



U.S. Department of Housing and Urban Development

Office of Housing

FY 2020 Section 202 Supportive Housing for the Elderly Program

FR-6400-N-52

05/26/2021

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Program Office:

Office of Housing

Funding Opportunity Title:

FY 2020 Section 202 Supportive Housing for the Elderly Program

Funding Opportunity Number:

FR-6400-N-52

Primary CFDA Number:

14.157

Due Date for Applications:

05/26/2021

Overview

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

During the selection process HUD is prohibited from disclosing 1) information regarding any applicant's relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, HUD may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For Further Information Regarding this NOFA: Please direct questions regarding the specific requirements of this Notice of Funding Availability (NOFA) to the office contact identified in Section VII.

OMB Approval Number(s):

2502-0267

I. FUNDING OPPORTUNITY DESCRIPTION.

A. Program Description.

1. Purpose

The Section 202 Supportive Housing for the Elderly program provides Capital Advance funding for the development of supportive rental housing for Very-Low-Income persons aged 62 years or older and project rental subsidies in the form of a Project Rental Assistance Contract (PRAC) to maintain ongoing affordability. This program provides elderly persons with the opportunity to live independently, but with important voluntary support services such as nutritional, transportation, continuing education, and/or health-related services.

Capital Advance funds must be used to finance construction, reconstruction, moderate or substantial rehabilitation, or acquisition of a structure with or without rehabilitation. Capital Advance funds bear no interest and repayment is not required provided the housing remains available for occupancy by Very-Low-Income Elderly Persons for at least 40 years.

PRACs are used to cover the difference between the tenants' contributions toward rent and the HUD approved cost to operate the project, including the cost of employing a service coordinator and HUD approved service costs (see 24 CFR 891.205).

Capital Advance funds are encouraged to be used in combination with other non-Section 202 funding (see Rating Factor 3), but they may only be used in connection with units that will be assisted under the PRAC. PRAC units may be developed or placed within a property that also includes non-PRAC residential units (whether restricted as affordable or rented at market rates) and non-residential units (such as first floor commercial space).

HUD seeks to fund Section 202 properties that advance housing for the elderly as a platform for living independently and aging in community even as residents may require more assistance with activities of daily living over time. Through this NOFA, HUD seeks sponsors that:

- will produce housing that is physically designed to promote the long-term wellness of Elderly Persons and allow them to age in place;
- can provide a robust package of services that support the health and social well-being of Elderly Persons; and
- leverage Capital Advance funds with other financing sources to maximize the number of units created per dollar of HUD funding.

Per 24 CFR 891.809, Capital Advance Funds can NOT be used:

- For acquisition of facilities currently owned and operated by the Sponsor as housing for the elderly, except with rehabilitation as defined in 24 CFR 891.105;
- For the financing or refinancing of Federally assisted units or properties servicing or encumbered by Federally insured debt;
- For units in Section 202 direct loan projects previously refinanced under the provisions of Section 811 of the American Homeownership and Economic Opportunity Act of 2000, 12 U.S.C. 1701q note; and
- To construct or operate assisted living facilities, nursing homes, infirmaries, medical facilities, mobile homes, community centers, headquarters for organizations for the elderly, or residential units without individual kitchens and/or bathrooms (also known as "single room occupancy units" or SROs) that are not shared.

2. Changes from Previous NOFA.

Funding for this program was last provided in 2019. Various changes to this NOFA have been made to clarify various aspects of the NOFA. The following is new to this NOFA:

- Removes rating factors that were duplicative;
- Provides additional discussion of site and neighborhood standards review;
- Provides greater specificity around the building design rating factor; and
- Adds rating factor points for properties located in an Opportunity Zone.

3. Definitions.

a. Standard Definitions

Affirmatively Furthering Fair Housing (AFFH). The obligation to affirmatively further the purposes and policies of the Fair Housing Act.

Assistance Listings (formerly CFDA) is a directory of the various Federal listings, projects, services and activities offering financial and non-financial assistance and benefits to the American public. An Assistance Listing (CFDA) Number is the unique number assigned to each program, project, service or activity listed in the Catalog of Federal Domestic Assistance (CFDA).

Authorized Organization Representative (AOR) is the person authorized to submit applications on behalf of the organization via Grants.gov. The AOR is authorized by the E-Biz point of contact in the System for Award Management. The AOR is listed in item 21 on the SF-424.

Award, as used in this NOFA means a federal grant OR cooperative agreement as specified in Section II.E (Type of Funding Instrument).

Consolidated Plan is a document developed by states and local jurisdictions. This plan is completed by engaging in a participatory process to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions with funding from formula grant programs. (See 24 CFR part 91 for more information about the Consolidated Plan and related Action Plan).

Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in this NOFA does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (See 2 CFR 200.22.)

Contractor means an entity receiving a contract.

Deficiency is information missing or omitted within a submitted application. Examples of deficiencies include missing documents, information on a form, or some other type of unsatisfied information requirement (e.g., an unsigned form, unchecked box.). Depending on specific criteria, deficiencies may be either curable or non-curable.

- Curable Deficiency – Applicants may correct a curable deficiency with timely action.

To be curable the deficiency must:

- Not be a threshold requirement, except for documentation of applicant eligibility;
- not influence how an applicant is ranked or scored versus other applicants; and
- be remedied within the time frame specified in the notice of deficiency.
- Non-Curable Deficiency – An applicant cannot correct a non-curable deficiency after the submission deadline.

Non-curable deficiencies are deficiencies that, if corrected, would change an applicant's score or rank versus other applicants. Non-curable deficiencies may result in an application being marked ineligible, or otherwise adversely affect an application's score and final determination.

DUNS Number is the nine-digit identification number assigned to a business or organization by Dun & Bradstreet and provides a means of identifying business entities on a location-specific basis. Requests for a DUNS number can be made by visiting the Online DUNS Request Portal.

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

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

Non-Federal Entity is a state, local government, Indian tribe, institution of higher education (IHE), or non-profit organization carrying out a Federal award as a recipient or sub recipient. If eligible applicants under the NOFA include for profit entities, this definition of non-federal entity includes for profit entities.

Opportunity Zone (OZs) are defined in 26 U.S.C. 1400Z-1. In general, OZs are census tracts located in low-income communities where new investments, under certain conditions, may be eligible for preferential tax treatment.

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

Recipient means a non-Federal entity receiving an award directly from HUD to carry out an activity under a HUD program.

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the recipient. It does not include payments to a contractor or payments to an individual beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. The legal agreement must contain the subrecipient's assurance of compliance with program requirements, including but not limited to nondiscrimination and equal opportunity requirements.

Subrecipient is a non-Federal entity receiving a subaward from a pass-through entity to carry out part of a HUD program; but does not include an individual beneficiary of such program. A subrecipient may also receive other Federal awards directly from a Federal awarding agency (including HUD).

System for Award Management (SAM), is a U.S. Government system that consolidated the capabilities of Central Contractor Registry (CCR), Excluded Parties List System (EPLS) and the Online Representations and Certifications Application (ORCA). Registration with SAM is required for submission of applications via Grants.gov. You can access the website at <https://www.sam.gov/SAM/>. There is no cost to use SAM.

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

Unique Entity Identifier is a number used to identify a specific commercial, nonprofit, or government entity. SAM states that currently Dun & Bradstreet (D&B) is the designated entity to establish and maintain the DUNS Number as the unique entity identifier required for registration in SAM and further used throughout federal procurement, financial assistance, and financial management systems. Beginning December 2020, the DUNS number will no longer be the official identifier for entities doing business with the government.

4. Program Definitions

For purposes of the Section 202 Supportive Housing for the Elderly Program, the following definitions apply. In the event of any conflict between such definitions and the provisions of 24 CFR part 891, the definitions in 24 CFR part 891 shall govern. For more definitions, applicants should reference the governing statute (12 U.S.C. 1701q) and regulations at 24 CFR part 891.

- **Capital Advance** funds are funds made available and used by the Secretary of HUD for the development of supportive housing for Very-Low-Income Elderly Persons. The amount of the Capital Advance funds for each award may not exceed the Total Development Cost (TDC) of the project (as determined by HUD), less the incremental development cost(s) associated with excess amenities and design features to be paid for by other source(s).
- **Elderly Person** is a household composed of one or more persons at least one of whom is 62 years of age or older at the time of occupancy.
- **Operating Costs** are HUD-approved costs relating to the provision of housing and include administrative expenses (including the coordination of services), maintenance expenses, security expenses, utilities expenses, taxes and insurance, allowances for reserves, and allowances for services for the elderly. Operating costs do not include payments toward debt service. PRAC rents are established based on the Operating Cost Standards (OCS) listed in Appendix A.
- **Owner.** An Owner, pursuant to 12 USC 1701q, is defined as a “private nonprofit organization that receives assistance under this section to develop and operate supportive housing for the elderly.”
- **Project Rental Assistance Contract** is the contract entered into by the Owner and HUD setting forth the rights and duties of the parties under the contract with respect to project rental assistance payments.
- **Sponsor** means any eligible applicant that has been made an award of funds under this NOFA. Sponsor refers to either a Sponsor or a Co-Sponsor. The Sponsor must be approved by the Secretary of HUD as to the administrative and financial capacity and responsibility to receive an award under this NOFA. A Sponsor that has one or more Section 202 projects under reservation, construction or management in two or more different HUD geographical regions is a National Sponsor.

- **Very-Low-Income** means household income that does not exceed 50 percent of the median family income for the area.

B. Authority.

The Section 202 Supportive Housing for the Elderly Program is authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act (Pub. L. 101-625), and any subsequent amendments. This authority provides for Capital Advances, project rental assistance contracts, amendments to contracts for project rental assistance, and the renewal of expiring contracts for such assistance, for supportive housing for the elderly. The funding for this NOFA is authorized pursuant to the Consolidated Appropriations Act, 2018 (Public Law 115-141, enacted March 23, 2018), the Consolidated Appropriations Act, 2019 (Public Law 116-6, enacted February 15, 2019), and the Further Consolidated Appropriations Act, 2020 (Public Law 116-94, enacted December 20, 2019).

II. Award Information.

A. Available Funds

Funding of approximately **\$ 150,000,000** is available through this NOFA. Additional funds may become available for award under this NOFA, because of HUD's efforts to recapture funds, use carryover funds, or because of the availability of additional appropriated funds. Use of these funds is subject to statutory constraints. All awards are subject to the funding restrictions contained in this NOFA.

B. Number of Awards.

HUD expects to make approximately 45 awards from the funds available under this NOFA.

The precise number of awards will depend on the nature of the applications reviewed.

C. Minimum/Maximum Award Information

Maximum Capital Advance Award Amount: Total Development Cost Limit for Project Type and Size

Minimum Capital Advance Award Amount: \$1

In order to receive a PRAC, you must request at least the minimum Capital Advance Award amount of \$1.

Capital Advance Funds. Applicants will include the requested Capital Advance funds in the SF424 and in the Development Budget (**Section III.E.3.**). The amount of the Capital Advance funds requested may not exceed the Total Development Cost as published by HUD (see www.hud.gov/sites/dfiles/PIH/documents/TDCs_2019_Final.pdf). The Total Development Cost limit is determined by identifying the appropriate building type (e.g., elevator) and unit size(s) in the development proposal.

PRAC Funds. In addition to the above Capital Advance amounts, HUD will award a renewable PRAC under this NOFA. Funding under the PRAC will cover the difference between the PRAC rents (which are based on the HUD approved operating costs of the project which can be found in Appendix A) and the tenants' contributions toward rent (30 percent of their adjusted monthly

income). At the end of the initial 12-month contract term, renewals will be approved subject to the availability of appropriated funds.

Applicants do not need to request an amount of PRAC funding as it will be calculated based on the number of units for which they are requesting assistance by a PRAC in the Project Development Plan (**Section III.F.2.**) and the current OCS.

Project Period in the below table refers to the estimated sum of funds awarded for each selected application for the Capital Advance and the initial year of the PRAC.

Estimated Total Funding:

\$ 150,000,000

Minimum Award Amount:

\$ 1

Per Project Period

Maximum Award Amount:

\$ 20,000,000

Per Project Period

D. Period of Performance

For purposes of program requirements, HUD considers the funds obligated upon the applicant's acceptance of the Agreement Letter which stipulates the terms and conditions of the Section 202 fund reservation Award and submission requirements following the Award. Immediately upon an applicant's acceptance of the Agreement Letter, the applicant is expected to begin working towards the submission of a Firm Commitment application, which is the next application submission stage and is due 180 days after acceptance of the Agreement Letter, unless otherwise extended by HUD, in its sole discretion. HUD expects Sponsors to have commitments for all funds and required permits no later than 12 months following the acceptance of the Agreement Letter. **Initial closing of the Capital Advance** and start of construction are expected to be accomplished within 6-18 months after acceptance of the Agreement Letter.

HUD reserves the right to revoke all award funds when it believes that the award funds are at risk of not being expended within the established deadlines set forth above. HUD reserves the right to make, but does not anticipate making, amendments to address gaps in financing. In planning their developments, applicants should assume the Capital Advance amount awarded is the total of Capital Advance funds available for a specific project and in the event that costs increase, other financing sources must be secured by the applicant.

The Project Start Date is the estimated date of the Capital Advance Award Agreement Letter and the Project End Date is the expiration of the first year of operations pursuant to a PRAC. These dates are estimates only and will be adjusted depending on the actual date of the Award commitment letter and the Length of the Project Period.

Length of Project Periods: N/A

Estimated Project Start Date:

03/01/2022

Estimated Project End Date:

12/01/2025

Length of Project Periods:

Other

Length of Periods Explanation of Other:

The project period consists of the time from award to construction completion, with an additional 12-months of operations under a PRAC.

E. Type of Funding Instrument.

Funding Instrument Type:

G (Grant)

Capital Advance Note and Project Rental Assistance Contract

F. Supplementation.

For this NOFA, sub-section "F. Supplementation" is Not Applicable

III. Eligibility Information.

A. Eligible Applicants.

Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education
Others (see text field entitled "Additional Information on Eligibility" for clarification)

Information on Eligible Applicants

(2,500 character limit)

Private non-profit organizations that have tax-exempt status under Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code of 1986, and non-profit consumer cooperatives are the only eligible applicants under this Section 202 program.

The Owner corporation, when later formed by the Sponsor, must be:

1. A single-purpose and single-asset private non-profit organization that has tax-exempt status under Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code of 1986;
2. A non-profit consumer cooperative, or
3. For purposes of developing a mixed-finance project pursuant to the statutory provisions under Title VIII of the American Homeownership and Economic Opportunity Act of 2000, as amended, a for-profit limited partnership of which all general partner interests are held by a) one or more private non-profit organization(s) that have tax exempt status under Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code of 1986, b) a corporation wholly owned and controlled by one or more private non-profit organization(s) that have tax exempt status under Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code of 1986, or c) a limited liability company wholly owned and controlled by one or more private non-profit organization(s) that have tax exempt

status under Section 501(c)(3) or Section 501(c)(4) of the Internal Revenue Code of 1986.

Non-profit entities associated with public bodies or tribes are eligible applicants.

B. Ineligible Applicants.

Individuals or any entity not listed above as an Eligible Applicant are ineligible to apply under this NOFA.

C. Cost Sharing or Matching.

This Program requires cost sharing or matching as described below.

Owner Deposit for Minimum Capital Investment. In accordance with 24 CFR 891, the Owner must deposit in a special escrow account one-half of one percent (0.5%) of the HUD approved Capital Advance Award, not to exceed \$10,000 to ensure the Owner's commitment to the housing project. If an Owner has a National Sponsor or a National Co-Sponsor, the Minimum Capital Investment shall be one-half of one percent (.5%) of the HUD approved Capital Advance Award, not to exceed \$25,000.

D. Threshold Eligibility Requirements.

Applicants who fail to meet any of the following threshold eligibility requirements will be deemed ineligible. Applications from ineligible applicants will not be evaluated.

1. Outstanding civil rights matters must be resolved to HUD's satisfaction prior to grant award, provided that all applicable legal processes have been satisfied.

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

3. Complete Application: HUD reserves the right to determine whether an application is substantially deficient and non-responsive to the NOFA application requirements. Refer to **Section IV.B. Content and Form of Application Submission** for information on the required documentation for submission with the application to ensure that your application is complete at time of submission. HUD will not accept paper copies of the application.

4. Non-profit Status. Applicants must document their status as a private non-profit organization or as a mixed-finance limited partnership with one or more private non-profit organizations serving as the general partner (see 24 CFR 891.805). Applicants and any other organization(s) that is co-sponsoring the application must submit the following:

1. Articles of Incorporation, Constitution, Resolutions or other organizational documents;
2. By-laws;
3. A graphic organizational chart indicating the relationship among parties; and
4. Current valid IRS tax exemption determination letter (including churches).

HUD will review the applicant's 501(c)(3) or 501(c)(4) determination letter from the IRS, Articles of Incorporation, Constitution, By-Laws, organizational chart, or other organizational documents to determine, among other things, that:

- The applicant is an eligible private nonprofit entity and not a public body;
- The applicant's corporate purposes are sufficiently broad to provide the legal authority to sponsor the proposed project and to apply for Capital Advance funds and PRAC funds,
- Language is included in the documents stating that no part of the net earnings inures to the benefit of any private party, and
- The applicant is not controlled by, or under the direction of, persons seeking to derive profit or gain therefrom.

Applicants must provide the above required documents/information in the application under Tab A.

5. Need. HUD will assess the unmet housing needs in the proposed development area relative to the number of proposed assisted units. Applicants must provide HUD an Absorption Ratio (AR) by dividing the number of units in the proposed project by the number of income eligible households aged 62 years old or older with severe housing needs.

The number of income eligible households with severe housing needs can be found at <https://www.huduser.gov/ast/index.html> by accessing the 2018 American Communities Survey (ACS) 5-Year" Census data for your jurisdiction and selecting the following inputs:

- Select the Core Based Statistical Area (CBSA) in which the project is located. For rural sites located outside of a CBSA, select the appropriate County ;
- Select "Tenure Renters";
- Select "Age of Householder": 62 plus;
- Reference the second table entitled "With Conditions" which includes the number of renters paying more than 30 percent of income for gross rent or occupying a unit lacking some or all kitchen or plumbing facilities or occupying an overcrowded unit (1.01 persons per room or more). If the "With Conditions" table is not available, reference the table entitled "Total"

2020 Income Limit data can be found at <https://www.huduser.gov/portal/datasets/il.html#2020> for your property's location which can be found by selecting the following inputs:

- Select "Click Here for FY2020 IL Documentation";
- Select a state, then select a county, and then select "View County Calculations"" or select a FY 2020 HUD Metropolitan Fair Market Rent/Income Limit Area (HMFA) and "View HMFA Calculations";
- Identify the "Very Low (50%) Income Limit" for "Persons in Family" of 1
- Sum of the total number of 1-person households starting with the income range in which 50 percent of Income Limit falls and then adding the number of 1-person households from all lower income ranges.

Applicants with an Absorption Ratio over 50% for the elderly population aged 62 years old or older will not meet the threshold requirement for need. Applicants must provide a PDF of the

second table (With Conditions) and their calculations of the absorption ratio.

Applicants must provide the above required documents/information in Tab B

E. Statutory and Regulatory Requirements Affecting Eligibility.

Eligibility Requirements for Applicants of HUD's Grants Programs

The following requirements affect applicant eligibility. Detailed information on each requirement is posted on [HUD's Funding Opportunities Page](#).

- Outstanding Delinquent Federal Debts
- Debarments and/or Suspensions
- Pre-selection Review of Performance
- Sufficiency of Financial Management System
- False Statements
- Mandatory Disclosure Requirement
- Prohibition Against Lobbying Activities
- Equal Participation of Faith-Based Organizations in HUD Programs and Activities

F. Program-Specific Requirements Affecting Eligibility.

1. Program Activities. As noted below, certain program-specific requirements call for submission of documents to demonstrate compliance. In evaluating each application, HUD will determine if there are program specific curable deficiencies that can be remedied through email correspondence with the applicant. The applicant may receive more than one curable deficiency notification. If the applicant does receive more than one deficiency notification, the applicant's responses must be in accordance with the instructions contained in each deficiency notification (e.g., the applicant may not consolidate its responses). Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications or other minor omissions. These examples are non-exhaustive.

2. Project Development Plan. The application must include in **Tab C**:

a. A description of the proposed property, including address, type of building (row/townhouse, walk-up, elevator, detached or semi-detached), type of project (new construction, rehabilitation, or acquisition), total units by bedroom size, total units by bedroom size that will be assisted with PRAC (which may not be less than five units), a description of common areas or office space(s), and a description of any commercial space at the site. The PRAC assisted units, which will be developed with Capital Advance funds, must be one-bedroom or efficiency units, unless permitted under 24 CFR 891.210.

b. A project development timeline identifying the projected dates for the major development stages for the project including, as applicable, site acquisition; application for uncommitted financing; closing of financing; initial closing and start of construction/rehabilitation and the full completion of the project, including, final closing. Please note that the time period between initial closing, and start of construction/rehabilitation must be within 18 months of the fund reservation, although faster schedules are preferred and HUD may elect to extend the time frame on a project-by-project basis, as justified, after award of funds.

3. Development Budget. The applicant must provide a detailed, balanced budget in **Tab D** identifying:

a. All committed or proposed sources, including debt, equity, and grants. The amount of Capital Advance requested cannot exceed the per unit TDC available at www.hud.gov/sites/dfiles/PIH/documents/TDCs_2019_Final.pdf, multiplied by the number of PRAC units. Committed sources must be specifically identified so that they can be evaluated into **Rating Factor 3** of this NOFA. Any commitment must describe the allowed uses of the funds, the term for which the commitment is valid, and any repayment terms. The term during which the commitment is valid cannot expire earlier than 12 months from the Section 202 application deadline date. The applicant must commit to closing of the transaction prior to the expiration of the term, and HUD may decide as to whether the applicant's proposed timeline to meet such commitment is reasonable. The applicant may change sources before final closing if this causes no material delay to the development schedule described in the Project Development Plan, **Section F.2**.

b. Proposed uses, including acquisition, construction costs, soft costs, reserves, and developer fees, with the level of detail consistent with the template Uses of Funds chart of accounts available at the Section 202 webpage at <https://www.hud.gov/grants/>.

1. Construction costs must be based on an estimate performed by a professional estimator. Except for new construction or substantial (gut) rehabilitation, applications must include a Capital Needs Assessment (CNA) identifying the rehabilitation needs of the property. A professional cost estimate or CNA must be provided in **Tab E**.
2. The project must include an operating reserve deficit to cover unanticipated cost during the first year of operations. (Any funds remaining at the end of the required term may be returned to the Owner.)

c. All sources must equal the projected uses.

4. Operating Pro Forma. The applicant must present a cash flow pro forma in **Tab F** demonstrating the ability of the property to cover all expenses for the next 20 years.

a. Year 1 rents for PRAC units must be based on the Operating Cost Standards in **Appendix A**. The Operating Cost Standards establish the PRAC rents and assume all utilities are tenant-paid. Applicants must identify any utilities that will be project paid (if applicable) and provide the reasonable per unit costs associated with those utilities. The per unit utility cost can be added to the Operating Cost Standards to form the PRAC rent used in Year 1 of the Operating Pro Forma.

b. The applicant must state any assumptions regarding trending of revenue and expenses.

c. The Operating Pro Forma can represent servicing of hard debt service only if:

(1) The project includes other revenue producing residential units or commercial space, in which case the pro forma should identify how the non-PRAC revenue can support the debt service expense, and/or

(2) The sponsor states its intention to convert the PRAC, once executed, to a project-based Section 8 contract via the Rental Assistance Demonstration (RAD) (see Section IV of [H-2019-09/PIH 2019-23](#)), in which case the revenue from the assisted units could cover debt service expenses.

5. Site Control. Applicants must demonstrate the Sponsor's (or its affiliate or instrumentality) control of the site for which they are applying for Capital Advance funds in **Tab G**. Applicants can provide evidence of site control in one of the following ways:

a. A deed or long-term leasehold which evidences current title to, or a leasehold interest in, the site. If a leasehold, the term of the lease must be at least 50 years with renewable provisions for 25 years, except for sites on Indian trust land, in which case, the term of the lease must be at least 50 years with no requirement for extensions. The title or leasehold interest must commence prior to the application deadline date. A sublease is not considered an acceptable form of site control.

b. Contract of Sale for the site that is free of any limitations affecting the ability of the seller to deliver ownership to the applicant after the applicant receives and accepts the financing for the project. The Contract of Sale cannot require closing earlier than 12 months following the date of the Section 202 application deadline date unless the applicant has non-202 committed funds which are sufficient for closing on the land.

c. Option to purchase or option for a long-term leasehold, which must state a firm price, remain in effect for a minimum of six months from the date on which the applications are due and must be renewable for a minimum of an additional six-month term. The buyer must have sole discretion to exercise such renewal and any consideration for such option renewal must be stated in the option agreement. HUD strongly encourages applicants to have option terms with renewal provisions beyond six months to allow for delays in closing the Section 202 Capital Advance or that the applicants have non-202 funds sufficient for purposes of closing on the land. During the initial six-month term plus the additional six-month renewal, the only condition on which the seller may terminate the option is if the applicant is not awarded a fund reservation, HUD finds the site environmentally unacceptable, or the applicant fails to make contractually required option payments.

For sites to be acquired from a public body, evidence is needed that the public body possesses clear title to the site and has entered into a legally binding Agreement to lease or convey the site to the applicant after receipt and acceptance of development funds. The same requirements for site control are applicable to sites to be acquired from public bodies as are applicable to sites to be acquired from other entities. Where due to time constraints of the funding round the applicant will not be able to obtain all of the required official actions (e.g., approval of Community Planning Boards) that are necessary to convey publicly-owned sites, the applicant may include in the application a letter from the mayor or director of the appropriate local agency indicating that conveyance or leasing of the site is acceptable without imposition of additional covenants or restrictions, and only contingent on the necessary approval action. Such a letter of commitment will be considered sufficient evidence of potential for site control but only if the commitment does not contain restrictions or qualifications that would be unacceptable in the case of other entities. In this case, HUD will require that the applicant provide within ten business days of an award notification, a legally binding agreement (conditional on an environmental review

satisfactory to HUD) from the public body to lease or convey the site.

It is acceptable for a Contract of Sale or Option Agreement entered into prior to the NOFA application to contain provisions that allow an applicant to conduct reasonable due diligence, such as environmental reviews, site inspections, or appraisals, and an applicant may terminate the Contract of Sale or the Option Agreement, and not purchase the property for failure of the due diligence review.

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

6. Environmental Review This program is subject to the National Environmental Policy Act of 1969 (NEPA) and related Federal environmental authorities and regulations at 24 CFR part 50. As part of a review of an application under this NOFA, HUD will perform a preliminary environmental screen to assess major adverse environmental conditions. In order to complete this preliminary environmental screen, HUD requires all applicants to submit the environmental documentation listed below. All documentation must be submitted into the HUD Environmental Review Online System (HEROS) (see www.hudexchange.info/programs/environmental-review/housing/#2019-202811-nofa-environmental-information for more information, training, and gaining access). All reports or worksheets submitted into HEROS, regarding contamination, must be prepared by an Environmental Professional (EP) in accordance with ASTM Standard E 1527-13. Most EPs will already have a HEROS user account. For new users, please allow up to 4 weeks for your access to be processed. In the event that an applicant is unable to submit environmental documents through HEROS at the time of submission of their NOFA application, the applicant must still provide the required documents as a separate PDF with their application. HUD will provide the applicant 30 days from the NOFA due date for the applicant to submit the environmental documentation through HEROS. Failure to submit environmental documentation through HEROS by the NOFA application due date or within 30 days of the NOFA application due date will cause the NOFA application to be considered incomplete.

Applicants must provide a) a reference to the Project Name in HEROS or b) the below-required documents/information in the application under Tab H.

Any adverse environmental conditions that cannot reasonably be mitigated will result in the rejection of the application. Examples of such occurrences would be a project that proposes a Risk Based Corrective Action Plan or Complete Clean Up Plan, but lacks likely approval of such by the relevant regulatory authority; a project that would result in destruction of a valuable wetland; or a project for which a noise barrier to reduce noise to acceptable levels appears to be necessary but is not proposed in the application and/or does not appear to be achievable. HUD's preliminary environmental screen at the application processing stage does not constitute HUD's environmental approval of the project site.

The following environmental documentation is required to be submitted:

- Partner Worksheets
- Phase 1 ESA Report
- Phase 2 ESA (if required by the Phase I)

- Phase 3 Clean-up Plan (if required by the Phase II).

a. Partner worksheets as identified below. Each partner worksheet includes a link for information about where to find requested maps and documentation and the HUD exchange has information to assist as well: <https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>

- Airport Hazards
- Coastal Barrier Resources Act
- Endangered Species Act
- Explosives
- Flood Insurance
- Floodplain Management
- Historic Preservation
- Noise:
 - Noise (CEST) (For existing projects)
 - Noise (EA) - For new construction)
- Sole Source Aquifers (DOCX)
- Contamination and Toxic Substances (Multifamily)(DOCX)
- Wetlands - Partner Worksheet (DOCX)
- Housing Requirements (DOCX)

b. Phase I ESA Report: The Findings, Opinions and Conclusions sections of the Phase I ESA must be based upon ASTM E 1527-13. The Findings section shall list and discuss all:

- (1) Recognized Environmental Conditions (REC), suspect REC, historical REC and/or de minimis conditions (with all such terms as described in ASTM E 1527-13),
- (2) Vapor Encroachment Conditions (VEC), suspected VEC, or instances where VEC cannot be ruled out (pursuant to ASTM E 2600-15).

The opinions section shall discuss each of these conditions as to whether each one is deemed to be or deemed not to be a REC and/or a VEC. Applicants are cautioned that even if the EP who prepares the Phase I ESA determines that there are no RECs and no VECs and you therefore decide not to prepare a Phase II ESA (see below), HUD will review the Phase I ESA report to confirm that such determinations are reasonably warranted based on the information presented. Should HUD not concur with the Phase I EPA conclusions and the Phase II was not conducted nor the Phase III clean-up plan submitted, your application will be rejected.

The applicant must inform the EP of the HUD requirements that must be included in the Phase I ESA and any required subsequent report such as a Phase II. These requirements are described in greater detail in Section 9.3 of the Multifamily Accelerated Processing (MAP) Guide, or successor, as amended, which is incorporated into this NOFA by reference.

A previous Phase I ESA report will be allowed provided that the Phase I ESA was conducted within 180 days of the application deadline date and the report meets the above referenced MAP Guide requirements.

c. Phase II ESA. If the Phase I ESA indicates the need for further study or identifies any type of contamination or other issues, then a Phase II ESA is required. The Phase II ESA must address all RECs and VECs identified in the Phase I ESA report. The testing and sampling design shall be based on scientific methodology and shall proceed to the point that a reasonable determination can be made regarding each of the RECs and VECs.

d. Phase III Clean-Up Plan. A clean-up plan is required if the Phase II ESA determines that hazardous waste, petroleum products, or VECs exist on the site or hazardous waste, petroleum products or VECs have migrated onto the site or are likely to do so in the foreseeable future. If the Phase II ESA determines that a Phase III Clean-Up Plan is required, then a report is required to be submitted following the requirements of Section 9.3 of the MAP Guide. The clean-up plan must be detailed in nature and must include:

- (1) An estimate of clean-up costs. These clean-up costs must be reflected in the budget (**Section III.F.3**);
- (2) A description of the plan either to:
 - (a) Completely clean up the site, other than for contamination that would remain solely in the ground water that is at least 25 feet below the surface to comply with statewide, non-site-specific federal or state standards with no active or passive remediation still taking place after either final closing or initial occupancy, whichever comes first, no capping over of any contamination and no monitoring wells; or
 - (b) Clean up the site to federal or state Risk-Based Corrective Action (“RBCA”) levels. The RBCA must allow for no active remediation (such as flushing wells or digging up and/or hauling away of contamination) to take place after either final closing or initial occupancy, whichever comes first.
- (3) Either an approval letter of the clean-up plan from the relevant federal or state authority or a discussion of the feasibility of securing necessary approvals prior to HUD’s completion of the environmental review and issuance of a Firm Commitment.
- (4) A discussion of the feasibility of completing necessary work prior to final closing or initial occupancy, whichever comes first.

NOTE: Before issuance of the Firm Commitment, HUD will require a final clean-up plan. The final clean-up plan must include a remediation contract that specifies all clean-up costs and timelines for clean-up to ensure that it is completed prior to final closing or initial occupancy, whichever comes first, and approved documentation from the relevant regulatory authority. Furthermore, the final clean-up plan will be required to meet specific HUD criteria as outlined in the MAP Guide, Chapter 9, which is incorporated into this NOFA by reference.

e. Post-Award.

As HUD only performs a preliminary environmental screen at the application processing stage, site approval will not occur until an award under this NOFA is made, HUD completes its environmental review, and HUD finds the site environmentally acceptable, all of which must be completed prior to issuance of the Firm Commitment.

All agreement letters will incorporate the recipient's responsibilities under this section, and will

stipulate 1) that a Section 202 Fund Reservation award constitutes preliminary approval of an application; 2) that a Section 202 Fund Reservation Award does not constitute an approval of the site, which may occur only upon completion of HUD's environmental review; and 3) that if HUD finds the site acceptable but only with mitigation and the applicant cannot meet the mitigation requirements, or if HUD determines that even with mitigation the site is unacceptable, the Section 202 Fund Reservation award will be terminated. Therefore, it is extremely important that applicants evaluate the site prior to application submission to ensure that it meets HUD's environmental requirements.

In accordance with 24 CFR 50.3(h), the applicant's submission of an application constitutes an assurance that the applicant agrees to assist HUD with HUD's compliance with environmental review regulations in 24 CFR part 50 and that the applicant shall:

(1) Supply HUD with all available and relevant information necessary for HUD to perform any environmental review required by 24 CFR part 50. HUD will require all award recipients to input any additional requested information into HEROS. Please note that if an application is selected for funding, HUD will require information about additional laws and authorities,

(2) Carry out mitigating measures required by HUD or select alternate eligible property, and

(3) Not acquire, rehabilitate, convert, demolish, lease, repair or construct property, nor commit or expend HUD or local funds for these program activities with respect to any eligible property until HUD approval of the site is received. Applicants may continue to perform obligations to sustain an existing leasehold or option to lease agreement.

HUD will complete an environmental review under part 50 following the guidance set forth in the MAP Guide. As part of this process, HUD will determine the correct level of environmental review (for example, categorically excluded or environmental assessment). When HUD continues its environmental review, it may find the site environmentally unacceptable, in which case the fund reservation may be cancelled.

Applicants must be in compliance with the National Environmental Policy Act of 1969 ("NEPA") (42 U.S.C. 4321) and applicable related environmental authorities at 24 CFR 50.3(i) and 24 CFR 50.4, HUD's programmatic implementing regulations at 24 CFR part 50 and 24 CFR 891.155(b), especially, but not limited to the provisions of information to HUD at 24 CFR 50.31(b). Applicants must also comply with any environmental "conditions and safeguards" at 24 CFR 50.3(c).

7. Site and Neighborhood Standards. A proposed site must comply with all applicable site selection requirements in 24 CFR, Part 891.125. Applicants that propose new construction must provide evidence in **Tab I** that the site is (1) not located in an area of minority elderly concentration or (2) if the site is in an area of minority elderly concentration, that the site qualifies for an exception permitting new construction in an area of minority elderly concentration under 24 CFR, Part 891.125(c)(2)(i) or (ii). HUD may request additional information from the applicant before making its determination. In reviewing the applicant's proposed site, HUD will consider any history of residential discrimination by the applicant or

jurisdiction. Further, HUD may rely on additional available information beyond the materials provided by the applicant to make its determination. Additional information on the analysis of site and neighborhood standards, including frequently asked questions and responses to them, can be found on the Section 202 webpage at <https://www.hud.gov/grants/>. The FAQ materials are non-binding guidance to assist applicants in understanding what factors may be considered and should not be considered an exhaustive description of HUD's analysis.

The term "area of minority elderly concentration" is defined as one where either of the following statistical conditions exists: (a) The percentage of elderly persons of a particular racial or ethnic minority in the neighborhood is at least 20 points higher than the percentage of elderly persons of that racial or ethnic minority in the housing market area as a whole; or (b) The total percentage of elderly persons of all racial or ethnic minorities in the neighborhood is at least 20 points higher than the total percentage of elderly persons of all racial or ethnic minorities for the housing market area as a whole. The "housing market area" generally corresponds to, as applicable: (i) the Metropolitan Statistical Area (MetroSA); (ii) Micropolitan Statistical Area (MicroSA); or (iii) if the site is neither in a MetroSA or MicroSA, the county or statistically equivalent area.

Elderly Minority Concentration Analysis Tool. Applicants must use the Section 202 Elderly Minority Concentration Analysis tool (www.huduser.gov/portal/maps/section202/home.html) to identify whether a site is in an area of minority elderly concentration (initially analyzed at the census tract level). Where the tool does not have sufficient data to determine minority elderly concentration, which currently applies to certain of the U.S. Territories, the analysis will be on the basis of general minority concentration. In any situation where the tool cannot generate a result for a specific location, the applicant, based on local knowledge and any available local data, will determine whether the site is in an area of minority elderly concentration. The applicant must submit as part of its NOFA application a certification stating that it has determined that the site is or is not in an area of minority elderly concentration and maintain records of its analysis and the data relied upon in making its determination.

1. [Where the tool \(or, where applicable, the certification by the applicant\) identifies the site to be in an area of minority elderly concentration or the applicant self-identifies the site to be in an area of minority elderly concentration, the applicant must provide supporting documentation that the proposed site qualifies for an exception permitted under 24 CFR, Part. 891.125\(c\)\(2\) and described below.](#)
2. Where the tool identifies the site to be outside of an area of minority elderly concentration but the site is near the edge of an elderly minority-concentrated census tract or is separated from a significant portion of the occupied land in its census tract by a major geographic barrier (such as a river or interstate highway), the applicant must provide supporting documentation that the census tract is an appropriate representation of the neighborhood or propose an alternative geography as described below.
3. Except where the tool cannot generate a result for a specific location as described above, an applicant may use the "draw" feature in the tool to propose an alternative geography for the neighborhood when there is strong evidence that an alternative geography is more appropriate. Typical neighborhood boundaries are delineated by major streets or physical topography, do not encompass more than one municipal jurisdiction, and encompass an area less than two miles wide. HUD will review the case for the alternative geography

during review of the Application. If the alternative geography meets the definition of an area of minority elderly concentration, the applicant must provide evidence that the site meets one of the exceptions that permits new construction in an area of minority elderly concentration under 24 CFR, Part. 891.125(c)(2) and described below. If an applicant claims an alternative geography that is not identified by the tool as an area of minority elderly concentration, the applicant may also choose to claim an exception that would allow new construction in an area of minority elderly concentration (under 24 CFR, Part. 891.125(c)(2) and described below) to address the possibility that HUD does not approve the use of the alternative geography.

The output from the Elderly Minority Concentration Analysis tool (or, where applicable, the certification by the applicant) must be included within the **Site and Neighborhood Standards submission in Tab I**, together with any supporting documentation that may be applicable, such as documentation that the census tract is an appropriate representation of the neighborhood, that an alternative geography for the neighborhood or for the housing market area is more appropriate, or that the site qualifies for an exception permitted under 24 CFR Part. 891.125(c)(2).

Exceptions for New Construction in Areas of Elderly Minority Concentration. A project may be located in an area of minority elderly concentration only if: (1) Sufficient, comparable opportunities exist for housing minority elderly households in the income range to be served by the proposed project, outside areas of minority concentration; or (2) The project is necessary to meet overriding housing needs that cannot be met in that housing market area.

- Pursuant to the **sufficient, comparable opportunities** exception, units may be considered comparable opportunities if they have the same household type (elderly) and tenure type (renter); require approximately the same total tenant payment; serve the same income group; are located in the same housing market; and are in standard condition. To meet this exception, the Applicant must explain the applicability of the factors discussed in 24 CFR, Part 891.125(c)(3)(iii)(A)-(G) in the Site and Neighborhood Standards submission in Tab I.
- The “**overriding housing need**” analysis (see 24 CFR, Part 891.125(c)(4)) permits approval of sites:
 - That are an integral part of an overall local strategy for the preservation or restoration of the immediate neighborhood (for example, where there is a robust local strategy where affordable housing is not the only or primary anticipated investment) (a “revitalization strategy”). Recognizing the recent enactment of the Opportunity Zone and further recognizing that jurisdictions may be at the early stages of leveraging the Opportunity Zone for neighborhood revitalization purposes, if the project is located within a designated Qualified Opportunity Zone, HUD will accept evidence of the Qualified Opportunity Zone designation, together with evidence of a revitalization strategy that has started and will continue. Revitalization planning, marketing of investment opportunities through a neighborhood prospectus, or substantial new investments by the jurisdiction with a significant likelihood of occurring to address the needs of the neighborhood in areas such as economic opportunity, environmental quality,

transportation, infrastructure, health care, education, and crime reduction would constitute such evidence of a revitalization strategy that has started and will continue within a Qualified Opportunity Zone; or

- Where there is significant private investment in the neighborhood that is demonstrably changing the economic character of the area (“revitalizing area”). Indicators of the changing economic character of the area include low or declining poverty rates or violent crime rates; high or increased educational opportunities, median household income, homeownership rates or employment; new or improved retail, commercial, or housing conditions; or indicators of gentrification. The Section 202 Elderly Minority Concentration Tool contains a revitalization report that the applicant may use to inform this analysis. If there are no revitalization data available using the tool (which currently applies to certain of the U.S. Territories), the applicant, based on local knowledge and any available local data, will determine whether the site is in a revitalizing area, and include in its NOFA application a narrative describing its determination that the site is in a revitalizing area, along with supporting documentation, such as maps, data, studies, articles, or statements.

In all cases, the site must be appropriate for residential use. An overriding housing need, however, may not serve as the basis for determining that a site is acceptable if the only reason the need cannot otherwise be feasibly met in another location is that discrimination on the basis of race, color, creed (religion), sex, or national origin renders sites outside areas of minority concentration unavailable. Further, overriding housing need may not serve as the basis for approval if the use of this exception in recent years has had the effect of circumventing the obligation to provide housing choice.

Submission Requirement. For any proposal involving new construction, the Applicant must submit in **Tab I** one or more of the following:

| | |
|---|--|
| 1 | <ul style="list-style-type: none"> • The report from the Elderly Minority Concentration Analysis Tool (or, where applicable, the certification by the applicant) identifying that the proposed site is located in a census tract that is <u>not</u> minority elderly concentrated AND • Where the tool identifies the site to be <u>outside of</u> an area of minority elderly concentration but the site is near the edge of an elderly minority-concentrated census tract or is separated from a significant portion of the occupied land in its census tract by a major geographic barrier (such as a river or interstate highway), the applicant must provide supporting documentation that the census tract is an appropriate representation of the neighborhood. |
| 2 | <ul style="list-style-type: none"> • The report from the Elderly Minority Concentration Analysis Tool where the applicant proposes an alternative geography for the neighborhood and the use of the alternative geography indicates that the proposed site is located in a neighborhood that is not minority elderly concentrated AND • Strong evidence that the boundaries of the proposed alternative geography are a more appropriate representation of the neighborhood of the site and that the proposed boundaries are generally accepted as the neighborhood. |

| | |
|---|---|
| 3 | <ul style="list-style-type: none"> • A report from the Elderly Minority Concentration Analysis Tool (or, where applicable, the certification by the applicant) identifying the location as an area of minority elderly concentration AND • A justification for locating the project in an area of elderly minority concentration because (1) sufficient, comparable opportunities exist for housing minority elderly households in the income range to be served by the proposed project, outside areas of minority concentration (<i>infrequently justified – see the FAQ for additional information regarding the complexities of this justification</i>); or (2) the project is necessary to meet overriding housing needs that cannot be met in that housing market area. |
|---|---|

As compliance with the site and neighborhood standards is a threshold criteria and as the selection of the proposed site is the foundation upon which an application is based, applicants may request HUD review of the proposed justification for locating a project in an area of elderly minority concentration prior to the application deadline for submission of the NOFA. If HUD receives such a request, HUD will determine whether to review such materials and will post its decision together with answers to other questions submitted pursuant to Section VII of this NOFA. If HUD determines, in its sole discretion at that time, to review proposed justifications, HUD will review materials submitted by any potential applicant pursuant to uniform procedures specified in the posted decision.

8. Real Property Acquisition and Relocation. The applicant must comply with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended. Applicants must state whether the property was vacant or occupied at any time since the earlier of publication of this NOFA and securing of site control by the applicant. If the property was occupied, the applicant must state whether relocation did or would occur and must certify that the appropriate required General Information Notice ("GIN") was issued. Where the development proposal will require the relocation of businesses or residents from an existing site, the application must include a relocation plan and budget in compliance with the URA. Such costs must be reflected in the project uses of funds or, if paid or anticipated to be paid outside the project budget, the applicant must provide binding documentation evidencing how relocation costs will be paid.

Applicants must provide the above required documents/information in the application under Tab J.

9. Certification of Consistency with the Consolidated Plan. This program requires a Certification of Consistency with the Consolidated Plan under 24 CFR 91.2, which must be provided under **Tab K**. This certification means the proposed activities in the application are consistent with the jurisdiction's strategic plan and the location of the proposed activities is consistent with the geographic areas for such activities specified in the Consolidated Plan.

Under 24 CFR 91.510, for competitive programs, a certification of consistency of the application with the approved consolidated plan for the jurisdiction may be required, whether the applicant is the jurisdiction or another applicant. If you fail to provide the certification, and you do not cure

the omission as a curable deficiency, HUD will not fund the application.

10. Encumbrances. Following an award of Capital Advance, a Sponsor will need to produce a title report identifying any liens, encroachments, easements or other encumbrances on the property. HUD will revoke an award if an encumbrance will impede the development of the project or will adversely affect the use of the site for the 40-year Capital Advance period.

11. Affirmative Fair Housing Marketing (AFHM). Applicants are required to follow the AFHM requirements of 24 CFR part 200, sub-part M and the implementing regulations at 24 CFR part 108; and the fair housing poster guidelines at 24 CFR 110. [See https://www.hud.gov/program_offices/fair_housing_equal_opportunity/advertising_and_marketing](https://www.hud.gov/program_offices/fair_housing_equal_opportunity/advertising_and_marketing) for additional information about fair housing advertising and marketing requirements.

12. Accessibility Requirements. The following authorities apply to physical accessibility in Section 202 properties:

(1) Applicable required accessibility features under Section 504 of the Rehabilitation Act of 1973;

(2) HUD's regulation at 24 CFR part 8;

(3) Either the Uniform Federal Accessibility Standards (UFAS) or the requirements of HUD's Deeming Notice, 79 Fed Reg 29671 (May 23, 2014);

(4) The design and construction requirements of the Fair Housing Act. If the 202 property is a "covered multifamily dwelling" built for first occupancy after March 13, 1991, the Fair Housing Act applies to the design and construction of the development. 24 CFR part 100; and

(5) Titles II or III of the Americans with Disabilities Act (ADA). If the ADA is applicable, the ADA, its regulations and applicable architectural standards will apply (UFAS, 1991 ADA standards and/or 2010 ADA Standards for Accessible Design). See 28 CFR part 35 (Title II) and part 36 (Title III).

In addition, reasonable accommodations and reasonable modifications are required under each of the foregoing authorities and laws. Under Section 504 entities must provide and pay for structural changes that may be necessary as a reasonable accommodation. Section 504 and the ADA require recipients to ensure effective communication with applicants, participants and members of the public and to provide appropriate auxiliary aids and services, including for electronic communication mechanisms and features where necessary to afford individuals with hearing, vision, and other communication-related disabilities an equal opportunity to access information. All projects must comply with physical accessibility requirements. In addition, applicants are encouraged to implement additional physical design features that support independent living among the elderly. See Rating Factor 1.

13. Energy and Water Conservation. At a minimum, energy efficiency strategies and water conservation appliances and fixtures must be incorporated in the design, construction, and

operation of all new construction and substantial (gut) rehabilitation projects.

a. Owners of new construction and substantial rehabilitation low-rise (up to 3 stories) multifamily developments must meet the requirements of EPA's ENERGY STAR Qualified Homes. Mid-Rise & High-Rise developments (4 or more stories) must meet the ASHRAE 90.1 Appendix G Plus 15 percent standard for Energy Efficiency. Any State energy code requirements will take precedence over ENERGY STAR or ASHRAE specifications when the State code approximates or exceeds that standard. More information concerning this requirement can be found at <http://www.energystar.gov>. For information on the ENERGY STAR Multifamily High-Rise Program, please visit https://www.energystar.gov/index.cfm?c=bldrs_lenders_raters.nh_multifamily_highrise. For information concerning ASHRAE, please visit www.ashrae.org.

b. Installation of water-conserving fixtures is required in all new and substantially rehabilitated developments (i.e. resource efficient plumbing and appliances such as low flow shower heads and faucet and high efficiency toilets). The materials used must be WaterSense labeled products or must offer greater water efficiency. More information is available at www.epa.gov/owm/water-efficiency

c. For all projects that do not qualify as new construction or substantial (gut) rehabilitation, the applicant must perform energy audits and incorporate conservation techniques in their projects. Owners of existing developments must also commit to future installation of WaterSense fixtures and ENERGY STAR appliances in the project's required Operations and Maintenance plan.

14. Labor Standards

a. All laborers and mechanics (other than volunteers under the conditions set out in 24 CFR, part 70) employed by contractors and subcontractors in the construction (including rehabilitation) of housing with 12 or more units assisted under this part shall be paid wages at rates not less than those prevailing in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. 3141).

b. Contracts involving employment of laborers and mechanics shall be subject to the provisions of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701).

c. Sponsors, Owners, contractors, and subcontractors must comply with all related rules, regulations, and requirements.

15. Section 3 Employment Opportunities for Low- and Very-Low-Income Persons. This housing assistance is covered by the Section 3 statute (12 U.S.C. 1701u). To the greatest extent feasible, applicants must provide opportunities for training and employment arising in connection with the rehabilitation or construction of this supportive housing project to low and Very-Low-Income Elderly Persons residing within the metropolitan area (or non-metropolitan county) in which the project is located. Awardees will be required to report to HUD on Section 3 outcomes.

G. Criteria for Beneficiaries.

This subsection G, "Criteria for Beneficiaries" is not applicable

IV. Application and Submission Information.

A. Obtaining an Application Package.

Instructions for Applicants.

You must download both the Application Instructions and the Application Package from Grants.gov. You must verify that the CFDA Number and CFDA Description on the first page of the Application Package, and the Funding Opportunity Title and the Funding Opportunity Number match the Program and NOFA to which you are applying.

The Application Package contains the portable document forms (PDFs) available on Grants.gov, such as the SF-424 Family. The Instruction Download contains official copies of the NOFA and forms necessary for a complete application. The Instruction Download may include Microsoft Word, Microsoft Excel and additional documents.

An applicant demonstrating good cause may request a waiver from the requirement for electronic submission. For example, a lack of available Internet access in the geographic area in which your business offices are located. Lack of SAM registration or valid DUNS is not good cause. If you cannot submit your application electronically, you must ask in writing for a waiver of the electronic grant submission requirements. HUD will not grant a waiver if HUD does not receive your written request at least 15 days before the application deadline and if you do not demonstrate good cause. An email request for a waiver received by HUD 15 days before the application is due will also be considered. If HUD waives the requirement, HUD must receive your paper application before the deadline of this NOFA. To request a waiver you must contact:

Name:

202 Capital Advance

Email:

202CapitalAdvanceNOFA@hud.gov

HUD Organization:

MF HSG

Street:

451 7th St. S.W.

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

B. Content and Form of Application Submission.

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

Submission of an application that is otherwise sufficient, under the wrong CFDA and Funding Opportunity Number is a curable deficiency.

1. Content.

| Forms/Assurances/Certifications | Submission Requirement | Notes/Description |
|---|---|---|
| Application for Federal Assistance (SF424) | Submission is required for all applicants by the application due date. | |
| Disclosure of Lobbying Activities (SFLLL), if applicable | HUD will provide instructions to grantees on how the form is to be submitted. | If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Applicants must furnish an executed copy of the Certification Regarding Lobbying prior to award. |
| HUD Applicant Recipient Disclosure Report (HUD) 2880 Applicant/Recipient Disclosure/Update Report | HUD will provide instructions to grantees on how the form is to be submitted. | HUD instructions to grantees are provided by webcast, To view the webcast, click here. |
| Previous Participation Certification, HUD Form 2530 | Required (either a certification of submission through the electronic | Instructions on how to complete this form can be found on HUD.gov. |

| Forms/Assurances/Certifications | Submission Requirement | Notes/Description |
|--|---|---|
| | portal or the paper submission). | |
| Sponsor's Conflict of Interest Resolution HUD 92041 | Required | Instructions are contained on the form. |
| Sponsor's Resolution for Commitment to the Project HUD 92042 | Required | Instructions are contained on the form. |
| Section 202 Application for Capital Advance – Summary Information HUD Form 92015 | Submission is required for all applicants by the application due date. | Instructions are contained on the form |
| HUD 2996 Opportunity Zone Certification | Submission is required if applicant is applying for this preference points. | This form is contained in the Application Package on grants.gov |

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

| TAB | ITEM | PAGE LIMIT (if applicable) | SUBMISSION REQUIREMENTS | NOFA SECTION REFERENCE |
|------------|---|-----------------------------------|--|---|
| A. | Eligibility and Articles of Incorporation | N/A | Organizational Documents, By-Laws, IRS Tax Exemption and Evidence of Structure | Threshold (Sections III.A . and III.D.2.) |

| | | | | |
|----|--------------------------|---------|---|---|
| B. | Need | N/A | PDF of table used to calculate absorption ratio (with conditions) and corresponding 202 NOFA Toolkit completed (see www.hud.gov/grants). | Threshold (Section III.D.3.) |
| C. | Development Plan | 3 pages | Narrative description of property; Development Timeline | Program (Section III.F.2.) |
| D. | Development Budget | N/A | Sources and Uses, evidence of committed funds (non-Capital Advance). See template in 202 NOFA Toolkit at www.hud.gov/grants/ | Program (Section III.F.3.) and Rating Factor 3 (Section V.A.) |
| E. | Capital Needs Assessment | N/A | Capital Needs Assessment | Program (Section III.F.8.) |
| F. | Operating Pro Forma | N/A | Cash Flow Pro Forma. See template in 202 NOFA Toolkit at www.hud.gov/grants/ | Program (Section III.F.4.) |
| G. | Site Control | N/A | Evidence of Control Documents | Program (Section III.F.5 .) |
| H. | Environmental | N/A | Phase I Environmental Assessment and related reports; Phase II (if required) and Phase III (description of remedial actions, | Threshold (Section III.F.6.) |

| | | | | |
|-----|---|--|--|--|
| | | | if required); and Environmental Partner Worksheets; submitted in HEROS | |
| I. | Site and Neighborhood Standards | N/A | Output document from Section 202 Minority Elderly Concentration Analysis Tool; exception justification if applicable | Program (Section III.F.12.) |
| J. | Real Property Acquisition and Relocation | 5 pages | Narrative description of response to requirements | Program (Section III.F.13) |
| K | Certificate of Consistency with the Consolidated Plan | N/A | Certification | Program (Section III.F.14) |
| L. | Concept and Project Proposal | 30 pages (excluding partner letters of commitment, each of which may not exceed 2 pages and excluding the schematic drawings), the checklist of required features, and the listing of selected optional features.) | | |
| L.1 | Physical Design | N/A | Schematic drawings; checklist of required features; listing of selected optional features; written description of building design. Completion of corresponding section in 202 NOFA Toolkit (see www.hud.gov/grants/ for checklist). | Rating Factor 1 (Section V.A) |
| L.2 | Supportive Services | N/A | Written description of proposed services; partner letters of commitment | Rating Factor 1 (Section V.A) |

| | | | | |
|------|--|---|--|--------------------------------|
| L.3. | Section 3 Employment Opportunities for Low and Very-Low Income Persons | N/A | Description of planned activities towards training and employing Section 3 residents and completion of corresponding section in 202 NOFA Toolkit (See www.hud.gov/grants) | Rating Factor 1 (Section V.A.) |
| M.1 | Market | 4 pages (excluding site map) | Site map; written description of how project is well suited to meet the needs of an aging population and description of location of project; market study (if requested) | Rating Factor 2 (Section V.A.) |
| N. | Capacity, Leverage and Committed Funding | 12 pages (excluding resumes, which shall not exceed 4 pages per organization and property appraisal) Rating Factor 3 (Section V.A.) | | |
| N.1 | Development Experience | N/A | Written description of experience in developing and operating similar housing and completion of corresponding section in 202 NOFA Toolkit on development and management experience (See www.hud.gov/grants) | Rating Factor (Section V.A.) |

| | | | | |
|-----|---|-----|--|--------------------------------|
| N.2 | Appraisal of Donated or Seller-Financed Land | N/A | Third-party appraisal of the land if claiming leverage from donated or seller-financed land. | Rating Factor 3 (Section V.A.) |
| O | Evidence of Compliance with Local Land-Use and Zoning Regulations | N/A | Evidence of the permitting status described and completion of corresponding section in 202 NOFA Toolkit covering land use factor categories (See www.hud.gov/grants). | Rating Factor 4 (Section V.A.) |

2. Format and Form.

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

a. Content of Application and Identification of Documents: A complete application must include all the information, materials, forms and documents listed above, as applicable. Each tab must be submitted as a separate document and must be clearly labeled with the tab number and item name.

b. Format: Narratives and other attachments to your application must utilize the following formatting guidelines. Page limits (other than for supporting documentation) refer to double space pages with no smaller than 1-inch margins and, for all narrative pages, Times New Roman font in at least 12-point size. Page limits do not include documentation in other tabs which are cross-referenced in the narrative. All narrative pages must be numbered. Applicants must use 8 1/2 x 11-inch paper. No more than one page of text may be placed on one sheet of paper; i.e., you may not shrink pages to get two or more on a page. Except in the case of schematic drawings, shrunken pages, or pages where a minimized/reduced font are used, will be counted as multiple pages. Please do not use end notes or footnotes and do not format your narrative in columns. Pages with text in columns will be counted as two pages. The maximum page limits, where applicable, are indicated below for each of the required narratives and supporting documents.

C. System for Award Management (SAM) and Dun and Bradstreet Universal Numbering System (DUNS) Number.

1. SAM Registration Requirement.

Applicants must be registered with <https://www.sam.gov/SAM> before submitting their application. In addition, Applicants must maintain an active SAM registration with current information while they have an active Federal award or an application or plan under consideration by HUD.

2. DUNS Number Requirement.

Applicants must provide a valid DUNS number, registered and active at <https://www.sam.gov/SAM>, in the application. DUNS numbers may be obtained for free from Dun & Bradstreet.

3. Requirement to Register with Grants.gov.

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

Application Due Date Explanation

The application deadline is 11:59:59 pm Eastern Standard time on **05/26/2021**.

Applications must be received no later than the deadline.

Submit your application to [Grants.gov](https://www.grants.gov) unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your paper application will be contained in the waiver of electronic submission.

"Received by [Grants.gov](https://www.grants.gov)" means the applicant received a confirmation of receipt and an application tracking number from [Grants.gov](https://www.grants.gov). [Grants.gov](https://www.grants.gov) then assigns an application tracking number and date-and timestamps each application upon successful receipt by the [Grants.gov](https://www.grants.gov) system. A submission attempt not resulting in confirmation of receipt and an application tracking number is not considered received by [Grants.gov](https://www.grants.gov).

Applications received by [Grants.gov](https://www.grants.gov) must be validated by [Grants.gov](https://www.grants.gov) to be received by HUD.

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

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

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

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

Please make note of the Grants.gov tracking number as it will be needed by the Grants.gov Help Desk if you seek their assistance.

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

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

If these events occur, HUD will post a notice on its website establishing the new, extended deadline for the affected applicants. HUD will also include the fact of the extension in the program's Notice of Funding Awards required to be published in the Federal Register.

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

PLEASE NOTE: Busy servers, slow processing, large file sizes, improper registration or password issues are not valid circumstances to extend the deadline dates or the grace period.

1. Amending or Resubmitting an Application.

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

If HUD receives an original and a revised application for a single proposal, HUD will evaluate

only the last submission received by Grants.gov before the deadline.

2. Grace Period for Grants.gov Submissions.

If your application is received by Grants.gov before the deadline, but is rejected with errors, you have a grace period of 24 hours after the application deadline to submit a corrected, received, and validated application through Grants.gov. The date and time stamp on the

Grants.gov system determines the application receipt time. Any application submitted during the grace period not received and validated by Grants.gov will not be considered for funding. There is no grace period for paper applications.

3. Late Applications.

An application received after the NOFA deadline date that does not meet the Grace Period requirements will be marked late and will not be received by HUD for funding consideration. Improper or expired registration and password issues are not causes that allow HUD to accept applications after the deadline.

4. Corrections to Deficient Applications.

HUD will not consider information from applicants after the application deadline. Before the deadline, HUD may contact the applicant to clarify information submitted.

HUD will uniformly notify applicants of each curable deficiency. A curable deficiency is an error or oversight that, if corrected, would not alter, in a positive or negative fashion, the review and rating of the application. See curable deficiency in the definitions section (Section I.A.3.). Examples of curable (correctable) deficiencies include inconsistencies in the funding request and failure to submit required certifications. These examples are non-exhaustive.

When HUD identifies a curable deficiency, HUD will notify the authorized representative by email. This email is the official notification of a curable deficiency. Each applicant must provide accurate email addresses for receipt of these notifications and must monitor their email accounts to determine whether a deficiency notification has been received. The applicant must carefully review the request to cure a deficiency and must provide the response in accordance with the instructions contained in the deficiency notification.

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

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

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

5. Authoritative Versions of HUD NOFAs. The version of these NOFAs as posted on Grants.gov are the official documents HUD uses to solicit applications.

6. Exemptions. Parties that believe the requirements of the NOFA would impose a substantial burden on the exercise of their religion should seek an exemption under the Religious Freedom Restoration Act (RFRA).

E. Intergovernmental Review.

This program is subject to Executive Order 12372, Intergovernmental Review of Federal Programs. Executive Order 12372 allows each state to designate an entity to perform a state review function. To determine if your state has designated a State Point of Contact (SPOC), please see the [SPOC List at OMB](#). States not listed on the website have chosen not to participate in the intergovernmental review process and, therefore, do not have a SPOC. If your state has a SPOC, you should contact the SPOC to see if that person/office is interested in reviewing your application before you submit it to HUD.

F. Funding Restrictions.

See Section I.A.1

Indirect Cost Rate.

G. Other Submission Requirements.

1. Application, Assurances and Certifications.

Standard Form 424 (SF-424) Application for Federal Assistance Programs is the government-wide form required to apply for Application for Federal Assistance Programs, discretionary Federal grants and other forms of financial assistance programs. Applicants for this Federal assistance program must submit all required forms in the SF-424 Family of forms, including SF-424B (Assurances of Non construction Programs) or SF424D (Assurances for Construction Programs). Applications receiving funds for both non construction programs and construction programs must submit both the SF-424B and SF-424D.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), the applicant and the signing authorized representative affirm that they have reviewed the certifications and assurances associated with the application for federal assistance and (1) are aware the submission of the SF424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the

applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to federally recognized Indian tribes, and those applicable to applicants other than federally recognized Indian tribes. All program specific certifications and assurances are included in the program Instructions Download on Grants.gov.

Assurances. By submitting your application, you provide assurances that, if selected to receive an award, you will comply with U.S. statutory and public policy requirements, including, but not limited to civil rights requirements.

2. Lead Based Paint Requirements.

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

V. Application Review Information.

A. Review Criteria.

1. Rating Factors.

Applicants must review and follow any documentation requirements provided in this Rating Factor Section and the instructions on application organization, content and submission provided in **Section IV.B.**

Rating Factor 1: Physical Design and Supportive Services

Maximum Points: 33

Applicants must provide the required documents/information in the application under **Tab L**, which should include, as necessary, specific references to other relevant sections of the application that will support HUD's evaluation.

HUD seeks to fund the development of properties where elderly residents can live independently and age in place, even as they may require over time a higher level of assistance with activities of daily living. Such a property would need to be appropriately designed and be able to facilitate residents' access to appropriate services. Such affordable housing could avoid the need for residents to move to the intensive and expensive level of care provided by assisted living facilities and nursing homes.

1.1 Physical Design (20 points)

Applicants must provide schematics of the building and unit design, the checklist referenced in **Appendix B Part A** regarding the inclusion of required features, a listing of other features as referenced in **Appendix B**, and a narrative description of how the design will prolong the period that elderly residents with varying levels of health needs can live independently. Applicants

must commit, through one of the following four items, to design features that prevent falls, incorporate universal design and visitability principles, leverage electronic communications, and promote health and wellness.

1. **Fall Prevention.** Falls remain the leading cause of injury, long-term disability, premature institutionalization, and injury-related mortality among the elderly. The majority of falls experienced by the elderly occur in the home. See <http://stopfalls.org/what-is-fall-prevention/>. According to the CDC, preventing falls among the elderly population requires a holistic approach that includes changes to the physical space, including installing grab bars inside and outside of the bathtub/shower and next to the toilet, affixing railings on both sides of hallways, removing trip hazards, and ensuring that units and common areas have adequate lighting. For more information on fall prevention, please see Centers for Disease Control, Home and Recreational Safety, www.cdc.gov/homeandrecreationalafety/falls/adultfalls.html.
2. **Visitability/Universal Design.** Visitability is a set of features that makes a home (or building) easier for persons with mobility and sensory disabilities, as well as Elderly Persons and the general public to live in and visit. Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. These concepts serve to enhance the accessibility of a property beyond the features that are required under federal accessibility laws and architectural standards, and in response to reasonable accommodation requests. There is a significant benefit to incorporating at a project's initial development or during rehabilitation, enhanced accessibility features both to individual units and to public and common use areas. These types of features increase the overall accessibility of a development and further the ability of individuals with various disabilities, as well as elderly persons and the general public, to better utilize their housing. Examples include no-step entrances, power operated or proximity-based-entry resident entrances into buildings, wider doorways and hallways, installing levers instead of doorknobs, open concept floor plans while still allowing spaces to be closed off for privacy, additional clearance space throughout units, accessible bathrooms on the first floor of multi-level units, bathtub/shower grab bars in all units, adjustable height shelves and pull-out pantry storage in kitchens; adjustable height closet rods and shelves in closets; and motion activated or "rocker-pad" light switches. More information about visitability is available at <https://www.visitability.org> or see Strategies for Providing Accessibility and Visitability for HOPE VI and Mixed Finance Homeownership" available at www.huduser.gov/portal/publications/pubasst/strategies.html. The principles of universal design can be found at this link: https://projects.ncsu.edu/ncsu/design/cud/about_ud/udprinciplestext.htm. In addition, the Hartford Center for Mature Market Excellence(R) developed resources inspired by principles of universal design: <https://www.thehartford.com/resources/mature-market-excellence/remodel>.
3. **Electronic Communication Availability/Accessibility.** Affordable access to electronic communication networks can improve health outcomes for the elderly because it enables the delivery of telehealth services and may reduce social isolation, which leads to higher rates of morbidity and mortality, infection, depression, and cognitive decline. Telehealth

is the use of telecommunications and information technologies to share information, and provide clinical care, education, public health, and administrative services at a distance. There is evidence that it is an effective tool in remote patient monitoring and counseling for patients with chronic conditions and in psychotherapy as part of behavioral health. While broadband infrastructure requirements of 24 C.F.R. 5.100 may not apply to all applications, all applications will be evaluated based on the extent to which the property is designed to ensure access to electronic communications via broadband and cellular networks. For more on the impact of telehealth on health outcomes, see https://effectivehealthcare.ahrq.gov/sites/default/files/pdf/telehealth_technical-brief.pdf. For more about Telehealth technology visit the National Telehealth Technology Assessment Resource Center: <http://www.telehealthtechnology.org>

4. **Health and Wellness.** Building design that promotes physical activity and social interaction improves the health and mitigates the effects of loneliness in an aging population. Further, building, design features can effectively mitigate the spread of infectious diseases.

As stated above, applicants can achieve a maximum of 20 points for Physical Design. 12 of the 20 points can be achieved by incorporating optional design features selected from the “**Physical Design and Livability Template**” in **Appendix B**. The remaining 8 points in Physical Design is based on the aggregate evaluation of the schematics, the full list of commitments regarding common optional features, and any other innovative and impactful building features designed to extend the period residents can live independently and age-in-place as described in a written narrative. All items must be submitted in **Tab L**.

1.2 Supportive Services (13 points). Applicants must describe:

1. The proposed supportive services, including how the services will be delivered. The supportive services plan must describe health-related services, services that assist with Activities of Daily Living ("ADLs"), services that mitigate social isolation and depression, and social services that enhance quality of life. Supportive services must be designed to prolong the period that elderly residents with varying levels of health needs can live independently.
2. The public or private funds that are expected to fund the proposed services over the life of the project. This may include:
 1. Hiring, contracting with or otherwise retaining a full- or part-time Service Coordinator, who will assist residents in identifying, locating and acquiring those supportive services necessary for independent living and aging-in place. Per 24 CFR 891.225, costs associated with the employment of a service coordination are eligible to be covered under the PRAC and have been incorporated into the calculation of the initial PRAC rents (Operating Cost Standards) listed in Appendix A;
 2. Up to \$15 per unit per month of PRAC funds for service expenses. This allowance has been incorporated into the calculation of the initial PRAC rents (Operating Cost Standards) listed in Appendix A;
 3. Medicaid reimbursement for health-related expenses; and

4. Other sources, including state and local programs, grants, donations, tenant fees, etc.
3. The capacity of sponsor and partner organizations to coordinate, deliver, and finance supportive services. HUD will consider applicants' demonstrated ability, awareness of resources in this area, and capacity to partner with state and local health care agencies and/or service providers to provide these services. The applicant must identify each partner's role in the implementation of the supportive services plan. These partners may include, for example, the State Medicaid Agency and associated agencies, Area Agencies on Aging, Aging and Disability Resource Centers, Local Health Departments, managed care entities, state and local government entities, and/or community-based organizations. Partnerships with agencies to provide supportive services cannot result in limiting eligibility of the project to persons with specific disabilities or individuals who qualify only for certain disability-specific services. If the Sponsor will be working with a partner(s) to implement the supportive services at the project, a letter(s) of support from the partner organization(s) must be included with details of the expected agreement. If you have entered into a Memorandum of Understanding or Interagency Agreement with the organization or agency providing the services, you may attach this document in lieu of a letter of commitment.

All applications must include:

1. A supportive services plan that addresses the health and social needs of elderly populations and that the Applicant agrees to periodically update; and
2. Identification of funding sources to implement the supportive services plan.

Applicants will be rated on the capacity of the Sponsor and its partners to deliver, coordinate, and finance robust supportive services. Points will be awarded based on the relevant experience and the extent to which the application demonstrates that in at least one other elderly housing context, the Sponsor and/or its partners have delivered supportive services; coordinated supportive services from a diverse set of partner organizations and/or arranged sustainable funding for services; and effectively improved resident well-being and/or quality of life for the elderly, such as reducing hospitalization visits, reducing moves to assisted living or hospice-care facilities, increased tenant satisfaction, etc.

Rating Factor 2: Market

Maximum Points: 14

Applicants must provide the required documents/information in the application under Tab M, with the exception of Need, which will be evaluated based on Tab B. Tab M should include, as necessary, specific references to other relevant sections of the application that will support HUD's determination.

2.1. Need (4 points) Applicants will be rated on the absorption ratio as defined in Section III.C.3.

- **Evidence of Strong Need (4 points).** An absorption ratio of 15% or less.
- **Evidence of Need (2 points).** An absorption ratio greater than 15% and less than 30%.
- **No Evidence of Need (0 points).** An absorption ratio 30% or greater or, notwithstanding a lower absorption ratio, if HUD finds that existing HUD assisted

elderly properties within the census tract or adjacent census tracts face a significant lack of demand.

2.2. Neighborhood and Context (10 points).

Applicants must demonstrate that the location of the site supports independence and/or alleviates isolation. The applicant must identify the location, the proximity, and the ease of access of the project site to amenities important to the elderly that supplement the services provided on-site, including:

- Health care and social service facilities (e.g., senior center, licensed adult or senior care facility, hospital, medical clinic, or social service organization that offers services relevant to the elderly);
- grocery stores (e.g. supermarket or other store that sells produce and meat);
- recreational facilities (e.g., parks and green space, community or senior center, gym, health club, family entertainment venue, library);
- civic facilities (e.g., place of worship, police or fire station, post office);
- adult educational facilities; and
- other neighborhood-serving amenities (e.g., apparel store, convenience store, pharmacy, bank, hair care, dry cleaners, and restaurants).

Applicants must describe how residents could reasonably access critical amenities, particularly without the use of a personal motor vehicle. Amenities will generally be considered readily available if they are within one-half mile walking distance or if they can be accessed within 30 minutes by public transportation, including accessible public transportation options, and/or affordable private door-to-door shuttle/van service that is reliable and accessible. Applicants may commit to providing such transportation services if the nature of the commitment is adequately described and the costs of operation are reflected in the project's budgets. Applicants must submit a map of the project relative to the described amenities as supporting evidence that the site is well-suited for and likely to attract elderly residents.

To score the maximum number of points on this factor, applicants must make a compelling argument that the location of the proposed project is well suited with respect to proximate amenities to meet the needs of an aging population.

Rating Factor 3: Capacity, Project Leverage and Committed Funding

Maximum Points: 41

Applicants must provide the above required documents/information in Tab N as part of the application submission.

Applicants must score at least 20 points on this rating factor to be considered for funding.

3.1. Development and Management Experience (15 points). This factor addresses the extent to which the applicant, or a member of the applicant's team, has the experience and organizational resources to successfully implement the proposed activities in a timely manner. A resume must be provided for the applicant and all Sponsors/Co-Sponsors, along with a listing

of properties that the Sponsor is using to claim experience. Applicants should show how the scope, extent, and quality of the Sponsor's and/or their consultant team's recent experience in developing and operating housing is consistent with the details of the proposed project. The evaluation will consider experience with Section 202 and LIHTC financing (to the extent such expertise is relevant to the proposal). Applicants will be provided up to:

- 8 points based on development experience;
- 6 points for experience operating elderly affordable housing, and
- 1 point for experience managing a property assisted under a PRAC

See further description of the allocation of points below.

a. Development Experience

If the project does not include LIHTC, application will be scored on the following scale:

| Number of Capital Advance Projects Developed | Capital Advance Experience Points (Application without LIHTC) |
|--|---|
| 0-1 | 0 |
| 2-4 | 4 |
| 5+ | 6 |

If the project does includes LIHTC—sum the points in the Capital Advance and LIHTC tables below:

| Number of Capital Advance Projects Developed | Capital Advance Experience Points (Application with LIHTC) |
|--|--|
| 0-1 | 0 |
| 2-4 | 2 |
| 5+ | 4 |

| Number of LIHTC Projects Developed | LIHTC Experience Points (Application with LIHTC) |
|------------------------------------|--|
| 0-1 | 0 |
| 2-4 | 2 |
| 5+ | 4 |

Provide a list of properties developed by the Sponsor that fit into the categories listed above

b. Management and Operating Experience. Applicants will be evaluated for management and operating experience based on the following matrix

| Years owning and operating elderly affordable housing | Points |
|---|--------|
| 0 | 0 |
| 1-5 | 2 |
| 6-9 | 4 |
| 10+ | 6 |

Provide a list of properties developed by the Sponsor that fit into the categories listed above.

c. Management of property assisted through a PRAC. (1 point). Identify whether the Sponsor and/or its partners has experience managing a property under PRAC requirements. Identify at least one property, including its iREMS number, where the most recent REAC score exceeds 80.

Applicants must provide the above required documents/information in the application under Tab N.1.

3.2. Project Leverage (15 points). Applicants will be rated on the amount of financing brought to the project by the applicant in relation to the amount of Capital Advance funding requested in the application. A leverage score will be assigned to your application based on the scale provided.

Answers to the following questions will help you determine your project leverage score:

- How much have you requested in Capital Advance funding per unit that will be assisted under the PRAC?
- How much additional leveraging capital are you bringing to the project in the Development Budget per total units at the project? Leveraging Capital could include, but is not limited to, any of the following: (a) Tax credit equity from a 9% Low-Income Housing Tax Credit ("LIHTC"); 4% LIHTC; historic rehabilitation tax credit; Opportunity Fund investment, or a similar federal or state tax credit; (b) First mortgage financing (supported by non-PRAC funds, such as market-rate units or units under a Section 8 contract, or supported by the projected PRAC Rents if the applicant commits to implement a conversion to a Section 8 contract under RAD); (c) Subordinate loan funds; (d) Grant awards; (e) Sponsor capital (including deferred developer fee); and/or (f) Appraised value of donated or seller-financed land (Land donations or seller financing must include an appraisal or tax assessment to document value.)

| Leverage Ratio of Capital Advance to All Other Sources | | | | | | Points | |
|--|---|--------|--------------|-----|---|--------|---|
| | | | Less than | \$1 | : | \$0.33 | 0 |
| \$1 | : | \$0.33 | to less than | \$1 | : | \$0.50 | 1 |
| \$1 | : | \$0.50 | to less than | \$1 | : | \$0.75 | 2 |

| | | | | | | | |
|-----|---|--------|--------------|-----|---|------|----|
| \$1 | : | \$0.75 | to less than | \$1 | : | \$1 | 3 |
| \$1 | : | \$1 | to less than | \$1 | : | \$2 | 5 |
| \$1 | : | \$2 | to less than | \$1 | : | \$4 | 7 |
| \$1 | : | \$4 | to less than | \$1 | : | \$6 | 9 |
| \$1 | : | \$6 | to less than | \$1 | : | \$8 | 11 |
| \$1 | : | \$8 | to less than | \$1 | : | \$10 | 13 |
| \$1 | : | \$10 | or greater | | | | 15 |

Examples:

- Your budget indicates that your project will cost \$12.2 million for an 80 unit project that would be fully assisted under a PRAC. You have requested Capital Advance funds in the amount of \$1.2 million (\$15,000 per PRAC unit) and you are bringing a total of \$10 million (\$125,000 per total project units) to the project primarily through a combination of a 9% tax credit allocation and mortgage financing. Your ratio of capital advance requested (\$15,000 per PRAC unit) to all other sources (\$125,000) is $(\$125,000/\$15,000) = 8.33$. For each \$1 in Capital Advance funds, \$8.33 is leveraged (\$1: \$8.33). Therefore, your score is 13 points.
- Your budget indicates that your project will cost \$12.2 million for an 80 unit project that will have 40 units assisted under a PRAC. You have requested Capital Advance funds in the amount of \$2 million (\$50,000 per PRAC unit) and the balance of \$10.2 million (\$127,500 per total project units) will be provided by 4% tax credit equity, mortgage financing, and other sources. The ratio of Capital Advance requested (\$50,000 per PRAC unit) to all other sources (\$127,500 per total project units) is $(\$127,500/\$50,000) = 2.55$. For each \$1 in Capital Advance funds, \$2.55 is leveraged (\$1: \$2.55). Therefore, your score is 7 points.

Appraisal of Donated or Seller-Financed Land

Applicants claiming leverage from donated or seller-financed land must attach a third-party appraisal of the land.

Applicants must provide the above required documents/information in the application under Tab N.2.

3.3. Commitment of Sources (10 points).

Applicants will be rated on the extent to which the non-Capital Advance funding sources proposed for the development have a high likelihood of being secured. The following evidence must be submitted to HUD in order for a secured or anticipated source to be considered “committed” for the purposes of this rating factor:

- **Secured**
 - A 9% LIHTC allocation with a pricing letter from an investor;
 - Governmental resolutions or other documentation of final award of grant or subordinate loan funds;

- Grant award letters;
 - Owner equity, including the minimum required commitment specified in Section III.C;
 - Binding commitment to donate land;
 - Binding commitment to defer developer fee;
 - Reasonable income from operations (in the context of an occupied rehabilitation project); and
 - Other evidence of commitment acceptable to HUD.
- **Anticipated**
 - A pricing letter from an investor for an anticipated 4% LIHTC allocation. The applicant need not have applied for the bond financing or credits;
 - A loan offer with reasonable terms;

Applicants will be scored on the scale below:

| | |
|-----------|--|
| 10 Points | 90% or more of the total dollar amount of external sources are committed to the project |
| 8 Points | 80% or more, but less than 90% of the total dollar amount of external sources are committed to the project |
| 6 Points | 70% or more, but less than 80% of the total dollar amount of external sources are committed to the project |
| 4 Points | 60% or more, but less than 70% of the total dollar amount of external sources are committed to the project |
| 2 Points | 50% or more, but less than 60% of the total dollar amount of external sources are committed to the project |
| 0 Points | Less than 50% of the total dollar amount of external sources are committed to the project |

Applicants claiming points for commitment of sources of funding must attach evidence of such commitments in the application under Tab D.

3.4. Employment Opportunities for Low- and Very-Low-Income Persons (1 point). Applicants will be evaluated on their planned activities toward fulfilling the goal of training and employing Section 3 residents and contracting with Section 3 business concerns in the development of the proposed project.

Rating Factor 4: Land-Use/Zoning

Maximum Points: 10

Evidence of Compliance with Local Land-Use and Zoning Regulations (10 points):

Each applicant must provide evidence of the project's status regarding compliance with local zoning and land use regulations and its access to public utilities. Applications will be scored on the extent to which they meet such requirements with Fully Permitted plans (10 points), Partially Permitted plans (4 points), and Not Land Use Compliant plans (0 points).

- **Fully Permitted (10 points).** Evidence that the project, as proposed, is permissible under applicable zoning ordinances or regulations (either by right or under approved variances) and does not require additional discretionary action from a governing body such as rezoning, variances, special or conditional use permits, design review, or any other land use approval. If no discretionary action is required to receive a building permit, submit a letter or other evidence from the local governing body stating that additional rezoning, variances, special or conditional use permits, design review or any other land use and public utility approval are not required.
- **Partially Permitted (4 points).** Evidence that the project, as proposed, is permissible under applicable zoning ordinances or regulations but requires other discretionary approvals. If discretionary action(s) is required, include a statement of the action required to make the proposed project permissible to receive a building permit **AND** the basis for the belief that the action will be completed successfully before the submission of the firm commitment application, which is due 180 days after the Agreement Letter is signed, (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).
- **Not Land Use Compliant (0 points).** If action(s) is required, include a statement of the action required to make the proposed project permissible to receive a building permit **AND** the basis for the belief that the proposed action will be completed successfully before the submission of the firm commitment application, which is due 180 days after the Agreement Letter is signed, (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).

Zoning Requirements Documents

Applicants shall include such documents as would evidence the permitting status described.

Applicants must provide the above required documents/information in the application under Tab O.

2. Other Factors.

Preference Points.

HUD encourages activities in support of the Secretary's FY20 Initiatives. HUD may award up to two (2) points for any of the 3 preferences (OZ, PZ or HBCU).

Opportunity Zones.

Opportunity Zone (OZ) Certification and Supporting Documentation: Applicants proposing projects in an Opportunity Zone community must identify the state, county and census tract(s) of the opportunity zone(s) in which the activity will be carried out and provide certification to HUD in order to receive preference points. The certification must affirm that the investment is in a qualified Opportunity Zone, and be submitted as a supporting attachment on the applicant's letterhead with the application package. Applicants must also provide supporting documentation showing that the investment is in an Opportunity Zone. To view the list of designated Opportunity Zones, please see the following link on the U.S. Department of the Treasury website: <https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx>. HUD encourages activities in Opportunity Zones. This form will be included as part of the grant application package on [grants.gov](https://www.grants.gov) for all HUD grants that offer Opportunity Zone preference points. For Fiscal Year 2020, applicants will be required to complete and submit this form along with the SF-424 in order to be eligible for Opportunity Zone preference. Applicants who do not complete this form and submit it along with the rest of their application package will not be eligible to receive the points. Additionally, applicants who do complete and submit this form, but indicate they intend to use less than 50% of the award within Opportunity Zone tracts, will also be ineligible to receive preference points, unless: a.) the applicant can show why they are unable to expend at least 50% of the grant award within Opportunity Zone designated tracts, or b.) the applicant is able to make a compelling case for why the amount that will be expended will have a significant impact within Opportunity Zone designated tracts.

Applicants must provide the required documents under Tab M.2. HUD will provide two points for sites located within an Opportunity Zone. Applicants must use all of the funds awarded under this NOFA on the parcel of land identified for development in this NOFA and referenced in the site control documentation. Use of less than 50% of the award within the Opportunity Zone tracts primarily refers to situations where the proposed site spans the boundary of the Opportunity Zone, and for purposes of the points will be calculated based on the square footage of improvements within and outside of the Opportunity Zone.

HBCU.

This program does not offer HBCU preference points.

Promise Zones

This program does not offer Promise Zone preference points.

B. Review and Selection Process.

1. Past Performance

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

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

Meeting program requirements;

The number of persons served or targeted for assistance;

HUD reserves the right to disqualify applicants that demonstrate a serious, irreparable lack of capacity to undertake the proposed development.

HUD may reduce scores as specified under V. A. Review Criteria. Whenever possible, HUD will obtain past performance information. If this review results in an adverse finding related to integrity or performance, HUD reserves the right to take any of the remedies provided in Section

III. E Statutory and Regulatory Requirements Affecting Eligibility, “Pre-selection Review of Performance” document link above.

2. Assessing Applicant Risk.

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

- Financial stability;
- Quality of management systems and ability to meet the management standards prescribed in this part;
- History of performance. The applicant's record in managing Federal awards, if it is a prior recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- Reports and findings from audits performed under Subpart F—Audit Requirements of this part or the reports and findings of any other available audits; and
- The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities.

HUD may impose special conditions on an Award as provided under 2 CFR 200.207:

1. Based on HUD's review of the applicant's risk under 2 CFR 200.205;
2. When the applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal Award;
3. When the applicant or recipient fails to meet expected performance goals; and
4. When the applicant or recipient is not otherwise responsible.

HUD may impose special conditions on Awards made if, in the review of the application, HUD identifies factors that may impede or place at risk the successful completion of the project.

HUD's selection process is designed to ensure Awards go to eligible applicants submitting the most meritorious applications. HUD will consider the information applicants submit by the application deadline date. After the application deadline date, HUD cannot, consistent with its regulations in 24 CFR 4, sub-part B, consider any unsolicited information that an applicant or any third party may want to provide. HUD may verify information provided in your application as needed by sending a written request for clarification. Responses to such inquiries will be required within 2 business days.

1. **Initial Review.** Reviewers will evaluate threshold and minimum program compliance and, if the project meets the threshold and minimum program requirements, will preliminarily rate each eligible application, solely based on the rating factors described in Section V.A of this NOFA. Reviewers will assign a preliminary score for each rating factor and a total score. HUD will then rank applications in descending score order.
2. **Secondary Review.** A Review Coordinator will:

1. Review the Initial Review documentation to ensure any inconsistencies between preliminary reviewers are identified and rectified and to ensure the Initial Review documentation accurately reflects the contents of the application;
 2. Assign a final score to each application and rank them in descending score order;
 3. Recommend for selection the most highly rated applications located in non-metropolitan areas until the minimum requirement for such areas, specified in paragraph 3 below, is reached;
 4. Recommend for selection the most highly rated of the remaining applications until the minimum requirement for each Office of Multifamily Housing Programs administrative region, specified in item 3.4 below, is reached;
and
 5. Recommend for selection the most highly rated of the remaining applications, subject to the amount of available funding.
3. Selection Considerations:
1. Minimum scoring. To qualify for a Capital Advance Award, applicants must earn a minimum score of 75 points which must include a minimum score of 20 points for Rating Factor 1 (Physical Design and Supportive Services) and a minimum score of 20 points for Rating Factor 3 (Capacity, Project Leverage, and Committed Funding). Any application not earning a minimum scoring criteria will not be awarded under this NOFA.
 2. Tie Scores. If two or more applications have the same score and there are insufficient funds to select all of them, HUD will select the application(s) with the highest score funder Rating Factor 1. If a tie remains, HUD will select the application(s) with the highest score for Rating Factor 2, then Rating Factor 3;
 3. Not less than 15 percent of the funds made available for assistance under this NOFA shall be allocated to non-metropolitan areas, unless there are insufficient applications that meet the minimum score;
 4. Not less than 10 percent of the funds made available for assistance under this NOFA shall be allocated to each of the five Office of Multifamily Housing Programs administrative regions, unless there are insufficient applications that meet the minimum score. To identify the administrative regions, see www.hud.gov/program_offices/housing/mfh/hsgmfbus/abouthubspcs
 5. HUD has the discretion to award a given project less than the funding requested in the application if it would facilitate making another award with the funds available. HUD will consult with an applicant if needed to take into consideration lesser amounts that an applicant would accept, below which the project is not feasible, in making this determination.

3. Anticipated Announcement and Award Dates.

HUD anticipates announcing awards under this NOFA approximately four months after the application deadline date.

4. In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Federal awarding agency will review and consider applications for funding pursuant to this notice of funding opportunity in accordance with the:

- President's September 2, 2020 memorandum, entitled *Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds that Are Permitting Anarchy, Violence, and Destruction in American Cities*;
- *Executive Order on Protecting American Monuments, Memorials, and Statues and Combating Recent Criminal Violence* (E.O. 13933); and
- Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register's 85 FR 49506 on August 13, 2020, particularly on:
 - Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR part 200.205),
 - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115—232) (2 CFR part 200.216),
 - Promoting the freedom of speech and religious liberty in alignment with *Promoting Free Speech and Religious Liberty* (E.O. 13798) and *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities* (E.O. 13864) (§§ 200.300, 200.303, 200.339, and 200.341),
 - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322), and
 - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340).

See Frequently Asked Questions for this NOFA located at https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/fundingopps for additional information.

VI. Award Administration Information.

A. Award Notices.

A fund reservation award constitutes preliminary approval of an application, and does not constitute an approval of the site, which may occur only upon completion of HUD's environmental review. See **Sections III.F.7 and VI.B.14** of this NOFA for environmental requirements.

HUD will endeavor to fund all requested PRAC units for any applications selected from this NOFA. However, if HUD would be able to make an additional award if the application's requested number of PRAC units or Capital Advance funds were modestly reduced HUD will provide the applicant an opportunity to reduce the Capital Advance or reduce the PRAC to fit within the remaining estimated total funding. HUD also reserves the right to adjust funding amounts to correct errors and to adjust the amount of funds required to cover the PRAC costs

based on the year the project is completed and placed in service. In addition, this NOFA incorporates the Funding Errors section from the FY 2020 General Section.

B. Administrative, National and Department Policy Requirements for HUD recipients

For this NOFA, the following [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#) apply. (Please select the linked text to read the detailed description of each applicable requirement).

1. Compliance with Non-discrimination and Related Requirements.

Unless otherwise specified, these non-discrimination and equal opportunity authorities and other requirements apply to all NOFAs. Please read the following requirements carefully as the requirements are different among HUD's programs.

- Compliance with Fair Housing and Civil Rights Laws, Which Encompass the Fair Housing Act and Related Authorities (cf. 24 CFR 5.105(a)).

- Affirmatively Furthering Fair Housing.

- Economic Opportunities for Low-and Very Low-income Persons (Section 3).

- Improving Access to Services for Persons with Limited English Proficiency (LEP).

- Accessible Technology.

2. Equal Access Requirements.

3. Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business.

4. Equal Participation of Faith-Based Organizations in HUD Programs and Activities.

5. Uniform Relocation Act – Real Property Acquisition and Relocation Requirements.

6. Participation in HUD-Sponsored Program Evaluation.

7. Drug-Free Workplace.

8. Safeguarding Resident/Client Files.

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

10. Eminent Domain.

11. Accessibility for Persons with Disabilities.

12. Violence Against Women Act.

13. Conducting Business in Accordance with Ethical Standards/Code of Conduct.

14. Environmental Requirements.

Compliance with 24 CFR part 50 or 58 procedures is explained below:

See Section III.F.6 for detail on environmental review requirements. This program is subject to the National Environmental Policy Act of 1969 (NEPA) and related Federal environmental authorities and regulations at 24 CFR part 50.

C. Reporting.

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

1. Recipient Integrity and Performance Matters. Applicants should be aware that if the total Federal share of your Federal award includes more than \$ 500,000 over the period of performance, you may be subject to post award reporting requirements reflected in Appendix XII to Part 200-Award Term and Condition for Recipient Integrity and Performance Matters.

2. Race, Ethnicity and Other Data Reporting. HUD requires recipients that provide HUD-funded program benefits to individuals or families to report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of HUD programs in order to carry out the Department's responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987.

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

3. Program-Specific Reporting Requirements

N/A

D. Debriefing.

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

VII. Agency Contact(s).

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

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

202 Capital Advance NOFA Team

Phone:

N/A

Email:

202CapitalAdvanceNOFA@hud.gov

Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Relay Service at 800-877-8339. Please note that HUD staff cannot assist applicants in preparing their applications.

VIII. Other Information.

1. National Environmental Policy Act.

This NOFA provides funding under and does not alter the environmental requirements of 24 CFR part 891. Accordingly, under 24 CFR 50.19(c)(5), this NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Activities under this NOFA are subject to environmental review provisions set out at 24 CFR 891.155(b). See also Sections III.F.6. and VI.B.14 above.

2. Paperwork Reduction Act Statement. The information collection requirements in this notice have been approved by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-

3520). In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. Each NOFA will identify its applicable OMB control number unless its collection of information is excluded from these requirements under 5 CFR part 1320.

3. Web Resources.

- [Affirmatively Furthering Fair Housing](#)
- [Code of Conduct list](#)
- [CFDA](#)
- [Dun & Bradstreet](#)
- [Equal Participation of Faith-Based Organizations](#)
- [Federal Awardee Performance and Integrity Information System](#)
- [FFATA Subaward Reporting System](#)
- [Grants.gov](#)
- [HBCUs](#)
- [Healthy Homes Strategic Plan](#)
- [Healthy Housing Reference Manual](#)
- [HUD's Strategic Plan](#)
- [HUD Grants](#)
- [Limited English Proficiency](#)
- [NOFA Webcasts](#)
- [Opportunity Zone](#)
- [Procurement of Recovered Materials](#)
- [Promise Zones](#)
- [Section 3 Business Registry](#)
- [State Point of Contact List](#)
- [System for Award Management \(SAM\)](#)
- [Uniform Relocation Act – Real Property Acquisition and Relocation Requirements](#)
- [USA Spending](#)

APPENDIX

Appendix A: Operating Cost Standards

PRAC Rents (Operating Cost Standards) for FY 2020 Section 202 Supportive Housing for the Elderly Program (202 Capital Advance)

Introduction

The tables below establish the initial Operating Cost Standards (i.e., the Contract rents), net of utility expenses, that will be included in the 202 Project Rental Assistance Contract (PRAC) upon execution. At project completion, HUD will provide initial subsidy funding to cover the difference between the operating cost standards and the tenants' contribution towards rent (i.e. 30 percent of each tenant's adjusted monthly income). Once in operation, owners may subsequently request an adjustment to the contract rents on the basis of an operating budget

history.

Project-paid utility expenses. Since the configuration of utilities of proposed properties will vary, the amounts below are net of any project-paid or tenant-paid utilities. Owners must identify the proposed configuration for utilities:

a. Within their application - identify the project-paid utilities and provide a reasonable estimate of the cost of such utilities, which would be added to the amounts listed in the tables below to create the contract rent; (See 202 NOFA Toolkit)

b. Prior to operation - calculate an initial utility allowance for residents based on [Housing Notice 2015-04](#)

Methodology

HUD calculated the operating cost standards for the geographies listed based on Annual Financial Statements (AFS) submitted into HUD's Financial Assessment Subsystem – Multifamily Housing (FASS-MF) for over 2,800 active properties supported by 202 PRACs. After excluding properties with incomplete AFS submissions, HUD developed baseline operating cost standards for each Metropolitan Statistical Area (MSA) with at least eight valid observations (MSA Operating Cost Standards). The -operating cost standards, net of utility expenses, for these MSAs are listed in Table 1. HUD then used the remaining sample of properties in each state to develop baseline operating cost standards applicable to all parts of the state not covered in the MSA Operating Cost Standards (Non-MSA Operating Cost Standards). Accordingly, some MSAs with insufficient observations (i.e., active 202 PRACs) will utilize the Non-MSA Operating Cost Standards. The Non-MSA Operating Cost Standards, which are listed by state, generally exclude any observations that were used to develop the MSA Operating Cost Standards, unless by excluding the MSA data the state would have 10 or fewer observations. The operating cost standards, net of utility expenses, for each state is listed in Table 2.

For each active property, HUD computed a 3-year average of the following AFS Account Numbers:

- 6500T Total Operating and Maintenance Expenses:
- 6263T Total Administrative Expenses
- 6700T Total Taxes and Insurance:

HUD then took the averages of each property by MSA or non-MSA as described above.

As noted above, utility expenses were excluded from this analysis given that they vary significantly based on the specific configuration each property (i.e., property-paid vs. tenant-paid utilities). Additionally, service coordinator funding and annual replacement reserve deposits were excluded from the baseline derived from AFS data due to the inconsistency in reporting. Instead, HUD built into the Operating Cost Standards listed below annual Service Coordinator expenses of \$110 per unit per month and a monthly deposit to the capital replacement reserve of \$50 per unit per month (\$600 per year per year).

Table 1: PRAC Rents (Operating Cost Standards) by Metropolitan Statistical Area (MSA), net of Project-paid Utility Expenses

| Metropolitan Statistical Area | PRAC Contract Rents (per unit per year) |
|---|--|
| Akron, OH PMSA | \$7,400 |
| Albany-Schenectady-Troy, NY MSA | \$7,041 |
| Albuquerque, NM MSA | \$6,797 |
| Alexandria, LA MSA | \$7,639 |
| Allentown-Bethlehem-Easton, PA MSA | \$7,616 |
| Altoona, PA MSA | \$7,700 |
| Anchorage, AK MSA | \$8,928 |
| Appleton-Oshkosh-Neenah, WI MSA | \$6,672 |
| Asheville, NC MSA | \$6,821 |
| Atlanta, GA MSA | \$6,778 |
| Atlantic-Cape May, NJ PMSA | \$8,578 |
| Augusta-Aiken, GA-SC MSA | \$6,959 |
| Austin-San Marcos, TX MSA | \$7,746 |
| Bakersfield, CA MSA | \$8,020 |
| Baltimore, MD PMSA | \$8,233 |
| Bangor, ME MSA | \$7,149 |
| Barnstable-Yarmouth, MA MSA | \$9,232 |
| Baton Rouge, LA MSA | \$7,144 |
| Beaumont-Port Arthur, TX MSA | \$6,765 |
| Bergen-Passaic, NJ PMSA | \$9,505 |
| Biloxi-Gulfport-Pascagoula, MS MSA | \$7,415 |
| Birmingham, AL MSA | \$6,680 |
| Boise City, ID MSA | \$6,593 |
| Boston, MA-NH PMSA | \$9,887 |
| Bridgeport, CT PMSA | \$9,579 |
| Buffalo-Niagara Falls, NY MSA | \$7,167 |
| Burlington, VT MSA | \$9,587 |
| Canton-Massillon, OH MSA | \$6,793 |
| Cedar Rapids, IA MSA | \$6,226 |
| Charleston-North Charleston, SC MSA | \$7,612 |
| Charleston, WV MSA | \$6,519 |
| Charlotte-Gastonia-Rock Hill, NC-SC MSA | \$5,901 |
| Chattanooga, TN-GA MSA | \$5,872 |

| Metropolitan Statistical Area | PRAC Contract Rents (per unit per year) |
|---|--|
| Chicago, IL PMSA | \$10,262 |
| Cincinnati, OH-KY-IN PMSA | \$7,011 |
| Cleveland-Lorain-Elyria, OH PMSA | \$8,085 |
| Columbia, SC MSA | \$6,543 |
| Columbus, OH MSA | \$7,379 |
| Dallas, TX PMSA | \$7,148 |
| Davenport-Moline-Rock Island, IA-IL MSA | \$6,053 |
| Dayton-Springfield, OH MSA | \$6,906 |
| Daytona Beach, FL MSA | \$7,151 |
| Decatur, IL MSA | \$7,790 |
| Denver, CO PMSA | \$7,857 |
| Des Moines, IA MSA | \$6,441 |
| Detroit, MI PMSA | \$7,283 |
| Dothan, AL MSA | \$6,304 |
| Duluth-Superior, MN-WI MSA | \$6,843 |
| Dutchess County, NY PMSA | \$7,895 |
| El Paso, TX MSA | \$6,320 |
| Erie, PA MSA | \$7,283 |
| Eugene-Springfield, OR MSA | \$6,050 |
| Evansville-Henderson, IN-KY MSA | \$6,841 |
| Fayetteville, NC MSA | \$5,503 |
| Fayetteville-Springdale-Rogers, AR MSA | \$5,591 |
| Flint, MI PMSA | \$6,161 |
| Fort Lauderdale, FL PMSA | \$7,846 |
| Fort Myers-Cape Coral, FL MSA | \$7,045 |
| Fort Wayne, IN MSA | \$6,305 |
| Fort Worth-Arlington, TX PMSA | \$6,973 |
| Fresno, CA MSA | \$7,531 |
| Gainesville, FL MSA | \$6,954 |
| Gary, IN PMSA | \$6,551 |
| Grand Forks, ND-MN MSA | \$6,071 |
| Grand Rapids-Muskegon-Holland, MI MSA | \$6,921 |
| Greeley, CO PMSA | \$6,644 |
| Greensboro--Winston-Salem--High Point, NC MSA | \$5,733 |

| Metropolitan Statistical Area | PRAC Contract Rents (per unit per year) |
|---|--|
| Greenville-Spartanburg-Anderson, SC MSA | \$6,311 |
| Hamilton-Middletown, OH PMSA | \$6,820 |
| Harrisburg-Lebanon-Carlisle, PA MSA | \$7,156 |
| Hartford, CT MSA | \$9,331 |
| Hickory-Morganton-Lenoir, NC MSA | \$5,879 |
| Honolulu, HI MSA | \$7,499 |
| Houston, TX PMSA | \$7,010 |
| Huntington-Ashland, WV-KY-OH MSA | \$6,034 |
| Huntsville, AL MSA | \$6,688 |
| Indianapolis, IN MSA | \$6,639 |
| Jackson, MS MSA | \$6,780 |
| Jacksonville, FL MSA | \$8,220 |
| Jamestown, NY MSA | \$6,290 |
| Jersey City, NJ PMSA | \$9,911 |
| Johnson City-Kingsport-Bristol, TN-VA MSA | \$5,233 |
| Johnstown, PA MSA | \$7,221 |
| Jonesboro, AR MSA | \$6,128 |
| Joplin, MO MSA | \$6,080 |
| Kalamazoo-Battle Creek, MI MSA | \$6,828 |
| Kansas City, MO-KS MSA | \$6,407 |
| Knoxville, TN MSA | \$5,743 |
| Lafayette, LA MSA | \$6,839 |
| Lake Charles, LA MSA | \$7,379 |
| Lancaster, PA MSA | \$6,273 |
| Lansing-East Lansing, MI MSA | \$5,752 |
| Las Vegas, NV-AZ MSA | \$6,927 |
| Lawrence, MA-NH PMSA | \$8,616 |
| Lewiston-Auburn, ME MSA | \$6,978 |
| Lexington, KY MSA | \$6,626 |
| Lima, OH MSA | \$6,677 |
| Little Rock-North Little Rock, AR MSA | \$6,373 |
| Los Angeles-Long Beach, CA PMSA | \$7,905 |
| Louisville, KY-IN MSA | \$6,840 |
| Lowell, MA-NH PMSA | \$9,537 |
| Lynchburg, VA MSA | \$5,689 |

| Metropolitan Statistical Area | PRAC Contract Rents (per unit per year) |
|--|--|
| Macon, GA MSA | \$6,663 |
| Madison, WI MSA | \$7,000 |
| Manchester, NH PMSA | \$8,825 |
| Mansfield, OH MSA | \$6,546 |
| Medford-Ashland, OR MSA | \$6,402 |
| Melbourne-Titusville-Palm Bay, FL MSA | \$8,313 |
| Memphis, TN-AR-MS MSA | \$6,634 |
| Miami, FL PMSA | \$7,338 |
| Middlesex-Somerset-Hunterdon, NJ PMSA | \$9,153 |
| Milwaukee-Waukesha, WI PMSA | \$6,833 |
| Minneapolis-St. Paul, MN-WI MSA | \$7,263 |
| Mobile, AL MSA | \$6,515 |
| Monmouth-Ocean, NJ PMSA | \$8,646 |
| Monroe, LA MSA | \$6,061 |
| Montgomery, AL MSA | \$6,829 |
| Nashville, TN MSA | \$6,603 |
| Nassau-Suffolk, NY PMSA | \$8,062 |
| New Bedford, MA PMSA | \$8,110 |
| New Haven-Meriden, CT PMSA | \$10,300 |
| New London-Norwich, CT-RI MSA | \$8,454 |
| New Orleans, LA MSA | \$7,140 |
| New York, NY PMSA | \$10,533 |
| Newark, NJ PMSA | \$8,909 |
| Newburgh, NY-PA PMSA | \$8,269 |
| Norfolk-Virginia Beach-Newport News, VA-NC MSA | \$6,630 |
| Oakland, CA PMSA | \$9,473 |
| Oklahoma City, OK MSA | \$6,344 |
| Omaha, NE-IA MSA | \$7,085 |
| Orange County, CA PMSA | \$7,871 |
| Orlando, FL MSA | \$7,589 |
| Parkersburg-Marietta, WV-OH MSA | \$6,593 |
| Pensacola, FL MSA | \$6,270 |
| Peoria-Pekin, IL MSA | \$7,825 |
| Philadelphia, PA-NJ PMSA | \$8,083 |

| Metropolitan Statistical Area | PRAC Contract Rents (per unit per year) |
|--|--|
| Phoenix-Mesa, AZ MSA | \$7,012 |
| Pittsburgh, PA MSA | \$7,552 |
| Pittsfield, MA MSA | \$8,537 |
| Ponce, PR MSA | \$7,513 |
| Portland, ME MSA | \$7,862 |
| Portland-Vancouver, OR-WA PMSA | \$6,946 |
| Providence-Fall River-Warwick, RI-MA MSA | \$9,095 |
| Racine, WI PMSA | \$7,126 |
| Raleigh-Durham-Chapel Hill, NC MSA | \$5,831 |
| Redding, CA MSA | \$7,387 |
| Richmond-Petersburg, VA MSA | \$6,594 |
| Riverside-San Bernardino, CA PMSA | \$7,831 |
| Roanoke, VA MSA | \$6,752 |
| Rochester, MN MSA | \$7,476 |
| Rochester, NY MSA | \$7,237 |
| Rockford, IL MSA | \$8,471 |
| Rocky Mount, NC MSA | \$5,691 |
| Sacramento, CA PMSA | \$7,638 |
| Saginaw-Bay City-Midland, MI MSA | \$6,862 |
| St. Cloud, MN MSA | \$6,474 |
| St. Joseph, MO MSA | \$5,411 |
| St. Louis, MO-IL MSA | \$7,006 |
| Salem, OR PMSA | \$6,376 |
| Salt Lake City-Ogden, UT MSA | \$7,149 |
| San Antonio, TX MSA | \$6,711 |
| San Diego, CA MSA | \$8,278 |
| San Francisco, CA PMSA | \$10,182 |
| San Jose, CA PMSA | \$9,675 |
| San Juan-Bayamon, PR PMSA | \$6,973 |
| Santa Cruz-Watsonville, CA PMSA | \$10,026 |
| Santa Rosa, CA PMSA | \$8,988 |
| Sarasota-Bradenton, FL MSA | \$7,731 |
| Savannah, GA MSA | \$9,434 |
| Scranton--Wilkes-Barre--Hazleton, PA MSA | \$6,832 |
| Seattle-Bellevue-Everett, WA PMSA | \$7,012 |

| Metropolitan Statistical Area | PRAC Contract Rents (per unit per year) |
|---|--|
| Sharon, PA MSA | \$6,782 |
| Shreveport-Bossier City, LA MSA | \$6,602 |
| Sioux City, IA-NE MSA | \$5,367 |
| Sioux Falls, SD MSA | \$6,131 |
| South Bend, IN MSA | \$7,002 |
| Spokane, WA MSA | \$6,321 |
| Springfield, MA MSA | \$9,132 |
| Stamford-Norwalk, CT PMSA | \$10,438 |
| Steubenville-Weirton, OH-WV MSA | \$5,867 |
| Stockton-Lodi, CA MSA | \$6,810 |
| Sumter, SC MSA | \$6,713 |
| Syracuse, NY MSA | \$7,731 |
| Tacoma, WA PMSA | \$6,553 |
| Tampa-St. Petersburg-Clearwater, FL MSA | \$6,999 |
| Toledo, OH MSA | \$7,183 |
| Topeka, KS MSA | \$5,981 |
| Trenton, NJ PMSA | \$9,883 |
| Tucson, AZ MSA | \$6,705 |
| Tulsa, OK MSA | \$5,804 |
| Utica-Rome, NY MSA | \$6,963 |
| Washington, DC-MD-VA-WV PMSA | \$8,324 |
| Waterbury, CT PMSA | \$9,192 |
| Waterloo-Cedar Falls, IA MSA | \$6,427 |
| West Palm Beach-Boca Raton, FL MSA | \$8,045 |
| Wheeling, WV-OH MSA | \$6,570 |
| Wichita, KS MSA | \$6,163 |
| Wilmington-Newark, DE-MD PMSA | \$7,611 |
| Worcester, MA-CT PMSA | \$8,802 |
| Yakima, WA MSA | \$5,767 |
| Youngstown-Warren, OH MSA | \$6,788 |

Table 2: Non-MSA PRAC Rents (Operating Cost Standards), net of Project-paid Utility Expenses

| State | PRAC Contract Rents (per unit per year) |
|--------------|--|
|--------------|--|

| | |
|-----------------------|----------|
| Alaska | \$10,704 |
| Alabama | \$6,156 |
| Arkansas | \$5,805 |
| Arizona | \$7,014 |
| California | \$7,579 |
| Colorado | \$6,859 |
| Connecticut | \$9,548 |
| Delaware | \$7,353 |
| Florida | \$7,448 |
| Georgia | \$6,322 |
| Hawaii | \$8,672 |
| Iowa | \$5,730 |
| Idaho | \$6,385 |
| Illinois | \$7,422 |
| Indiana | \$6,157 |
| Kansas | \$5,881 |
| Kentucky | \$6,041 |
| Louisiana | \$7,038 |
| Massachusetts | \$10,229 |
| Maryland | \$6,492 |
| Maine | \$7,401 |
| Michigan | \$6,508 |
| Minnesota | \$6,085 |
| Missouri | \$5,716 |
| Mississippi | \$6,652 |
| Montana | \$6,339 |
| North Carolina | \$5,683 |
| North Dakota | \$5,778 |
| Nebraska | \$5,897 |
| New Hampshire | \$8,159 |
| New Jersey | \$8,941 |
| New Mexico | \$6,126 |
| Nevada | \$6,890 |
| New York | \$6,997 |
| Ohio | \$6,852 |
| Oklahoma | \$5,786 |
| Oregon | \$6,509 |

| | |
|-----------------------|----------|
| Pennsylvania | \$7,083 |
| Puerto Rico | \$7,212 |
| Rhode Island | \$9,111 |
| South Carolina | \$6,866 |
| South Dakota | \$5,532 |
| Tennessee | \$5,819 |
| Texas | \$6,584 |
| Utah | \$6,775 |
| Virginia | \$5,900 |
| Virgin Islands | \$11,962 |
| Vermont | \$7,938 |
| Washington | \$6,872 |
| Wisconsin | \$5,857 |
| West Virginia | \$6,531 |
| Wyoming | \$7,035 |

Appendix B: [Physical Design and Livability Template](#)

Cross-References with Program Requirements Section III.E.11. Design and Cost Standards.

Housing is a platform for health. Health can be promoted through both supportive services and through the physical living environment. In the context of housing for the elderly, enhancing the livability of the physical environment promotes housing stability and may prevent premature institutionalization in nursing homes. A well-situated, well-designed physical space at the unit and building level can help the elderly maintain independence and age in place longer.

Template available at 202 Housing for Elderly page under <https://hud.gov/grants>.

- A. Statutory, Regulatory and NOFA Requirements. The following checklist includes the building design components that must be incorporated into every proposed project under this NOFA. On the building design template, affirmatively identify whether the proposed project will comply with each required component within the application's physical design submission. The checklist shall not be included within the page count. This checklist does not identify all specific elements/features and specifications that are required under Federal accessibility requirements and applicable architectural standards under Section 504, the Fair Housing Act, and the ADA.

| | |
|---|---------|
| Building design complies with requirement | Feature |
|---|---------|

| | |
|--------------------------|---|
| <input type="checkbox"/> | <p>Resident units are limited to efficiencies or one-bedroom units, except as specified below.</p> <ul style="list-style-type: none"> • If a resident manager is proposed for a project, up to two bedrooms could be provided for the resident manager unit. • Resident units in Section 202 projects may be two-bedroom units if a portion of the units are financed by other sources, and not included in the PRAC. • Resident units may be two-bedroom units provided that the square footage in excess of the one-bedroom size limits are treated as excess amenities as specified in 24 CFR 891.120. |
| <input type="checkbox"/> | <p>FHA's Minimum Property Standards as set forth in 24 CFR Part 200, sub-part S</p> |
| <input type="checkbox"/> | <p>Entities must comply with all Federal accessibility requirements and applicable architectural standards. Federal accessibility requirements, as applicable include::</p> <ol style="list-style-type: none"> a. Uniform Federal Accessibility Standards (UFAS) at 24 CFR part 40.7 or HUD Alternative Accessibility Standards at 79 Fed. Reg. 29671 b. Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8 c. Titles II or III as applicable of the Americans with Disabilities Act and implementing regulations at 28 CFR parts 35 and 36 d. FOR NEW CONSTRUCTION – (Covered multifamily dwellings built for first occupancy after March 13, 1991) the design and construction requirements of the Fair Housing Act and implementing regulations at 24 CFR part 100. |
| <input type="checkbox"/> | <p>Restrictions on amenities - Capital Advance funds cannot cover the costs associated with atriums, bowling alleys, swimming pools, saunas, hot tubs, and similar luxury amenities. Sponsors may include such amenities in the project design, but they must pay for them from sources other than the Section 202 Capital Advance funds. They must also pay for the continuing operating costs associated with any such amenities from sources other than the Section 202 PRAC. See 24 CFR 891.120(c).</p> |
| <input type="checkbox"/> | <p>Smoke detectors - Smoke detectors and alarm devices must be installed in accordance with standards and criteria acceptable to HUD for the protection of occupants in any dwelling or facility bedroom or other primary sleeping area. See 24 CFR, 891.120(d).</p> |
| <input type="checkbox"/> | <p>Carbon monoxide detectors (1) in units that have fuel-fired/burning appliance(s) and/or an attached garage, and (2) in bedrooms that contain a fireplace or a fuel-fired or burning appliance</p> |
| <input type="checkbox"/> | <p>Commercial facilities - Projects under this part may have on their site(s) commercial facilities for the benefit of residents of the project and of the community in which the project is located, so long as the commercial</p> |

| | |
|--------------------------|--|
| | facilities are not subsidized with Section 202 Capital Advance or PRAC funds. If included, the commercial facilities must comply with Title III of the Americans with Disabilities Act of 1990 (ADA) and thus must comply with all the accessibility requirements of the ADA. See 24 CFR 891.120(e) and the Title III ADA regulation at 28 CFR, part 36 |
| <input type="checkbox"/> | <p>Broadband infrastructure. Any new construction or substantial rehabilitation, as substantial rehabilitation is defined by 24 CFR 5.100, of a building with more than 4 rental units and funded by a grant awarded after January 19, 2017, must include installation of broadband infrastructure, as this term is also defined in 24 CFR 5.100. Exceptions are granted for:</p> <ul style="list-style-type: none"> • The location of the new construction or substantial rehabilitation makes installation of broadband infrastructure infeasible; • The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; • The structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible. |
| <input type="checkbox"/> | Primary entrances to the building from parking areas, drop-off zones, or principal pedestrian routes include accessible ramps and doorways with flush thresholds or minimal beveled door transition. There must be a passenger drop-off zone and the exterior route from the building entrance to the drop-off zone must have a handrail. Secondary doors and thresholds for exterior decks, patios, etc., shall have beveled door transitions appropriate for access in a wheelchair (e.g., beveled door transitions of no greater than ½ inch). |
| <input type="checkbox"/> | Waiting area with seating that has a clear line of sight to the exterior passenger pick-up/drop-off location |
| <input type="checkbox"/> | Public space doorways with a minimum width of 36 inches and common area hallways with a minimum width of 60 inches to accommodate use of mobility aides and easy navigation. |
| <input type="checkbox"/> | Spaces designed to facilitate social interaction, such as a lobby or common living room with seating. |
| <input type="checkbox"/> | A resident services office to support staffing of resident service coordination, visiting health care professionals, or community services, which offices must ensure resident privacy and be of adequate size to accommodate the resident, a family member/support person, and the professional. |
| <input type="checkbox"/> | Well-lit signage with large lettering with building information for easy navigation (for visitors and residents) and unique features (e.g. colors) for each floor or wing of the building to aid in way-finding |

| | |
|--------------------------|---|
| <input type="checkbox"/> | Central heating and cooling systems throughout the building (including apartments). Projects in markets where market-rate senior housing commonly excludes air conditioning may install central heating only. |
| <input type="checkbox"/> | In-building or in-unit laundry facilities (not just hookups) with front loading equipment |
| <input type="checkbox"/> | Within-unit doors between rooms (but not necessarily doors to utility closets or non-walk-in storage space) with a minimum width of 32 inches |
| <input type="checkbox"/> | Lever door handles or other accessible hardware where hand-gripping is not required (not knobs) |
| <input type="checkbox"/> | Door handles mounted no higher than 48 inches from floor |
| <input type="checkbox"/> | D or U shaped handles (not knobs) on all cabinetry |
| <input type="checkbox"/> | Faucets with lever handles in bathroom and kitchen |
| <input type="checkbox"/> | Anti-scald valves on fixtures |
| <input type="checkbox"/> | Slip-resistant flooring in bathrooms and kitchens |
| <input type="checkbox"/> | Pre-installed Section 504 or ADA compliant grab bars in the showers and next to all toilets |
| <input type="checkbox"/> | Lighting in shower areas |
| <input type="checkbox"/> | Emergency 2-way call system in each unit |

B. Rating Factor Points

Applicants will be scored based on the extent to which the proposed building design incorporates universal design and visitability principles, incorporates fall-prevention features, leverages electronic communications, and promotes health and wellness. See, for example, items referenced at <https://www.nia.nih.gov/health/aging-place-growing-older-home>.

The following is a checklist of common optional features. The applicant must provide a checklist, in the order set forth below, identifying each feature that the applicant is committing to incorporate into the building design, either as described below or in a substantially similar manner to achieve the same effect. Include in the list a brief comment describing how the feature will be incorporated. The listing of optional features must be included within the application's physical design submission and shall not be included within the page count.

Up to 12 points will be provided based on the option features selected below:

- Applicants will be provided 0.5 points for each optional feature selected from the Exterior, All Building Areas, Common Areas and Unit Interiors sections;
- Applicants will be provided 1 point for each optional feature selected from the Technology section

The remaining 8 points in the physical design scoring element will be based on the aggregate evaluation of the schematics, the full list of commitments regarding common optional features, and any other innovative and impactful building features designed to extend the period residents can live independently and age-in-place as described in the written narrative.

Exterior

- Building provides easy access from building entries to prominent off-site features (e.g. bus stops). Easy access routes do not require shortcuts through landscaping, or walking through alleys and parking lots (passenger loading zone does not qualify as parking lots.). Applicants must provide sufficient detail through narrative or reference to schematics to justify a rating factor point);
- Dedicated gardening areas for resident use with elevated garden plots;
- Well-lit landscaped grounds with accessible, paved walking trails that encourage walking and other outdoor physical activity and with shaded exterior social spaces.

All Building Areas

- Hallway light fixtures with output of at least 2700 lumens; fixtures that cast a diffuse light (reflected illumination on the wall or ceiling via a shade, not direct light);
- Hand railings on both sides of building hallways;
- Power operated doors driven by either an easy-push button or by a motion proximity sensor;
- Materials for ceilings and other hard surfaces that dampen background noise (like synthetic tiles, melamine foams, fiberglass, wood, and plastic);
- Smooth, hard, durable, slip-resistant flooring material or easy to clean short pile carpets to reduce tripping and support residents who shuffle feet;
- Shelving to place bags and packages at all locked entrances (including building entrances and unit entrances), with lighting to see the door lock;
- Wireless door locks with fob;
- Back-up generator to ensure elevator access, air temperature control and refrigeration (for medications) during power outages and, if the generator is not sufficient to support the entire building, wiring to ensure critical features (such as refrigerators) can be connected to the generator without extension cords.

Common Areas

- Video intercom system at main entry which connects to in-unit features so that seniors can easily visually identify visitors when allowing them access to the building. The system should have large push button controls for ease of use by seniors, particularly seniors with arthritis or other challenges that make it hard to use a touchscreen;
- Resident services office(s) to support staffing of resident service coordination, visiting health care professionals, or community services beyond the minimum required, with the ability for each provider to lock supplies, personally identifiable information about residents, and other materials necessary for the provider to offer robust and confidential resident services on-site, and with a hand-wash sink;

- Multi-purpose community room (in addition to the required lobby or common room) of no less than 250 square feet and no less than 5 square feet per unit (which, in larger buildings, could be multiple rooms) with stackable furniture, storage, good lighting and acoustics, and fully or partially transparent walls so activities are visible to encourage participation;
- If there are floors without at-grade entrances, more than one elevator of at least 24" x 84" (to accommodate a stretcher) to ensure back up during repairs;
- Open, inviting stairs near the elevator with low-rise steps (a rise between 6 and 7 inches and a tread depth between 11 and 13 inches). The stairs are made of non-slip materials, have strong lighting, contrasting riser and tread colors, hand railings that extend 12 inches beyond the top and bottom of each run of steps, and no more than 4 feet in rise between landings that turn direction at each landing to lessen the distance of a fall;
- Fitness room and/or wellness room;
- Periodic seating alcoves or built in seating nodes along (but not blocking) circulation routes for resting and socializing

Unit Interiors (for all units, not only designated accessible units)

- Open floor plans and bedroom and living room sizes not less than 10 feet by 10 feet to permit flexibility in placement of furniture and to allow wheelchair or walker circulation;
- Hallways with a clear width in excess of 42 inches;
- Area inside the entrance door with a 60-inch diameter circular turning radius to permit maneuvering with a wheelchair or storage for walkers, scooters or other mobility devices;
- Awning windows with easy-use crank hardware;
- Rocker-pad light switches with internal locator lights;
- Section 504 specified turning and access-to-fixtures requirements in all baths and kitchens;
- All bathroom sinks accommodates seated residents, with counter heights between 30 and 34 inches off the floor, and with either wall-hung sinks and cabinetry which is not under the sink or removable base cabinets under the sink;
- Showers in all apartments (no tubs) with curbless entry, sloped to minimize splash outside the shower, and no smaller than 36" x 60" to accommodate resident plus caregiver or mobility device. Shower water controls located where residents can reach them from a seated position, or ergonomic (e.g., lightweight) hand-held shower wand (with controls) with hook that can be reached from seated position;
- Comfort height toilet (approximately 18 inches high) in all bathrooms;
- Separate cook top and wall oven in all kitchens, with wall ovens located at counter height, adjacent to 18 linear inches of counter space with side-mounted hinges on the wall oven opening on the side which does not obstruct easy transfer from oven to counter;
- Electric stoves in all kitchens for easy and flexible decommissioning for residents with dementia;
- Side by side refrigerator/freezer or freezer on the bottom in all kitchens;
- Cabinets in all kitchens designed for easy reach, which can include any of the following: cabinets next to (rather than over) counters, over-counter cabinet mounts beginning

approximately 13 inches above the countertop, under-counter cabinets having sliding shelves, and corner cabinets having a “lazy Susan”;

- In all kitchens, removable base cabinets under the kitchen sink, cook top and a portion of the workspaces in order to accommodate seated residents;
- Task lighting on all counter areas;
- In-unit control of unit temperature, through simple to understand HVAC controls with large screens for easy reading;
- Strobe light smoke detectors in all units.

Technology

- Building is constructed to provide adequate space for wiring of MDF/IDF cable racks on each floor to accommodate current and future router needs for staff, service providers, and residents;
- Building has sufficient routers to provide seamless connection from common spaces to apartments for assistive technology and for staff use of remote technology to manage tenant records, work orders, etc., when in an apartment; and
- Building is Wi-Fi ready or wired for internet access, with free open access in all apartments.