800-483-2209 (TTY) or by Internet at: <http://www.comcon.org/ccprog.html>.

II. Amount Allocated

Approximately \$22,275,000 is being made available for funding under this program section of the SuperNOFA. Additional funds may be awarded if funds are recaptured, deobligated, appropriated or otherwise made available during the fiscal year.

(A) *Maximum grant amounts.* The maximum amount that you may receive is \$1,200,000 for program activities (e.g., activities that directly benefit low-income persons living with HIV/AIDS and their families). You may also add-on up to 3 percent of this program activities amount for grantee administrative costs and, if your program involves project sponsors, add-on up to 7 percent for their administrative costs. In addition, up to \$50,000 may be requested to collect data on project outcomes. HUD reserves the right to reduce the amount requested for data collection on project outcomes in relation the amount requested for program activities.

(B) *Award Modifications.* See the General Section of this SuperNOFA for information with regard to adjustments to funding. HUD also reserves the right to ensure that activities funded under the FY 1999 Continuum of Care will not duplicate activities funded under this competition.

III. Program Description; Eligible Applicants, Eligible Activities

(A) Program Description

Funds under this program are to be used to fund projects for low-income persons with HIV/AIDS and their

families under two categories of assistance:

(1) Grants for Special Projects of National Significance (SPNS) that, due to their innovative nature or their potential for replication, are likely to serve as effective models in addressing the housing and related supportive service needs of low-income persons living with HIV/AIDS and their families; and

(2) Grants for projects that are part of Long-Term Comprehensive Strategies (Long-Term) which provide housing and related supportive services for low-income persons living with HIV/AIDS and their families in areas that are not eligible for HOPWA FY 99 formula allocations.

(B) Eligible Applicants and Project Sponsors

(1) States, units of general local government, and nonprofit organizations may apply for grants for Special Projects of National Significance;

(2) States and units of general local government may apply for grants for projects under the Long-Term category of grants, if proposed activities will serve areas that were not eligible to receive HOPWA formula allocations in fiscal year 1999. An appendix in the application kit describes the formula areas. Nonprofit organizations are not eligible to apply directly for the Long-Term grants but may serve as a project sponsor for an eligible State or local government grantee. You must identify your project sponsors in your application.

(3) Nonprofit organizations must have appropriate credentials, in accordance with HOPWA regulations at 24 CFR 574.3. If you are a nonprofit organization, to be an eligible applicant or project sponsor, you must either:

- Have, by the application due date, an IRS ruling that grants you tax exempt status under section 501(c)(3) of the Internal Revenue Code; or
- Provide documentation that shows that your organization satisfies the criteria in the statutory definition of nonprofit organization in 42 U.S.C. 12902(13).

The statutory definition reads:

The term "nonprofit organization" means any nonprofit organization (including a State or locally chartered, nonprofit organization) that—(A) is organized under State or local laws; (B) has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; (C) complies with standards of financial accountability acceptable to the Secretary; and (D) has among its purposes significant activities related to providing services or

housing to persons with acquired immunodeficiency syndrome or related diseases.

HUD interprets the use of the term "related diseases" in this definition to include HIV infection.

Adequate documentation of nonprofit status includes the following:

(a) In lieu of an IRS exemption for nonprofits in Puerto Rico, a ruling from the Treasury Department of the Commonwealth of Puerto Rico granting income tax exemption under section 101 of the Income Tax Act of 1954, as amended (13 LPRA 3101);

(b) In lieu of documentation under section 501(c)(3), documentation of an IRS ruling of tax exempt status under section 501(c)(4), (6), (7), (9), or (19);

(c) Documentation of satisfying the statutory criteria by submitting the following four items:

(i) Certification by the appropriate official of the jurisdiction under whose laws the nonprofit organization was organized that the organization was so organized and is in good standing;

(ii) Documentation that the organization is a certified United Way member agency or other documentation that shows that no inurement of benefits to the managers of the organization occurs;

(iii) Documentation from a CPA or Public Accountant that the organization has a functioning accounting system that is operated in accordance with generally acceptable accounting principles or that a qualifying entity is designated for that activity, or the United Way member agency certification noted in item (ii); and

(iv) A certified copy of the nonprofit organization's articles of incorporation, by-laws, statement of purposes, board of director's resolution or a similar document that includes a provision demonstrating its purpose regarding significant activities for persons living with HIV/AIDS.

If your organization does not provide the requested documentation, you are not eligible to receive funds and serve as the grantee or as a project sponsor. However, you may collaborate with eligible nonprofit organizations or with a government agency that applies for the grant and assist them, for example, in planning for the proposed activities, identifying needs in your community and identifying clients who will be assisted. In addition, you may do work under contract with a grantee for services funded by this grant.

(C) Eligible Activities

(1) The following eligible activities are subject to standards and limitations found in 24 CFR part 574, however,

HUD will not approve proposals that depend on future decisions on how funds are to be used, for example, a proposal to establish a local request-for-proposal process to select activities:

(a) Housing information services (including fair housing counseling).

(b) Project-based or tenant-based rental assistance.

(c) New construction of a community residence or SRO dwelling.

(d) Acquisition, rehabilitation, conversion, lease or repair of facilities to provide housing and services.

(e) Operating costs for housing.

(f) Short-term rent, mortgage and utility payments to prevent homelessness.

(g) Supportive services.

(h) Administrative expenses (see limits for grantees and sponsors).

(i) Resource identification to establish, coordinate and develop housing assistance resources and technical assistance in establishing and operating a community residence. HUD will not select under this notice an application that is primarily directed at providing these activities, since national HOPWA technical assistance funds are being made available under the CDTA part of this notice for this purpose. You may propose a resource identification or technical assistance component in your application, if the amount of funds designated for these activities are less than 20 percent of the proposed program activity costs; and

(j) As authorized by the statute, you may propose other activities in your application, if approved by HUD, including data collection on project outcomes, as described below in paragraph (2).

(2) Project Outcomes.

You may request up to \$50,000 to collect information and report to HUD, or a third party designated by HUD, on project outcomes. If you requested these funds, you must propose data collection activities in your application. The persons who will conduct these activities may include an expert third-party. Generally, this assistance will help a project:

(a) Define monitoring questions that will be addressed and examined during the project period;

(b) Specify outcome measures;

(c) Develop instruments to assess project outcomes and systems outcomes;

(d) Train project staff in the collection of data;

(e) Monitor data collection activities to assure that submissions are complete and accurate, including data coding and entry;

(f) Summarize data collected; and

(g) Prepare reports summarizing findings, including the standard HOPWA Annual Progress Report.

IV. Program Requirements

(A) Performance Measures and Project Goals and Objectives

You must use HUD's required performance measures that will show your accomplishments in using HOPWA funds to expand the housing options that benefit low-income persons with HIV/AIDS and their families. You may also establish individual goals and objectives for your proposal. They should be specific, achievable and measured within set time periods. Your individual goals and objectives should result in possible findings on the successes and lessons learned in undertaking your activities that would be shared with other communities. In designing your proposal, please use the following:

(1) The required HOPWA performance goals. Your proposed activities must:

(a) Increase the amount of housing assistance and related supportive services to low-income persons living with HIV/AIDS and their families;

(b) Enable them to achieve housing stability; and

(c) Enable them to access health-care and supportive services.

(2) Measurement of your performance. After each year of operation, report on the number of short-term and permanent housing units that were provided with HOPWA funding, in connection with related supportive services. The following are examples of performance measurement:

(a) In your community over the last year, a transitional housing facility providing 5 units of housing was operated with HOPWA funds. Residents also received drug and/or alcohol abuse treatment and counseling by qualified staff. During that year, ten persons resided in the facility and benefited from the intense on-site assistance, which also included helping them develop and follow a plan to find permanent housing and continue treatment after leaving the facility, including monthly phone contacts or visits by staff; and

(b) Over the last 12 months, a nonprofit organization distributed tenant-based rental assistance vouchers to 15 households within your three-county metropolitan area. The vouchers provided for on-going housing assistance (up to three years) and the program advised the clients on tenant-landlord issues and arranged for housing quality standard inspections of

the apartments selected. A case manager who is funded under the Ryan White CARE Act program, advised the tenants and helped them access health-care and other services from providers in this community. During this year, 22 persons received permanent housing assistance with HOPWA funds and for three of these families who were unable to find housing within 30 days, additional efforts were made and an appropriate apartment was located and used.

(B) Performance Benchmarks

Funds received under this competition are expected to be expended within 3 years following the effective date of a grant agreement. If you undertake the listed activities, you will be expected to meet the following performance benchmarks:

(1) If you acquire or lease a site, you are required to gain site control within one year of their selection (i.e., one year from the date of the signing of their selection letter by HUD);

(2) If you propose to use HOPWA funds to undertake rehabilitation or new construction activities, you are required to begin the rehabilitation or construction within 18 months of your selection and to complete that activity within 3 years from the date of your selection letter by HUD; and

(3) Except as noted in paragraph (2) for rehabilitation or construction activities, you must begin to operate your program within one year from your selection. If a selected project does not meet the appropriate performance benchmark, HUD reserves the right to cancel or withdraw the grant funds.

(C) Availability of FY 1999 Formula Allocations

You are also encouraged to consider seeking funds for your proposed activities under the formula component of the HOPWA program and from other resources that are made available in communities. Ninety (90) percent of the HOPWA program is allocated by formula and recipient States and cities are required to consult with the public on designing the use of these funds. In FY 1999, a total of \$200.475 million was allocated by formula to the qualifying cities for 63 eligible metropolitan statistical areas (EMSAs) and to 34 eligible States for areas outside of EMSAs. All HOPWA formula grants are available as part of the jurisdiction's Consolidated Plan, which also includes the Community Development Block Grant, HOME Investment Partnerships program, and Emergency Shelter Grants. Plans are developed through a public process that assesses area needs, creates

a multiple-year strategy and proposes an action plan for use of Federal funds and other community resources in a coordinated and comprehensive manner. Information on consolidated planning, including HOPWA formula programs and descriptions of previously awarded competitive grants, is available on the HUD HOME Page at www.hud.gov/cpd/cpdalloc.html.

(D) Availability of National HOPWA Technical Assistance

If you are interested in providing technical assistance activities with HOPWA funds, submit an application for funds under the Community Development Technical Assistance part of this notice, which is published elsewhere in this SuperNOFA. The CDTA notice provides up to \$2,250,000 in HOPWA funds to organizations for technical assistance support on a national or regional basis.

V. Application Selection Process

(A) HOPWA Application Reviews

HUD will review your HOPWA application to ensure that:

(1) It meets the threshold requirements found in the General Section of the SuperNOFA;

(2) A Certification of Consistency with Consolidated Plans is provided. Under the HOPWA program, proposed activities that are located in a jurisdiction are required to be consistent with the jurisdiction's current, approved Consolidated Plan, including the Analysis of Impediments to Fair Housing and the Action Plan to address these impediments, except that this certification is not required for projects that propose to undertake activities on a national basis; and

(3) You are currently in compliance with the Federal requirements contained in 24 CFR part 574, subpart G, "Other Federal Requirements."

(B) The HOPWA Competition

This national competition will involve the review, rating, and selection of HOPWA applications under each of the two categories of assistance (Special Projects of National Significance (SPNS) and Long-Term Comprehensive Strategies (Long-Term) in areas that do not qualify for HOPWA formula allocations.

(C) Procedures for the Rating of Applications

HUD will rate all HOPWA applications based on the criteria listed below.

(D) Factors for Award Used to Evaluate and Rate Applications

The factors for rating and ranking your application, and the maximum points for each factor, are provided below. The points awarded for the factors total 100. In addition, bonus points for projects in high performing EZ/EC areas and by the City of Dallas may be available under Section III(C)(2) of the General Section of this SuperNOFA apply to this competition. After rating, all applications will be placed in the rank order of their final score for selection within the appropriate category of assistance.

Rating Factor 1: Capacity of the Applicant and Project Sponsors and Relevant Organizational Experience (20 Points)

This factor addresses the extent to which you and any project sponsor has the organizational resources necessary to successfully implement the proposed activities in a timely manner. HUD will award up to 20 points based on your and any project sponsor's ability to develop and operate the proposed program, such as housing development, management of housing facilities or units, and service delivery, in relation to which entity is carrying out an activity.

(1) With regard to both you and any project sponsor(s), HUD will consider:

(a) Past experience and knowledge in serving persons with HIV/AIDS and their families;

(b) Past experience and knowledge in programs similar to those proposed in your application;

(c) Experience and knowledge in monitoring and evaluating program performance and disseminating information on project outcomes; and

(d) Past experience as measured by expenditures and measurable progress in achieving the purpose for which funds were provided.

(2) In reviewing the elements of paragraph (1), HUD will consider the extent to which your proposal demonstrates:

(a) The knowledge and experience of the proposed project director and staff, including the day-to-day program manager, consultants and contractors in planning and managing the kind of activities for which you are requesting funds. You and any project sponsor will be judged in terms of recent, relevant and successful experience of staff to undertake eligible program activities, including experience and knowledge in serving persons with HIV/AIDS and their families.

(b) Your and/or the sponsor's experience in managing complex

interdisciplinary programs, especially those involving housing and community development programs directly relevant to the work activities proposed and carrying out grant management responsibilities.

(c) If you and/or the sponsor received funding in previous years in the program area for which you are currently seeking funding, you and your sponsor's past experience will be evaluated in terms of their ability to attain demonstrated measurable progress in the implementation of their *recent grant awards*, as measured by expenditures and measurable progress in achieving the purpose for which funds were provided.

Rating Factor 2: Need/Extent of the Problem (20 Points)

This factor addresses the extent to which there is a need for funding the proposed program activities and an indication of the urgency of meeting the need in the target area. For up to 15 points, HUD will award points as follows under paragraphs (1) to (3), and 5 points under paragraph (4).

(1) (5 Points) AIDS Cases. Up to five of these points will be determined by the relative numbers of AIDS cases and per capita AIDS incidence, in metropolitan areas of over 500,000 population and in areas of a State outside of these metropolitan areas, in the State for proposals involving state-wide activities, and in the nation for proposals involving nation-wide activities. To determine these points, HUD will obtain AIDS surveillance information from the Director of the Centers for Disease Control and Prevention.

(2) (5 Points) Description of Unmet Need. Up to five of these points will be determined by the extent to which there is a need for funding eligible activities in the area to be served. To receive the highest ratings in this factor, you must demonstrate that substantial housing and related service needs of low-income persons living with HIV/AIDS and their families are not being met in the area and that reliable statistics and data sources show this unmet need. To receive the highest number of points, you also must show that your jurisdiction's Consolidated Plan and Analysis of Impediments to Fair Housing Choice, Continuum of Care Homeless Assistance plans (if homeless persons are to be served), and comprehensive HIV/AIDS housing plans are applicable and identify the level of the problem and the urgency of the need. Urgent and unmet needs may be demonstrated, as follows:

(a) If you apply for a proposed Special Project of National Significance, you must describe a need that is not currently addressed by other projects or programs in the area; also describe any unresolved or emerging issues, and the need to provide new or alternative forms of assistance that, if provided, would enhance your area's programs for housing and related care for persons living with HIV/AIDS and their families; or

(b) If you apply for a project that is part of a Long-Term Comprehensive Strategy in an area that does not receive a HOPWA formula allocation, you must describe the need that is not currently addressed by other projects or programs in the area; you must also describe any unresolved or emerging issues, and/or the need to provide forms of assistance that enhance the community's strategy for providing housing and related services to eligible persons.

HUD will consider your presentation of statistics and data sources based on soundness and reliability and the specificity of information to the target population and the area to be served. If you propose to serve a subpopulation of eligible persons on the basis that these persons have been traditionally and are currently underserved (e.g., persons with multiple disabilities including AIDS), your application must document the need for this targeted effort.

(3) (5 Points) Need in Non-Formula Areas and Need for Renewals. Within the points available under this criterion, HUD will award points under the following two circumstances:

(a) Five points will be awarded, if your SPNS application proposes to serve clients in an area that does not qualify for HOPWA formula allocation; or

(b) Up to five points will be awarded, if you propose to continue the operations of HOPWA funded activities that have been supported by HOPWA competitive funds in prior years and that have operated with reasonable success. To receive the highest ratings in this factor, you must describe what unmet need would result if funding for the project was not renewed and describe your efforts to secure other sources of funding to continue this project. You must also show that you operated with reasonable success and your previous HOPWA-funded activities have been carried out and are nearing completion of the planned activities in a timely manner. You must also show that timely performance reports were provided and that benchmarks, if any, in program development and operation have been met, and that the number of persons assisted is comparable to the

number that was planned at the time of application.

(4) (5 Points) Highest Rated in a State or the Nation (for nationwide activities). After the other rating factors have been determined, HUD will award five of the points to help achieve greater geographic diversity in funding activities within a variety of States. Under this criterion, five points will be awarded to the highest rated SPNS and Long-term applications in each State and to the highest rated SPNS application among the applications that propose nationwide activities.

Rating Factor 3: Soundness of Approach: Responsiveness and Model Qualities (40 Points)

This factor addresses the quality of your plan in addressing the needs that you identified in your community. HUD will award up to 40 points based on the extent to which your plan evidences a sound approach in its responsiveness to the persons that you will be assisting and how it offers model qualities in providing supportive housing opportunities for low-income persons living with HIV/AIDS and their families, when compared to other applications and projects funded under previous HOPWA competitions. The points will be awarded as follows:

A. Responsiveness (20 Points). HUD will award up to 20 points based on how well your plan responds to the unmet needs that you described under the Need Criterion. To receive the highest ratings in this factor, you must demonstrate how the housing needs of clients will be addressed and how on-going support for clients will be provided. For example, if you propose to use more than 10% of your HOPWA funds for supportive services, emergency or transitional housing activities, to receive the highest number of rating points, you must address permanent housing needs with HOPWA funds or other sources of funds. You can fulfill this commitment by allocating housing vouchers for HOPWA clients or building permanent housing. In addition, HUD will give higher rating points to proposals that maximize client participation in decision-making and allow clients and their families to access health care and other supportive services.

B. Model Qualities (20 Points). HUD will award up to 20 points based on how well your service delivery model offers or expands housing opportunities and related supportive services for low-income persons living with HIV/AIDS and their families. To receive the highest rating, your service delivery model must describe in sufficient detail

your planned actions, how it expands housing opportunities and how activities could be replicated in other similar jurisdictions. To receive the highest ratings in this element, you must offer a plan that evidences the following:

(i) *Your project's goals and objectives.* You must describe your individual goals and objectives and how you will measure how well the project is performing under the required HOPWA performance goal—increasing the amount of housing assistance and related supportive services to low-income persons living with HIV/AIDS and their families to enable them to achieve housing stability and access to health-care and supportive services.

(ii) *Your plans for accomplishing these goals and objectives.* You must describe the service delivery model that you intend to implement and explain how you will integrate the following items:

(a) *Housing.* You must demonstrate how the housing needs of clients will be addressed by including: the type and number of units of housing to be provided and/or made more appropriate if currently available in the community; the connection of any emergency or transitional housing in obtaining permanent housing; the roles and responsibilities of project sponsors, staff, volunteers and other organizations in undertaking these activities; any appropriate site features, including accessibility and visitability; and how clients can have access to other community amenities.

(b) *Supportive Services.* You must describe how the supportive service needs of clients will be addressed by including: the type of supportive services that will be offered and/or how services will be coordinated and available; the connection of these services to in helping clients obtain and/or maintain housing; the roles and responsibilities of project sponsors, staff, volunteers and other organizations in undertaking these activities.

(c) *Operations.* You must describe your outreach, intake, and assessment procedures to identify clients and their needs; your client-level service plan to help connect clients to available and identified community resources; your assistance to clients who need to be monitored and how you will adjust your program to meet their changing needs; your methods for coordinating project sponsor's services, your staff and volunteers, and any other organizations in order to benefit clients; and the ability of your operations to remain viable and sustaining.

(d) *Management Oversight.* You must describe your oversight of project sponsors, staff, volunteers and management of your activities to ensure sound fiscal and program operations and effective program delivery.

(iii) *Achieving Your Goals and Objectives.* You should describe your method for collecting data on the project outcomes; your method for reviewing this data and other information on the program's operations; and the basis for making relative adjustments based on outcomes and lessons learned. HUD also will consider the extent to which you provide for the dissemination of information on the success or lessons learned from your proposed activities.

(iv) *Innovative Qualities.* If you propose a new program, or an alternative method of meeting the needs of your clients, you should describe the innovative qualities of your activities. HUD will consider the extent to which these qualities will benefit persons or expand our knowledge in offering assistance to persons living with HIV/AIDS and their families, when compared to other applications and HOPWA projects funded in the past.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure community resources which can be combined with HUD's program resources to achieve program purposes. HUD will award up to 10 points based on the extent to which resources from other public or private sources have been committed at the time of application, to support your project. To achieve the highest ratings in this criteria, you must evidence commitments of leveraged resources that match or exceed the amount of HOPWA funds that are requested. Exhibit 4 of the application kit provides guidance on the appropriate language that you must use to document these leveraged resources.

In establishing leveraging, HUD will not consider other HOPWA-funded activities, entitlement benefits inuring to eligible persons, or conditioned commitments that depend on future fund-raising or actions. In assessing the use of acceptable leveraged resources, HUD will consider the likelihood that State and local resources will be available and continue during the operating period of the grant. In evaluating this factor HUD will also consider:

(1) The extent to which the applicant documents leveraged resources, such as funding and/or in-kind services from governmental entities, private organizations, resident management

organizations, educational institutions, or other entities in order to achieve the purposes of the project for which the applicant is requesting HOPWA funds.

(2) The extent to which the documented resources evidence that you have partnered with other entities to make more effective use of available public or private resources. Partnership arrangements may include funding or in-kind services from local governments or government agencies, nonprofit or for-profit entities, private organizations, educational institutions, or other entities that are willing to partner with you on proposed activities, or partnering with other program funding recipients to make more effective use of resources within the geographic area covered by your award.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinated the specific proposal with other known organizations, consulted prospective clients or persons with HIV/AIDS in designing the proposal, participates or promotes participation in the jurisdiction's Consolidated Planning process, and in a community's Continuum of Care Homeless Assistance planning process (if homeless persons are to be served by proposed activities), and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. HUD will award up to 10 points based on your proposal's comprehensiveness and coordination. In order to ensure that resources are used to their maximum effect within the community, it is important that you be involved in HUD's planning processes for community development and homeless assistance resources. If you, your sponsors, or others partnering with you have been involved in these processes, you should describe that involvement under this factor.

HUD will consider the extent to which your activities were planned and are proposed to be carried out with HOPWA funds and other resources in order to provide a comprehensive and responsive range of housing and related supportive services to meet the changing needs of persons with HIV/AIDS. Your proposal should demonstrate that housing is provided in conjunction with the client's access to health-care and other supportive services in the area to be served, including assistance provided under the Ryan White CARE Act programs.

In evaluating this factor, HUD will consider the extent to which you demonstrate you have:

(1) Coordinated your proposed activities with those of other groups or organizations prior to submission, to best complement, support, and coordinate all known activities; and if funded, the specific steps you will take to share information on solutions and outcomes with others. You should describe any written agreements, memoranda of understanding in place, or that will be in place after award.

(2) Been actively involved in your community's Continuum of Care Homeless Assistance planning process (if homeless persons are to be served by proposed activities), and/or the jurisdiction's Consolidated Planning process established to identify and address a need/problem that is related to the activities you propose to undertake.

In the case of technical assistance providers, you will be evaluated on the specific steps you will take to work with recipients of technical assistance services to inform them of, and get them involved in, the community's Continuum of Care Homeless Assistance planning process and/or the jurisdiction's Consolidated Planning process, as applicable. HUD will review more favorably your application if you can demonstrate you are active or are working with recipients of technical assistance to get them involved in local and State planning processes.

(3) Developed linkages, or specific steps you will take to develop linkages with other activities, programs or projects through meetings, information networks, planning processes, or other mechanisms, to coordinate your activities so solutions are holistic and comprehensive, including linkages with:

(a) Other HUD-funded projects/activities outside the scope of those covered by the Consolidated Plan; and

(b) Other activities funded by the Federal, State, or local government, including those proposed or on-going in the community.

(E) *Selection of HOPWA Awards.* Whether your HOPWA application is conditionally selected will depend on your overall ranking compared to other applications within each of the two categories of assistance. HUD will select applications in rank order in each category of assistance to the extent that funds are available, except as noted below. In allocating amounts to the categories of assistance, HUD reserves the right to ensure that sufficient funds are available for the selection of at least

one application with the highest ranking under each category of assistance.

HUD reserves the right to achieve greater diversity in the selection of applications by selecting a lower rated application where no applicant in a State has been the recipient of any prior HOPWA competitive grant or formula allocation. In selecting a lower rated application, HUD will not select an application that is rated below 50 points.

In the event of a tie between applications in a category of assistance, HUD reserves the right to break the tie: by selecting the proposal that increases geographic diversity as defined in the prior paragraph; and, if greater geographic diversity is not achievable, by selecting the proposal that was scored higher on a rating criterion in the following order: Soundness of Approach: Responsiveness and Model Qualities (Rating Factor 3); Comprehensiveness and Coordination (Rating Factor 5); the Capacity of the Applicant and Relevant Organizational Experience (Rating Factor 1); the Need/Extent of the Problem (Rating Factor 2); and Leveraging Resources (Rating Factor 4).

HUD will notify you in writing if you are conditionally selected. You may be notified subsequently of any modification made by HUD, the additional project information necessary for grant award, and the date of deadline for submission of the required information. In the event that a conditionally-selected applicant is unable to meet any conditions for fund award within the specified timeframe or funds are deobligated under a grant awarded under this competition, HUD reserves the right not to award funds to the applicant, but use those funds to make awards to the next highest rated applications in this competition; to restore amounts to a funding request that had been reduced in this competition; or to add amounts to funds available for the next competition.

VI. Application Submission Requirements

The HOPWA application kit provides an application that must be used in applying for program funds under this program section of the SuperNOFA. The HOPWA application provides certifications and an SF-424 that are applicable to this program. HOPWA applicants are not required to provide the forms, certifications, and assurances listed in Section II(G) of the General Section of the SuperNOFA. Section II(D) of the General Section of this SuperNOFA regarding Affirmatively

Furthering Fair Housing does not apply to the HOPWA program.

The required HOPWA certifications cover the following items: (1) fair housing and non-discrimination; (2) drug-free workplace; (3) uniform relocation assistance; (4) environmental laws and authorities; (5) anti-lobbying requirements; (6) continued use periods for structures assisted; and (7) debarred, suspended and ineligible principals requirements.

Your HOPWA application must contain the following items:

(A) *Project Sponsors.* You must identify any organization that will receive HOPWA funds as a project sponsor and the amount of funds to be received.

(B) *Narrative Statements.* Your application must include narrative statements that address each of the Factors for Award found at Section III(D) of this program section of the SuperNOFA.

(C) *Service Areas.* Your application must identify the area(s) in which you are proposing to offer housing and other assistance.

(D) *Budget.* You must propose a budget and use the form found in the HOPWA Application Kit which lists the amount of HOPWA funds designated for each type of HOPWA-eligible activity.

VII. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VIII. Other Requirements

(A) Environmental Requirements

Sec. 207(c) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, 112 Stat. 2461, approved October 22, 1998), authorizes responsible entities (including units of general local government, States, Indian tribes, and Alaska native villages) to perform the environmental review for proposed HOPWA projects in accordance with 24 CFR part 58. Under 24 CFR part 58, the recipient must request the responsible entity, as defined in 24 CFR 58.2(a)(7), to assume the environmental responsibilities for projects being funded by a HOPWA grant.

HOPWA recipients may not commit or expend any grant or nonfederal funds on project activities (other than activities exempted under § 58.34 or excluded under § 58.35(b)) until HUD has approved the Recipient's request for the release of funds (RROF) under part

58. Where HUD determines, under 24 CFR 58.11, that it will perform an environmental review for a particular project in accordance with 24 CFR part 50, the HOPWA recipient may not acquire, rehabilitate, convert, lease, repair or construct property or commit or expend any grant or nonfederal funds for these program activities until HUD provides written notice to the recipient that HUD has completed the environmental review. The expenditure or commitment of HOPWA or nonfederal funds prior to the HUD approval of the RROF (or prior to completion of a HUD environmental review) may result in denial of

assistance for the project under consideration.

(B) Local Resident Employment

For grants in excess of \$200,000, to the extent that any housing assistance funded through this program section of the SuperNOFA is used for housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair, and replacement) or housing construction, then it is subject to section 3 of the Housing and Urban Rehabilitation Act of 1968, and the implementing regulations at 24 CFR part 135. Section 3 requires that economic

opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be given to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

IX. Authority

This program is authorized under the AIDS Housing Opportunity Act (42 U.S.C. 12901). The regulations for HOPWA are found at 24 CFR part 574.

BILLING CODE 4210-32-P

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

**SECTION 202 SUPPORTIVE
HOUSING FOR THE ELDERLY
PROGRAM**

Funding Availability for Section 202 Supportive Housing for the Elderly Program

Program Overview

Purpose of the Program. This program provides supportive housing for very low-income persons 62 years of age or older.

Available Funds. Approximately \$434,870,779.

Eligible Applicants. Private nonprofit organizations and nonprofit consumer cooperatives.

Application Deadline. May 27, 1999.

Match Requirements. No.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your completed applications on or before 6:00 pm, local time on May 27, 1999 at the address shown below.

See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. Submit your completed application (an original and four copies) to the Director of the appropriate Multifamily Hub Office or Multifamily Program Center as listed in Appendix A to the Section 811 program section of this SuperNOFA.

The application kit also includes a listing of the Multifamily Hubs and Program Centers, their addresses, and telephone numbers, including TTY numbers. This information is also available from HUD's SuperNOFA Information Center at 1-800-HUD-8929 and from the Internet through the HUD web site at <http://www.hud.gov>.

For Application Kits. For an application kit and any supplemental information, please call HUD's SuperNOFA Information Center at 1-800-HUD-8929. Persons with hearing or speech impairments may call the Center's TTY number at 1-800-483-2209. When requesting an application kit, please refer to the Section 202 Program and provide your name, address (including zip code), and telephone number (including area code). The application kit also will be available on the Internet through the HUD web site at <http://www.hud.gov>

and from the appropriate Multifamily Hub or Multifamily Program Center.

For Further Information and Technical Assistance. For further information and technical assistance, please contact the appropriate Multifamily Hub Office or Multifamily Program Center, or Aretha Williams at HUD Headquarters at (202) 708-2866, or access the Internet at <http://www.hud.gov>. HUD encourages minority organizations to participate in this program and strongly recommends that prospective applicants attend the local HUD Office workshop. At the workshops, HUD will explain application procedures and requirements as well as address concerns such as local market conditions, building codes and accessibility requirements, historic preservation, floodplain management, displacement and relocation, zoning, and housing costs. If you are interested in attending the workshop, make sure that your name is on the appropriate HUD Office's mailing list so that you will be informed of the date, time and place of the workshop. Persons with disabilities should call the appropriate HUD Office to ensure that any necessary arrangements can be made to enable your attendance and participation in the workshop.

If you cannot attend the workshop, call the appropriate HUD Office if you have any questions concerning the submission of applications to that particular office and to request any materials distributed at the workshop.

II. Amount Allocated

Approximately, \$434,870,779 is available for the supportive housing for the elderly program. The FY 1999 HUD Appropriations Act (Appropriations Act) provides \$660,000,000 for capital advances, including amendments to capital advance contracts, for supportive housing for the elderly as authorized by section 202 of the Housing Act of 1959 (as amended by the National Affordable Housing Act and the Housing and Community Development Act of 1992), and for project rental assistance, and amendments to contracts for project rental assistance, for supportive housing for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended.

In accordance with the waiver authority provided in the Appropriations Act, the Secretary is waiving the following statutory and regulatory provision: the term of the project rental assistance contract is reduced from 20 years to 5 years. HUD anticipates that at the end of the contract terms, renewals will be approved subject to the availability of

funds. In addition to this provision, HUD will reserve project rental assistance contract funds based on 75 percent rather than on 100 percent of the current operating cost standards for approved units in order to take into account the average tenant contribution toward rent.

The allocation formula used for Section 202 reflects the "relevant characteristics of prospective program participants," as specified in 24 CFR 791.402(a). The FY 1999 formula consists of one data element: a measure of the number of one and two person renter households with incomes at or below HUD's Very-low Income Limit (50 percent of area median family income, as determined by HUD, with an adjustment for household size), which have housing deficiencies. The counts of elderly renter households with housing deficiencies were taken from a special tabulation of the 1990 Decennial Census. The formula focuses the allocation on targeting the funds based on the unmet needs of elderly renter households with housing problems.

Under Section 202, 85 percent of the total capital advance amount is allocated to metropolitan areas and 15 percent to nonmetropolitan areas. In addition, each HUD Office jurisdiction receives sufficient capital advance funds for a minimum of 20 units in metropolitan areas and 5 units in nonmetropolitan areas. The total amount of capital advance funds to support these minimum set-asides are subtracted from the respective (metropolitan or nonmetropolitan) total capital advance amounts available. The remainder is fair shared to each HUD Office jurisdiction whose fair share exceeds the minimum set-aside based on the allocation formula fair share factors described below. NOTE: The allocations for metropolitan and nonmetropolitan portions of the Multifamily Hub or Program Center jurisdictions reflect the most current definitions of metropolitan and nonmetropolitan areas, as defined by the Office of Management and Budget.

A fair share factor is developed for each metropolitan and nonmetropolitan portion of each local HUD Office jurisdiction by dividing the number of renter households for the jurisdiction by the total number of rental households in the United States. The resulting percentage for each local HUD Office jurisdiction is then adjusted to reflect the relative cost of providing housing among the HUD Office jurisdictions. The adjusted needs percentage for the applicable metropolitan or nonmetropolitan portion of each jurisdiction is then multiplied by the

respective total remaining capital
advance funds available nationwide.

Based on the allocation formula, HUD
has allocated the available capital
advance funds as shown on the
following chart:

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FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE						
OFFICES	METROPOLITAN CAPITAL			NONMETROPOLITAN CAPITAL		
	UNITS	ADVANCE	TOTALS	UNITS	ADVANCE	TOTALS
			CAPITAL			CAPITAL
			ADVANCE	UNITS	ADVANCE	ADVANCE
BOSTON HUB						
BOSTON	178	\$ 15,567,491	793,538	9	187	16,361,029
HARTFORD	88	7,432,669	419,993	5	93	7,852,662
MANCHESTER	46	3,065,336	2,329,761	35	81	5,395,097
PROVIDENCE	52	4,490,356	430,137	5	57	4,920,493
TOTAL	364	30,555,852	3,973,429	54	418	34,529,281
NEW YORK HUB						
NEW YORK	478	\$ 46,520,921	486,948	5	483	47,007,869
BUFFALO HUB						
BUFFALO	137	\$ 10,392,707	2,047,498	27	164	12,440,205
PHILADELPHIA HUB						
CHARLESTON	20	\$ 1,371,570	1,181,488	17	37	2,553,058
NEWARK	205	18,778,834	1,711,141	21	205	18,778,834
PHILADELPHIA	172	13,767,018	1,287,519	18	193	15,478,159
PITTSBURGH	87	6,162,106	4,180,148	56	105	7,449,625
TOTAL	484	40,079,528	2,192,076	34	540	44,259,676
BALTIMORE HUB						
BALTIMORE	74	\$ 5,271,628	724,854	10	84	5,996,482
RICHMOND	71	4,342,887	1,467,222	24	95	5,810,109
WASHINGTON	76	5,616,281	2,192,076	34	76	5,616,281
TOTAL	221	15,230,796	2,192,076	34	255	17,422,872

FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE									
OFFICES	METROPOLITAN CAPITAL			NONMETROPOLITAN CAPITAL			TOTALS		
	UNITS	ADVANCE	CAPITAL	UNITS	ADVANCE	CAPITAL	UNITS	ADVANCE	CAPITAL
GREENSBORO HUB									
COLUMBIA	49	\$ 3,179,630	18	1,194,267	67	4,373,897			
GREENSBORO	82	6,227,838	39	2,952,689	121	9,180,527			
TOTAL	131	9,407,468	57	4,146,956	188	13,554,424			
ATLANTA HUB									
ATLANTA	82	\$ 4,962,443	37	2,227,050	119	7,189,493			
KNOXVILLE	39	2,254,704	12	675,174	51	2,929,878			
LOUISVILLE	52	3,334,815	28	1,835,878	80	5,170,693			
NASHVILLE	56	3,248,259	20	1,142,391	76	4,390,650			
SAN JUAN	42	3,563,055	15	1,254,003	57	4,817,058			
TOTAL	271	17,363,276	112	7,134,496	383	24,497,772			
JACKSONVILLE HUB									
BIRMINGHAM	61	\$ 3,695,609	26	1,553,744	87	5,249,353			
JACKSON	20	1,209,254	31	1,861,402	51	3,070,656			
JACKSONVILLE	241	15,639,530	15	995,852	256	16,635,382			
TOTAL	322	20,544,393	72	4,410,998	394	24,955,391			
CHICAGO HUB									
CHICAGO	225	\$ 19,061,485	34	2,872,612	259	21,934,097			
INDIANAPOLIS	84	5,630,374	24	1,618,433	108	7,248,807			
TOTAL	309	24,691,859	58	4,491,045	387	29,182,904			
COLUMBUS HUB									
CINCINNATI	67	\$ 4,338,963	5	324,632	72	4,663,595			
CLEVELAND	111	8,091,832	15	1,087,913	126	9,179,745			
COLUMBUS	50	3,258,589	18	1,163,992	68	4,422,581			
TOTAL	228	15,689,384	38	2,576,537	266	18,265,921			

FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE						
OFFICES	METROPOLITAN CAPITAL			NONMETROPOLITAN CAPITAL		
	UNITS	ADVANCE	TOTALS	UNITS	ADVANCE	TOTALS
			CAPITAL			CAPITAL
			ADVANCE	UNITS	ADVANCE	UNITS
						ADVANCE
DETROIT HUB						
DETROIT	117	\$ 8,934,763	9	674,202	126	9,608,965
GRAND RAPIDS	46	2,955,833	19	1,202,858	65	4,158,691
TOTAL	163	11,890,596	28	1,877,060	191	13,767,656
MINNEAPOLIS HUB						
MINNEAPOLIS	78	\$ 6,155,643	29	2,300,449	107	8,456,092
MILWAUKEE	88	6,579,170	32	2,374,756	120	8,953,926
TOTAL	166	12,734,813	61	4,675,205	227	17,410,018
FT. WORTH HUB						
FT. WORTH	107	\$ 6,474,509	32	1,949,810	139	8,424,319
HOUSTON	68	4,133,766	12	740,430	80	4,874,196
LITTLE ROCK	38	2,045,213	28	1,503,078	66	3,548,291
NEW ORLEANS	71	4,038,162	17	954,875	88	4,993,037
SAN ANTONIO	59	3,377,772	13	738,563	72	4,116,335
TOTAL	343	20,069,422	102	5,886,756	445	25,956,178
KANSAS CITY HUB						
DES MOINES	39	\$ 2,391,195	29	1,785,058	68	4,176,253
KANSAS CITY	65	4,198,604	28	1,781,389	93	5,979,993
OKLAHOMA CITY	47	2,648,486	22	1,263,116	69	3,911,602
OMAHA	20	1,274,181	16	997,474	36	2,271,655
ST LOUIS	62	4,566,004	21	1,544,120	83	6,110,124
TOTAL	233	15,078,470	116	7,371,157	349	22,449,627
DENVER HUB						
DENVER	84	\$ 5,674,279	41	2,523,648	125	8,197,927

FY 1999 SECTION 202 ALLOCATIONS BY FIELD OFFICE									
OFFICES	METROPOLITAN			NONMETROPOLITAN			TOTALS		
	UNITS	ADVANCE	CAPITAL	UNITS	ADVANCE	CAPITAL	UNITS	ADVANCE	CAPITAL
SAN FRANCISCO HUB									
SAN FRANCISCO	198	\$ 18,642,038		12	1,066,392		210	19,708,430	
HONOLULU	20	2,556,477		5	639,119		25	3,195,596	
PHOENIX	62	3,878,126		10	621,072		72	4,499,198	
SACRAMENTO	62	5,081,195		11	900,613		73	5,981,808	
TOTAL	342	30,157,836		38	3,227,196		380	33,385,032	
LOS ANGELES HUB									
LOS ANGELES	365	\$ 30,054,318		5	411,877		370	30,466,195	
SEATTLE HUB									
SEATTLE	82	\$ 6,416,077		17	1,327,060		99	7,743,137	
ANCHORAGE	20	2,556,477		5	639,119		25	3,195,596	
PORTLAND	63	4,531,694		24	1,651,404		87	6,183,098	
TOTAL	165	13,504,248		46	3,617,583		217	17,121,831	
NATIONAL TOTAL	4,806	\$ 369,640,166		950	65,230,613		5756	434,870,779	

III. Program Description; Eligible Applicants; Eligible Activities

(A) Program Description

HUD provides capital advances and contracts for project rental assistance in accordance with 24 CFR part 891. Capital Advances may be used for the construction or rehabilitation of a structure, or acquisition of a structure from the Federal Deposit Insurance Corporation (formerly held by the Resolution Trust Corporation) (FDIC/RTC). Capital Advance funds bear no interest and are based on development cost limits published in this SuperNOFA. Repayment of the capital advance is not required as long as the housing remains available for occupancy by very low-income elderly persons for at least 40 years.

Project rental assistance contract (PRAC) funds are used to cover the difference between what the residents pay for rent and the HUD-approved expense to operate the project. Project Rental Assistance Contract funds may also be used to provide supportive services and to hire a service coordinator in those projects serving the frail elderly residents. The supportive services must be appropriate to the category or categories of frail elderly residents to be served.

(B) Eligible Applicants

Private nonprofit organizations and nonprofit consumer cooperatives are the only eligible applicants under this Section 202 Program. Neither a public body nor an instrumentality of a public body is eligible to participate in the program.

A Sponsor or Co-sponsor may not apply for more than 200 units of housing for the elderly in a single Hub or more than 10 percent of the total units allocated to all HUD Offices. Also, no single application may propose more than the number of units allocated to a HUD office or 125 units, whichever is less. Reservations for projects will not be approved for fewer than 5 units. Affiliated entities that submit separate applications are considered to be a single entity for the purpose of these limits.

(C) Eligible Activities

Section 202 capital advance funds must be used to finance the development of housing through new construction, rehabilitation, or acquisition of housing from the FDIC/Resolution Trust Corporation. Project Rental Assistance funds are provided to cover the difference between the HUD-approved operating costs and the amount the residents pay (each resident

pays 30 percent of adjusted income) as well as to provide supportive services to frail elderly residents. In projects principally serving the frail elderly, eligible costs include the salary of a service coordinator.

(D) Ineligible Activities

Section 202 funds may not be used for nursing homes, infirmaries, medical facilities, mobile home projects, community centers, headquarters for organizations for the elderly, nonhousekeeping accommodations, or refinancing of sponsor-owned facilities without rehabilitation.

IV. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, as an applicant, you must comply with the following requirements:

(A) *Statutory and Regulatory Requirements.* You must comply with all Section 202 Program statutory and regulatory requirements, as listed in Sections III(A) and IX of this program section of the SuperNOFA.

(B) *HUD/RHS Agreement.* HUD and the Rural Housing Service (RHS) have an agreement to coordinate the administration of the agencies' respective rental assistance programs. As a result, HUD is required to notify RHS of applications for housing assistance it receives. This notification gives RHS the opportunity to comment if it has concerns about the demand for additional assisted housing and possible harm to existing projects in the same housing market area. HUD will consider RHS' comments in its review and application selection process.

(C) *Development Cost Limits.* (1) The following development cost limits, adjusted by locality as described in Section IV(C)(2) of this program section of the SuperNOFA, below, will be used to determine the capital advance amount to be reserved for projects for the elderly:

(a) The total development cost of the property or project attributable to dwelling use (less the incremental development cost and the capitalized operating costs associated with any excess amenities and design features you must pay for) may not exceed:

Nonelevator Structures

\$33,638 per family unit without a bedroom;

\$38,785 per family unit with one bedroom;

\$46,775 per family unit with two bedrooms;

For Elevator Structures

\$35,400 per family unit without a bedroom;

\$40,579 per family unit with one bedroom;

\$49,344 per family unit with two bedrooms.

(b) These cost limits reflect those costs reasonable and necessary to develop a project of modest design that complies with HUD minimum property standards; the accessibility requirements of § 891.120(b); and the project design and cost standards of § 891.120 and § 891.210.

(2) Increased development cost limits.

(a) HUD may increase the development cost limits set forth in Section IV(C)(1) of this program section of the SuperNOFA, above, by up to 140 percent in any geographic area where the cost levels require, and may increase the development cost limits by up to 160 percent on a project-by-project basis. This increase may include covering additional costs to make dwelling units accessible through rehabilitation.

(b) If HUD finds that high construction costs in Alaska, Guam, the Virgin Islands, or Hawaii make it infeasible to construct dwellings, without the sacrifice of sound standards of construction, design, and livability, within the development cost limits provided in Section IV(C)(1) of this program section of the SuperNOFA, above, the amount of the capital advances may be increased to compensate for such costs. The increase may not exceed the limits established under this section (including any high cost area adjustment) by more than 50 percent.

(D) *Minimum Capital Investment.* Selected nonprofit organizations must provide a minimum capital investment of one-half of one percent of the HUD-approved capital advance amount, not to exceed \$10,000. If you, as Sponsor or Co-Sponsor, have one or more Section 202 or one or more Section 811 project(s) under reservation, construction, or management in two or more different HUD geographical regions, the minimum capital investment shall be one half of one percent of the HUD-approved capital advance amount, not to exceed \$25,000.

(E) *Economic Opportunities for Low and Very Low-Income Persons (Section 3).* You must comply with section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u (Economic Opportunities for Low and Very Low Income Persons), and its implementing regulations at 24 CFR part 135. You must ensure that training, employment

and other economic opportunities shall, to the greatest extent feasible, be directed toward low- and very low-income persons, particularly those who are recipients of government assistance for housing and to business concerns which provide economic opportunities to low and very low income persons.

V. Application Selection Process

(A) Review for Curable Deficiencies

HUD will screen all applications received by the deadline for curable deficiencies. A curable deficiency is a missing Exhibit or portion of an Exhibit that will not affect the rating of the application. The following is a list of the deficiencies that will be considered curable in a Section 202 application:

Exhibits

- (1) *Form 92015-CA (Application Form)
- (2) * (a) Articles of Incorporation
* (b) By-laws
* (c) IRS tax exemption ruling
- (4) (c)(ii) Energy efficiency
* (d)(i) Evidence of site control
(d)(vi) SHPO letter
- (5) Applications submitted to other Offices
- (6) Relocation
- (7) * (a) Standard Form 424
(b) Drug-free Workplace
(c) Form-HUD 50071 and Standard Form-LLL
(d) Form-HUD 2880
(e) Form-HUD 2992
(f) Executive Order 12372
(g) Form-HUD 2991, Certification of Consistency with Consolidated Plan
(h) Conflict of Interest Resolution
* (i) Resolution for Commitment to Project
(k) Combined Certifications

The HUD Office will notify you in writing if your application is missing any of the exhibits or portions of exhibits and you will be given 14 days from the date of the HUD notification to submit the information required to cure the noted deficiencies. The items identified by an asterisk (*) must be dated on or before the application deadline date.

(B) Rating

HUD will review and rate your application in accordance with the Application Selection Process in the General Section of this SuperNOFA with the following exception. HUD will not reject your application based on

technical review without notifying you of that rejection with all the reasons for rejection, and providing you an opportunity to appeal. You will have 14 calendar days from the date of HUD's written notice to appeal a technical rejection to the HUD office. The HUD office will make a determination on an appeal before making its selection recommendations. All applications will be either rated or technically rejected at the end of technical review. If your application meets all program eligibility requirements after completion of technical review, it will be rated according to the rating factors in Section V(D) of this Section 202 Program section of the SuperNOFA.

(C) Ranking and Selection Procedures

Applications submitted in response to the advertised metropolitan allocations or nonmetropolitan allocations that have a total base score (without the addition of EC/EZ bonus points) of 60 points or more and meet all of the applicable threshold requirements of Section II(B) of the General Section of the SuperNOFA will be eligible for selection, and HUD will place them in rank order per metropolitan or nonmetropolitan allocation. These applications, after adding any bonus points for EC/EZ, will be selected based on rank order, up to and including the last application that can be funded out of each HUD office's metropolitan or nonmetropolitan allocation. HUD offices must not skip over any applications in order to select one based on the funds remaining. After making the initial selections in each allocation area, however, HUD may use any residual funds to select the next rank-ordered application by reducing the number of units by no more than 10 percent, rounded to the nearest whole number, provided the reduction will not render the project infeasible. For this purpose, however, HUD will not reduce the number of units in projects of five units or less.

Once this process has been completed, HUD offices may combine their unused metropolitan and nonmetropolitan funds in order to select the next ranked application in either category, using the unit reduction policy described above, if necessary.

After the offices have funded all possible projects based on the process above, combined metropolitan and nonmetropolitan residual funds from all HUD Offices in each Multifamily Hub will be combined. These funds will be used first to restore units to projects reduced by HUD offices based on the above instructions. Second, additional applications within each Multifamily

Hub will be selected in rank order with only one application selected per HUD Office. More than one application may be selected per HUD Office if there are no approvable applications in other HUD Offices within the Multifamily Hub. This process will continue until there are no more approvable applications within the Multifamily Hub that can be selected with the remaining funds without skipping over any application. HUD may use any remaining residual funds, however, to select the next rank-ordered application by reducing the number of units by no more than 10 percent rounded to the nearest whole number, provided the reduction will not render the project infeasible or result in the project being less than five units.

Funds remaining after these processes are completed will be returned to Headquarters. HUD will use these residual funds first to fund American Indian Council, in the jurisdiction of the Milwaukee Multifamily Program Center, a FY 1994 application which was not funded due to litigation. Second, HUD will use these funds to restore units to projects reduced by HUD offices as a result of the instructions for using their residual funds. Third, HUD will use these funds for selecting applications based on field offices' rankings beginning with the highest rated application nationwide. Only one application will be selected per HUD office from the national residual amount (excluding the Milwaukee Multifamily Program Center, already funded). If there are no approvable applications in other HUD offices, the process will begin with the selection of the next highest rated application nationwide. This process will continue until all approvable applications are selected using the available remaining funds.

(D) Factors For Award Used To Evaluate and Rate Applications

HUD will rate applications that successfully complete technical processing using the Rating Factors set forth below and in accordance with the application submission requirements identified in Section VI(B) below. The maximum number of points an application may receive under this program is 102. This includes two EZ/EC bonus points, as described in the General Section of the SuperNOFA.

Rating Factor 1: Capacity of the Applicant and Relevant Organizational Staff (25 Points)

This factor addresses the extent to which you have the organizational resources to successfully implement the proposed activities in a timely manner.

Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(2), (B)(3)(a), (B)(3)(b), and (B)(3)(e) of Section VI of this program section of the SuperNOFA.

In rating this factor, HUD will consider the extent to which your application demonstrates your ability to develop and operate the proposed housing on a long-term basis, considering the following:

(1) (15 points) The scope, extent, and quality of your experience in providing housing or related services to those proposed to be served by the project and the scope of the proposed project (i.e., number of units, services, relocation costs, development, and operation) in relationship to your demonstrated development and management capacity as well as your financial management capability; and

(2) (10 points) The scope, extent, and quality of your experience in providing housing or related services to minority persons or families. For purposes of this program section of the SuperNOFA, "minority" means the basic racial and ethnic categories for Federal statistics and administrative reporting, as defined in OMB's Statistical and Policy Directive No. 15. (See 62 FR 58782, October 30, 1997.);

Rating Factor 2: Need/Extent of the Problem (15 Points)

This factor addresses the extent to which there is a need for funding the proposed activities to address a documented problem in the target area. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(4)(a) and (B)(4)(b) of Section VI of this program section of the SuperNOFA. In evaluating this factor, HUD will consider:

The extent of the need for the project in the area based on a determination by the HUD Office. In making this determination, HUD will consider your evidence of need in the area, as well as other economic, demographic, and housing market data available to the HUD office. The data could include information on the number of existing Federally assisted housing units (HUD and RHS) for the elderly in the area and current occupancy in such facilities; Federally assisted housing for the elderly under construction or for which fund reservations have been issued; and in accordance with an agreement between HUD and the RHS, comments from the RHS on the demand for additional assisted housing and the possible harm to existing projects in the same housing market area. The

Department will also review more favorably those applications which establish a connection between the proposed project and the community's Analysis of Impediments to Fair Housing Choice (AI) or other planning document that analyzes fair housing issues and is prepared by a local planning or similar organization. You must show how the proposed project will address an impediment to fair housing choice described in the AI or meet a need identified in the other type of planning document.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and effectiveness of your proposal. There must be a clear relationship between the proposed activities, the community's needs and purposes of the program funding for your application to receive points for this factor. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(4)(c), (B)(4)(d) and (B)(4)(e) of Section VI of this program section of the SuperNOFA. In evaluating this factor, HUD will consider the following:

(1) (15 points) The proximity or accessibility of the site to shopping, medical facilities, transportation, places of worship, recreational facilities, places of employment, and other necessary services to the intended occupants; adequacy of utilities and streets; freedom of the site from adverse environmental conditions; compliance with site and neighborhood standards (24 CFR 891.125);

(2) (10 points) The suitability of the site from the standpoints of promoting a greater choice of housing opportunities for minority elderly persons/families, and affirmatively furthering fair housing. In reviewing this criterion, HUD will assess whether the site meets the site and neighborhood standards at 24 CFR 891.125(b) and (c) by examining relevant data in your application or in the HUD Office. Where appropriate, HUD may visit the site. The site will be deemed acceptable if it increases housing choice and opportunity by (a) expanding housing opportunities in non-minority neighborhoods (if located in such a neighborhood); or (b) contributing to the revitalization of and reinvestment in minority neighborhoods, including improvement of the level, quality and affordability of services furnished to minority elderly;

(3) (3 points) The extent to which the proposed design will meet the special physical needs of elderly persons;

(4) (3 points) The extent to which the proposed size and unit mix of the housing will enable you to manage and operate the housing efficiently and ensure that the provision of supportive services will be accomplished in an economical fashion;

(5) (3 points) The extent to which the proposed design of the housing will accommodate the provision of supportive services that are expected to be needed, initially and over the useful life of the housing, by the category or categories of elderly persons the housing is intended to serve;

(6) (3 points) The extent to which the proposed supportive services meet the identified needs of the anticipated residents; and

(7) (3 points) The extent to which you demonstrate that the identified supportive services will be provided on a consistent, long-term basis.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses your ability to secure other community resources which can be combined with HUD's program resources to achieve program purposes. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(3)(c) and (B)(3)(d) of Section VI of this program section of the SuperNOFA.

(1) (5 points) The extent of local government support (including financial assistance, donation of land, provision of services, etc.) for the project; and

(2) (5 points) The extent of your activities in the community, including previous experience in serving the area where the project is to be located, and your demonstrated ability to enlist volunteers and raise local funds.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which you coordinated your activities with other known organizations, participate or promote participation in a community's Consolidated Planning process, and are working toward addressing a need in a holistic and comprehensive manner through linkages with other activities in the community. Submit information responding to this factor in accordance with Application Submission Requirements in paragraphs (B)(3)(f), (B)(3)(g), (B)(3)(h) and (B)(3)(i) of Section VI of this program section of the SuperNOFA.

(1) (4 points) Your involvement of elderly persons, particularly minority elderly persons, in the development of the application, and your intent to

involve elderly persons, particularly minority elderly persons, in the development and operation of the project;

(2) (2 points) The extent to which you coordinated your application with other organizations to complement and/or support the proposed project;

(3) (2 points) The extent to which you demonstrated that you have been actively involved, or if not currently active, the steps you will take to become actively involved in your community's Consolidated Planning process to identify and address a need/problem that is related in whole or part, directly or indirectly to the proposed project;

(4) (2 points) The extent to which you developed or plan to develop linkages with other activities, programs or projects related to the proposed project to coordinate your activities so solutions are holistic and comprehensive; and

Bonus Points

(2 bonus points) Location of proposed site in an EZ/EC area, as described in the General Section of this SuperNOFA. Submit the information responding to the bonus points in accordance with the Application Submission Requirements in paragraph (B)(7)(j) of Section VI of this program section of the SuperNOFA.

VI. Application Submission Requirements

(A) Application

Your application must include all of the information, materials, forms, and exhibits listed in Section VI(B) (unless you were selected for a Section 202 fund reservation within the last three funding cycles). If you qualify for this exception, you are not required to submit the information described in Sections VI(B)(2) (a), (b), and (c) of this program section of the SuperNOFA (Exhibits 2.a., b., and c. of the application kit), which are the articles of incorporation, (or other organizational documents), by-laws, and the IRS tax exemption, respectively. If there has been a change in any of the eligibility documents since your previous HUD approval, you must submit the updated information in your application. HUD offices will verify your indication of previous HUD approval by checking the project number and approval status with the appropriate HUD Office.

In addition to this relief of paperwork burden in preparing applications, you will be able to submit information and exhibits you have previously prepared for prior applications under Section 202, Section 811, or other funding programs. Examples of exhibits that may be readily adapted or amended to

decrease the burden of application preparation include, among others, those on previous participation in the Section 202 or Section 811 Programs, your experience in provision of housing and services, supportive services plan, community ties, and experience serving minorities.

(B) General Application Requirements

(1) Form HUD-92015-CA, Application for Section 202 Supportive Housing Capital Advance.

(2) Evidence of your and each Co-Sponsor's legal status as a private nonprofit organization or nonprofit consumer cooperative, including the following:

(a) Articles of Incorporation, constitution, or other organizational documents;

(b) By-laws;

(c) IRS tax exemption ruling (this must be submitted by you and each Co-Sponsor, including churches). A consumer cooperative that is tax exempt under State law, has never been liable for payment of Federal income taxes, and does not pay patronage dividends may be exempt from the requirement set out in the previous sentence if it is not eligible for tax exemption.

Note: If you received a Section 202 Fund Reservation within the last Three Funding Cycles, you are not required to submit the documents described in paragraphs (a), (b), and (c), above. Instead, you must submit the project number of the latest application selected and the HUD office to which it was submitted. If there have been any modifications or additions to the subject documents, indicate such, and submit the new material.

(3) A description of your purpose, community ties, and experience, including the following:

(a) A description of your purpose, current activities and how long you have been in existence;

(b) A description of your ties to the community at large and to the minority and elderly communities in particular;

(c) A description of local government support for the project (including financial assistance, donation of land, provision of services, etc.);

(d) Letters of support for your organization and for the proposed project from organizations familiar with the housing and supportive services needs of the elderly that you expect to serve in the proposed project;

(e) A description of your housing and/or supportive services experience. The description should include any rental housing projects and/or supportive services facilities that you have sponsored, owned, and/or operated; your past or current involvement in any

programs other than housing that demonstrates your management capabilities (including financial management) and experience; your experience in serving the elderly, including elderly persons with disabilities, and/or families and minorities; and the reasons for receiving any increases in fund reservations for developing and/or operating previously funded Section 202 or Section 811 projects. The description should include data on the facilities and services provided, the racial/ethnic composition of the populations served, if available, and information and testimonials from residents or community leaders on the quality of the activities. Examples of activities that could be described include housing counseling, nutrition and food services, special housing referral, screening and information projects.

(f) A description, if applicable, of your efforts to involve elderly persons, including minority elderly persons, in the development of the application, as well as your intent to involve elderly persons in the development and operation of the project.

(g) A description of the steps you took to identify and coordinate your application with other organizations to complement and/or support the proposed project as well as the steps you will take, if funded, to share information on solutions and outcomes relative to the development of the proposed project.

(h) A description of your involvement in your community's Consolidated Planning process including:

(i) An identification of the lead/facilitating agency that organizes/administers the process;

(ii) An identification of the Consolidated Plan issue areas in which you participate;

(iii) Your level of participation in the process, including active involvement with any neighborhood-based organizations, associations, or any committees that support programs and activities that enhance projects or the lives of residents of the projects, such as the one proposed in your application.

If you are not currently active, describe the specific steps you will take to become active in the Consolidated Planning process. (Consult the local HUD Office for the identification of the Consolidated Plan community process for the appropriate area.)

(i) A description of the linkages that you have developed or plan to develop with other related activities, programs or projects in order that the development of the project provides a

comprehensive and holistic solution to the needs of the target population.

(4) Project information, including the following:

(a) Evidence of need for supportive housing. Such evidence would include a description of the category or categories of elderly persons the housing is intended to serve and evidence demonstrating sustained effective demand for supportive housing for that population in the market area to be served, taking into consideration the occupancy and vacancy conditions in existing Federally assisted housing for the elderly (HUD and RHS; e.g., public housing); State or local data on the limitations in activities of daily living among the elderly in the area; aging in place in existing assisted rentals; trends in demographic changes in elderly population and households; the numbers of income eligible elderly households by size, tenure, and housing condition; the types of supportive services arrangements currently available in the area; and the use of such services as evidenced by data from local social service agencies or agencies on aging. Also, a description of how information in the community's Analysis of Impediments to Fair Housing Choice was used in documenting the need for the project.

(b) A description of how the proposed project will benefit the target population and the community in which it will be located.

(c) A description of the project, including the following:

(i) A narrative description of the building design, including a description of the number of units with bedroom distributions, any special design features, amenities, and/or community space, and how this design will facilitate the delivery of services in an economical fashion and accommodate the changing needs of the residents over the next 10–20 years. NOTE: If these community spaces, amenities, or features would not comply with the project design and cost standards of 24 CFR 891.120 and the special project standards of 24 CFR 891.210, you must state your ability and willingness to contribute both the incremental development cost and continuing operating cost associated with the community spaces, amenities, or features;

(ii) A description of whether and how the project will promote energy efficiency, and, if applicable, innovative construction or rehabilitation methods or technologies to be used that will promote efficient construction.

(d) Evidence of site control and permissive zoning, including the following:

(i) Acceptable evidence of site control is limited to any one of the following:

(1) Deed or long-term leasehold which evidences that you have title to or a leasehold interest in the site. If a leasehold, the term of the lease must be at least 50 years;

(2) Contract of sale for the site which is free of any limitations affecting ability to deliver ownership to you after you receive and accept a notice of Section 202 capital advance. The only condition for closing on the sale can be your receipt and acceptance of the capital advance;

(3) Option to purchase or for a long-term leasehold which must remain in effect for one year from the date on which the applications are due. The option agreement may consist of a single one year term or may include one or more rights to renew up to one year solely at your discretion. The only condition on which the option may be terminated is if you are not awarded a fund reservation.

(4) If the site is covered by a mortgage under a HUD program, you must submit evidence that consent to release of the site from the mortgage has been obtained or is being requested.

(5) For sites to be acquired from a public body, evidence is needed that the public body possesses clear title to the site and has entered into a legally binding agreement to lease or convey the site to you after you receive and accept a notice of Section 202 capital advance. Where HUD determines that time constraints of the funding round will not permit all of the required official actions (e.g., approval of Community Planning Boards) that are necessary to convey publicly-owned sites, a letter in the application from the mayor or director of the appropriate local agency indicating that conveyance or leasing of the site is acceptable and only contingent on the necessary approval action. In its review of such cases, HUD will consider whether it has had satisfactory experience with timely conveyance of sites from that public body.

Whether you have title to the site, a contract of sale, an option to purchase, or are acquiring the site from a public body, you must provide evidence (a title policy or other acceptable evidence) that the site is free of any limitations, restrictions, or reverts which could adversely affect the use of the site for the proposed project for the 40-year capital advance period under HUD's regulations and requirements (e.g., reversion to seller if title is transferred).

Mortgages are not considered to be limitations or restrictions that would adversely affect the use of the site. If the site is subject to any such limitations, restrictions, or reverts the application will be rejected.

Note: A proposed project site may not be acquired or optioned from a general contractor (or its affiliate) that will construct the Section 202 Project or from any other development team member.

(ii) Evidence that the project as proposed is permissible under applicable zoning ordinances or regulations, or a statement of the proposed action required to make the proposed project permissible and the basis for your belief that the proposed action will be completed successfully before the submission of the firm commitment application (e.g., a summary of the results of any requests for rezoning and/or the procedures for obtaining special or conditional use permits on land in similar zoning classifications and the time required for such rezoning, or preliminary indications of acceptability from zoning bodies, etc.);

(iii) A narrative topographical and demographic description of the suitability of the site and area, and how the site will promote greater housing opportunities for minority elderly and elderly persons with disabilities, thereby affirmatively furthering fair housing; (NOTE: You can best demonstrate your commitment to affirmatively furthering fair housing by describing how your proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the applicable jurisdictions's Analysis of Impediments to Fair Housing Choice (AI), which is a component of the jurisdiction's Consolidated Plan, or any other planning document that addresses fair housing issues. The applicable Consolidated Plan and AI may be the Community's, the County's, or the State's, to which input should have been provided by local community organizations, agencies in the community, and residents of the community. Alternatively, a document that addresses fair housing issues and remedies to barriers to fair housing in the community that was previously prepared by a local planning, or similar organization, may be used. Applicable impediments could include the need for improved housing quality and services for elderly minority families, lack of affirmative marketing and outreach to minority elderly persons, and the need for quality eldercare services within areas of minority concentration when

compared with the type and quality of similar services and housing in nonminority areas.

(iv) A map showing the location of the site and the racial composition of the neighborhood, with the area of racial concentration delineated;

(v) A Phase I Environmental Site Assessment, in accordance with the American Society for Testing and Material (ASTM) Standards E 1527-93, as amended. The Phase I study must be completed and submitted with the application. Therefore, it is important that you start the site assessment process as soon after publication of this SuperNOFA as possible.

If the Phase I study indicates the possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same environmental site assessment procedure identified above must be followed for that site. NOTE: For properties to be acquired from the FDIC/RTC, include a copy of the FDIC/RTC prepared Transaction Screen Checklist or Phase I Environmental Site Assessment, and applicable documentation, per the FDIC/RTC Environmental Guidelines.

If you choose to continue with the original site on which the Phase I study indicated contamination or hazards, you must undertake a detailed Phase II Environmental Site Assessment by an appropriate professional. If the Phase II Assessment reveals site contamination, the extent of the contamination and a plan for clean-up of the site must be submitted to the local HUD office. The plan for clean-up must include a contract for remediation of the problem(s) and an approval letter from the applicable Federal, State, and/or local agency with jurisdiction over the site. In order for the application to be considered for review under this FY 1999 funding competition, you must submit this information to the local HUD office on or before June 28, 1999.

Note: This could be an expensive undertaking. You must pay for the cost of any clean-up and/or remediation.

(vi) A letter from the State Historic Preservation Officer (SHPO) indicating whether the proposed site has any historical significance. If you cannot obtain a letter from the SHPO due to the SHPO not responding to your request or the SHPO responding that it cannot or will not comply with the requirement, you must submit the following: (1) a letter indicating that you attempted to get the required letter from the SHPO but that the SHPO either had not responded to your request or would not

honor or recognize your request; (2) a copy of your letter to the SHPO requesting the required letter; and, (3) a copy of the SHPO's response, if available.

(e) Provision of supportive services and proposed facility:

(i) A detailed description of the supportive services proposed to be provided to the anticipated occupancy;

(ii) A description of public or private sources of assistance that reasonably could be expected to fund the proposed services;

(iii) The manner in which such services will be provided to such persons (i.e., on or off-site), including whether a service coordinator will facilitate the adequate provision of such services, and how the services will meet the identified needs of the residents. NOTE: You may not require residents, as a condition of occupancy, to accept any supportive service.

(5) A list of the applications, if any, that you have submitted or are planning to submit to any other HUD office in response to this announcement of Section 202 Program funding availability or the announcement of Section 811 Program (Supportive Housing for Persons with Disabilities) funding availability, published elsewhere in today's **Federal Register**. Indicate by HUD office, the proposed location by city and State, and the number of units requested for each application. Include a list of all FY 1998 and prior year projects to which you are the Sponsor that have not been finally closed. Such projects must be identified by project number and HUD office.

(6) A statement that:

(a) Identifies all persons (families, individuals, businesses, and nonprofit organizations), by race/minority group, and status as owners or tenants, occupying the property on the date of submission of the application for a capital advance;

(b) Indicates the estimated cost of relocation payments and other services;

(c) Identifies the staff organization that will carry out the relocation activities; and

(d) Identifies all persons that have moved from the site within the past 12 months.

Note: If any of the relocation costs will be funded from sources other than the section 202 capital advance, you must provide evidence of a firm commitment of these funds. When evaluating applications, HUD will consider the total cost of proposals (i.e., cost of site acquisition, relocation, construction, and other project costs).

(7) *Certifications and Resolutions.* In addition to the certifications and assurances listed in the General Section

of this SuperNOFA with the exception of SF-424A, SF-424B, SF-424C, SF-424D and the OMB Circulars which are not required, you are required to submit signed copies of the following:

(a) *Standard Form 424.* Application for Federal Assistance and indication of whether you are delinquent on any Federal debt. (See instructions for submitting this form in the Consolidated Application Submission section of the General Section of the SuperNOFA.)

(b) *Drug-Free Workplace (HUD-50070).* Certification to provide a drug-free workplace.

(c) *Payments to Influence Federal Transactions (HUD-50071) and Standard Form LLL, Disclosure of Lobbying Activities.* Certification of whether any of the funds received will be used to influence any Federal transactions and disclosure of those activities, if applicable.

(d) *Applicant/Recipient Disclosure/Update Report, including Social Security Numbers and Employee Identification Numbers, (HUD-2880).* A disclosure of assistance from other government sources received in connection with the project.

(e) *Employment, Engagement of Services, Awarding or Funding of Contracts, Subgrants, etc. (24 CFR 24.510).*

(f) *Executive Order 12372 Certification.* A certification that you have submitted a copy of your application, if required, to the State agency (single point of contact) for State review in accordance with Executive Order 12372.

(g) *Certification of Consistency with the Consolidated Plan (Plan), Form HUD-2991, for the jurisdiction in which the proposed project will be located.* The certification must be made by the unit of general local government if it is required to have, or has, a complete Plan. Otherwise, the certification may be made by the State, or by the unit of general local government if the project will be located within the jurisdiction of the unit of general local government authorized to use an abbreviated strategy, and if it is willing to prepare such a Plan.

All certifications must be made by the public official responsible for submitting the Plan to HUD. The certifications must be submitted as part of the application by the application submission deadline date set forth in this program section of the SuperNOFA. The Plan regulations are published in 24 CFR part 91.

(h) *A certified Board Resolution that no officer or director of the Sponsor or Owner has or will have any financial interest in any contract with the Owner*

or in any firm or corporation that has or will have a contract with the Owner, including a current listing of all duly qualified and sitting officers and directors by title, and the beginning and ending dates of each person's term.

(i) *A certified Board Resolution, acknowledging the responsibilities of sponsorship, long-term support of the project(s), willingness to assist the Owner to develop, own, manage, and provide appropriate services in connection with the proposed project, and that it reflects the will of its membership. Also, evidence, in the form of a certified Board Resolution, of your willingness to fund the estimated start-up expenses, the Minimum Capital Investment (one-half of 1 percent of the HUD-approved capital advance, not to exceed \$10,000, if nonaffiliated with a National Sponsor; one-half of 1 percent of the HUD-approved capital advance, not to exceed \$25,000, for all other Sponsors;), and the estimated cost of any amenities or features (and operating costs related thereto) that would not be covered by the approved capital advance.*

(j) *Certification of Consistency with the EZ/EC Strategic Plan.* A certification that the project is consistent with the EZ/EC strategic plan, is located within the EZ/EC, and serves EZ/EC residents.

(k) *Sponsor's Combined Certifications.* (i) *Certification in Connection with the Development and Operation of a Section 202 Project.* A certification of compliance with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act, the Age Discrimination Act of 1975, Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the

implementing regulations at 24 CFR Part 135, the affirmative fair housing marketing requirements of 24 CFR part 200, subpart M and the implementing regulations at 24 CFR part 108, and other applicable Federal, State and local laws prohibiting discrimination and promoting equal opportunity including affirmatively furthering fair housing.

(ii) *Design and Cost Standards.* Certification of Compliance with HUD's Section 202 project design and cost standards (24 CFR 891.120 and 891.210), the Uniform Federal Accessibility Standards (24 CFR 40.7), Section 504 of the Rehabilitation Act of 1973 and HUD's implementing regulations at 24 CFR part 8, and for covered multifamily dwellings designed and constructed for first occupancy after March 13, 1991, the design and construction requirements of the Fair Housing Act and HUD's implementing regulations at 24 CFR part 100, and the Americans with Disabilities Act of 1990;

(iii) *Acquisition and Relocation.* Certification of Compliance with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (49 CFR part 24 and 24 CFR part 891.155(e));

(iv) *Formation of Owner Corporation.* Certification that you will form an "Owner" (24 CFR 891.205) after issuance of the capital advance; cause the Owner to file a request for determination of eligibility and a request for capital advance, and provide sufficient resources to the Owner to insure the development and long-term operation of the project, including capitalizing the Owner at firm commitment processing in an amount

sufficient to meet its obligations in connection with the project;

(v) *Supportive Services.* Certification that you will not require residents to accept any supportive services as a condition of occupancy; and,

(vi) *Davis-Bacon.* Certification of compliance with the Davis-Bacon requirements and the Contract Work Hours and Safety Standards Act.

VII. Corrections to Deficient Applications

The General Section of the SuperNOFA provides the procedures for corrections to deficient applications.

VIII. Environmental Requirements

In accordance with 24 CFR part 50, all Section 202 assistance is subject to the National Environmental Policy Act of 1969 and applicable related Federal environmental authorities. The environmental review provisions of the Section 202 Program regulations are in 24 CFR 891.155(b).

IX. Authority

The Section 202 Supportive Housing for the Elderly Program is authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended. See section 801 of the Cranston-Gonzalez National Affordable Housing Act (NAHA)(Pub. L. 101-625; approved November 28, 1990); the Housing and Community Development Act of 1992 (HCD Act of 1992)(Pub.L. 102-550; approved October 28, 1992), and the Rescissions Act (Pub.L. 104-19; enacted on July 27, 1995).

BILLING CODE 4210-32-P

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

**SECTION 811 SUPPORTIVE
HOUSING FOR PERSONS WITH
DISABILITIES PROGRAM**

Funding Availability for the Section 811 Program of Supportive Housing for Persons With Disabilities

Program Overview

Purpose of the Program. This program provides funding for supportive housing for very low-income persons with disabilities who are at least 18 years old.

Available Funds. Approximately \$87,236,604.

Eligible Applicants. Nonprofit organizations that have a section 501(c)(3) tax exemption from the Internal Revenue Service.

Application Deadline. May 27, 1999.

Match Requirements. No.

Additional Information

If you are interested in applying for funding under this program, please review carefully the General Section of this SuperNOFA and the following additional information.

I. Application Due Date, Application Kits, Further Information, and Technical Assistance

Application Due Date. Submit your completed application on or before 6:00 pm, local time on May 27, 1999 at the address shown below. See the Application Submission Procedures of the General Section of this SuperNOFA for further information.

Address for Submitting Applications. Submit your completed application(s) (an original and four copies) to the Director of the appropriate Multifamily Hub Office or Multifamily Program Center as listed in Appendix A to this program section of the SuperNOFA.

The application kit also includes a listing of the Multifamily Hubs and Program Centers, their addresses and telephone numbers, including TTY numbers. This information is also available from HUD's SuperNOFA Information Center at 1-800-HUD-8929 and from the Internet through the HUD web site at <http://www.hud.gov>.

For Application Kits. For an application kit and any supplemental information, please call HUD's SuperNOFA Information Center at 1-800-HUD-8929. Persons with hearing or speech impairments may call the Center's TTY number at 1-800-483-2209. When requesting an application kit, please refer to the Section 811 Program and provide your name, address (including zip code), and telephone number (including area code). The application kit also will be available on the Internet through the HUD web site at <http://www.hud.gov> and from the appropriate Multifamily Hub Office or Multifamily Program Center.

For Further Information and Technical Assistance. For further information and technical assistance, please contact the appropriate Multifamily Hub Office or Multifamily Program Center, or Gail Williamson at HUD Headquarters at (202) 708-2866, or access the Internet at <http://www.hud.gov>. HUD encourages minority organizations to participate in this program and strongly recommends prospective applicants attend the local HUD Office workshop. At the workshops, HUD will explain application procedures and requirements, as well as address concerns such as local market conditions, building codes and accessibility requirements, historic preservation, floodplain management, displacement and relocation, zoning, and housing costs. If you are interested in attending the workshop, make sure that your name, address and telephone number are on the appropriate HUD Office's mailing list so that you will be informed of the date, time and place of the workshop. Persons with disabilities should call the appropriate HUD Office to assure that any necessary arrangements can be made to enable their attendance and participation in the workshop.

If you cannot attend the workshop, call the appropriate HUD Office if you have any questions regarding the submission of applications to that particular office and to request any materials distributed at the workshop.

II. Amount Allocated

Approximately \$87,236,604 is available for the Section 811 Program of Supportive Housing for Persons with Disabilities. The FY 1999 HUD Appropriations Act (Appropriations Act) provides \$194,000,000 for capital advances, including amendments to capital advance contracts; for supportive housing for persons with disabilities, as authorized by section 811 of the NAHA; and for project rental assistance, including amendments to contracts for project rental assistance. Twenty-five percent of this amount is being set aside for tenant-based rental assistance for persons with disabilities administered through public housing agencies (PHAs) and nonprofit organizations and will be announced in the **Federal Register** at a later date.

In accordance with the waiver authority provided in the Appropriations Act, the Secretary is waiving the following statutory and regulatory provision: The term of the project rental assistance contract is reduced from 20 years to 5 years. HUD anticipates that at the end of the

contract terms, renewals will be approved subject to the availability of funds. In addition to this provision, HUD will reserve project rental assistance contract funds based on 75 percent rather than on 100 percent of the current operating cost standards for approved units in order to take into account the average tenant contribution toward rent.

The allocation formula used for Section 811 reflects the "relevant characteristics of prospective program participants," as specified in 24 CFR 791.402(a). The FY 1999 formula consists of two data elements from the 1990 Decennial Census: (1) the number of non-institutionalized persons age 16 or older with a work disability and a mobility or self-care limitation and (2) the number of non-institutionalized persons age 16 or older having a mobility or self-care limitation but having no work disability.

A work disability is defined as a health condition that had lasted for 6 or more months which limited the kind (restricted the choice of jobs) or amount (not able to work full time) of work a person could do at a job or business. A mobility limitation is defined as a health condition that lasted for 6 or more months, making it difficult for the person to go outside the home alone. This includes outside activities, such as shopping or visiting a doctor's office. A self-care limitation is defined as a health care limitation that had lasted for 6 or more months which made it difficult for the person to take care of his/her own personal needs such as dressing, bathing, or getting around inside the home. Temporary (short term) problems such as broken bones that are expected to heal normally are not considered problems.

Under the Section 811 Program, each HUD Office jurisdiction receives sufficient capital advance funds for a minimum of 10 units. The total amount of capital advance funds to support this minimum set-aside is then subtracted from the total capital advance available. The remainder is fair shared to each HUD Office jurisdiction whose fair share would exceed the set-aside based on the allocation formula fair share factors described below.

The fair share factors were developed by taking the sum of the number of persons in each of the two elements for each state, or state portion, of each local HUD Office jurisdiction as a percent of the sum of the two data elements from the Decennial Census, described above, for the total United States. The resulting percentage for each local HUD Office is then adjusted to reflect the relative cost of providing housing among the local

HUD Office jurisdictions. The adjusted needs percentage for each local HUD Office is then multiplied by the total amount of capital advance funds available nationwide.

The Section 811 capital advance funds have been allocated, based on the formula above, to 51 local HUD Offices as shown on the following chart:

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**Fiscal Year 1999 Allocations for Supportive Housing for Persons with
Disabilities
[Fiscal Year 1999 Section 811 Allocations]**

Office	Capital Advance Authority	Units
Boston HUB:		
Boston	\$ 2,223,038	31
Hartford	1,471,253	21
Manchester	999,185	18
Providence	713,126	10
Total	5,406,602	80
New York HUB:		
New York	5,437,644	67
Total	5,437,644	67
Buffalo HUB:		
Buffalo	1,700,371	27
Total	1,700,371	27
Philadelphia HUB:		
Newark	3,016,382	40
Pittsburgh	1,511,020	26
Philadelphia	2,914,496	44
Charleston	1,094,139	19
Total	8,536,037	129
Baltimore HUB:		
Baltimore	1,333,347	23
Richmond	1,295,840	26
D.C.	1,416,091	23
Total	4,045,278	72

**Fiscal Year 1999 Allocations for Supportive Housing for Persons with
Disabilities
[Fiscal Year 1999 Section 811 Allocations]**

Office	Capital Advance Authority	Units
Greensboro HUB:		
Columbia	1,383,836	26
Greensboro	2,364,426	38
Total	3,748,262	64
Atlanta HUB:		
Atlanta	1,833,629	36
San Juan	1,864,156	26
Louisville	1,428,274	27
Knoxville	935,813	20
Nashville	1,042,627	22
Total	7,104,499	131
Jacksonville HUB:		
Jacksonville	3,598,726	67
Birmingham	1,520,665	30
Jackson	1,187,065	24
Total	6,306,456	121
Chicago HUB:		
Chicago	3,687,108	52
Indianapolis	1,638,662	29
Total	5,325,770	81
Columbus HUB:		
Cincinnati	1,054,105	20
Cleveland	1,899,192	31
Columbus	1,051,076	19
Total	4,004,373	70
Detroit HUB:		
Detroit	2,306,444	36
Grand Rapids	928,884	18
Total	3,235,328	54