

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4364-N-01]

Super Notice of Funding Availability (SuperNOFA) for Targeted Housing and Homeless Assistance Programs

AGENCY: Office of the Secretary, HUD.

ACTION: Super Notice of Funding Availability (SuperNOFA) for Targeted Housing and Homeless Assistance Programs.

SUMMARY: This Super Notice of Funding Availability (SuperNOFA) announces the availability of approximately \$1,196,920,112 in HUD program funds covering six (6) Targeted Housing and Homeless Assistance Programs operated and managed by HUD's Office of Community Planning and Development (CPD) and HUD's Office of Housing-Federal Housing Administration (FHA). The General Section of this SuperNOFA contains the procedures and requirements applicable to all programs. The applications for funding for these programs have been consolidated into four applications. The Programs Section of this SuperNOFA contains a description of the specific programs for which funding is made available under this SuperNOFA and additional procedures and requirements that are applicable to each.

APPLICATION DUE DATES: *The information contained in this APPLICATION DUE DATES section applies to all programs contained in this SuperNOFA.* Completed applications must be submitted to HUD no later than the deadline established for the program for which you are seeking funding. Applications may not be sent by facsimile (FAX). See the Program Chart for specific application due dates.

ADDRESSES AND APPLICATION SUBMISSION PROCEDURES: *Addresses.* Completed applications must be submitted to the location specified in the Programs Section of this SuperNOFA. When submitting your application, please refer to the program name for which you are seeking funding.

For Applications to HUD Headquarters. Applications to be submitted to HUD Headquarters are due at: Department of Housing and Urban Development, 451 Seventh Street, SW, Room _____ (See Program Chart or Programs Section for room location), Washington DC 20410.

For Applications to HUD Field Offices. For those programs for which applications are due to the HUD Field Offices, please see the Programs Section for the exact locations for submission.

Applications Procedures. Mailed Applications. Applications will be considered timely filed if postmarked on or before 12:00 midnight on the application due date and received by the designated HUD Office on or within ten (10) days of the application due date.

Applications Sent by Overnight/Express Mail Delivery. Applications sent by overnight delivery or express mail will be considered timely filed if received before or on the application due date, or upon submission of documentary evidence that they were placed in transit with the overnight delivery service by no later than the specified application due date.

Hand Carried Applications. For applications submitted to HUD Headquarters, hand carried applications delivered before and on the application due date must be brought to the specified location and room number between the hours of 8:45 am to 5:15 pm, Eastern time. Applications hand carried on the application due date will be accepted in the South Lobby of the HUD Headquarters Building at the above address from 5:15 pm until 12:00 midnight, Eastern time. Applications due to HUD Field Office locations must be delivered to the appropriate HUD Field Office in accordance with the instructions specified in the Programs Section of the SuperNOFA.

For applications submitted to the HUD Field Offices, hand carried applications will be accepted during normal business hours before the application due date. On the application due date, business hours will be extended to 6:00 p.m. local time. (Please see Appendix A to this SuperNOFA listing the hours of operations for the HUD Field Offices.)

COPIES OF APPLICATIONS TO HUD OFFICES. The Programs Section of this SuperNOFA may specify that to facilitate processing and review of your submission a copy of the application also be sent to an additional HUD location (for example, a copy to the HUD Field Office if the original application is to be submitted to HUD Headquarters, or a copy to HUD Headquarters, if the original application is to be submitted to a HUD Field Office). Please follow the requirements of the Programs Section to ensure that you submit your application to the proper location. HUD requests additional copies in order to expeditiously review your application and appreciates your assistance in providing the copies. Please note that for those applications for which copies are being submitted to the Field Offices

and HUD Headquarters, timeliness of submission will be based on the time the application is received at HUD Headquarters.

FOR APPLICATION KITS, FURTHER INFORMATION AND TECHNICAL ASSISTANCE: The information contained in this section is applicable to all programs contained in this SuperNOFA.

For Application Kits and SuperNOFA User Guide. HUD is pleased to provide you with application kits and/or a guidebook to all HUD programs. When requesting an application kit, please refer to the program name of the application kit you are interested in receiving. Please be sure to provide your name, address (including zip code), and telephone number (including area code).

Requests for application kits should be made immediately to ensure sufficient time for application preparation. We will distribute application kits as soon as they become available.

The SuperNOFA Information Center (1-800-HUD-8929) can provide you with assistance, application kits, and guidance in determining which HUD Office(s) should receive a copy of your application. Persons with hearing or speech impairments may call the Center's TTY number at 1-800-483-2209.

Consolidated Application Submissions. Where an applicant can apply for funding under more than one program in this SuperNOFA, the applicant need only submit one originally signed SF-424 and one set of original signatures for the other required assurances and certifications, accompanied by the matrix contained in each application kit. As long as the applicant submits one originally signed set of these documents with an application, only copies of these documents are required to be submitted with any additional application submitted by the applicant. The application should identify the program for which the original signatures for assurances and certifications is being submitted.

For Further Information. For answers to your questions about this SuperNOFA, you have several options. You may call the SuperNOFA Information Center at 1-800-HUD-8929, or you may contact the HUD Office or Processing Center serving your area at the telephone number listed in the application kit for the program in which you are interested. Persons with hearing or speech impairments may call the Center's TTY number at 1-800-483-2209. Information on this SuperNOFA also may be obtained through the HUD

web site on the Internet at <http://www.HUD.gov>.

For Technical Assistance. Before the application due date, HUD staff will be available to provide general guidance and technical assistance about this SuperNOFA. Current law does not permit HUD staff to assist in preparing the application. Following selection of applicants, but prior to award, HUD staff will be available to assist in clarifying or confirming information that is a prerequisite to the offer of an award or Annual Contributions Contract (ACC) by HUD.

Introduction to the SuperNOFA Process

To further HUD's objective, under the direction of Secretary Andrew Cuomo, of improving customer service and providing the necessary tools for revitalizing communities and improving the lives of people within those communities, HUD will publish three SuperNOFAs in 1998, which coordinate program funding for 40 programs and cut across traditional program lines.

(1) The first is the SuperNOFA and consolidated application process for Housing and Community Development Programs, covering 19 Housing and Community Development Programs. This SuperNOFA was published in the **Federal Register** on March 31, 1998.

(2) The second is the SuperNOFA and consolidated application process for Economic Development and Empowerment Programs, covering 9 programs. This second SuperNOFA was published elsewhere in today's **Federal Register**.

(3) The third is the SuperNOFA and consolidated application process for Targeted Housing and Homeless Assistance Programs. This third SuperNOFA includes the following programs and initiatives: Housing Opportunities for Persons with AIDS; Continuum of Care Assistance, which includes the Supportive Housing Program, Shelter Plus Care, and Section 8 Moderate Rehabilitation Single Room Occupancy Program for Homeless Individuals; Section 202 Supportive Housing for the Elderly; and Section 811 Supportive Housing for Persons with Disabilities. Related to this SuperNOFA for HUD's Targeted Housing and Homeless Assistance Programs is HUD's NOFA for Section 8 Tenant-Based Assistance for Persons with Disabilities, published elsewhere in today's **Federal Register**.

All three SuperNOFAs and consolidated applications, to the greatest extent possible, given statutory, regulatory and program policy distinctions, will have one set of rules that, together, offer a "menu" of

approximately 40 programs. From this menu, communities will be made aware of funding available for their jurisdictions. Nonprofits, public housing agencies, local and State governments, tribal governments and tribally designated housing entities, veterans service organizations, faith-based organizations and others will be able to identify the programs for which they are eligible for funding.

The National Competition NOFA. In addition to the three SuperNOFAs, HUD is publishing in today's **Federal Register** a single NOFA for three national competitions: the Fair Housing Initiatives Program National Competition; the Lead-Based Paint Hazard Control National Competition; and the Housing Counseling National Competition.

Assisting Communities To Make Better Use of Available Resources

These SuperNOFAs represent a marked departure from, and HUD believes a significant improvement over, HUD's past approach to the funding process. In the past, HUD has issued as many as 40 separate NOFAs, all with widely varying rules and application processing requirements. This individual program approach to funding, with NOFAs published at various times throughout the fiscal year, did not encourage and, at times, unintentionally impeded local efforts directed at comprehensive planning and development of comprehensive local solutions. Additionally, the old approach seemed to require communities to respond to HUD's needs rather than HUD responding to local needs. Secretary Cuomo brings to the leadership of HUD the experience of successfully implementing a consolidated planning process in HUD's community development programs. As Assistant Secretary for Community Planning and Development, Secretary Cuomo consolidated the planning, application, and reporting requirements of several community development programs. The Consolidated Plan rule, published in 1995, established a renewed partnership among HUD, State, and local governments, public and private agencies, tribal governments, and the general citizenry by empowering field staff to work with other entities in fashioning creative solutions to community problems.

The SuperNOFA approach builds upon Consolidated Planning implemented by Secretary Cuomo in HUD's community development programs, and also reflects the Secretary's organizational changes for HUD, as described in the Secretary's

management reform plan. On June 26, 1997, Secretary Cuomo released the HUD 2020 Management Reform Plan, which calls for significant consolidation of like programs to maximize efficiency and dramatically improve customer service. The plan also calls for HUD to improve customer service by adopting a principle of "menus not mandates."

By announcing the funding of these six programs in one NOFA, HUD hopes to assist communities in making better use of available resources to address their needs and the needs of those living within the communities in a holistic and effective fashion. These funds are available for eligible applicants to support individual program objectives, as well as cross-cutting and coordinated approaches to improving the overall effective use of available HUD program funds.

To date, HUD has been consolidating and simplifying the submission requirements of many of its formula grant and discretionary grant programs to offer local communities a better opportunity to shape available resources into effective and coordinated neighborhood housing and community development strategies that will help revitalize and strengthen their communities, physically, socially and economically. To complement this overall consolidation and simplification effort, HUD designed this process to increase the ability of applicants to consider and apply for funding under a wide variety of HUD programs in response to a single NOFA. Everyone interested in HUD's grant programs can benefit from having this information made available in one NOFA.

Coordination, Flexibility, and Simplicity in the HUD Funding Process

The SuperNOFA approach places heavy emphasis on the coordination of activities to provide (1) greater flexibility and responsiveness in meeting local housing and community development needs, and (2) greater flexibility to eligible applicants to determine what HUD program resources best fit the community's needs, as identified in local Consolidated Plans and Analysis of Impediments to Fair Housing Choice ("Analysis of Impediments" (AI)).

The SuperNOFA approach is designed to simplify the application process; promote effective and coordinated use of program funds in communities; reduce duplication in the delivery of services and economic development and empowerment programs; allow interested applicants to seek to deliver a wider, more integrated array of services; and improve the

system for potential grantees to be aware of, and compete for program funds.

HUD encourages applicants to work together to coordinate and, to the maximum extent possible, join their activities to form a seamless and comprehensive program of assistance to meet identified needs in their communities, and address barriers to fair housing and equal opportunity that have been identified in the community's Consolidated Plan and Analysis of Impediments in the geographic area(s) in which they are seeking assistance.

As part of the simplification of this funding process, and to avoid duplication of effort, the SuperNOFA provides for consolidated applications for several of the programs for which funding is available under this NOFA. HUD programs that provide assistance for, or complement similar activities, for example the Continuum of Care programs have a consolidated application that reduces the administrative and paperwork burden applicants may otherwise encounter in submitting an application for each program. The Program Chart in this introductory section of the SuperNOFA identifies the programs that have been consolidated and for which a consolidated application is made available to eligible applicants.

The funding of these six programs through this SuperNOFA will not affect the ability of eligible applicants to seek HUD funding. *Eligible applicants are able, as they have been in the past, to apply for funding under as few as one or as many as all programs for which they are eligible.*

The specific statutory and regulatory requirements of each of the six separate programs continue to apply to each program. The SuperNOFA reflects, where necessary, the statutory requirements and differences applicable to the specific programs. *Please pay careful attention to the individual program requirements that are identified for each program. Also, you will note that not all applicants are eligible to receive assistance under all six programs identified in this SuperNOFA.*

The SuperNOFA contains two major sections. The General Section of the SuperNOFA contains the procedures and requirements applicable to all applications. The Programs Section of the SuperNOFA describes each program for which funding is made available in the NOFA. As in the past, each program provides a description of eligible applicants, eligible activities, factors for award, and any additional requirements or limitations that apply to the program.

Please read carefully both the General Section and the Programs Section of the SuperNOFA for the program(s) to which you are applying. This will ensure that you apply for program funding for which your organization is eligible to receive funds and you fulfill all the requirements for that program(s).

The Programs of this SuperNOFA and the Amount of Funds Allocated

The six programs for which funding availability is announced in this SuperNOFA are identified in the following chart. The approximate available funds for each program are listed as expected funding levels based on appropriated funds. Should recaptured or other funds become available for any program, HUD reserves the right to increase the available program funding amounts by the amount available.

The chart also includes the application due date for each program, the OMB approval number for the information collection requirements contained in the specific program, and the Catalog of Federal Domestic Assistance (CFDA) number.

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PROGRAM NAME	FUNDING AVAILABLE	DUE DATE	SUBMISSION LOCATION AND ROOM
CONTINUUM OF CARE STRATEGIES FOR HOMELESS AND PERSONS WITH AIDS			
Continuum of Care Homeless Assistance <ul style="list-style-type: none"> ● Supportive Housing CFDA No.: 14.235 ● Shelter Plus Care CFDA No.: 14.238 ● Section 8 Moderate Rehabilitation Single Room Occupancy CFDA No.: 14.249 OMB Approval No.: 2506-0112 	\$ 700,000,000*	August 4, 1998	Headquarters, SNAPS Office, Room 7270
Housing Opportunities for Persons with AIDS CFDA No.: 14.241 OMB Approval No.: 2506-0133	\$ 20,150,000	July 10, 1998	Headquarters, Processing and Control Unit, Room 7251
PROGRAM NAME	FUNDING AVAILABLE	DUE DATE	SUBMISSION LOCATION AND ROOM
SUPPORTIVE HOUSING PROGRAMS			
Section 202 Supportive Housing for the Elderly CFDA No.: 14.157 OMB Approval No.: 2502-0267	\$ 402,397,190	July 7, 1998	Appropriate Local HUD Multifamily Hub or Multifamily Program Center
Section 811 Supportive Housing for Persons with Disabilities CFDA No.: 14.181 OMB Approval No.: 2502-0462	\$ 74,372,922	July 7, 1998	Appropriate Local HUD Multifamily Hub or Multifamily Program Center
Section 8 Tenant-Based Assistance for Persons with Disabilities CFDA No.: 14.855 and 14.857 OMB Approval No.: 2577-0169	\$ 88,500,000	July 7, 1998	See Additional Information on this program, published elsewhere in today's Federal Register

* \$640,000,000 is currently available for obligation for FY 1998, and \$60,000,000 is subject to appropriations in FY 1999.

Paperwork Reduction Act Statement.

The information collection requirements contained in this SuperNOFA have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The preceding chart reflects the OMB approval number for each program component of this SuperNOFA. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. *\$640,000,000 is currently available for obligation for FY 1998, and \$60,000,000 is subject to appropriations in FY 1999.

General Section of the SuperNOFA*I. Authority; Purpose; Amount Allocated; Eligible Applicants and Eligible Activities***(A) Authorities**

The authority for Fiscal Year 1998 funding availability under this SuperNOFA is the Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1998 (Pub. L. 105–65, approved October 27, 1997) (FY 1998 HUD Appropriations Act). Where applicable, additional authority for each program in this SuperNOFA is identified in the Programs Section.

(B) Purpose

The purpose of this SuperNOFA is to:

(1) Make funding available through a variety of programs to empower communities and their residents, particularly the poor and disadvantaged, to develop viable communities, provide decent housing and a suitable living environment for all citizens, without discrimination in order to improve themselves both as individuals and as a community.

(2) Simplify and streamline the application process for funding under HUD programs. By making available to State and local governments, public housing agencies, tribal governments, non-profit organizations and others, the application requirements for Targeted Housing and Homeless Assistance Programs in one NOFA, HUD hopes that the result will be a less time consuming and less complicated application process. This new process also allows an applicant to submit one application for funds for several programs. Except where statutory or regulatory requirements or program policy mandate differences, the SuperNOFA strives to provide for one set of rules, standardized rating factors, and uniform and consolidated application procedures.

(3) Enhance the ability of applicants to make more effective and efficient use of housing and community development funding when addressing community needs and implementing coordinated housing and community development strategies established in local Consolidated Plans, which is the single application for HUD housing and community development and other formula funds submitted by the local or State government. Through this SuperNOFA process, applicants are encouraged to: (i) create opportunities for strategic planning and citizen participation in a comprehensive context at the local level in order to establish a full continuum of housing and services; and (ii) promote methods for developing more coordinated and effective approaches to dealing with urban, suburban, and rural problems by recognizing the interconnections among the underlying problems and ways to address them through layering of available HUD programs;

(4) Promote the ability of eligible non-profit organizations to participate in many of the programs contained in this SuperNOFA; provide an increased opportunity to assist communities in developing continuum of care strategies, and supportive housing programs; and

(5) Recognize and make better use of the expertise that each of the programs, and organizations eligible for funding under this SuperNOFA, can contribute when developing and implementing local housing and community development plans, the Consolidated Plan, and the HUD required Analysis of Impediments to Fair Housing Choice.

(C) Amounts Allocated

The amounts allocated to specific programs in this SuperNOFA are based on appropriated funds. Should recaptured funds become available in any program, HUD reserves the right to increase the available funding amounts by the amount of funds recaptured.

(D) Eligible Applicants and Eligible Activities

The eligible applicants and eligible activities for each program are identified and described for the program in the Programs Section of the SuperNOFA.

II. Requirements and Procedures Applicable to all Programs

Except as may be modified in the Programs Section of this SuperNOFA, or as noted within the specific provisions of this Section II, the following principles apply to all programs. Please be sure to read the program area section of the SuperNOFA for additional requirements or information.

(A) Statutory Requirements

All applicants must meet and comply with all statutory and regulatory requirements applicable to the program for which they are seeking funding in order to be awarded funds. Copies of the regulations are available from the SuperNOFA Information Center or through the Internet at the HUD web site located at <http://www.HUD.gov>. HUD may reject an application from further funding consideration if the activities or projects proposed are ineligible, or (with the exception of the Section 202 and 811 programs) HUD may eliminate the ineligible activities from funding consideration and reduce the grant amount accordingly.

(B) Threshold Requirements—Compliance With Fair Housing and Civil Rights Laws

All applicants, with the exception of Federally recognized Indian tribes, must comply with all Fair Housing and civil rights laws, statutes, regulations and executive orders as enumerated in 24 CFR 5.105(a). Federally recognized Indian tribes must comply with the Age Discrimination Act of 1975, section 504 of the Rehabilitation Act of 1973, and the Indian Civil Rights Act. If an applicant (1) has been charged with a violation of the Fair Housing Act by the Secretary; (2) is the defendant in a Fair Housing Act lawsuit filed by the Department of Justice; or (3) has received a letter of noncompliance findings under Title VI of the Civil Rights Act, section 504 of the Rehabilitation Act, or section 109 of the Housing and Community Development Act, the applicant is not eligible to apply for funding under this SuperNOFA until the applicant resolves such charge, lawsuit, or letter of findings to the satisfaction of the Department.

(C) Additional Nondiscrimination Requirements

Applicants must comply with the Americans with Disabilities Act, and Title IX of the Education Amendments Act of 1972.

(D) Affirmatively Furthering Fair Housing

Unless otherwise specified in the Programs Section of this SuperNOFA, each successful applicant will have a duty to affirmatively further fair housing. Applicants should include in their applications or work plans the specific steps that they will take to (1) address the elimination of impediments to fair housing that were identified in the jurisdiction's Analysis of Impediments (AI) to Fair Housing

Choice; (2) remedy discrimination in housing; or (3) promote fair housing rights and fair housing choice. Further, applicants have a duty to carry out the specific activities cited in their responses to the rating factors that address affirmatively furthering fair housing in the Programs Section of this SuperNOFA.

(E) Economic Opportunities for Low and Very Low-Income Persons (Section 3)

Certain programs in this SuperNOFA require recipients of HUD assistance to 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 the HUD regulations at 24 CFR part 135, including the reporting requirements subpart E. Section 3 provides that recipients shall ensure that training, employment and other economic opportunities, to the greatest extent feasible, be directed to (1) low and very low income persons, particularly those who are recipients of government assistance for housing and (2) business concerns which provide economic opportunities to low and very low income persons. The applicability of section 3 will be noted in the Programs Section of the SuperNOFA.

(F) Relocation

Any person (including individuals, partnerships, corporations or associations) who moves from real property or moves personal property from real property as a direct result of a written notice to acquire or the acquisition of the real property, in whole or in part, for a HUD-assisted activity is covered by acquisition policies and procedures and the relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), and the implementing governmentwide regulation at 49 CFR part 24. Any person who moves permanently from real property or moves personal property from real property as a direct result of rehabilitation or demolition for an activity undertaken with HUD assistance is covered by the relocation requirements of the URA and the governmentwide regulation.

(G) Forms, Certifications and Assurances

Each applicant is required to submit signed copies of the standard forms, certifications, and assurances, listed in this section, unless the program funding in the Programs Section specifies otherwise. Additionally, the Programs Section may specify additional forms,

certifications, assurances or other information that may be required for a particular program in this SuperNOFA.

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

(2) Standard Form for Budget Information—Non-Construction Programs (SF-424A) or Standard Form for Budget Information—Construction Programs (SF-424C), as applicable;

(3) Standard Form for Assurances—Non-Construction Programs (SF-424B) or Standard Form for Assurances—Construction Programs (SF-424D), as applicable;

(4) Drug-Free Workplace Certification (HUD-50070);

(5) Certification and Disclosure Form Regarding Lobbying (SF-LLL); (Tribes and tribally designated housing entities (THDEs) established by an Indian tribe as a result of the exercise of the tribe's sovereign power are not required to submit this certification. Tribes and TDHEs established under State law are required to submit this certification.)

(6) Applicant/Recipient Disclosure Update Report (HUD-2880);

(7) Certification that the applicant will comply with the requirements of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, and will affirmatively further fair housing. CDBG recipients also must certify to compliance with section 109 of the Housing and Community Development Act. Federally recognized Indian tribes must certify that they will comply with the requirements of the Age Discrimination Act of 1975, section 504 of the Rehabilitation Act of 1973, and the Indian Civil Rights Act.

(8) Certification required by 24 CFR 24.510. (The provisions of 24 CFR part 24 apply to the employment, engagement of services, awarding of contracts, subgrants, or funding of any recipients, or contractors or subcontractors, during any period of debarment, suspension, or placement in ineligibility status, and a certification is required.)

(H) OMB Circulars

The policies, guidances, and requirements of OMB Circular No. A-87 (Cost Principles Applicable to Grants, Contracts and Other Agreements with State and Local Governments), OMB Circular No. A-122 (Cost Principles for Nonprofit Organizations), 24 CFR part 84 (Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations) and 24 CFR part 85 (Administrative Requirements for Grants and Cooperative Agreements to

State, Local, and Federally recognized Indian tribal governments) may apply to the award, acceptance and use of assistance under the programs of this SuperNOFA, and to the remedies for noncompliance, except when inconsistent with the provisions of the FY 1998 HUD Appropriations Act, other Federal statutes or the provisions of this SuperNOFA. Compliance with additional OMB Circulars may be specified for a particular program in the Programs Section of the SuperNOFA. Copies of the OMB Circulars may be obtained from EOP Publications, Room 2200, New Executive Office Building, Washington, DC 10503, telephone (202) 395-7332 (this is not a toll free number).

(I) Environmental Requirements

For programs under this SuperNOFA that assist physical development activities or property acquisition, grantees are generally prohibited from acquiring, rehabilitating, converting, leasing, repairing or constructing property, or committing or expending HUD or non-HUD funds for these program activities, until one of the following has occurred: (1) HUD has completed an environmental review in accordance with 24 CFR part 50; or (2) for programs subject to 24 CFR part 58, HUD has approved a grantee's Request for Release of Funds (HUD Form 7015.15) following a Responsible Entity's completion of an environmental review. Applicants should consult the Programs Section for the applicable program to determine the procedures for, timing of, and any exclusions from environmental review under a particular program.

(J) Conflicts of Interest

Consultants or experts assisting HUD in rating and ranking applicants for funding under this SuperNOFA are subject to 18 U.S.C. 208, the Federal criminal conflict of interest statute, and to the Standards of Ethical Conduct for Employees of the Executive Branch regulation published at 5 CFR part 2635. As a result, individuals who have assisted or plan to assist applicants with preparing applications for this SuperNOFA may not serve on a selection panel or as a technical advisor to HUD for this SuperNOFA. All individuals involved in rating and ranking this SuperNOFA, including experts and consultants, must avoid conflicts of interest or the appearance of conflicts. If the selection or non-selection of any applicant under this NOFA affects the individual's financial interests set forth in 18 U.S.C. 208 or involves any party with whom the individual has a covered relationship

under 5 CFR 2635.502, that individual must, prior to participating in any matter regarding this NOFA, disclose this fact to the General Counsel or the Ethics Law Division.

III. Application Selection Process

(A) General

To review and rate applications, HUD may establish panels including persons not currently employed by HUD to obtain certain expertise and outside points of view, including views from other Federal agencies.

(1) *Rating.* All applications for funding in each program listed in this SuperNOFA will be evaluated and rated against the criteria in this SuperNOFA. The rating of the "applicant" or the "applicant's organization and staff" for technical merit or threshold compliance, unless otherwise specified, will include any sub-contractors, consultants, sub-recipients, and members of consortia which are firmly committed to the project.

(2) *Ranking.* Applicants will be ranked within each program (or, for Continuum of Care applicants, across the three programs identified in the Continuum of Care section of this SuperNOFA). Applicants will be ranked only against others that applied for the same program funding and where there are set-asides within the competition, the applicant would only compete against applicants in the same set-aside competition.

(B) Threshold Requirements

HUD will review each application to determine whether the application meets all of the threshold criteria described for program funding made available under this SuperNOFA. Applications that meet all of the threshold criteria will be eligible to be rated and ranked, based on the criteria described, and the total number of points to be awarded.

(C) Factors for Award Used To Evaluate and Rate Applications

For all of the programs for which funding is available under this SuperNOFA, the points awarded for the rating factors total 100. Where applicable, the program may provide for up to four bonus points as provided in paragraphs (1) and (2) of this Section III(C), or other bonus points as may be specified in the individual program in the Programs Section of this SuperNOFA.

(1) *Bonus Points.* The SuperNOFA provides for the award of up to two bonus points for eligible activities/projects that are proposed to be located

in federally designated Empowerment Zones, Enterprise Communities, or Urban Enhanced Enterprise Communities, and/or serve the EZ/EC residents, and are certified to be consistent with the strategic plan of the EZs and ECs. The application kit contains a certification which must be completed for the applicant to be considered for EZ/EC bonus points. A listing of the federally designated EZs, Enhanced ECs are available from the SuperNOFA Information Center, or through the HUD web site on the Internet at <http://www.HUD.gov>.

(2) *Court-Ordered Consideration.* Due to an order of the U.S. District Court for the Northern District of Texas, Dallas, Division, with respect to any application by the City of Dallas, Texas, for HUD funds, HUD shall consider the extent to which the strategies or plans in an application or applications submitted by the City of Dallas for any program under this SuperNOFA will be used to eradicate the vestiges of racial segregation in the Dallas Housing Authority's low income housing programs. The City of Dallas should address the effect, if any, that vestiges of racial segregation in Dallas Housing Authority's low income housing programs have on potential participants in the programs covered by this NOFA, and identify proposed actions for remedying those vestiges. HUD may add up to 2 points to the score based on this consideration. (This Section III(C)(2) is limited to applications submitted by the City of Dallas.)

(3) *The Five Standard Rating Factors.* The factors for rating and ranking applicants are listed in this Section III(C)(2) and maximum points for each factor, are provided in the Programs Section of the SuperNOFA. Each applicant should carefully read the factors for award as described in the program area section that they are seeking funding. While HUD has established the following basic factors for award, these may have been modified or adjusted to take into account specific program needs, or statutory or regulatory limitations imposed on a program. The standard factors for award, except as modified in the program area section are:

Factor 1: Capacity of the Applicant and Relevant Organizational Staff
Factor 2: Need/Extent of the Problem
Factor 3: Soundness of Approach
Factor 4: Leveraging Resources
Factor 5: Comprehensiveness and Coordination

The Continuum of Care Homeless Assistance Programs have only two factors that receive points: Need and Continuum of Care.

(D) Negotiation

After all applications have been rated and ranked and a selection has been made, HUD may require, depending upon the program, that all winners participate in negotiations to determine the specific terms of the grant agreement and budget. In cases where HUD cannot successfully conclude negotiations or a selected applicant fails to provide HUD with requested information, awards will not be made. In such instances, HUD may offer an award to the next highest ranking applicant, and proceed with negotiations with the next highest ranking applicant.

(E) Adjustments to Funding

HUD reserves the right to fund less than the full amount requested in any application to ensure the fair distribution of the funds and to ensure the purposes of the programs contained in this SuperNOFA are met. HUD may choose not to fund portions of the applications that are ineligible for funding under applicable program statutory or regulatory requirements, or which do not meet the requirements of this General Section of this SuperNOFA or the requirements in the Programs Section for the specific program, and fund eligible portions of the applications.

If funds remain after funding the highest ranking applications, HUD may fund part of the next highest ranking application in a given program area. If the applicant turns down the award offer, HUD will make the same determination for the next highest ranking application. If funds remain after all selections have been made, remaining funds may be available for other competitions for each program area where there is a balance of funds.

Additionally, in the event of a HUD procedural error that, when corrected, would result in selection of an otherwise eligible applicant during the funding round of this SuperNOFA, HUD may select that applicant when sufficient funds become available.

(F) Performance and Compliance Actions of Grantees

Performance and compliance actions of grantees will be measured and addressed in accordance with applicable standards and sanctions of their respective programs.

IV. Application Submission Requirements

As discussed earlier in the introductory section of this SuperNOFA, part of the simplification of this funding process is to reduce the duplication of effort involved in

completing and submitting similar applications for HUD funded programs. As the Program Chart shows above, this SuperNOFA provides for consolidated applications for several of the programs for which funding is available under this SuperNOFA.

V. Corrections to Deficient Applications

After the application due date, HUD may not, consistent with 24 CFR part 4, subpart B, consider unsolicited information from an applicant. HUD may contact an applicant, however, to clarify an item in the application or to correct technical deficiencies. Applicants should note, however, that HUD may not seek clarification of items or responses that improve the substantive quality of the applicant's response to any eligibility or selection criterion. *Examples* of curable technical deficiencies include failure to submit the proper certifications or failure to submit an application containing an original signature by an authorized official. In each case, HUD will notify the applicant in writing by describing the clarification or technical deficiency. HUD will notify applicants by facsimile or by return receipt requested. Applicants must submit clarifications or corrections of technical deficiencies in accordance with the information provided by HUD within 14 calendar days of the date of receipt of the HUD notification. If the deficiency is not corrected within this time period, HUD will reject the application as incomplete. (Note that the Sections 202 and 811 Programs, by regulation, provide for appeal of rejection of an application on technical deficiency. Please see the programs sections for these programs for additional information.)

VI. Promoting Comprehensive Approaches to Housing and Community Development

(A) General

HUD believes the best approach for addressing community problems is through a community-based process that provides a comprehensive response to identified needs. By making HUD's Targeted Housing and Homeless Assistance Programs funding available in one NOFA, applicants may be able to relate the activities proposed for funding under this SuperNOFA to the recent and upcoming NOFAs and the community's Consolidated Plan and Analysis of Impediments to Fair Housing Choice. A complete schedule of NOFAs to be published during the fiscal year and those already published appears under the HUD Homepage on

the Internet, which can be accessed at <http://www.hud.gov/nofas.html>.

(B) Linking Program Activities With AmeriCorps

Applicants are encouraged to link their proposed activities 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, call the Corporation for National Service at (202) 606-5000.

(C) Encouraging Visitability in New Construction and Substantial Rehabilitation Activities

In addition to applicable accessible design and construction requirements, applicants are encouraged to incorporate visitability standards where feasible in new construction and substantial rehabilitation projects. Visitability standards allow a person with mobility impairments access into the home, but does not require that all features be made accessible. Visitability means at least one entrance at grade (no steps), approached by an accessible route such as a sidewalk; the entrance door and all interior passage doors are at least 2 feet 10 inches wide, allowing 32 inches of clear passage space. Allowing use of 2'10" doors is consistent with the Fair Housing Act (at least for the interior doors), and may be more acceptable than requiring the 3 foot doors that are required in fully accessible areas under the Uniform Federal Accessibility Standards for a small percentage of units. A visitable home also serves persons without disabilities, such as a mother pushing a stroller, or a person delivering a large appliance. Copies of the UFAS are available from the Office of Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development, Room 5230, 451 Seventh Street, SW, Washington, DC 20410, telephone (202) 755-5404 or the TTY telephone number, 1-800-877 8399 (Federal Information Relay Service).

(D) Developing Healthy Homes

HUD's Healthy Homes Initiative is one of the initiatives developed by the White House Task Force on Environmental Health Risks and Safety Risks to Children that was established under Executive Order 13045 ("Protection of Children from Environmental Health Risks and Safety Risks"). HUD encourages the funding of activities (to the extent eligible under specific programs) that promote healthy

homes, or that promote education on what is a healthy home. These activities may include, but are not limited to the following: educating homeowners or renters about the need to protect children in their home from dangers that can arise from items such as curtain cords, electrical outlets, hot water, poisons, fire, and sharp table edges, among others; incorporating child safety measures in the construction, rehabilitation or maintenance of housing, which include but are not limited to: child safety latches on cabinets, hot water protection devices, properly ventilated windows to protect from mold, window guards to protect children from falling, proper pest management to prevent cockroaches which can cause asthma, and activities directed to control of lead-based paint hazards. The National Lead Information Hotline is 1-800-424-5323.

VII. Findings and Certifications

(A) Environmental Impact

This SuperNOFA provides funding under, and does not alter the environmental requirements of 24 CFR parts 582, 583, and 882, subpart H (Continuum of Care Program); part 574 (HOPWA Program); and part 891 (Section 202 Supportive Housing for the Elderly Program and Section 811 Program of Supportive Housing for Persons with Disabilities). Accordingly, under 24 CFR 50.19(c)(5), this SuperNOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Activities under this SuperNOFA are subject to the environmental review provisions that are specified in the Environmental Requirements paragraph in each program section of this SuperNOFA.

(B) Federalism, Executive Order 12612

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that the policies contained in this SuperNOFA will not have substantial direct effects on States or their political subdivisions, or on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Specifically, the SuperNOFA solicits applicants to expand their role in addressing community development needs in their localities, and does not impinge upon the relationships between the Federal government and State and local governments. As a result, the

SuperNOFA is not subject to review under the Order.

(C) Prohibition Against Lobbying Activities

Applicants for funding under this SuperNOFA are subject to the provisions of section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991, 31 U.S.C. 1352 (the Byrd Amendment), which prohibits recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan. Applicants are required to certify, using the certification found at Appendix A to 24 CFR part 87, that they will not, and have not, used appropriated funds for any prohibited lobbying activities. In addition, applicants must disclose, using Standard Form LLL, "Disclosure of Lobbying Activities," any funds, other than Federally appropriated funds, that will be or have been used to influence Federal employees, members of Congress, and congressional staff regarding specific grants or contracts. Tribes and tribally designated housing entities (THDEs) established by an Indian tribe as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but tribes and TDHEs established under State law are not excluded from the statute's coverage.)

(D) Section 102 of the HUD Reform Act; Documentation and Public Access Requirements

Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) (HUD Reform Act) and the regulations codified in 24 CFR part 4, subpart A, contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992 (57 FR 1942), HUD published a notice that also provides information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 apply to assistance awarded under this SuperNOFA as follows:

(1) *Documentation and public access requirements.* HUD will ensure that documentation and other information regarding each application submitted pursuant to this SuperNOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations in 24 CFR part 15.

(2) *Disclosures.* HUD will make available to the public for 5 years all applicant disclosure reports (HUD Form 2880) submitted in connection with this SuperNOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than 3 years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 5.

(3) *Publication of Recipients of HUD Funding.* HUD's regulations at 24 CFR 4.7 provide that HUD will publish a notice in the **Federal Register** on at least a quarterly basis to notify the public of all decisions made by the Department to provide:

- (i) Assistance subject to section 102(a) of the HUD Reform Act; or
- (ii) Assistance that is provided through grants or cooperative agreements on a discretionary (non-formula, non-demand) basis, but that is not provided on the basis of a competition.

(E) Section 103 HUD Reform Act

HUD's regulations implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a), codified in 24 CFR part 4, apply to this funding competition. The regulations continue to apply until the announcement of the selection of successful applicants. HUD employees involved in the review of applications and in the making of funding decisions are limited by the regulations from providing advance information to any

person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics related questions should contact the HUD Ethics Law Division at (202) 708-3815. (This is not a toll-free number.) For HUD employees who have specific program questions, the employee should contact the appropriate field office counsel, or Headquarters counsel for the program to which the question pertains.

VIII. The FY 1998 SuperNOFA Process and Future HUD Funding Processes

In FY 1997, Secretary Cuomo took the first step in changing HUD's funding process to better promote comprehensive, coordinated approaches to housing and community development. In FY 1997, the Department published related NOFAs on the same day or within a few days of each other. In the individual NOFAs published in FY 1997, HUD advised that additional steps on NOFA coordination may be considered for FY 1998. The three SuperNOFAs to be published for FY 1998 represent the additional step taken by HUD to improve HUD's funding process and assist communities to make better use of available resources through a coordinated approach. This new SuperNOFA process was developed based on comments received from HUD clients and the Department believes it represents a significant improvement over HUD's approach to the funding process in prior years. For FY 1999, HUD may take even further steps to enhance this process. HUD welcomes comments from applicants and other members of the public on this process, and how it may be improved in future years.

The description of program funding available under this third SuperNOFA for Targeted Housing and Homeless Assistance Programs follows.

Dated: April 23, 1998.

Saul N. Ramirez, Jr.,
Acting Deputy Secretary.

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 Description: 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 serves as the vehicle for a community to comprehensively identify each of its needs and to coordinate a plan of action for addressing them.

Approximately \$700 million is being competed for the Continuum of Care Homeless Assistance Programs. For this competition, approximately \$640 million is available in FY 1998, and it is anticipated that up to an additional \$60 million may be made available in FY 1999, subject to appropriations. 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 1998 appropriations to fund applications submitted in response to this program section of this SuperNOFA.

The funds available under this program section of this SuperNOFA 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 Attachment to this program section of this SuperNOFA summarizes key aspects of the programs. Program descriptions are contained in the applicable regulations cited in the chart.

As in previous funding availability announcements for the Continuum of Care Homeless Assistance Programs, amounts for each of the three programs will not be specified this year. Instead, the distribution of funds among the three programs will depend on locally determined priorities and overall demand. HUD reserves the right to fund less than the full amount requested in

any application to ensure the fair distribution of the funds and to ensure the purposes of these homeless programs are met.

Application Due Date: Completed applications (an original containing the original signed documentation and two copies) are due before 12:00 midnight, Eastern time, on August 4, 1998 to the addresses shown below. See the General Section of this SuperNOFA for specific procedures governing the form of application submissions (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Electronic Submission: Applicants are highly encouraged to use a special supplement to HUD's new Community Planning Software to prepare the application. The special supplement has been programmed to produce the charts and narratives that will meet both the requirements of the homelessness sections of the Consolidated Plan and the identical requirements of the Continuum of Care application. The supplement will also produce the necessary project-specific information. If you choose to use the supplement to prepare your Continuum of Care application, you will submit the required information on 3½" computer diskettes, *together with a paper copy of the entire application* including the signed cover sheet (SF-424), all required certifications and other signed documentation, by the deadline. Please submit three copies of these materials, as directed in the ADDRESSES FOR SUBMITTING APPLICATIONS section below. The supplement may be obtained at no charge by contacting the SuperNOFA Information Center by phone or internet as specified below.

Addresses for Submitting Applications

To HUD Headquarters. The original completed application (containing the original signed documentation) must be submitted to: Special Needs Assistance Programs Office, 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. Two copies of the completed application must also be submitted to the Community Planning and Development Division of the appropriate HUD Field Office for the applicant's jurisdiction. Field Office copies must be received by the deadline date as well, but a determination that an application was received on time will be made *solely on receipt of the application at HUD Headquarters in Washington.*

When submitting your application please refer to Continuum of Care Programs, and include your name, mailing address (including zip code) and telephone number (including area code).

For Application Kits, Further information, and Technical Assistance

Application Kits. For a copy of the application package, please call the SuperNOFA Information Center at 1-800-HUD-8929 (voice) or 1-800-483-2209 (TTY), or contact 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>.

Technical Assistance. Prior to the application deadline, HUD staff will be available to provide general guidance, but not guidance in actually preparing the application. HUD field office staff will also be available to help 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, HUD staff will be available to assist 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 the application pertinent to the funding decision.

Additional Information

I. Authority; Purpose; Prioritizing

(A) 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.

(B) Purpose: Develop 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. A Continuum of Care system consists of four basic components:

- (1) A system of outreach and assessment for determining the needs and conditions of an individual or family who is homeless;
- (2) 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;
- (3) 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
- (4) 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. It 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 community process used in developing a Continuum of Care system must include interested veteran service organizations, particularly veteran service organizations with specific experience in serving homeless veterans, in order to ensure that the

Continuum of Care system addresses the needs of homeless veterans.

High scores under the Continuum of Care scoring criteria will be assigned to applications that demonstrate the achievement of two basic goals:

- Have 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.

- Create, maintain, and build upon a community-wide inventory of housing and services for homeless families and individuals; identify the full spectrum of needs of homeless families and individuals; and coordinate 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 inventory must appropriately address all aspects of the continuum, especially permanent housing.

In deciding the geographic area to be covered by a Continuum of Care strategy, applicants should be aware that the single most important factor in receiving funding under this competition will be the strength of the Continuum of Care strategy when measured against the Continuum of Care criteria described in this SuperNOFA. In determining what jurisdictions to include in a Continuum of Care strategy area, the applicant should include only those jurisdictions that are involved in the development and implementation of the Continuum of Care strategy.

Applicants should also be aware that the more jurisdictions included in a Continuum of Care strategy area, the larger the pro rata need share that will be allocated to the strategy area (as described in Section III(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. Because most rural counties have extremely small pro rata need shares, they 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 the creation of a single, coordinated, inclusive homeless assistance system for

an area, the areas covered by Continuum of Care strategies should not overlap. If there are cases where the Continuum of Care strategies geographically overlap 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 geography be used more than one time in assigning Need points. The local HUD field office can help applicants determine if any of the area proposed for inclusion by one Continuum of Care system is also likely to be claimed under another Continuum of Care system in this competition.

(C) Prioritizing

Priority decisions are best made through a locally-driven process and are key to the ultimate goal of reducing homelessness. As was done in 1997, this year's application (1998) instructs that all projects proposed for funding under this program section of the SuperNOFA be listed in priority order from the highest priority to the lowest. Generally, this priority order will mean, for example, that if funds are only available to award 8 of 10 proposed projects, then funding will be awarded to the first eight projects listed. HUD expects nonprofit organizations to be given a fair role in establishing these priorities.

This priority list will be used in awarding up to 40 points per project under the "Need" scoring criteria. Higher priority projects will receive more points under Need than lower priority projects. If a complete project priority chart is not submitted for the continuum, then all projects will receive the lowest score for Need.

Project renewals. Consistent with the Continuum of Care approach, HUD funds that are needed to continue grants that will be expiring in 1999 (Supportive Housing grants, Supportive Housing Demonstration Program grants, SAFAH grants, and Shelter Plus Care grants, as described below) will only be available through the competitive process described in this program section of the SuperNOFA.

The need for the continuation of previously funded projects must be considered in the local needs analysis process and a decision should be made locally on the priority to assign to the continuation of a project. HUD will not fund renewals out of order on the priority list. It is important that the

applicant, regardless of the priority assigned to expiring projects, has fully considered how persons currently being served by those projects will continue to be served, and has addressed this issue in its gap analysis. In last year's competition, numerous renewal projects that were not assigned top priority by a locality did not receive funding. To the extent a community desires to have such projects renewed, it 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.

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.

Applicants eligible to apply for renewal of a grant are only those that have executed a grant agreement for the project directly with HUD. Project sponsors or subrecipients who have not signed such an agreement are not eligible to serve as applicant for renewal of these projects. The local HUD field office can provide assistance in determining eligibility to apply for project renewal. To be considered an applicant when applying as part of a consolidated application, the eligible applicant must submit an originally signed HUD Form SF-424 and the necessary certifications and assurances.

II. Application 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). It 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 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) or the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) 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 criteria.

III. 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 criteria 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, including persons not currently employed by HUD, to obtain certain expertise and outside points of view, including views from other Federal agencies. Two types of reviews will be conducted. Paragraphs (1) and (2) below describe threshold reviews and paragraphs (3) and (4) describe criteria—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 criteria.

(1) *Applicant and sponsor eligibility and capacity.* Applicant and project sponsor capacity will be reviewed to ensure the following eligibility and capacity standards are met. If HUD determines these standards are not met, the project will be rejected from the competition.

- The applicant must be eligible to apply for the specific program;
- The applicant must demonstrate that there is sufficient knowledge and experience 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 the applicant or project sponsor is a current or past recipient of assistance under a HUD McKinney Act program or

the HUD Single Family Property Disposition Homeless Program, there must be no project or construction delay, 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

- The applicant and 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.* Each project will be reviewed to determine if it meets the following eligibility and threshold 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;

- 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 addressed;

- 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 to the area, is a sensible model for others, and can be replicated.

(3) *Continuum of Care.* Up to 60 points will be awarded as follows:

(a) *Process and Strategy.* Up to 30 points will be awarded based on the extent to which the application demonstrates:

- The existence of a quality 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, as articulated in Section I(D) of this program section of the SuperNOFA; and

- That a quality 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.* Up to 20 points will be awarded based on the extent to which the 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.

In reviewing a community's Continuum of Care and determining the points to assign, HUD will consider whether the community took its renewal needs into account in preparing its project priority list.

(c) *Supplemental Resources.* Up to 10 points will be awarded based on the extent to which the 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, a bonus of up to 2 points will be added to the Continuum of Care score when some proposed homeless assistance projects will be located within the boundaries and/or will principally serve the residents of a federal Empowerment Zone, Enterprise Community or Enhanced Enterprise Community (collectively "EZ/EC") if priority placement will be given by the project to homeless persons living on the streets or in shelters within the EZ/EC, or whose last known address was within the EZ/EC. In order for a Continuum of Care system to receive any of the bonus points, the applicant must specifically state how it meets the EZ/EC bonus criterion, and provide a narrative describing the extent of the linkages and coordination between proposed projects and the EZ/EC. 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.* Up to 40 points will be awarded 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 criteria 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:* That relative need index is then applied 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. HUD 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 include those projects whose total funding equals that jurisdiction's pro rata need. Those priority projects which fall within that pro rata need each receive the full 40 points for need. Thereafter, HUD proceeds further down the priority project list until two (2) times the pro rata need is reached and each of those projects receive 20 points. Remaining projects each receive 10 points. If a project priority chart is not submitted 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.* The score for Continuum of Care will be added 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 IV below, will depend on its overall ranking compared to others, except that HUD reserves the right to select lower rated eligible projects that are part of comprehensive, coordinated, and inclusive Continuum of Care systems that would not otherwise receive funding if necessary to achieve geographic diversity.

When insufficient funds remain to fund all projects having the same total score, HUD will break ties 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.* HUD may adjust funding of applications in accordance with the provisions of

Section III(E) of the General Section of the SuperNOFA. HUD also 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 will also apply the limitations on funding described below in making conditional selections.

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 criteria described above, HUD will determine if the conditionally selected projects achieve these minimum percentages. If not, HUD will skip higher-ranked projects in a category for which the minimum percent has been achieved in order to achieve the minimum percent for another category. If there are an insufficient number of conditionally selected projects in a category to achieve its minimum percent, the unused balance will be used for the next highest-ranked approvable Supportive Housing project.

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 criteria described below, HUD will determine if the conditionally selected projects achieve these minimum percentages. If necessary, HUD will skip higher-ranked projects for a component for which the minimum percent has been achieved in order to achieve the minimum percent for another component. If there are an insufficient number of approvable projects in a component to achieve its minimum percent, the unused balance will be used for the next highest-ranked approvable Shelter Plus Care project.

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.

IV. Funding Award Process

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. SHP, SRO, S+C and S+C/SRO applicants will be notified 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.

V. Program Limitations

(A) SRO Program

Applicants need to be aware of the following limitations that 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 1998 funding, the cost limitation is raised from \$16,900 to \$17,200 per unit to take into account increases in construction costs during the past 12-month period.

(B) Shelter Plus Care/Section 8 SRO Component

With regard to the SRO component of the Shelter Plus Care program, applicant States, units of general local government and Indian tribes 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.

VI. Timeliness Standards

Applicants are expected to initiate their approved projects promptly. If implementation difficulties occur, applicants need to be aware of the following timeliness standards:

(A) Supportive Housing Program

- HUD will deobligate SHP funds if site control has not been demonstrated within one (1) year after initial notification 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 the control of the grantee, HUD may deobligate SHP funds if the grantee does not meet the following additional timeliness standards:

- Construction activities must begin within eighteen (18) months after initial notification of the grant award and be completed 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, these activities must begin within three (3) months after the construction is completed.
- For all activities that may proceed independent of construction activities, these activities must begin within twelve (12) months after initial notification of the grant award.

(B) Shelter Plus Care Program Components Except SRO Component

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

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

(C) 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 the determination of HUD, the Public Housing Authority fails to demonstrate a good faith effort to adhere to this schedule.

VII. 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.

VIII. Other Matters

(A) 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).

(B) 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.

(C) Section 3

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.

ATTACHMENT

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

BILLING CODE 4210-32-C

Housing Opportunities for Persons With AIDS (HOPWA)

Program Description: Approximately \$20,150,000 is available for housing assistance and supportive services under the Housing Opportunities for Persons With AIDS (HOPWA) program.

Application Due Date: Completed applications must be submitted no later than 12:00 midnight, Eastern time, on July 10, 1998 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: The completed original application must be submitted to: Processing and Control Branch, Office of Community Planning and Development, 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, two (2) copies of this application must also be submitted 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. An applicant that proposes nationwide activities should file the two copies with their original with 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, Further Information and Technical Assistance

For an application kit, supplemental information, and technical assistance 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>. When requesting an application kit, please refer to HOPWA and provide your name, address (including zip code), and telephone number (including area code).

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) 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.

(B) Purpose

Under selection procedures established in Section II of this NOFA, the funds available under this NOFA will 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 eligible persons; and
- (2) Grants for projects that are part of Long-Term Comprehensive Strategies (Long-Term) for providing housing and related supportive services for eligible persons in areas that are not eligible for HOPWA formula allocations.

(C) Amount Allocated

Approximately \$20,150,000 is being made available by this NOFA. Additional funds may be awarded if funds are recaptured, deobligated, appropriated or otherwise made available during the fiscal year.

(1) Maximum grant amounts. The maximum amount that an applicant may receive is \$1,000,000 for program activities (e.g., activities that directly benefit clients). An applicant may also receive up to 3 percent of the amount that is awarded for program activities for grantee administrative costs and, if the application involves project sponsors, up to 7 percent of the amount that is provided to project sponsors for program activities for the project sponsors' 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 to the amount requested for program activities.

For example, an applicant that proposes to use \$1,000,000 for housing assistance could receive up to an additional \$100,000 for administrative costs (potentially up to \$30,000 for grantee administrative costs and up to \$70,000 for project sponsors' administrative costs if the sponsors carry out that assistance) and \$50,000 for data collection. Due to statutory limits on administrative costs, no project sponsor administrative costs are available in cases where the grantee directly carries out the program activities and that grantee is limited to using up to 3 percent of the grant amount for administering the grant. An

applicant should note that the costs of staff that are carrying out the program activities may be included in those program activity costs and that costs may be prorated between categories as may be appropriate. A sponsor is only eligible to use up to 7 percent of the amount that they receive for the sponsor's administrative costs.

(2) 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 a project that is applying for and eligible for selection under this and other competitions, including the FY 1998 Continuum of Care Homeless Assistance NOFA, is not awarded funds that duplicate activities.

(D) Eligible Applicants

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

(2) Certain States and units of general local government may apply for grants for projects under the Long-Term category of grants, if the proposed activities will serve areas that were not eligible to receive HOPWA formula allocations in fiscal year 1998. An appendix in the application kit will describe the formula areas. Nonprofit organizations are not eligible to apply directly for the Long-Term category of grants but may serve as a project sponsor for an eligible State or local government grantee.

The HOPWA regulations at 24 CFR 574.3 provide for a definition of nonprofit organization, and eligibility of these organizations is further addressed in the application kit.

(E) Eligible Activities

The following eligible activities are subject to standards and limitations found in 24 CFR part 574:

- (1) Housing information services (including fair housing counseling).
 - (2) Project-based or tenant-based rental assistance.
 - (3) New construction of a community residence or SRO dwelling.
 - (4) Acquisition, rehabilitation, conversion, lease or repair of facilities to provide housing and services.
 - (5) Operating costs for housing.
 - (6) Short-term rent, mortgage and utility payments to prevent homelessness.
 - (7) Supportive services.
 - (8) Administrative expenses.
 - (9) Resource identification and technical assistance;
- Under this NOFA, applicants may propose to operate technical assistance

and/or resource identification activities that help communities and organizations develop housing resources for persons with HIV/AIDS and their families. Generally, this assistance can be used to help communities to improve community-based needs assessments, undertake multiple-year HIV/AIDS housing planning, enhance facility operations and refine other management practices of organizations that provide or plan to provide housing assistance and/or related supportive services for persons living with HIV/AIDS and their families. This assistance can also be used to provide support for HOPWA project sponsors in the form of advice and training. These activities should help build the capacity of sponsors to undertake housing development, to operate housing programs, and use of funds in compliance with the Consolidated Planning Process and the Grants Management System. Funds may be used to provide assistance in developing community-based needs assessments and assistance for State-wide, metropolitan, nonmetropolitan and/or rural areas in development of area multiyear HIV and AIDS housing plans, and for research and information services. Applications to provide technical assistance and resource identification on a national or multijurisdictional basis also may be proposed.

HUD has received community recommendations that the program place additional emphasis on assistance in the planning, development, and operation of projects as well as in undertaking the evaluation of performance from grantees and project sponsors that have been administering HOPWA formula allocations and/or competitive grants. The proposed use of funds for technical assistance and resource identification would also help respond to these recommendations; and

(10) Other activities that are proposed in an application and approved by HUD, including data collection on project outcomes; 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 sponsors and activities.

Project Outcomes. Under item (10), applicants are encouraged to apply for funds to collect data on project outcomes, particularly client outcomes. In addition, data may be collected on changes to housing and supportive services delivery systems as a result of the model project, including changes resulting from any innovative features. A plan for the collection of data and the reporting of information on project

outcomes to HUD should be provided by applicants requesting funds for this purpose.

In offering funds for outcomes data collection, this NOFA recognizes the importance of collecting information on model and innovative projects to support further improvements and reforms to the local assistance programs for persons with HIV/AIDS and their families and to be used in national evaluations.

As noted above in Section I(C)(1), an applicant may request up to \$50,000 to collect information and report to HUD, or a third party designated by HUD, on project outcomes.

If funds are requested, the applicant must propose data collection activities in their application. The persons who will conduct these activities may include expert third-party assistance. Generally, this person 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 the data, including preparation of standard Annual Progress Reports to HUD;
- (e) Monitor data collection activities to assure that submissions are complete and accurate, including data coding and entry;
- (f) Summarize the data collected; and
- (g) Prepare reports summarizing findings.

II. Program Requirements

(A) Performance Measures and Project Goals and Objectives

Applicants should establish and describe performance goals and objectives that are important in developing the proposed projects and that will be used to evidence accomplishments under the HOPWA performance measures. These goals and objectives (i.e., specific, achievable and time-limited statements) will be a basis for a review of project outcomes and help establish the nature of possible findings that would be disseminated to the benefit of other projects.

As standard, program-wide performance measures, applicants should use the following:

- (1) In the area to be served, increase the number of short-term housing units (that may include access to related supportive services) by an estimated "xx" by the end of the program year. For example, a transitional program that provides five units that are used in

conjunction with drug and/or alcohol abuse treatment and counseling and/or mental health services with a plan for client outplacement to other housing.

(2) In the area to be served, increase the number of permanent housing units by an estimated "xx" by the end of the program year. For example, a program designed to offer 25 rental vouchers and assistance to participants in finding housing with access to service components that could assist clients in maintaining daily living activities through an appropriate range of support.

(B) Performance Benchmarks

Funds received under this competition are expected to be expended within 3 years following the date of the signing of a grant agreement. As a condition of the grant, selected projects are expected to undertake activities based on the following performance benchmarks:

(1) A project that involves the acquisition or leasing of a site is 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 the project is proposing to use HOPWA funds to undertake rehabilitation or new construction activities, the project is required to begin the rehabilitation or construction within 18 months of their selection and to complete the activity within 3 years of that date; and

(3) Except for a project that involves HOPWA-funded rehabilitation or construction activities, the project is required to begin program operations within one year of their selection. If a selected project does not meet the appropriate performance benchmark, HUD reserves the right to cancel or withdraw the grant selection or otherwise deobligate awarded funds. In exercising this right, the Secretary may waive a termination action in cases that HUD determines evidence that the delay and failure to meet the performance benchmark are due to factors that were beyond the control of the grantee.

(C) Availability of FY 1998 Formula Allocations

In FY 1998, a total of \$183.6 million was allocated by formula to the qualifying cities for 59 eligible metropolitan statistical areas (EMSAs) and to 29 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, is available on the HUD HOME Page at www.hud.gov/cpd/cpdallst.html.

III. Application Selection Process

(A) HOPWA Application Reviews

HOPWA Applications will be reviewed to ensure that they meet the threshold requirements found in Section II of the General Section of the Super NOFA. Applications will also be reviewed to ensure that:

(1) 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

(2) The applicant is 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

HOPWA applications will be rated based on the criteria listed below. The rating factors are common for all applications, except that some elements are specific for an application that is submitted under the Special Projects of National Significance category, and other elements are specific for an application that is submitted under the second category for Projects that are part of Long-Term Comprehensive Strategies in areas that do not qualify for HOPWA formula allocations.

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

The factors for rating and ranking applicants, and maximum points for

each factor, are provided below. The points awarded for the factors total 100. In addition, bonus points available under Section III(C)(2) of the General Section of this SuperNOFA apply to this competition. After rating, these 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 the applicant 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 the ability of the applicant and any project sponsor 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 the applicant and the 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 the application;

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

(d) The applicant's 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 the 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 funding is being requested. The applicant and any project sponsor will be judged in terms of recent, relevant and successful experience of their staff to undertake eligible program activities, including experience and knowledge in serving persons with HIV/AIDS and their families.

(b) The applicant's and/or 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 the applicant and/or sponsor received funding in previous years in the program area for which they are currently seeking funding, the applicant's or 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 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. The applicant should demonstrate that the area to be served has an urgent and unmet need in the eligible population, as follows:

(a) The applicant should describe in its application for a proposed Special Project of National Significance, the need that is not currently addressed by other projects or programs in the area, any unresolved or emerging issues, and/or the need to provide new or alternative forms of assistance that enhance area systems of housing and related care for persons living with HIV/AIDS and their families; or

(b) The applicant should describe in its application for a proposed project that is part of a Long-Term Comprehensive Strategy in an area that does not receive a HOPWA formula allocation, the need that is not currently addressed by other projects or programs in the area, 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 the application's 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. To the extent that the jurisdiction's Consolidated Plan and Analysis of Impediments to Fair Housing Choice, Continuum of Care Homeless Assistance plans, comprehensive HIV/AIDS housing plans and other sources are applicable and identify the level of the problem and the urgency in meeting the need, references to these documents should be included in the response. If the application proposes to serve a subpopulation of eligible persons on the basis that these persons have been traditionally underserved, the application must document the need for this targeted effort.

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

(a) An application that proposes to serve clients in an area that does not qualify for HOPWA formula allocation. HUD recognizes that the clients in these areas that benefit under the proposed project do not have access to HOPWA formula allocations that distribute 90 percent of the annual appropriation for this program; or

(b) An application that proposes 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. An applicant has operated with reasonable success if it shows that previous HOPWA-funded activities have been carried out and are nearing completion of the planned activities in a timely manner. The applicant should also show that 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 application under each category in each State and

to the highest rated application among the applications that propose nationwide activities.

(5) Up to two (2) additional points will be awarded 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's consideration of this subfactor will consider the extent to which the applicant's plan for the use of HOPWA funds will be used to eradicate the vestiges of racial segregation in the Dallas Housing Authority's programs consistent with the Court's order.

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

This factor addresses the quality of the applicant's proposed plan in providing a clear relationship between the proposed activities, community needs and the purpose of the program funding. HUD will award up to 40 points based on the extent to which the proposal shows a soundness in its approach to assisting HOPWA eligible persons.

(1) (20 Points) Responsiveness. Of the points available under this criteria, HUD will award up to 20 points based on the proposal's responsiveness to the needs of clients. HUD will consider the extent to which the proposed activities address area needs for the project. The proposal should demonstrate that:

(a) The proposed activities respond to the need for housing and related supportive services for eligible persons in the community. Under this NOFA, HUD is requiring that an application that proposes to use HOPWA funds for supportive services only should clearly demonstrate that the housing needs of eligible persons in the area are addressed through other means to ensure that the proposal fits within the purposes of this program;

(b) The proposed activities will offer a personalized response to the needs of clients that maximizes opportunities for independent living, including accessibility of housing units and other structures, and in the case of a family, accommodates the needs of families.

(c) The proposed activities will result in tangible benefits for the community and for persons with HIV/AIDS and their families, including persons who have been traditionally underserved, as documented by the applicant under Factor 2 in the application's description of need.

(d) In relation to technical assistance activities proposed in the application, the proposed activities respond to the technical assistance needs of programs that provide or seek to provide housing and related supportive services for HOPWA-eligible persons.

(2) (15 Points) Model Qualities. Of the points available under this criteria, HUD will award up to 15 points based on the proposal's model qualities in offering or expanding housing opportunities for persons living with HIV/AIDS and their families. The proposal should demonstrate that the design, planning, operation, coordination with health-care and other supportive services, management oversight, and evaluation of activities are appropriate and sufficiently shown to serve as a model for replication in other similar communities.

HUD will consider the extent to which the application demonstrates that the proposed activities will result in measurable accomplishments that serve as a Special Project of National Significance, when compared to other applications and projects funded under this category in the past; or a Project that is part of a Long-Term Comprehensive Strategy for providing housing and related supportive services for HOPWA-eligible persons in areas of the nation that do not receive HOPWA formula allocations.

Under this criterion, the highest rating will be given to applications that demonstrate:

(a) That the proposed activities will be undertaken using technically competent methodologies for conducting the work to be performed that may include a cost-effective plan for designing, organizing, and carrying out the proposed activities. The proposed cost estimates should be reasonable for the work to be performed and consistent with rates established for the level of expertise required to perform the work in the proposed geographic area. All activities that include rehabilitation, construction, weatherization, lead-based paint removal, and other activities related to site and design must meet or exceed local building codes.

(b) A potential for yielding a "best practice" that can be replicated and disseminated to other organizations, including nonprofit organizations and State and local governments. HUD will assess the transferability of results in terms of model programs or lessons learned from the work performed under the award. If selected, the applicant will be required to prepare an analysis of best practices as part of their reports to HUD that may be used by HUD to

inform others who may be interested in learning from the experiences gained from the work performed under awards funded through this NOFA.

(c) In the case of a project that is part of a Long-Term Comprehensive Strategy in an area that does not receive a HOPWA formula allocation, that the proposed project is part of a community strategy involving local, metropolitan, or State-wide planning and coordination of housing programs designed to meet the changing needs of low-income persons with HIV/AIDS and their families, including programs providing housing assistance and related services that are operated by Federal, State, local, private, and other entities serving eligible persons.

(3) (5 Points) Innovation. Of the points available under this factor, HUD will award up to five points for an application that demonstrates innovation in the provision of housing for persons living with HIV/AIDS and their families.

HUD will consider the extent to which the project involves a new program for, or alternative method of, meeting the needs of eligible persons, when compared to other HOPWA applications under this notice and HOPWA projects funded in the past. HUD will consider the extent to which the project design, management plan, proposed effects, local planning and coordination of housing programs, and proposed activities help to ensure that the innovation or innovative quality will benefit eligible persons. HUD will also consider the extent to which the proposal provides for the evaluation of this innovation or quality in order to measure the benefit(s) and allow for the dissemination of information on the success of the proposed activities in assisting eligible persons and/or in establishing or operating systems of housing and related care for eligible persons. Under this criterion, the highest rating will be given to applications that demonstrate innovation in a clear and reasonable manner and the innovation is likely, in HUD's view, to be effective in addressing needs.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant 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 to support the project at the time of application. Exhibit 4 of the application

kit provides guidance on the appropriate language that applicant's 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 the applicant has partnered with other entities to make more effective use of available public or private resources. Partnership arrangements may include, but are not limited to, 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 the applicant on proposed activities in order to leverage resources, or partnering with other program funding recipients to make more effective use of resources within the geographic area covered by the award.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Continuum of Care Homeless Assistance planning process (if homeless persons are to be served by proposed activities), the jurisdiction's Consolidated Planning process, 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 the proposal's comprehensiveness and coordination. In order to ensure that resources are used to their maximum effect within the community, it is important that organizations seeking funds under this program be involved in HUD's planning processes for community development

and homeless assistance resources. If an applicant, sponsor or other involved organization has been involved in these processes, that involvement should be described under this factor.

HUD will consider the extent to which the proposal describes how 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 eligible persons. The 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 the applicant demonstrates it has:

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

(2) Been actively involved in its 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 in whole, or part, directly, or indirectly to the activities the applicant proposes.

In the case of technical assistance providers, the applicant will be evaluated on the specific steps it 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 those applicants who can demonstrate they are active, or in the case of technical assistance providers, will work with recipients of technical assistance to get them involved in these local and State planning process.

(3) Developed linkages, or the specific steps it will take to develop linkages with other activities, programs or projects through meetings, information networks, planning processes, or other mechanisms to coordinate its 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 an HOPWA application is conditionally selected will depend on its 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 under each category of assistance.

HUD reserves the right to achieve greater diversity in the selection of applications (i.e., by selecting a lower rated application), in the case that an application demonstrates a great unmet need and no applicant in that State has been the recipient of any prior HOPWA competitive grant or formula allocation. In selecting a lower rated application in order to achieve greater diversity under this paragraph (i.e. resulting in funding activities within a variety of states), 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 subsequently designating as the higher rated proposal, that proposal which was scored higher on a rating criterion, taken in the following order until the tie is broken: the 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 conditionally selected applicants in writing. Such applicants will subsequently be notified of any modification made by HUD, the additional project information necessary for grant award, and the date of deadline for submission of such 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 instead to: 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.

IV. Application Submission Requirements

The HOPWA application kit provides an application that must be used in applying for program funds under this NOFA. The HOPWA application provides certifications and an SF-424 that are applicable to this program, and 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.

All HOPWA applications must contain the following items:

(A) Transmittal Letter

This letter identifies which program under the SuperNOFA for which funds are requested and the dollar amount requested.

(B) Narrative Statements

The HOPWA application provides for narrative statements that address the Factors for Award found at Section III(D) of this NOFA.

(C) Service Areas

The HOPWA application provides for a statement to identify the area(s) in

which the application proposes to offer housing and/or services.

(D) Budget

The budget should be submitted on the form found in the HOPWA Application Kit, in lieu of the standard budget form under the General Section of this SuperNOFA.

V. Corrections to Deficient Applications

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

VI. Environmental Requirements

All HOPWA assistance is subject to the National Environmental Policy Act of 1969, applicable related Federal environmental authorities, and the environmental review requirements in 24 CFR 574.510. HUD's conditional selection of an application does not constitute approval of a proposed site. Before an applicant or project sponsor may acquire, rehabilitate, convert, lease, repair or construct properties to provide housing, or commit Federal or non-Federal funds to such activities, HUD will perform an environmental review with respect to a proposed property in accordance with 24 CFR part 50.

VII. Section 3

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.

BILLING CODE 4210-32-P

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

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

BILLING CODE 4210-32-C

Funding Availability for Section 202 Supportive Housing for the Elderly Program

Program Description: Approximately \$402,397,190 is available for the Section 202 Supportive Housing for the Elderly Program. Under the Section 202 Program, assistance is provided to private nonprofit organizations and nonprofit consumer cooperatives to expand the supply of supportive housing for the elderly.

Application Due Date: Completed applications must be submitted no later than 6:00 pm, local time on July 7, 1998 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: Completed applications (an original and four copies) must be submitted to the Director of either the Multifamily Hub Office or Multifamily Program Center having jurisdiction over the proposed project with the following exceptions:

1. Applications for projects proposed to be located within the jurisdiction of the Seattle, Washington and the Anchorage, Alaska Offices must be submitted to the Portland, Oregon Office.

2. Applications for projects proposed to be located within the jurisdiction of the Sacramento, California Office must be submitted to the San Francisco, California Office.

3. Applications for projects proposed to be located within the jurisdiction of the Cincinnati, Ohio Office must be submitted to the Columbus, Ohio Office.

4. Applications for projects proposed to be located within the State of Nevada must be submitted to the Denver, Colorado Office.

A listing of the Multifamily Hubs and Program Centers, their addresses, and telephone numbers, including TTY numbers is included in the application kit, and 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, Further Information, and Technical Assistance

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. The 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 the Section 202 Program and provide your name, address (including zip code), and telephone number (including area code).

You may also contact the Multifamily Hub Office or Multifamily Program Center having jurisdiction over the proposed project.

Immediately upon publication of this SuperNOFA, if HUD Offices have not already provided names to the SuperNOFA Information Center, the Offices shall notify elderly and minority media, all persons and organizations on their mailing lists, minority and other organizations within their jurisdiction involved in housing and community development, and other groups with special interest in housing for elderly households.

For Further Information and Technical Assistance. For further information and technical assistance, please contact the Multifamily Hub Office or Multifamily Program Center having jurisdiction over the proposed project. HUD encourages minority organizations to participate in this Section 202 Program as Sponsors and strongly recommends that prospective applicants attend the local HUD Office workshop which will be held within three weeks of the publication of this SuperNOFA. Interested applicants should ensure that their names are included on the appropriate HUD Office's mailing list so that they will be informed of the date, time and place of the workshop. Interested persons with disabilities should contact the HUD Office to assure that any necessary arrangements can be made to enable their attendance and participation in the workshop. At the workshops, HUD will explain application procedures and requirements. Also, HUD will address concerns such as local market conditions, building codes and accessibility requirements, historic preservation, floodplain management, displacement and relocation, zoning, and housing costs.

Sponsors who cannot attend the workshops are strongly encouraged to contact the appropriate HUD Office with any questions regarding the submission of applications to that particular office and to request any materials distributed at the workshop.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) 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). Section 202 was amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act (NAHA) (Pub. L. 101-625; approved November 28, 1990). Section 202 was also amended by the Housing and Community Development Act of 1992 (HCD Act of 1992) (Pub.L. 102-550; approved October 28, 1992), and by the Rescissions Act (Pub.L. 104-19; enacted on July 27, 1995).

(B) Purpose

The purpose of this NOFA is to provide funds to enable private nonprofit organizations and nonprofit consumer cooperatives to expand the supply of supportive housing for very low-income persons 62 years of age or older that is designed to accommodate the special needs of elderly persons and provides a range of services that are tailored to the needs of elderly persons occupying such housing.

HUD provides the assistance as capital advances and contracts for project rental assistance in accordance with 24 CFR part 891. Capital Advances are used to finance 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 will bear no interest and will be based on development cost limits published in the **Federal Register**. 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 contracts are used to supplement the difference between what the residents pay and the HUD-approved expense to operate the project.

(C) Amount Allocated

For supportive housing for the elderly, the FY 1998 HUD Appropriations Act provides \$645,000,000 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 NAHA and HCD 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 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 a minimum term of 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.

Although not subject to the section 213(d) requirements, a formula is still used for allocating Section 202 funds. The allocation formula was developed to reflect the "relevant characteristics of prospective program participants", as specified in 24 CFR 791.402(a). The FY 1998 formula for allocating Section 202 capital advance funds consists of one data element: a measure of the number of one and two person renter households with incomes at or below the Department'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 then subtracted from the respective (metropolitan or nonmetropolitan) total capital advance amount available. The remainder is fair shared to each HUD Office jurisdiction based on the allocation formula fair share factors. 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. A fair share factor is developed by taking the number of renter households for the total 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 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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FISCAL YEAR 1998 ALLOCATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY

FISCAL YEAR 1998 SECTION 202 ALLOCATIONS

OFFICES	METROPOLITAN		NONMETROPOLITAN		TOTALS	
	AUTHORITY	UNITS	CAPITAL ADVANCE	AUTHORITY	UNITS	CAPITAL ADVANCE
BOSTON HUB						
Boston	\$ 13,928,619	172		731,762	9	14,660,381
Hartford	6,942,385	86		405,792	5	7,348,177
Manchester	2,938,826	44		2,153,835	33	5,092,661
Providence	<u>4,123,859</u>	<u>51</u>		<u>405,792</u>	<u>5</u>	<u>4,529,651</u>
TOTAL	\$ 27,933,689	353		3,697,181	52	31,630,870
NEW YORK HUB						
New York	\$ 41,649,087	474		439,608	5	42,088,695
BUFFALO HUB						
Buffalo	\$ 10,037,944	132		1,939,433	25	11,977,377
PHILADELPHIA HUB						
Charleston	\$ 1,339,114	20		1,097,944	16	2,437,058
Newark	15,973,798	197		0	0	15,973,798
Pittsburgh	5,963,619	84		1,225,255	17	7,188,874
Philadelphia	<u>13,091,151</u>	<u>166</u>		<u>1,602,997</u>	<u>20</u>	<u>14,694,148</u>
TOTAL	\$ 36,367,682	467		3,926,196	53	40,293,878

FISCAL YEAR 1998 ALLOCATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY

FISCAL YEAR 1998 SECTION 202 ALLOCATIONS

OFFICES	METROPOLITAN CAPITAL ADVANCE AUTHORITY	UNITS	NONMETROPOLITAN CAPITAL ADVANCE AUTHORITY	UNITS	TOTALS CAPITAL ADVANCE AUTHORITY	UNITS
BALTIMORE HUB						
Baltimore	\$ 5,081,750	72	696,420	10	5,778,170	82
Richmond	4,076,335	68	1,372,856	23	5,449,191	91
D.C.	5,423,833	73	0	0	5,423,833	73
TOTAL	\$ 14,581,918	213	2,069,276	33	16,651,194	246
GREENSBORO HUB						
Columbia	\$ 3,114,907	48	1,141,145	17	4,256,052	65
Greensboro	6,014,615	79	2,773,050	37	8,787,665	116
TOTAL	\$ 9,129,522	127	3,914,195	54	13,043,717	181
ATLANTA HUB						
Atlanta	\$ 4,619,633	77	2,061,585	34	6,681,218	111
San Juan	3,040,850	41	1,071,493	14	4,112,343	55
Louisville	3,216,301	50	1,716,799	27	4,933,100	77
Knoxville	2,147,040	38	643,568	11	2,790,608	49
Nashville	3,065,606	53	1,088,217	19	4,153,823	72
TOTAL	\$ 16,089,430	259	6,581,662	105	22,671,092	364

FISCAL YEAR 1998 ALLOCATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY

OFFICES	FISCAL YEAR 1998 SECTION 202 ALLOCATIONS					
	METROPOLITAN			NONMETROPOLITAN		
	AUTHORITY	UNITS	CAPITAL ADVANCE	AUTHORITY	UNITS	TOTALS
						CAPITAL ADVANCE
						AUTHORITY
						UNITS
JACKSONVILLE HUB						
Jacksonville	\$ 14,631,792	231		925,540	15	15,557,332
Birmingham	3,441,641	58		1,429,361	24	4,871,002
Jackson	1,129,454	20		1,639,704	29	2,769,158
TOTAL	\$ 19,202,887	309		3,994,605	68	23,197,492
						246
						82
						49
CHICAGO HUB						
Chicago	\$ 17,526,276	216		2,639,561	33	20,165,837
Indianapolis	5,358,758	81		1,506,829	23	6,865,587
TOTAL	\$ 22,885,034	297		4,146,390	56	27,031,424
						353
COLUMBUS HUB						
Cincinnati	\$ 4,164,425	65		321,252	5	4,485,677
Cleveland	7,698,346	107		1,024,425	14	8,722,771
Columbus	3,154,963	49		1,100,274	17	4,255,237
TOTAL	\$ 15,017,734	221		2,445,951	36	17,463,685
						257

FISCAL YEAR 1998 ALLOCATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY

OFFICES	FISCAL YEAR 1998 SECTION 202 ALLOCATIONS					
	METROPOLITAN			NONMETROPOLITAN		
	CAPITAL ADVANCE	UNITS	AUTHORITY	CAPITAL ADVANCE	UNITS	TOTALS CAPITAL ADVANCE
DETROIT HUB						
Detroit	\$ 8,364,186	113	370,285	5	8,734,471	118
Grand Rapids	2,831,506	45	1,122,203	18	3,953,709	63
TOTAL	\$ 11,195,692	158	1,492,488	23	12,688,180	181
MINNEAPOLIS HUB						
Milwaukee	\$ 6,193,457	85	2,180,078	30	8,373,535	115
Minneapolis	5,857,191	75	2,134,029	27	7,991,220	102
TOTAL	\$ 12,050,648	160	4,314,107	57	16,364,755	217
FT. WORTH HUB						
Ft. Worth	\$ 5,972,570	102	1,793,110	30	7,765,680	132
Houston	3,854,289	65	699,560	12	4,553,849	77
Little Rock	1,948,353	36	1,392,193	26	3,340,546	62
New Orleans	3,785,765	66	913,775	16	4,699,540	82
San Antonio	3,156,527	56	693,858	12	3,850,385	68
TOTAL	\$ 18,717,504	325	5,492,496	96	24,210,000	421

FISCAL YEAR 1998 ALLOCATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY

OFFICES	FISCAL YEAR 1998 SECTION 202 ALLOCATIONS					
	METROPOLITAN		NONMETROPOLITAN		TOTALS	
	CAPITAL ADVANCE AUTHORITY	UNITS	CAPITAL ADVANCE AUTHORITY	UNITS	CAPITAL ADVANCE AUTHORITY	UNITS
KANSAS CITY HUB						
Des Moines	\$ 2,323,760	38	1,679,447	27	4,003,207	65
Kansas City	3,998,922	62	1,686,002	27	5,684,924	89
Omaha	1,237,666	20	924,117	15	2,161,783	35
Oklahoma City	2,506,999	44	1,189,530	21	3,696,529	65
St. Louis	4,326,741	60	1,429,173	20	5,755,914	80
TOTAL	\$ 14,394,088	224	6,908,269	110	21,302,357	334
DENVER HUB						
Denver	\$ 6,803,572	102	2,339,655	38	9,143,227	140
SAN FRANCISCO HUB						
Honolulu (Guam)	\$ 2,434,752	20	608,688	5	3,043,440	25
Phoenix	3,606,448	60	578,417	10	4,184,865	70
Sacramento	4,799,921	60	845,564	11	5,645,485	71
San Francisco	14,187,613	175	823,829	10	15,011,442	185
TOTAL	\$ 25,028,734	315	2,856,498	36	27,885,232	351

FISCAL YEAR 1998 ALLOCATIONS FOR SUPPORTIVE HOUSING FOR THE ELDERLY						
FISCAL YEAR 1998 SECTION 202 ALLOCATIONS						
OFFICES	METROPOLITAN		NONMETROPOLITAN		TOTALS	
	CAPITAL ADVANCE AUTHORITY	UNITS	CAPITAL ADVANCE AUTHORITY	UNITS	CAPITAL ADVANCE AUTHORITY	UNITS
LOS ANGELES HUB						
Los Angeles	28,051,923	350	400,720	5	28,452,643	355
SEATTLE HUB						
Anchorage	\$ 2,434,752	20	608,688	5	3,043,440	25
Portland	4,377,067	61	1,552,869	22	5,929,936	83
Seattle	6,088,705	80	1,239,291	16	7,327,996	96
TOTAL	\$ 12,900,524	161	3,400,848	43	16,301,372	204
NATIONAL TOTAL	\$342,037,612	4,647	60,359,578	895	402,397,190	5,542

(D) 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.

No organization shall participate as Sponsor or Co-sponsor in the filing of application(s) for a capital advance in three (3) or more Hubs in this fiscal year in excess of that necessary to finance the construction, rehabilitation, or acquisition (acquisition permitted only with FDIC/RTC properties) of 200 units of housing and related facilities for the elderly. This limit shall apply to organizations that participate as Co-sponsors regardless of whether the Co-sponsors are affiliated or nonaffiliated entities. In addition, the national limit for any one applicant is 10 percent of the total units allocated in all HUD offices (554 units). Affiliated entities that submit separate applications shall be deemed to be a single entity for the purposes of these limits. 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 less than 5 units.

(E) 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).

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.

(F) 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.

II. Program Requirements

In addition to the program requirements listed in the General

Section of this NOFA, applicants are subject to the following requirements:

(A) Statutory and Regulatory Requirements

All applicants must comply with all statutory and regulatory requirements applicable to the Section 202 Program as cited in Section I(A) and I(B) above.

(B) HUD/RHS Agreement

In accordance with an agreement between HUD and the Rural Housing Service (RHS) to coordinate the administration of the agencies' respective rental assistance programs, 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 the RHS comments in its review and project selection process.

(C) Development Cost Limits

(1) The following development cost limits, adjusted by locality as described in Section II(C)(2) of this NOFA, below, shall 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 to be paid for by the Sponsor) may not exceed:

Nonelevator structures:

- \$28,032 per family unit without a bedroom;
- \$32,321 per family unit with one bedroom;
- \$38,979 per family unit with two bedrooms;

For elevator structures:

- \$29,500 per family unit without a bedroom;
- \$33,816 per family unit with one bedroom;
- \$41,120 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.

(2) Increased development cost limits.

(a) HUD may increase the development cost limits set forth in section IV(A)(1) of this NOFA, 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.

(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(A) of this NOFA, 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) Economic Opportunities for Low and Very Low-Income Persons (Section 3)

Recipients shall 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. Recipients shall 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. Recipients must comply with the reporting and recordkeeping requirements found at 24 CFR part 135, subpart E.

(E) Certifications and Resolutions

In addition to the certifications and assurances listed in the General Section of this NOFA with the exception of SF-424A, SF-424B, SF-424C, SF-424D and the OMB Circulars which are not required, applicants are required to submit signed copies of the following:

(1) Executive Order 12372 Certification. A certification that the Sponsor has submitted a copy of its application, if required, to the State agency (single point of contact) for State review in accordance with Executive Order 12372.

(2) Certification of Consistency with the Consolidated Plan (Plan) 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 NOFA. The Plan regulations are published in 24 CFR part 91.

(3) Certification of Compliance with HUD's project design and cost standards and the Uniform Federal Accessibility Standards;

(4) Certification of Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; and

(5) Sponsor's Certification that it 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.

(6) 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.

(7) A certified Board Resolution, acknowledging the responsibilities of sponsorship, long-term support of the project(s), willingness of Sponsor 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 the Sponsor's 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.

(8) Sponsor's Certification that it will not require residents to accept any

supportive services as a condition of occupancy.

III. Application Selection Process

(A) Rating

All applications will be reviewed and rated in accordance with the Application Selection Process in the General Section of this SuperNOFA with the following exception. The Secretary will not reject an application based on threshold or technical review without giving notice of that rejection with all rejection reasons, and affording the applicant an opportunity to appeal. HUD will afford an applicant 14 calendar days from the date of HUD's written notice to appeal a technical rejection to the HUD office. The HUD office must respond within 5 working days to the Sponsor. The HUD office shall make a determination on an appeal prior to making its selection recommendations. All applications will be either rated or technically rejected at the end of technical review. Upon completion of technical review, all acceptable applications which meet all program eligibility requirements will be rated according to the selection criteria in Section I(E)(3) of this Section 202 Program section of the SuperNOFA, below.

(B) 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 will be eligible for selection, and HUD will place them in rank order per metropolitan or nonmetropolitan allocation. After adding any bonus points for EC/EZ, HUD will select these applications based on rank order, up to and including the last application that can be funded out of each of the local HUD office's metropolitan or nonmetropolitan allocations. HUD offices shall not skip over any applications in order to select one based on the funds remaining. However, after making the initial selections in each allocation area, any residual funds may be used to fund the next rank-ordered application by reducing the number of units by no more than 10% 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 nine 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 as based on the above instructions. Second, additional applications within each Multifamily Hub will be selected in rank order with no more than one additional application selected per HUD Office unless there are insufficient 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. However, any remaining residual funds may be used to fund the next rank-ordered application by reducing the number of units by no more than 10% 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 nine units or less.

Funds remaining after these processes are completed will be returned to Headquarters. These funds will be used first to fund AHEPA, a FY 1996 application which was not selected due to HUD error, second to restore units to projects reduced by HUD offices as a result of the instructions above and, third, for selecting applications on a national rank order. No more than one application will be selected per HUD office (excluding the Iowa State Office since the above application is being funded from the residual funds) from the national residual amount, however, unless there are insufficient approvable applications in other HUD offices. If funds still remain, additional applications will be selected based on a national rank order, insuring that no more than one application will be selected per HUD office unless there are insufficient approvable applications in other HUD offices.

(C) Factors for Award Used To Evaluate and Rate Applications

HUD will rate applications for Section 202 capital advances that successfully complete technical processing using the Rating Factors set forth below and in accordance with the application submission requirements identified in Section IV(B) below. The maximum number of points for 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 (30 Points)

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

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

(1) (20 points) The scope, extent, and quality of the Sponsor's 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 the Sponsor's demonstrated development and management capacity as well as its financial management capability; and

(2) (10 points) The scope, extent, and quality of the Sponsor's experience in providing housing or related services to minority persons or families. For purposes of this NOFA "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 60 FR 44673, at 44692, August 28, 1995.)

Rating Factor 2: Need/Extent of the Problem (10 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. 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. HUD will make this determination by considering the Sponsor's 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 the availability of existing Federally assisted housing (HUD and RHS) (e.g., considering availability and vacancy rates of public housing) for the elderly 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. Also, to the extent that 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 identifies the level of the problem and the urgency in meeting the need, the AI or planning document should be referred to in the response. The Department will review more favorably those applications in which the AI or planning document supports the need for the project.

Rating Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and effectiveness of the applicant's proposal. There must be a clear relationship between the proposed activities, the community's needs and purposes of the program funding for an applicant to receive points for this factor. 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;

(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 the Sponsor 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 the Sponsor demonstrated that the identified supportive services will be

provided on a consistent, long-term basis.

Rating Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure other community resources which can be combined with HUD's program resources to achieve program purposes.

(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 the Sponsor's activities in the community, including previous experience in serving the area where the project is to be located, and the Sponsor's demonstrated ability to enlist volunteers and raise local funds.

Rating Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

(1) (4 points) The Sponsor's involvement of elderly persons, particularly minority elderly persons, in the development of the application, and its intent to involve elderly persons, particularly minority elderly persons, in the development and operation of the project; and

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

(3) (2 points) The extent to which the Sponsor demonstrates that it has been actively involved, or if not currently active, the steps it will take to become actively involved in its 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 the Sponsor developed or plans to develop linkages with other activities, programs or projects related to the proposed project to coordinate its activities so solutions are holistic and comprehensive; and

IV. Application Submission Requirements

(A) Application

Each application must include all of the information, materials, forms, and

exhibits listed in Section IV(B) (with the exception of applications submitted by Sponsors selected for a Section 202 fund reservation within the last three funding cycles) and in the application kit. Such previously selected Section 202 Sponsors are not required to submit the information described in Sections IV(B)(2)(a), (b), and (c) of this Section 202 Program section of the SuperNOFA, below (Exhibits 2.a., b., and c. of the application), 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 its previous HUD approval, the Sponsor must submit the updated information in its application. The local HUD Office will base its determination of the eligibility of a new Sponsor for a reservation of Section 202 capital advance funds on the information provided in the application. HUD offices will verify a Sponsor's 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, applicants will be able to submit information and exhibits they 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, applicant 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 each 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 all Sponsors, 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: Sponsors who have received a section 202 fund reservation within the last three funding cycles are not required to submit the documents described in (a), (b), and (c), above. Instead, sponsors must submit the project number of the latest application 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) Sponsor's purpose, community ties, and experience, including the following:

(a) A description of Sponsor's purpose, current activities and how long it has been in existence;

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

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

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

(e) A description of Sponsor's housing and/or supportive services experience. The description should include any rental housing projects and/or supportive services facilities sponsored, owned, and operated by the Sponsor; the Sponsor's past or current involvement in any programs other than housing that demonstrates the Sponsor's management capabilities (including financial management) and experience; the Sponsor's 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;

(f) A description, if applicable, of the Sponsor's efforts to involve elderly persons, including minority elderly persons, in the development of the application, as well as its intent to involve elderly persons in the development of the project.

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

(h) A description of the Sponsor's involvement in its 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 the Sponsor participates;

(iii) The Sponsor's level of participation in the process, including active involvement in any committees.

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

(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 891.310, the

Sponsor must demonstrate its 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) Evidence that the Sponsor has entered into a legally binding option agreement (which extends 30 days beyond the end of the current fiscal year and contains a renewal provision so that the option can be renewed for at least an additional 6 months) to buy or lease the proposed site; or has a copy of the contract of sale for the site, a deed, long-term leasehold, a request with all supporting documentation, submitted either prior to or with the Application for Capital Advance, for a partial release of a site covered by a mortgage under a HUD program, or other evidence of legal ownership of the site (including properties to be acquired from the FDIC/RTC). The Sponsor must also identify any restrictive covenants, including reverter clauses. In the case of a site to be acquired from a public body, evidence 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 the Sponsor after it receives and accepts a notice of Section 202 capital advance and identification of any restrictive covenants, including reverter clauses. However, in localities where HUD determines the 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 approval of conveyance of the site contingent upon the necessary approval action is acceptable and may be approved by the HUD office if it has satisfactory experience with timely conveyance of sites from that public body. In such cases, documentation must also include a copy of the public body's evidence of ownership and identification of any restrictive covenants, including reverter clauses;

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 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);

(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: The applicant can best demonstrate its commitment to affirmatively furthering fair housing by describing how proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the applicable jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice, 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 the local community and its agencies. Alternatively, a document may be used which was previously prepared by a local planning, or similar, organization which addresses Fair Housing issues and remedies to barriers to Fair Housing in the specific community. Applicable impediments could include the need for improved housing quality and services and concomitant expanded housing choice for all elderly families.)

(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. Since the Phase I study must be completed and submitted with the application, it is important that the Sponsor start the site assessment process as soon after publication of the NOFA as possible.

If the Phase I study indicates the possible presence of contamination and/or hazards, the Sponsor must decide

whether to continue with this site or choose another site. Should the Sponsor 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 the Sponsor chooses to continue with the original site on which the Phase I study indicated contamination or hazards, then it 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 1998 funding competition, this information would have to be submitted to the local HUD office no later than July 29, 1998.

Note: This could be an expensive undertaking. The cost of any clean-up and/or remediation must be borne by the sponsor.

(vi) A letter from the State Historic Preservation Officer (SHPO) indicating whether the proposed site has any historical significance. If the Sponsor cannot obtain a letter from the SHPO due to the SHPO not responding to the Sponsor's request or the SHPO responding that it cannot or will not comply with the requirement, the Sponsor must submit the following: (1) a letter indicating that it attempted to get the required letter from the SHPO but that the SHPO either had not responded to the Sponsor's request or would not honor or recognize the Sponsor's request; (2) a copy of the Sponsor's letter to the SHPO requesting the required letter; and, (3) a copy of the SHPO's response, if available.

(d) 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: Sponsors may not require residents, as a condition of occupancy, to accept any supportive service.

(5) A list of the applications, if any, the Sponsor has submitted or is 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 1997 and prior year projects to which the

Sponsor(s) is a party 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), identified 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, the sponsor 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).

VI. Corrections to Deficient Applications

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

VII. Environmental Requirements

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).

BILLING CODE 4210-32-P

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

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

BILLING CODE 4210-32-P

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

Program Description: Approximately \$74,372,922 is available for the Section 811 Program of Supportive Housing for Persons with Disabilities. The Section 811 Program provides funding to nonprofit organizations for the development of housing for persons with disabilities that is designed to enable them to live with dignity and independence within their communities.

Application Due Date: Completed applications must be submitted no later than 6:00 pm, local time on July 7, 1998 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: Completed applications (an original and four copies) must be submitted to the Director of either the Multifamily Hub Office or Multifamily Program Center having jurisdiction over the proposed project with the following exceptions:

1. Applications for projects proposed to be located within the jurisdiction of the Seattle, Washington and the Anchorage, Alaska Offices must be submitted to the Portland, Oregon Office.
2. Applications for projects proposed to be located within the jurisdiction of the Sacramento, California Office must be submitted to the San Francisco, California Office.
3. Applications for projects proposed to be located within the jurisdiction of the Cincinnati, Ohio Office must be submitted to the Columbus, Ohio Office.
4. Applications for projects proposed to be located within the State of Nevada must be submitted to the Denver, Colorado Office.

A listing of the Multifamily Hubs and Program Centers, their addresses and telephone numbers, including TTY numbers is included in the application kit, and 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, Further Information, and Technical Assistance: 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. The 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 the Section 811 Program and provide your name, address (including zip code), and telephone number (including area code).

You may also contact the Multifamily Hub Office or Multifamily Program Center having jurisdiction over the proposed project.

Immediately upon publication of this SuperNOFA, if HUD Offices have not already provided names to the SuperNOFA Information Center, the Offices shall notify minority media and media for persons with disabilities, all persons and organizations on their mailing lists, minority and other organizations within their jurisdiction involved in housing and community development, the State Independent Living Council, the local Center for Independent Living and other groups with special interest in housing for persons with disabilities.

For Further Information and Technical Assistance. For further information and technical assistance, please contact the Multifamily Hub Office or Multifamily Program Center having jurisdiction over the proposed project. HUD encourages minority organizations to participate in this program as Sponsors and strongly recommends that prospective applicants attend the local HUD Office workshop which will be held within three weeks of the publication of this SuperNOFA. Interested applicants should ensure that their names are included on the appropriate HUD Office's mailing list so that they will be informed of the date, time and place of the workshop. Interested persons with disabilities should contact the HUD Office to assure that any necessary arrangements can be made to enable their attendance and participation in the workshop. At the workshops, HUD will explain application procedures and requirements. Also, HUD will address concerns such as local market conditions, building codes and accessibility requirements, historic preservation, floodplain management, displacement and relocation, zoning, and housing costs.

Sponsors who cannot attend the workshops are strongly encouraged to contact the appropriate HUD Office with any questions regarding the submission of applications to that particular office and to request any materials distributed at the workshop.

Additional Information

I. Authority; Purpose; Amount Allocated; and Eligibility

(A) Authority

Section 811 of the Cranston-Gonzalez National Affordable Housing Act (the NAHA) (Pub.L. 101-625, approved November 28, 1990), as amended by the Housing and Community Development Act of 1992 (HCD Act of 1992) (Pub. L. 102-550, approved October 28, 1992), and by the Rescissions Act (Pub. L. 104-19, approved July 27, 1995) authorized a new supportive housing program for persons with disabilities, and replaced assistance for persons with disabilities previously covered by section 202 of the Housing Act of 1959 (section 202 continues, as amended by section 801 of the NAHA, and the HCD Act of 1992, to authorize supportive housing for the elderly).

(B) Purpose

The purpose of this Section 811 Program section of the SuperNOFA is to provide funds to enable nonprofit organizations to expand the supply of supportive housing for very low income persons with disabilities to enable them to live independently in the community.

HUD provides the assistance as capital advances and contracts for project rental assistance in accordance with 24 CFR part 891. Capital advances may be used to finance the construction, rehabilitation, or acquisition with or without rehabilitation, including acquisition from the Federal Deposit Insurance Corporation (formerly held by the Resolution Trust Corporation) (FDIC/RTC), of structures to be developed into a variety of housing options ranging from small group homes and independent living facilities, to dwelling units in multifamily housing developments, condominium housing and cooperative housing. This assistance may also cover the cost of real property acquisition, site improvement, conversion, demolition, relocation, and other expenses that the Secretary determines are necessary to expand the supply of supportive housing for persons with disabilities.

Project rental assistance contracts are used to cover the difference between the tenants' contributions toward rent and the HUD-approved cost to operate the project.

(C) Amount Allocated

For supportive housing for persons with disabilities, the FY 1998 HUD 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, and amendments to contracts for project rental assistance, for supportive housing for persons with disabilities, as authorized by section 811 of the NAHA. Up to 25 percent of this amount is being set aside for tenant-based rental assistance administered through public housing agencies (PHAs) for persons with disabilities and is also announced elsewhere in today's **Federal Register**.

In accordance with 24 CFR part 791, the Assistant Secretary for Housing has allocated the funds available for capital advances for supportive housing for persons with disabilities based on fair share factors developed by the Assistant Secretary for Policy Development and Research. In accordance with the waiver authority provided in the 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 a minimum term of 5 years and a maximum term which can be supported by funds authorized by the Act. 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, the Department 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 for Section 811 funds 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 had lasted for 6 or more months which made it difficult for the person to go outside the home alone; including 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 to fund this minimum set-aside is then subtracted from the total capital advance available. The remainder is fair shared to each HUD Office jurisdiction based on the allocation formula fair share factors.

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 elements 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 1998 Allocations for Supportive Housing for Persons with
Disabilities**

[Fiscal Year 1998 Section 811 Allocations]

Office	Capital Advance Authority	Units
Boston HUB:		
Boston	1,830,164	24
Hartford	1,341,593	17
Manchester	632,702	10
Providence	775,704	10
Total	4,580,163	61
New York HUB:		
New York	4,201,487	50
Total	4,201,487	50
Buffalo HUB:		
Buffalo	1,539,093	21
Total	1,539,093	21
Philadelphia HUB:		
Newark	2,332,929	30
Pittsburgh	1,375,826	20
Philadelphia	2,436,828	32
Charleston	1,027,837	16
Total	7,173,420	98
Baltimore HUB:		
Baltimore	1,235,651	18
Richmond	1,166,701	20
D.C.	1,311,197	19
Total	3,713,549	57

**Fiscal Year 1998 Allocations for Supportive Housing for Persons with
Disabilities
[Fiscal Year 1998 Section 811 Allocations]**

Office	Capital Advance Authority	Units
Greensboro HUB:		
Columbia	1,266,240	20
Greensboro	2,033,243	28
Total	3,299,483	48
Atlanta HUB:		
Atlanta	1,559,825	27
San Juan	1,474,968	21
Louisville	1,279,740	21
Knoxville	880,234	16
Nashville	969,444	18
Total	6,164,211	103
Jacksonville HUB:		
Jacksonville	2,857,268	47
Birmingham	1,312,196	23
Jackson	1,027,605	19
Total	5,197,069	89
Chicago HUB:		
Chicago	2,933,910	38
Indiana	1,436,832	23
Total	4,370,742	61
Columbus HUB:		
Cincinnati	999,946	16
Cleveland	1,652,626	24
Columbus	1,003,249	16
Total	3,655,821	56
Detroit HUB:		
Detroit	1,936,041	27
Grand Rapids	597,939	10
Total	2,533,980	37

**Fiscal Year 1998 Allocations for Supportive Housing for Persons with
Disabilities
[Fiscal Year 1998 Section 811 Allocations]**

Office	Capital Advance Authority	Units
Minneapolis HUB:		
Milwaukee	1,322,695	19
Minneapolis	1,291,346	17
Total	2,614,041	36
Ft. Worth HUB:		
Ft. Worth	1,682,494	30
Houston	1,220,144	21
Little Rock	905,754	18
New Orleans	1,235,594	22
San Antonio	1,099,397	20
Total	6,143,383	111
Kansas City HUB:		
Des Moines	591,474	10
Kansas City	1,189,668	20
Omaha	591,474	10
Oklahoma City	970,253	18
St. Louis	1,235,942	18
Total	4,578,811	76
Denver HUB:		
Denver	1,514,967	24
Total	1,514,967	24
San Francisco HUB:		
Honolulu (Guam)	1,163,556	10
Phoenix	1,019,473	18
Sacramento	766,008	10
San Francisco	2,319,414	30
Total	5,268,451	68
Los Angeles HUB:		
Los Angeles	4,137,246	54
Total	4,137,246	54

**Fiscal Year 1998 Allocations for Supportive Housing for Persons with
Disabilities
[Fiscal Year 1998 Section 811 Allocations]**

Office	Capital Advance Authority	Units
Seattle HUB:		
Alaska	1,163,556	10
Portland	1,188,282	18
Seattle	1,335,167	18
Total	3,687,005	46
National Total	74,372,922	1,096

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(D) Eligible Applicants

Nonprofit organizations that have a section 501(c)(3) tax exemption from the Internal Revenue Service are the only eligible applicants under this program.

No organization shall participate as Sponsor or Co-sponsor in the filing of application(s) for a capital advance in three (3) or more Hubs in this fiscal year in excess of that necessary to finance the construction, rehabilitation, or acquisition of 100 units of housing for persons with disabilities. This limit shall apply to organizations that participate as Co-sponsors regardless of whether the Co-sponsors are affiliated or nonaffiliated entities. In addition, the national limit for any one applicant is 10 percent of the total units allocated in all HUD offices. Affiliated entities that submit separate applications shall be deemed to be a single entity for the purposes of these limits. No single application shall request more units in a given HUD Office than allocated for that HUD Office in this program section of the SuperNOFA.

(E) Eligible/Ineligible Activities

(1) *Eligible Activities.* Section 811 capital advance funds must be used to construct, substantially rehabilitate or acquire, with or without rehabilitation, structures to be used as supportive housing integrated into the surrounding community for very low income persons with disabilities who are at least 18 years old. Project rental assistance funds must be used to cover the difference between the HUD-approved cost of operating the housing and the tenants' contributions toward rent (each resident pays 30 percent of adjusted income).

(2) *Ineligible Activities.* The following activities are ineligible to be funded out of the Section 811 program:

- (a) Nursing homes, infirmaries and medical facilities;
- (b) Transitional housing facilities;
- (c) Manufactured housing facilities;
- (d) Community centers, with or without special components for use by persons with disabilities;
- (e) Sheltered workshops and centers for persons with disabilities;
- (f) Headquarters for organizations for persons with disabilities; and
- (g) Refinancing of Sponsor-owned facilities without rehabilitation.

II. Program Requirements

In addition to the program requirements listed in the General Section of this SuperNOFA, applicants are subject to the following requirements:

(A) Statutory Requirements and Regulatory Requirements

All applicants must comply with all statutory and regulatory requirements applicable to the Section 811 program as cited in Section I(A) and I(B) above.

(B) HUD/RHS Agreement

In accordance with an agreement between HUD and the Rural Housing Service (RHS) to coordinate the administration of the agencies' respective rental assistance programs, HUD is required to notify RHS of applications for housing assistance it receives. This notification gives RHS the opportunity to comment if it has concern about the demand for additional assisted housing and possible harm to existing projects in the same housing market area. HUD will consider the RHS in its review and project selection process.

(C) Development Cost Limits

The following development cost limits, adjusted by locality as described in (C)(3) below, shall be used to determine the capital advance amount to be reserved for projects for persons with disabilities:

(1) *For independent living facilities:* 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 to be paid for by the Sponsor) may not exceed:

Non-elevator structures:

- \$28,032 per family unit without a bedroom;
- \$32,321 per family unit with one bedroom;
- \$38,979 per family unit with two bedrooms;
- \$49,893 per family unit with three bedrooms;
- \$55,583 per family unit with four bedrooms.

For elevator structures:

- \$29,500 per family unit without a bedroom;
- \$33,816 per family unit with one bedroom;
- \$41,120 per family unit with two bedrooms;
- \$53,195 per family unit with three bedrooms;
- \$58,392 per family unit with four bedrooms.

(2) *For group homes only:*

Number of residents	Type of disability	
	Physical/developmental	Chronic mental illness
Residents

Number of residents	Type of disability	
	Physical/developmental	Chronic mental illness
3	\$128,710	\$124,245
4	137,730	131,980
5	146,750	139,715
6	155,760	147,450

These cost limits reflect those costs reasonable and necessary to develop a project of modest design that complies with HUD minimum property standards; the minimum group home requirements of 24 CFR 891.310(a); the accessibility requirements of 24 CFR 891.120(b) and 891.310(b); and the project design and cost standards of 24 CFR 891.120.

(3) Increased development cost limits.

(a) HUD may increase the development cost limits set forth in paragraphs (C)(1) and (2) above by up to 140% 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.

(b) If HUD finds that high construction costs in Alaska, Guam, 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 paragraphs (1) and (2) of this Section II(C), the amount of 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.

(c) For group homes only, HUD Offices may approve increases in the development cost limits in paragraph (C)(2) above, in areas where Sponsors can provide sufficient documentation that high land costs limit or prohibit project feasibility. An example of acceptable documentation is evidence of at least three land sales which have actually taken place (listed prices for land are not acceptable) within the last two years in the area where the project is to be built. The average cost of the documented sales must exceed seven percent of the development cost limit for which the project in question is eligible in order for an increase to be considered.

(D) Sites

The National Affordable Housing Act requires Sponsors submitting applications for Section 811 fund reservations to provide either (a) evidence of site control, or (b) reasonable assurances that it will have control of a site within six months of

notification of fund reservation. Accordingly, if a Sponsor has control of a site at the time it submits its application, it must include evidence of such as described in Section III(B)(4)(e)(1) of this program section of the SuperNOFA and in the application kit. If it does not have site control, it must provide the information required in Section III(B)(4)(e)(2) and in the application kit for identified sites as a reasonable assurance that site control will be obtained within six months of fund reservation notification.

Sponsors may select a site different from the one(s) submitted in their original applications if the original site(s) is (are) not approvable. Selection of a different site will require HUD performance of an environmental review on the new site, which could result in rejection of that site. However, if a Sponsor does not have site control for any reason 12 months after notification of fund reservation, the assistance will be recaptured and reallocated.

Sponsors submitting satisfactory evidence of an approvable site (i.e., site control) will have 10 bonus points added to the rating of their applications. Sponsors submitting proper identification of a site will not be eligible for the 10 bonus points.

Applications containing evidence of site control where either the evidence or the site is not approvable will not be rejected provided the application indicates the Sponsor's willingness to select another site and an assurance that site control will be obtained within six months of fund reservation notification.

In the case of a scattered site application submitted with evidence of site control for some or all of the sites, all of the sites must have satisfactory evidence of site control and all of the sites must be approvable for the application to receive the 10 bonus points for site control.

(E) Supportive Services

The National Affordable Housing Act requires Sponsors submitting applications for Section 811 fund reservations to include a supportive services plan and a certification from the appropriate State or local agency that the provision of services identified in the Supportive Services Plan is well designed to serve the special needs of persons with disabilities. Section III(B)(4)(c) below outlines the information that must be in the Supportive Services Plan. Sponsors must submit one copy of their Supportive Services Plan to the appropriate State or local agency well in advance of the application submission

deadline date in order for the State or local agency to review the Supportive Services Plan and complete the Supportive Services Certification (Exhibit 4(d) of the application kit) and return it to the Sponsor for inclusion with the application submission to HUD.

Since the appropriate State or local agency will review the Supportive Services Plan on behalf of HUD, the Supportive Services Certification will also indicate whether the Sponsor demonstrated that the supportive services will be provided on a consistent, long-term basis and whether the proposed housing is consistent with State or local policies or plans governing the development and operation of housing to serve individuals of the proposed occupancy category. If HUD receives an application in which the Supportive Services Certification is missing and is not submitted during the deficiency period, or is received by HUD after the deficiency period, or indicates that the provision of services *is not* well designed to meet the special needs of persons with disabilities; the application is rejected. Furthermore, if the Certification indicates that the Sponsor failed to demonstrate that the supportive services will be provided on a consistent, long-term basis, or the proposed housing *is not* consistent with State or local agency's plans/policies governing the development and operation of housing to serve the proposed population and the agency will be a major funding or referral source for the proposed project or be responsible for licensing the project, the application shall also be rejected.

Any prospective resident of a Section 811 project who believes he/she needs supportive services must be given the choice to be responsible for acquiring his/her own services or to take part in the Sponsor's Supportive Services Plan which must be designed to meet the individual needs of each resident. Sponsors may not require residents, as a condition of occupancy, to accept any supportive service.

(F) Project Size Limits

(1) *Group home*—The minimum number of persons with disabilities that can be housed in a group home is three and the maximum number is six, with one person per bedroom unless two residents choose to share one bedroom or a resident determines he/she needs another person to share his/her bedroom.

(2) *Independent living facility*—The minimum number of units that can be applied for in one application is five;

not necessarily in one structure. The maximum number of persons with disabilities that can be housed in an independent living facility is 18.

(3) *Exceptions*—Sponsors may request an exception to the above project size limits by providing the information required in the application kit and as outlined in Section III(B)(4)(e)(1)(viii) below.

(G) Economic Opportunities for Low and Very Low Income Persons

Recipients shall 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. Recipients shall 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. Recipients must comply with the reporting and recordkeeping requirements found at 24 CFR part 135, subpart E.

(H) Certifications and Resolutions

In addition to the certifications 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, applicants are required to submit signed copies of the following:

(1) Supportive Services Certification.

A certification from the appropriate State or local agency identified in the application kit indicating whether: (1) the provision of supportive services is well designed to serve the needs of persons with disabilities the housing is expected to serve, (2) whether the supportive services will be provided on a consistent, long-term basis, and (3) whether the proposed housing is consistent with State or local plans and policies governing the development and operation of housing to serve individuals of the proposed occupancy category. (The name, address, and telephone number of the appropriate agency will be identified in the application kit and can also be obtained from the appropriate HUD Office.)

(2) Executive Order 12372

Certification. A certification that the Sponsor has submitted a copy of its application, if required, to the State agency (single point of contact) for State review in accordance with Executive Order 12372.

(3) *Certification of Consistency with the Consolidated Plan (Plan)* 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 SuperNOFA. The Plan regulations are published in 24 CFR part 91.

(4) *Certification of Compliance with HUD's project design and cost standards* and special project standards;

(5) *Certification of Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended;

(6) *Sponsor's Certification that it will form an "Owner" 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;

(7) *Sponsor's Certification that it will comply with the requirements of the Lead-Based Paint Poisoning Prevention Act* (42 U.S.C. 4821-4846) and implementing regulations at 24 CFR part 35 (except as superseded in 24 CFR 891.325); and

(8) *Sponsor's Certification that it will not require residents to accept any supportive services as a condition of occupancy.*

(9) *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.*

(10) *A Certified Board Resolution Acknowledging Responsibilities of Sponsorship*, long-term support of the project(s), willingness of Sponsor 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, and Sponsor's willingness to fund the estimated start-up expenses, the Minimum Capital Investment (one-half of one-percent of the HUD-approved capital advance, not to exceed \$10,000), and the estimated cost of any amenities or features (and operating costs related thereto) that would not be covered by the approved capital advance.

III. Application Selection Process

(A) Rating

All applications will be reviewed and rated in accordance with the Application Selection Process in the General Section of this SuperNOFA with the following exception. The Secretary will not reject an application based on threshold or technical review without giving notice of that rejection with all rejection reasons and affording the applicant an opportunity to appeal. HUD will afford an applicant 14 calendar days from the date of HUD's written notice to appeal a technical rejection to the HUD Office. The HUD Office must respond within five (5) working days to the Sponsor. The HUD Office shall make a determination on an appeal prior to making its selection recommendations. All applications will be either rated or technically rejected at the end of technical review. Upon completion of technical review, all acceptable applications which meet all program eligibility requirements will be rated according to the Rating Factors in (B) below.

(B) Ranking and Selection Procedures

Applications that have a total base score of 60 points or more (without the addition of EC/EZ and/or site control bonus points) will be eligible for selection and will be placed in rank order. These applications, after adding any bonus points for EC/EZ and/or site control, will be selected based on rank order to and including the last application that can be funded out of each local HUD Office's allocation. HUD Offices shall not skip over any applications in order to select one based on the funds remaining. However, after making the initial selections, any residual funds may be utilized to fund the next rank-ordered application by reducing the 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, projects of nine units or less may not be reduced.

After this process is completed, residual funds from all HUD Offices

within 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 no more than one additional application selected per HUD Office unless there are insufficient 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. However, any remaining residual funds may be used to fund 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 nine units or less.

At the conclusion of this process, any residual funds from the 18 Multifamily Hubs will be returned to Headquarters. These funds will be used first to restore units to projects reduced by HUD Offices as a result of the instructions above and, second, for selecting applications on a national rank order. No more than one application will be selected per HUD Office from the national residual amount unless there are insufficient approvable applications in other HUD Offices. If funds still remain, additional applications will be selected based on a national rank order insuring that no more than one application will be selected per HUD Office unless there are insufficient approvable applications in other HUD Offices.

(C) Factors for Award Used To Evaluate and Rate Applications

HUD will rate applications for Section 811 capital advances that successfully complete technical processing using the following Rating Factors set forth below and in accordance with the application submission requirements in IV.(B) below. The maximum number of base points to be awarded for applications is 100. Applications have the potential of earning 12 bonus points; ten (10) bonus points for acceptable evidence of control of an approvable site, and two (2) EZ/EC bonus points, as described in the General Section of the SuperNOFA. With the addition of 12 bonus points, an application has the potential of earning 112 maximum points.

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

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

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

(1) (20 points) The scope, extent, and quality of the Sponsor's 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 the Sponsor's demonstrated development and management capacity as well as its financial management capability; and

(2) (10 points) The scope, extent, and quality of the Sponsor's 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 60 FR 44673, at 44692, August 28, 1995.)

Factor 2: Need/Extent of the Problem (10 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. 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. This determination will be made by considering the Sponsor's 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 the availability of existing comparable subsidized housing for persons with disabilities and current occupancy in such facilities, comparable subsidized housing for persons with disabilities under construction or for which fund reservations have been issued, and, in accordance with an agreement between HUD and RHS, comments from RHS on the demand for additional comparable subsidized housing and the possible harm to existing projects in the same housing market area. Also, to the extent that 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 identifies the level of the problem and the urgency in meeting the need, the AI should be referred to in the response. The Department will review more favorably those applications in which the AI or planning document supports the need for the project.

Factor 3: Soundness of Approach (40 Points)

This factor addresses the quality and effectiveness of the applicant's proposal. There must be a clear relationship between the proposed activities, the community's needs and purposes of the program funding for an applicant to receive points for this factor. 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 tenants; adequacy of utilities and streets, and freedom of the site from adverse environmental conditions (site control projects only); and compliance with site and neighborhood standards in 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 persons with disabilities and affirmatively furthering fair housing.

(3) (5 points) The extent to which the proposed design of the project will meet any special needs of persons with disabilities the housing is expected to serve;

(4) (5 points) The extent to which the proposed design of the project and its placement in the neighborhood will facilitate the integration of the residents into the surrounding community; and

(5) (5 points) The Sponsor's board includes persons with disabilities (including persons who have similar disabilities to those of the prospective residents).

Factor 4: Leveraging Resources (10 Points)

This factor addresses the ability of the applicant to secure other community resources which can be combined with HUD's program resources to achieve program purposes.

(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 the Sponsor's activities in the community,

including previous experience in serving the area where the project is to be located, and the Sponsor's demonstrated ability to raise local funds.

Factor 5: Comprehensiveness and Coordination (10 Points)

This factor addresses the extent to which the applicant coordinated its activities with other known organizations, participates or promotes participation in a community's Consolidated Planning process, and is working towards addressing a need in a holistic and comprehensive manner through linkages with other activities in the community.

(1) (4 points) The Sponsor involved persons with disabilities (including minority persons with disabilities) in the development of the application, and will involve persons with disabilities (including minority persons with disabilities) in the development and operation of the project;

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

(3) (2 points) The extent to which the Sponsor demonstrates that it has been actively involved, or if not currently active, the steps it will take to become actively involved in its 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; and

(4) (2 points) The extent to which the Sponsor developed or plans to develop linkages with other activities, programs or projects related to the proposed project to coordinate its activities so solutions are holistic and comprehensive.

Bonus Points

(1) (10 bonus points) Acceptable evidence of control of an approvable site.

(2) (2 bonus points) Location of proposed site in an EC/EZ area as described in the General Section of this SuperNOFA.

IV. Application Submission Requirements

(A) Application

Each application shall include all of the information, materials, forms, and exhibits listed in Section IV(B) of this Section 811 Program section of the SuperNOFA (with the exception of applications submitted by Sponsors selected for a Section 811 fund reservation within the last three funding

cycles), and in the application kit. Such previously selected Section 811 Sponsors are not required to submit the information described in Section IV(B)(2) (a), (b), and (c), below, of this program section of the SuperNOFA (Exhibits 2.a., b., and c. of the application), 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 its previous HUD approval, the Sponsor must submit the updated information in its application. The HUD Office will base its determination of the eligibility of a new Sponsor for a reservation of Section 811 capital advance funds on the information provided in the application. HUD Offices will verify a Sponsor's 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, applicants will be able to use information and exhibits previously prepared for prior applications under Section 811, Section 202, 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; applicant experience in the provision of housing and services; supportive services plan; community ties; and experience serving minorities.

(B) General Application Requirements

Note: A sponsor may apply for a scattered site project in one application.

(1) Form HUD-92016-CA, Application for Section 811 Supportive Housing Capital Advance.

(2) Evidence of each Sponsor's legal status as a nonprofit organization, including the following:

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

(b) By-laws;

(c) IRS section 501(c)(3) tax exemption ruling (this must be submitted by all Sponsors, including churches).

Note: Sponsors who have received a section 811 fund reservation within the last three funding cycles are not required to submit the documents described in (a), (b), and (c), above. Instead, sponsors must submit the project number of the latest application submitted 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.

(d) The number of people on the Sponsor's board and the number of those people who have disabilities (including disabilities similar to those of the prospective residents).

(3) Sponsor's purpose, community ties, and experience, including the following:

(a) A description of Sponsor's purpose, current activities and how long it has been in existence;

(b) A description of Sponsor's ties to the community at large and to the minority and disabled communities in particular;

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

(d) Letters of support for the Sponsor and for the proposed project from organizations familiar with the housing and supportive services needs of the persons with disabilities that the Sponsor expects to serve in the proposed project;

(e) A description of Sponsor's housing and/or supportive services experience. The description should include any rental housing projects (including integrated housing developments) and/or supportive services facilities sponsored, owned, and operated by the Sponsor, the Sponsor's past or current involvement in any programs other than housing that demonstrates the Sponsor's management capabilities (including financial management) and experience, and the Sponsor's experience in serving persons with disabilities and minorities; and the reasons for receiving any increases in fund reservations for developing and/or operating any previously funded projects.

(f) A description, if applicable, of the Sponsor's efforts to involve persons with disabilities (including minority persons with disabilities and persons with disabilities similar to those of the prospective residents) in the development of the application and in the development and operation of the project.

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

(h) A description of the Sponsor's involvement in its 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 the Sponsor participates;

(iii) The Sponsor's level of participation in the process, including active involvement in any committees.

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

(4) Project information including the following:

(a) Evidence of need for supportive housing. Such evidence would include a description of the proposed population and evidence demonstrating sustained effective demand for supportive housing for the proposed population in the market area to be served, taking into consideration the occupancy and vacancy conditions in existing comparable subsidized housing for persons with disabilities, State or local needs assessments of persons with disabilities in the area, 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. 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(s) including the number and type of structure(s), number of bedrooms if group home, number of units with bedroom distribution if independent living units (including condos), number of residents with disabilities, and any resident staff per structure; an identification of all community spaces, amenities, or features planned for the housing and a description of how the spaces, amenities, or features will be used, and the extent to which they are necessary to accommodate the needs of the proposed residents. If these community spaces, amenities, or features would not comply with the project design and cost standards of § 891.120 and the special project standards of § 891.310, the Sponsor must demonstrate its ability and willingness to contribute both the incremental development cost and continuing operating cost associated with the community spaces, amenities, or features; and a description of how the

design of the proposed project will promote the integration of the residents into the surrounding community; and

(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 control of an approvable site, or identification of a site for which the Sponsor provides reasonable assurances that it will obtain control within 6 months from the date of fund reservation (if Sponsor is approved for funding).

(5) If the Sponsor has control of the site, it must submit the following information:

(a) Evidence that the Sponsor has entered into a legally binding option agreement (which extends 30 days beyond the end of the current fiscal year and contains a renewal provision so that the option can be renewed for at least an additional six months) to purchase or lease the proposed site; or has a copy of the contract of sale for the site, a deed, long-term leasehold, a request with all supporting documentation, submitted either prior to or with the Application for Capital Advance, for a partial release of a site covered by a mortgage under a HUD program, or other evidence of legal ownership of the site (including properties to be acquired from the FDIC/RTC). The Sponsor must also identify any restrictive covenants, including reverter clauses. In the case of a site to be acquired from a public body, evidence 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 the Sponsor after it receives and accepts a notice of Section 811 capital advance, and identification of any restrictive covenants, including reverter clauses. However, in localities where HUD determines that the 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 their approval of conveyance of the site contingent upon the necessary approval action is acceptable and may be approved by the HUD Office if it has satisfactory experience with timely conveyance of sites from that public body. In such cases, documentation shall also include a copy of the public body's evidence of ownership and identification of any restrictive covenants, including reverter clauses.

Note: A proposed project site may not be acquired or optioned from a general contractor (or its affiliate) that will construct the section 811 project or from any other development team member.

(b) 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 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 on land in similar zoning classifications and the time required for such rezoning, the procedures for obtaining special or conditional use permits or preliminary indications of acceptability from zoning bodies, etc.).

Note: Sponsors should be aware that under certain circumstances the Fair Housing Act requires localities to make reasonable accommodations to their zoning ordinances or regulations in order to offer persons with disabilities an opportunity to live in an area of their choice. If the Sponsor is relying upon a theory of reasonable accommodation to satisfy the zoning requirement, then the Sponsor must clearly articulate the basis for its reasonable accommodation theory.

(c) A narrative topographical and demographic description of the suitability of the site and area as well as a description of the area surrounding the site, the characteristics of the neighborhood, how the site will promote greater housing opportunities for minority persons with disabilities thereby affirmatively furthering fair housing;

Note: The applicant can best demonstrate its commitment to affirmatively furthering fair housing by describing how proposed activities will assist the jurisdiction in overcoming impediments to fair housing choice identified in the applicable jurisdiction's Analysis of Impediments (AI) to Fair Housing Choice, 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 the local community and its agencies. Alternatively, a document may be used which was previously prepared by a local planning, or similar, organization which addresses Fair Housing issues and remedies to barriers to Fair Housing in the community. Applicable impediments could include the need for improved housing quality and services and concomitant expanded housing choice for all persons with disabilities.

(d) A statement that the Sponsor is willing to seek a different site if the preferred site is unapprovable and that site control will be obtained within six

months of notification of fund reservation;

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

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

If the Phase I study indicates the possible presence of contamination and/or hazards, the Sponsor must decide whether to continue with this site or choose another site. Should the Sponsor 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 the Sponsor chooses to continue with the original site on which the Phase I study indicated contamination or hazards, then it 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 1998 funding competition, this information would have to be submitted to the local HUD Office *no later than 30 days after the application submission deadline date*.

Note: This could be an expensive undertaking. The cost of any clean-up and/or remediation must be borne by the sponsor.

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

had not responded to the Sponsor's request or would not honor or recognize the Sponsor's request; 2) a copy of the Sponsor's letter to the SHPO requesting the required letter; and, 3) a copy of the SHPO's response, if available.

(h) If an exception to the project size limits found in Section IV(D) below, of this program section of the SuperNOFA is being requested, describe why the site was selected and demonstrate the following:

(i) People with disabilities similar to those of the prospective tenants have indicated their acceptance or preference to live in housing with as many units/people as proposed for the project;

(ii) The increased number of people is necessary for the economic feasibility of the project;

(iii) The project is compatible with other residential development and the population density of the area in which the project is to be located;

(iv) The increased number of people will not prohibit their successful integration into the community;

(v) The project is marketable in the community;

(vi) The size of the project is consistent with State and/or local policies governing similar housing for the proposed population; and

(vii) A statement that the Sponsor is willing to have its application processed at the project size limit should HUD not approve the exception.

(6) If the Sponsor has identified a site, but does not have it under control, it must submit the following information:

(a) A description of the location of the site, including its street address, its unit number (if condominium), neighborhood/community characteristics (to include racial and ethnic data), amenities, adjacent housing and/or facilities, and how the site will promote greater housing opportunities for minority persons with disabilities thereby affirmatively furthering fair housing;

(b) A description of the activities undertaken to identify the site, as well as what actions must be taken to obtain control of the site, if approved for funding;

(c) An indication as to whether the site is properly zoned. If it is not, an indication of the actions necessary for proper zoning and whether these can be accomplished within six months of fund reservation award, if approved for funding;

(d) A status of the sale of the site; and

(e) An indication as to whether the site would involve relocation.

(7) A supportive services plan (a copy of which must be sent to the appropriate State or local agency as instructed in

Section IV(C) below of this program section of the SuperNOFA) that includes:

(a) A detailed description of whether the housing is expected to serve persons with physical disabilities, developmental disabilities, chronic mental illness or any combination of the three. Include how and from whom/where persons will be referred to and accepted for occupancy in the project. The Sponsor may, with the approval of the Secretary, limit occupancy within housing developed under this program section of the SuperNOFA to persons with disabilities who have similar disabilities and require a similar set of supportive services in a supportive housing environment. However, the Owner must permit occupancy by any qualified person with a disability who could benefit from the housing and/or services provided, regardless of the person's disability.

(b) If the Sponsor is requesting approval to limit occupancy in its proposed project(s), it must submit the following:

(i) description of the population of persons with disabilities to which occupancy will be limited;

(ii) An explanation of why it is necessary to limit occupancy of the proposed project(s) to the population described in (i) above. This should include but is not limited to:

(1) An explanation of how limiting occupancy to a subcategory of persons with disabilities promotes the goals of the Section 811 program; and,

(2) An explanation of why the housing and/or service needs of this population cannot be met in a more integrated setting.

(iii) A description of the Sponsor's experience in providing housing and/or supportive services to the proposed occupants; and

(iv) A description of how the Sponsor will ensure that the occupants of the proposed project(s) will be integrated into the neighborhood and surrounding community.

(8) A detailed description of the supportive service needs of the persons with disabilities that the housing is expected to serve.

(9) The Sponsor shall develop, and submit with its application, a list of community service providers, including those that are consumer controlled, and include letters of intent to provide services to residents of the proposed project(s) from as many potential service providers as possible. This list shall be made available to any residents who wish to be responsible for acquiring their own supportive services. However,

a provider may not require residents to participate in any particular service.

(10) A detailed description of a comprehensive supportive services plan organized by the Sponsor for those residents who do not wish to take responsibility for acquiring their own services. Such a plan must include the following:

(a) The name(s) of the agency(s) that will be responsible for providing the supportive services;

(b) The evidence of each service provider's (applicable even if the service provider will be the Sponsor) capability and experience in providing such supportive services;

(c) A description of how, when, how often, and where (on/off-site) the services will be provided;

(d) Identification of the extent of State and local funds to assist in the provision of supportive services;

(e) Letters of intent from service providers (including those that are consumer-controlled) or funding sources, indicating commitments to fund or to provide the supportive services, or that a particular service will be available to proposed residents. If the Sponsor will be providing any supportive services or will be coordinating the provision of any of the supportive services, a letter indicating its commitment to either provide the supportive services or ensure their provision for the life of the project;

(f) If any State or local government funds will be provided, a description of the State or local agency's philosophy/policy concerning housing for the population to be served, and a demonstration by the Sponsor that the application is consistent with State or local plans and policies governing the development and operation of housing for the same disabled population.

(e) A description of residential staff, if needed.

(f) Assurances that if any proposed resident chooses to receive supportive services organized by the Sponsor, the services will be provided based on the resident's individual needs.

(g) A statement indicating the Sponsor's commitment that it will not condition occupancy on the resident's acceptance of any supportive services.

(11) A list of the applications, if any, the Sponsor has submitted or is planning to submit to any other HUD Office in response to this Section 811 funding announcement under this SuperNOFA or announcement for funding under this SuperNOFA of the Section 202 program of Supportive Housing for the Elderly. Indicate, by HUD Office, the number of units requested and the proposed location by

city and State for each application. Include a list of all FY 1997 and prior year projects to which the Sponsor(s) is a party, identified by project number and HUD Office, which have not been finally closed.

(12) 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 last 12 months. (This requirement applies to applications with site control only. Sponsors of applications with identified sites that are selected will be required to submit this information at a later date once they have obtained site control.)

Note: If any of the relocation costs will be funded from sources other than the section 811 capital advance, the sponsor 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).

VI. Environmental Requirements

All Section 811 assistance is subject to the National Environmental Policy Act of 1969 and applicable related Federal environmental authorities. The environmental review provisions of the Section 811 program regulations are in 24 CFR 891.155(b).

Appendix A to SuperNOFA—HUD Field Office Contact Information

Not all Field Offices listed handle all of the programs contained in the SuperNOFAs. Applicants should look to the SuperNOFAs for contact numbers for information on specific programs. Office Hour listings are local time. Persons with hearing or speech impediments may access any of these numbers via TTY by calling the Federal Relay Service at 1-800-877-8339.

New England

Connecticut State Office, One Corporate Center, 19th Floor, Hartford, CT 06103-3220, 860-240-4800, Office Hours: 8:00-4:30 PM

Maine State Office, 99 Franklin Street, Third Floor, Suite 302, Bangor, ME 04401-4925, 207-945-0467, Office Hours: 8:00 AM-4:30 PM

Massachusetts State Office, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 375, Boston, MA 02222-1092, 617-565-5234, Office Hours: 8:30 AM-5:00 PM

New Hampshire State Office, Norris Cotton Federal Building, 275 Chestnut Street, Manchester, NH 03101-2487, 603-666-7681, Office Hours: 8:00 AM-4:30 PM

Rhode Island State Office, Sixth Floor 10 Weybosset Street, 6th Floor, Providence, RI 02903-2808, 401-528-5230, Office Hours: 8:00 AM-4:30 PM

Vermont State Office, U.S. Federal Building, Room 237, 11 Elmwood Avenue, P.O. Box 879, Burlington, VT 05402-0879, 802-951-6290, Office Hours: 8:00 AM-4:30 PM

New York/New England

Albany Area Office, 52 Corporate Circle, Albany, NY 12203-5121, 518-464-4200, Office Hours: 7:30 AM-4:00 PM

Buffalo Area Office, Lafayette Court, 465 Main Street, Fifth Floor, Buffalo, NY 14203-1780, 716-551-5755, Office Hours: 8:00 AM-4:30 PM

Camden Area Office, Hudson Building 800, Hudson Square, Second Floor, Camden, NJ 08102-1156, 609-757-5081, Office Hours: 8:00 AM-4:30 PM

New Jersey State Office, One Newark Center, 13th Floor, Newark, NJ 07102-5260, 973-622-7900, Office Hours: 8:00 AM-4:30 PM
New York State Office, 26 Federal Plaza, New York, NY 10278-0068, 212-264-6500, Office Hours: 8:30 AM-5:00 PM

Mid Atlantic

Delaware State Office, 824 Market Street, Suite 850, Wilmington, DE 19801-3016, 302-573-6300, Office Hours: 8:00 AM-4:30 PM

District of Columbia Office, 820 First Street, N.E., Suite 450, Washington, DC 20002-4205, 202-275-9200, Office Hours: 8:30 AM-4:30 PM

Maryland State Office, City Crescent Building, 10 South Howard Street, Fifth Floor, Baltimore, MD 21201-2505, 410-962-2520, Office Hours: 8:30 AM-4:30 PM

Pennsylvania State Office, The Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3380, 215-656-0600, Office Hours: 8:30 AM-4:30 PM

Pittsburgh Area Office, 339 Sixth Avenue, Sixth Floor, Pittsburgh, PA 15222-2515, 412-644-6428, Office Hours: 8:30 AM-4:30 PM

Virginia State Office, The 3600 Centre, 3600 West Broad Street, Richmond, VA 23230-4920, 804-278-4539, Office Hours: 8:30 AM-4:30 PM

West Virginia State Office, 405 Capitol Street, Suite 708, Charleston, WV 25301-1795, 304-347-7000, Office Hours: 8:00 AM-4:30 PM

Southeast/Caribbean

Alabama State Office, Beacon Ridge Tower, 600 Beacon Parkway West, Suite 300, Birmingham, AL 35209-3144, 205-290-7617, Office Hours: 8:00 AM-4:30 PM

Caribbean Office, New San Juan Office Building, 159 Carlos E. Chardon Avenue, San Juan, PR 00918-1804, 787-766-5201, Office Hours: 8:00 AM-4:30 PM

Florida State Office, Gables One Tower, 1320 South Dixie Highway, Coral Gables, FL 33146-2926, 305-662-4500, Office Hours: 8:30 AM-5 PM

Georgia State Office, Richard B. Russell Federal Building, 75 Spring Street, S.W., Atlanta, GA 30303-3388, 404-331-5136, Office Hours: 8:00 AM-4:30 PM

Jacksonville Area Office, Southern Bell Tower, 301 West Bay Street, Suite 2200,

Jacksonville, FL 32202-5121, 904-232-2627, Office Hours: 8:00 AM-4:30 PM
Kentucky State Office, 601 West Broadway, P.O. Box 1044, Louisville, KY 40201-1044, 502-582-5251, Office Hours: 8:00 AM-4:45 PM

Knoxville Area Office, John J. Duncan Federal Building, 710 Locust Street, 3rd Floor, Knoxville, TN 37902-2526, 423-545-4384, Office Hours: 7:30 AM-4:15 PM

Memphis Area Office, One Memphis Place, 200 Jefferson Avenue, Suite 1200, Memphis, TN 38103-2335, 901-544-3367, Office Hours: 8:00 AM-4:30 PM

Mississippi State Office, Doctor A. H. McCoy Federal Building, 100 West Capital Street, Room 910, Jackson, MS 39269-1096, 601-965-4738, Office Hours: 8:00 AM-4:45 PM

North Carolina State Office, Koger Building, 2306 West Meadowview Road, Greensboro, NC 27407-3707, 910-547-4000, Office Hours: 8:00 AM-4:45 PM

Orlando Area Office, Langley Building, 3751 Maguire Blvd, Suite 270, Orlando, FL 32803-3032, 407-648-6441, Office Hours: 8:00 AM-4:30 PM

South Carolina State Office, Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, SC 29201-2480, 803-765-5592, Office Hours: 8:00 AM-4:45 PM

Tampa Area Office, Timberlake Federal Building Annex, 501 East Polk Street, Suite 700, Tampa, FL 33602-3945, 813-228-2501, Office Hours: 8:00 AM-4:30 PM

Tennessee State Office, 251 Cumberland Bend Drive, Suite 200, Nashville, TN 37228-1803, 615-736-5213, Office Hours: 8:00 AM-4:30 PM

Midwest

Cincinnati Area Office, 525 Vine Street, 7th Floor, Cincinnati, OH 45202-3188, 513-684-3451, Office Hours: 8:00 AM-4:45 PM

Cleveland Area Office, Renaissance Building, 1350 Euclid Avenue, Suite 500, Cleveland, OH 44115-1815, 216-522-4065, Office Hours: 8:00 AM-4:40 PM

Flint Area Office, The Federal Building, 605 North Saginaw, Suite 200, Flint, MI 48502-2043, 810-766-5108, Office Hours: 8:00 AM-4:30 PM

Grand Rapids Area Office, Trade Center Building, 50 Louis Street, NW, 3rd Floor, Grand Rapids, MI 49503-2648, 616-456-2100, Office Hours: 8:00 AM-4:30 PM

Illinois State Office, Ralph H. Metcalfe Federal Building, 77 West Jackson Blvd, Chicago, IL 60604-3507, 312-353-5680, Office Hours: 8:15 AM-4:45 PM

Indiana State Office, 151 North Delaware Street, Indianapolis, IN 46204-2526, 317-226-6303, Office Hours: 8:00 AM-4:45 PM

Michigan State Office, Patrick V. McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226-2592, 313-226-7900, Office Hours: 8:00 AM-4:30 PM

Minnesota State Office, 220 Second St., South, Minneapolis, MN 55401-2195, 612-370-3000, Office Hours: 8:00 AM-4:30 PM

Ohio State Office, 200 North High Street, Columbus, OH 43215-2499, 614-469-5737, Office Hours: 8:00 AM-4:45 PM

Wisconsin State Office, Henry S. Reuss Federal Plaza, 310 West Wisconsin Avenue, Suite 1380, Milwaukee, WI

53203-2289, 414-297-3214, Office Hours:
8:00 AM-4:30 PM

Southwest

Arkansas State Office, TCBY Tower, 425 West Capitol Avenue, Suite 900, Little Rock, AR 72201-3488, 501-324-5931, Office Hours: 8:00 AM-4:30 PM

Dallas Area Office, Maceo Smith Federal Building, 525 Griffin Street, Room 860, Dallas, TX 75202-5007, 214-767-8359, Office Hours: 8:00 AM-4:30 PM

Houston Area Office, Norfolk Tower, 2211 Norfolk, Suite 200, Houston, TX 77098-4096, 713-313-2274, Office Hours: 7:45 AM-4:30 PM

Louisiana State Office, Hale Boggs Federal Building, 501 Magazine Street, 9th Floor, New Orleans, LA 70130-3099, 504-589-7201, Office Hours: 8:00 AM-4:30 PM

Lubbock Area Office, George H. Mahon Federal Building and United States Courthouse, 1205 Texas Avenue, Lubbock, TX 79401-4093, 806-472-7265, Office Hours: 8:00 AM-4:45 PM

New Mexico State Office, 625 Truman Street, N.E., Albuquerque, NM 87110-6472, 505-262-6463, Office Hours: 7:45 AM-4:30 PM

Oklahoma State Office, 500 West Main Street, Suite 400, Oklahoma City, OK 73102, 405-553-7401, Office Hours: 8:00 AM-4:30 PM

San Antonio Area Office, Washington Square, 800 Dolorosa Street, San Antonio, TX 78207-4563, 210-472-6800, Office Hours: 8:00 AM-4:30 PM

Shreveport Area Office, 401 Edwards Street, Suite 1510, Shreveport, LA 71101-3289, 318-676-3385, Office Hours: 7:45 AM-4:30 PM

Texas State Office, 1600 Throckmorton Street, P.O. Box 2905, Fort Worth, TX 76113-2905, 817-978-9000, Office Hours: 8:00 AM-4:30 PM

Tulsa Area Office, 50 East 15th Street, Tulsa, OK 74119-4030, 918-581-7434, Office Hours: 8:00 AM-4:30 PM

Great Plains

Iowa State Office, Federal Building, 210 Walnut Street, Room 239, Des Moines, IA 50309-2155, 515-284-4512, Office Hours: 8:00 AM-4:30 PM

Kansas/Missouri State Office, Gateway Tower II, 400 State Avenue, Kansas City, KS

66101-2406, 913-551-5462, Office Hours:
8:00 AM-4:30 PM

Nebraska State Office, Executive Tower Centre, 10909 Mill Valley Road, Omaha, NE 68154-3955, 402-492-3100, Office Hours: 8:00 AM-4:30 PM

St. Louis Area Office, Robert A. Young Federal Building, 1222 Spruce Street, 3rd Floor, St. Louis, MO 63103-2836, 314-539-6583, Office Hours: 8:00 AM-4:30 PM

Rocky Mountains

Colorado State Office, 633-17th Street, Denver, CO 80202-3607, 303-672-5440, Office Hours: 8:00 AM-4:30 PM

Montana State Office, Federal Office Building, 301 South Park, Room 340, Drawer 10095, Helena, MT 59626-0095, 406-441-1298, Office Hours: 8:00 AM-4:30 PM

North Dakota State Office, Federal Building P. O. Box 2483, Fargo, ND 58108-2483, 701-239-5136, Office Hours: 8:00 AM-4:30 PM

South Dakota State Office, 2400 West 49th Street, Suite I-201, Sioux Falls, SD 57105-6558, 605-330-4223, Office Hours: 8:00 AM-4:30 PM

Utah State Office, 257 Tower Building, 257 East-200 South, Suite 550, Salt Lake City, UT 84111-2048, 801-524-3323, Office Hours: 8:00 AM-4:30 PM

Wyoming State Office, Federal Office Building, 100 East B Street, Room 4229, Casper, WY 82601-1918, 307-261-6250, Office Hours: 8:00 AM-4:30 PM

Pacific/Hawaii

Arizona State Office, Two Arizona Center, 400 North 5th Street, Suite 1600, Phoenix, AZ 85004, 602-379-4434, Office Hours: 8:00 AM-4:30 PM

California State Office, Philip Burton Federal Building and U.S. Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102-3448, 415-436-6550, Office Hours: 8:15 AM-4:45 PM

Fresno Area Office, 2135 Fresno Street, Suite 100, Fresno, CA 93721-1718, 209-487-5033, Office Hours: 8:00 AM-4:30 PM

Hawaii State Office, Seven Waterfront Plaza, 500 Ala Moana Boulevard, Suite 500, Honolulu, HI 96813-4918, 808-522-8175, Office Hours: 8:00 AM-4:00 PM

Los Angeles Area Office, 611 West 6th Street, Suite 800, Los Angeles, CA 90017-3127, 213-894-8000, Office Hours: 8:00 AM-4:30 PM

Nevada State Office, 333 North Rancho Drive, Suite 700, Las Vegas, NV 89106-3714, 702-388-6525, Office Hours: 8:00 AM-4:30 PM

Reno Area Office, 1575 Delucchi Lane, Suite 114, Reno, NV 89502-6581, 702-784-5356, Office Hours: 8:00 AM-4:30 PM

Sacramento Area Office, 777-12th Street, Suite 200, Sacramento, CA 95814-1997, 916-498-5220, Office Hours: 8:00 AM-4:30 PM

San Diego Area Office, Mission City Corporate Center, 2365 Northside Drive, Suite 300, San Diego, CA 92108-2712, 619-557-5310, Office Hours: 8:00 AM-4:30 PM

Santa Ana Area Office, 3 Hutton Centre Drive, Suite 500, Santa Ana, CA 92707-5764, 714-957-3745, Office Hours: 8:00 AM-4:30 PM

Tucson Area Office, Security Pacific Bank Plaza, 33 North Stone Avenue, Suite 700, Tucson, AZ 85701-1467, 520-670-6237, Office Hours: 8:00 AM-4:30 PM

Northwest/Alaska

Alaska State Office, University Plaza Building, 949 East 36th Avenue, Suite 401, Anchorage, AK 99508-4135, 907-271-4170, Office Hours: 8:00 AM-4:30 PM

Idaho State Office, Plaza IV 800 Park Boulevard, Suite 220, Boise, ID 83712-7743, 208-334-1990, Office Hours: 8:00 AM-4:30 PM

Oregon State Office, 400 Southwest Sixth Avenue, Suite 700, Portland, OR 97204-1632, 503-326-2561, Office Hours: 8:00 AM-4:30 PM

Spokane Area Office, Farm Credit Bank Building, Eighth Floor East, West 601 First Avenue, Spokane, WA 99204-0317, 509-353-2510, Office Hours: 8:00 AM-4:30 PM

Washington State Office, Seattle Federal Office Building, 909 1st Avenue, Suite 200, Seattle, WA 98104-1000, 206-220-5101, Office Hours: 8:00 AM-4:30 PM

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