

U.S. Department of Housing and Urban  
Development

FAIR HOUSING AND EQUAL OPPORTUNITY  
AND  
PUBLIC AND INDIAN HOUSING

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Special Attention:

Notice 95-5

Public Housing Office Directors; Native  
American Programs Office Directors;  
FHEO Program Operations and Compliance  
Center Directors

Issued: June 5, 1995  
Expires: June 5, 1996

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Cross References:

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Subject: Processing Housing Agency Applications for the  
Mainstream Housing Opportunities for Persons with  
Disabilities (Mainstream Program) - March 3, 1995  
NOFA

Attached are two application review checklists for screening housing agency (HA) applications for the FY 95 Mainstream Program funding. There are two checklists because HAs may apply for both options under the Mainstream Program funding; each option requires a separate application. (1) The Application Option in Support of Designated Housing Allocation Plans is for HAs that administer a Section 8 rental certificate, rental voucher or moderate rehabilitation program and plan to designate public housing for occupancy by elderly families through an Allocation Plan in accordance with 24 CFR part 945. (2) The Application Option for General Use Mainstream Program is open to all HAs that administer a Section 8 rental certificate, rental voucher or moderate rehabilitation program for general use rental assistance for persons with disabilities.

The checklists are divided into two parts. Part one is for initial screening. The Field Office of Public Housing and Office of Native American Programs will use part one to separate acceptable and unacceptable applications. Part two is for use by the HUD State and Area Offices of Public Housing and Fair Housing Program Operations and Compliance Centers (FHEO/POCC) to identify approvable applications. Attachment 1

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: Distribution: W-3-1, W-2(H), R-3-1(PIH), R-6, R-7, R-9

is the checklist for the Designated Housing Allocation Plan Option; Attachment 2 is the checklist for the General Use Option. Because the review process differs for each of the two options, HUD Field Office staff should review the Mainstream NOFA fully and carefully (see Parts I and VI of the NOFA published in the March 3, 1995 Federal Register).

For purposes of this Notice, the term "HUD Field Office" is defined to include the State and Area Offices. When a specific office, rather than all HUD Offices, is assigned the responsibility for a function, the appropriate office will be identified. For those Area Offices where there is no co-located FHEO/POCC component, the Public Housing Office and the Native American Programs Office will coordinate with the appropriate FHEO/POCC Area Office.

The HUD Reform Act requires that HUD make available for public inspection the documentation supporting the approval or disapproval of each application. In addition, the documentation must indicate the basis on which any award was made or denied. Accordingly, reviewers must ensure that their comments on the review of applications and completion of the checklists are thorough and complete.

#### Initial Screening of Applications:

The HUD Field Office of Public Housing must complete the initial screening of applications at the time the applications are received to determine which applications meet the initial "acceptability" criteria. If an application is incomplete, the HUD Field Office should notify the HA in writing so that the HA can correct any technical deficiencies within the 14-calendar day correction period. Curable technical deficiencies relate only to items that do not improve the substantive quality of the application relative to the threshold criteria. Notification of technical deficiencies must be uniform and in letter form. Uncorrected technical deficiencies will result in the rejection of an application. The HUD Field Office must send a letter notifying the HA of the rejected application.

Headquarters is reviewing allocation plans submitted under Option one and is determining whether they are approvable. HUD Field Offices were requested to submit all allocation plans received for Option one to

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Headquarters by June 7, 1995. HUD Field Offices are screening all other criteria for Option one and all criteria for Option two.

Section 213 of the Housing and Community Development Act of 1974 requires that HUD independently determine that there is a need for the housing assistance requested, and solicit and consider comments relevant to this determination from the chief executive officer of the unit of general local government. The HUD Field Office must send a written invitation to the chief executive officer of the unit of general local government to submit Section 213 comments in accordance with 24 CFR 791 subpart C. To ensure timely application processing, the HUD Field Office must solicit Section 213 comments as soon as possible, since the regulations allow a 30-calendar day comment period from the date of the HUD Field Office letter.

Each HUD Field Office must forward to the Rental Assistance Division, Office of Public and Indian Housing, no later than August 14, 1995 for the General Use Mainstream Program Option and September 11, 1995 for the Option in Support of Designated Housing Allocation Plans, the following information on each approvable application:

1. Name and address of the HA;
2. State Office or Area Office contact person and telephone number;
3. The completed fund reservation worksheet, indicating the number of units requested in the HA application and approved by the HUD Office during the course of its review, and the corresponding budget authority.

HUD Headquarters will use this information to establish the pool of eligible applicants for the lottery. It is important that all information for each HA be provided in order for the HA to be included in the lottery.

Selections:

The Application Option in Support of Designated Housing Allocation Plans

HUD Headquarters will fund all approvable applications unless HUD receives approvable applications for more funds than are allocated under this option. If approvable applications are received for more funding than

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is available for the allocation plan option, HUD will select applicants to be funded by lottery. All HAs identified by the HUD Field Offices as having submitted technically adequate and responsive applications will be included in the lottery. As HAs are selected, the cost of funding the applications will be subtracted from the funds available. In order to achieve geographic diversity, HUD Headquarters will limit the number of applications selected for funding from any state to 10 percent of the budget authority available for the designated housing allocation plan application option. If HUD Headquarters receives insufficient approvable applications for this option, HUD will make the surplus funding available to the general use Mainstream Program applicants.

The Application Option for General Use Mainstream Program

HUD Headquarters will select eligible HAs to be funded by lottery. All HAs identified by the HUD Field Offices as having submitted technically adequate and responsive applications will be included in the lottery. As HAs are selected, the cost of funding the applications will be subtracted from the funds available. In order to achieve geographic diversity, HUD Headquarters will limit the number of applications selected for funding from any state to 10 percent of the budget authority available for the general use Mainstream Program.

Under both options, applications will be funded for the total number of units requested by the HA and approved by the HUD Office in accordance with the NOFA. However, when remaining budget authority is insufficient to fund the last selected HA application in full, HUD Headquarters will fund that application to the extent of the funding available.

Each HUD Field Office must transmit to Headquarters via electronic mail a file that contains the reservation data for each HA awarded funding under this NOFA. Attachment 3 contains a copy of the reporting format for

both options under the Mainstream Program. A Lotus 1\*2\*3, version 2.3, file created for this purpose and instructions for reporting the reservations to the Rental Assistance Division will be transmitted to each HUD Field Office.

If you have any questions regarding the attached checklists or the rating and ranking process in general, please contact either the Rental Assistance Division at (202) 708-0477 or the Disability Rights Division at (202) 708-2618.

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Elizabeth K. Julian, Acting Deputy Assistant Secretary for Policy and Initiatives

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Joseph Shuldiner, Assistant Secretary for Public and Indian Housing

Attachments

ATTACHMENT 1

FUNDING ALLOCATION SCREENING CHECKLIST

FY 1995 NOFA FOR MAINSTREAM HOUSING OPPORTUNITIES FOR PERSONS WITH DISABILITIES

DESIGNATED HOUSING ALLOCATION PLAN OPTION

PART ONE

DESIGNATED HOUSING ALLOCATION PLAN OPTION

NAME OF APPLICANT: \_\_\_\_\_

NAME OF REVIEWER: \_\_\_\_\_

REVIEWING OFFICE: \_\_\_\_\_

\_\_\_\_\_ Yes No

N/A

Initial Screening of Applications for DESIGNATED HOUSING ALLOCATION PLAN OPTION (To be completed by Office of Public Housing or Office of Native American Programs for IHA Applications)

- 1. Application received in appropriate HUD office by 3 PM (local time), June 1, 1995. [ ] [ ] [ ] ] The HA currently administers a Section 8 Certificate, Voucher or Modernization Program.

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2. In reviewing applications, HUD Office agrees that:

[ ] [ ] [ ]

]

(a) The Department of Justice has not brought a civil rights suit against the applicant HA and there is no pending administrative action for civil rights violations instituted by HUD (including a charge of discrimination under the Fair Housing Act).

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(b) There has been no adjudication of a civil rights violation in a civil

[ ] [ ] [ ]

]

action brought against the HA by a private individual. (Check YES if the HA is operating in compliance with a court order, or implementing a HUD approved resident selection and assignment plan or compliance agreement designed to correct the areas of noncompliance.)

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(c) There are no outstanding findings of

[ ] [ ] [ ]

]

noncompliance with civil rights statutes, Executive Orders, or regulations as a result of formal administrative proceedings, nor has the Secretary issued a charge against the applicant under the Fair Housing Act. (Check YES if the HA is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance.)

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(d) HUD has not denied application processing under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) and the HUD Title VI regulations (24 CFR 1.8) and procedures (HUD Handbook 8040.1 ), or under Section 504 of the Rehabilitation Act of 1973 and HUD regulations (24 CFR 8.57).

[ ] [ ] [ ]

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(e) The HA has no serious, unaddressed outstanding Inspector General audit findings, FHEO monitoring review findings, or HUD Office management

[ ] [ ] [ ]

review findings for one or more of its Rental Voucher, Rental Certificate, or Moderate Rehabilitation Programs, or in the case of an HA that is not currently administering a Rental Voucher, Rental Certificate, or Moderate Rehabilitation Program, for its Public Housing Program or Indian Housing Program. (Check YES if the HA is required under the NOFA to apply for rental vouchers and/or certificates with a contract administrator and the contract administrator has sufficient experience to administer a rental voucher or certificate program.)

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- (f) The leasing rate for rental certificates and rental vouchers in its HUD-approved budget for the HA fiscal year prior to application for funding is equal to or greater than 90 percent. NOTE: Each rental voucher or certificate program separately must have leasing rate of at least 90 percent to meet this threshold. If the HA has no Rental Certificate or Rental Voucher Program, the leasing rate for all units available for occupancy in the Public or Indian Housing Programs is equal to or greater than 90 percent. (For a State or regional HA, the HUD Office shall determine the HA's combined leasing rate for metropolitan and non-metropolitan areas, and shall use this rate in determining whether to accept the application under this paragraph.)
- [ ] [ ] [ ]
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- (g) The HA is not involved in litigation that may seriously impede the ability of the HA to administer an additional increment of rental vouchers and/or certificates.
- [ ] [ ] [ ]
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STOP. If the answer to any of the above questions is "NO," then the application is NOT ACCEPTABLE. If all above answers are "YES," then complete remainder of checklist.

ATTACHMENT 2

PART TWO  
DESIGNATED HOUSING ALLOCATION PLAN OPTION  
(To be completed by Office of Public Housing, or  
Office of Native American Programs for IHA Applications, and  
FHEO)

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2. In reviewing applications, HUD Office agrees that:

(h)The application contains a signed, completed form HUD 52515.

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(i)The application includes an allocation plan to designate housing for the elderly in accordance with 24 CFR 945.203. IF NO, STOP HERE. IF YES, IMMEDIATELY SEND THE ALLOCATION PLAN TO HEADQUARTERS AND CONTINUE PROCESSING.

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(j)The application describes how the rental assistance is necessary to meet the requirements of 24 CFR 945.203(6)(iv) to provide assistance to at least the number of nonelderly disabled families that would have been housed by the HA if occupancy in units in the designated project were not restricted to elderly families.

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(k)The application specifies the number of rental vouchers and/or certificates requested. An HA may request only the number of rental vouchers and certificates supported by the designated housing allocation plan, not to exceed 150.

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(l)The application states by number of bedrooms the total number of rental vouchers and/or certificates requested by the HA.

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(m)The application demonstrates that it is responsive to the condition of the housing stock in the community and the housing assistance needs of low income families (including large families and those displaced) residing in or expected to reside in the community.

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(n)The application demonstrates that the applicant qualifies as a public housing agency and is legally qualified and authorized to participate in the rental assistance programs for the area in which the programs are to be carried out. Such demonstration includes: (i) The relevant enabling legislation, (ii) any rules and regulations adopted or to be adopted by the agency to govern its operations, and (iii) a supporting opinion from the agency counsel. (Check YES if documents are currently on file in the HUD Office).

[ ] [ ] [ ] [ ]

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(o)The application includes a statement that the housing quality standards to be used in the operation of the program will be as set forth in 24 CFR 882.109 and/or 24 CFR 887.251 or that variations in the Acceptability Criteria are proposed or have been approved by the HUD Office. In the latter case, each proposed variation shall be specified and justified.

[ ] [ ] [ ] [ ]

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(p)The application describes which portions of the eligible population the HA will serve (i.e., nonelderly disabled families on the public housing waiting list, nonelderly disabled families currently residing in housing designated for the elderly, or both).

[ ] [ ] [ ] [ ]

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(q)The application describes how the HA will carry out its responsibilities under 24 CFR 8.28 to assist recipients in locating units with needed accessibility features; and describes the assistance the HA will provide to identify public or private funding sources (including any HA resources) for accessibility features such as ramps, grab bars, visual smoke alarms and fire detectors, accessible electrical controls, thermostats, and door hardware, and structural changes to dwelling units or common areas.

[ ] [ ] [ ] [ ]

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(r)The application describes the assistance the HA will provide to eligible applicants to locate suitable housing in the private market.

[ ] [ ] [ ] [ ]



(s)The application contains the HA schedule of leasing which must provide for the expeditious leasing of rental vouchers and/or certificates in the program. In developing the schedule, an HA must specify the number of rental vouchers and/or certificates in the program that are expected to be leased at the end of each three-month interval. The schedule projects lease-up by eligible families within twelve months or sooner after execution of the ACC by HUD. [ ] [ ] [ ] [ ]

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(t)The application contains estimates of the average adjusted income for prospective participants for each bedroom size for each program. [ ] [ ] [ ] [ ]

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(u)The application meets HUD's drug-free workplace requirements set out at 24 CFR part 24, subpart F. The application contains an executed Certification regarding Drug-Free Workplace Requirements. [ ] [ ] [ ] [ ]

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(v)The application meets HUD's regulations regarding the anti-lobbying set out at 24 CFR 87. The application includes an anti-lobbying certification and, if warranted, disclosure of lobbying activities (SF-LLL). [ ] [ ] [ ] [ ]

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(w)The application includes Section 213 comments. (If not, the HUD Office must request comments from the local government providing a 30-calendar day comment period). [ ] [ ] [ ] [ ]

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(x)The application includes the Equal Opportunity Certification Form 916. If not, advise HA to submit the certification prior to the ACC execution. [ ] [ ] [ ] [ ]

Applications should be screened at the time they are received.

If an application has technical deficiencies, the HA must submit requested

corrections within 14 calendar days from the date of the HUD Office written request. (The 14 calendar days do not apply to HUD's review of the allocation plan. It applies to other types of deficiencies in the application.) Curable technical deficiencies relate only to items that do not improve the substantive quality of the application relative to the threshold criteria. All HAS must submit corrections within 14 calendar days from the date of HUD's letter notifying the applicant of any such deficiency. Information received after 3 p.m. local time (i.e., the time in the appropriate HUD Office), of the fourteenth calendar day of the correction period will not be accepted and the application will be rejected as incomplete.

Pass  
 - Continue Processing

Fail  
 - Identify Deficiencies

\_\_\_\_\_  
 Reviewer's Signature & Date

Agree with Screening Results

\_\_\_\_\_  
 Supervisor's Signature & Date

ANY CHANGE MADE TO THE INITIAL SCREENING CHECKLIST MUST BE EXPLAINED. INDICATE NAME AND TITLE OF INDIVIDUAL CHANGING THE CHECKLIST AND DATE OF CHANGE.

Disagree/change Screening Results

\_\_\_\_\_  
 Supervisor's Signature & Date

Explanation for change:

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ATTACHMENT 2

FUNDING ALLOCATION SCREENING CHECKLIST

FY 1995 NOFA FOR MAINSTREAM HOUSING OPPORTUNITIES FOR PERSONS WITH DISABILITIES

GENERAL USE MAINSTREAM PROGRAM OPTION

PART ONE

GENERAL USE MAINSTREAM PROGRAM OPTION

NAME OF APPLICANT: \_\_\_\_\_

NAME OF REVIEWER: \_\_\_\_\_

REVIEWING OFFICE: \_\_\_\_\_

\_\_\_\_\_  
 Yes No N/A

Initial Screening of Applications for  
 GENERAL USE MAINSTREAM PROGRAM OPTION

(To be completed by Office of Public Housing or  
Office of Native American Programs for IHA  
Applications)

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1. Application received in appropriate HUD office by 3 PM (local time), June 1, 1995.     
The HA currently administers a Section 8 Certificate, Voucher or Modernization Program.

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2. In reviewing applications, HUD Office agrees that:

(a) The Department of Justice has not brought a civil rights suit against the applicant HA and there is no pending administrative action for civil rights violations instituted by HUD (including a charge of discrimination under the Fair Housing Act).

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(b) There has been no adjudication of a civil rights violation in a civil action brought against the HA by a private individual. (Check YES if the HA is operating in compliance with a court order, or implementing a HUD approved resident selection and assignment plan or compliance agreement designed to correct the areas of noncompliance.)

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(c) There are no outstanding findings of noncompliance with civil rights statutes, Executive Orders, or regulations as a result of formal administrative proceedings, nor has the Secretary issued a charge against the applicant under the Fair Housing Act. (Check YES if the HA is operating under a conciliation or compliance agreement designed to correct the areas of noncompliance.)

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(d) HUD has not denied application processing under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3) and the HUD Title VI

regulations (24 CFR 1.8) and procedures (HUD Handbook 8040.1), or under Section 504 of the Rehabilitation Act of 1973 and HUD regulations (24 CFR 8.57).

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- (e) The HA has no serious, unaddressed outstanding Inspector General audit findings, FHEO monitoring review findings, or HUD Office management review findings for one or more of its Rental Voucher, Rental Certificate, or Moderate Rehabilitation Programs, or in the case of an HA that is not currently administering a Rental Voucher, Rental Certificate, or Moderate Rehabilitation Program, for its Public Housing Program or Indian Housing Program. (Check YES if the HA is required under the NOFA to apply for rental vouchers and/or certificates with a contract administrator and the contract administrator has sufficient experience to administer a rental voucher or certificate program.)
- [ ] [ ] [ ]
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- (f) The leasing rate for rental certificates and rental vouchers in its HUD-approved budget for the HA fiscal year prior to application for funding is equal to or greater than 90 percent. NOTE: Each rental voucher or certificate program separately must have leasing rate of at least 90 percent to meet this threshold. If the HA has no Rental Certificate or Rental Voucher Program, the leasing rate for all units available for occupancy in the Public or Indian Housing Programs is equal to or greater than 90 percent. (For a State or regional HA, the HUD Office shall determine the HA's combined leasing rate for metropolitan and non-metropolitan areas, and shall use this rate in determining whether to accept the application under this paragraph.)
- [ ] [ ] [ ]
- 

- (g) The HA is not involved in litigation

that may seriously impede the ability [ ] [ ] [ ]  
of the HA to administer an additional  
increment of rental vouchers and/or  
certificates.

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STOP. If the answer to any of the above questions is "NO," then the application is NOT ACCEPTABLE. If all above answers are "YES," then complete remainder of checklist.

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PART TWO

GENERAL USE MAINSTREAM PROGRAM OPTION

(To be completed by Office of Public Housing, or Office of Native American Programs for IHA Applications, and FHEO)

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2. In reviewing applications, HUD Office agrees that:

(h) The application contains a signed, completed form HUD 52515. [ ] [ ] [ ] [ ]  
]

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(I) The application demonstrates a [ ] [ ] [ ] [ ]  
significant need for Mainstream Program rental vouchers and certificates, and demonstrates that the demand for such housing would equal or exceed the requested number of units.

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(j) The application describes an adequate plan for operating a program to serve [ ] [ ] [ ] [ ]  
eligible persons with disabilities, including a description of how the HA will carry out its responsibilities under 24 CFR 8.28.

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(k) The application describes an adequate [ ] [ ] [ ] [ ]  
plan to assist recipients of Mainstream Program rental assistance, should they request such assistance, to gain access to supportive services available within the community.

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(l) The application demonstrates that the HA [ ] [ ] [ ] [ ]  
has identified service providers who will assist recipients to overcome impediments to success in the Mainstream Program. Such provider may include nonprofit organizations able to fund accessibility renovation and supportive

services providers able to assist recipients to meet such lease obligations as adequate housekeeping and timely rental payments.

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(m) The application specifies the number of [ ] [ ] [ ] [ ] [ ]  
] rental vouchers and/or certificates requested. The application does not request more than 150 vouchers and certificates.

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(n) The application states by number of bedrooms the total number of rental [ ] [ ] [ ] [ ] [ ]  
] vouchers and/or certificates requested by the HA.

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(o) The application demonstrates that it is [ ] [ ] [ ] [ ] [ ]  
] responsive to the condition of the housing stock in the community and the housing assistance needs of low income families (including large families and those displaced) residing in or expected to reside in the community.

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(p) The application demonstrates that the [ ] [ ] [ ] [ ] [ ]  
] applicant qualifies as a public housing agency and is legally qualified and authorized to participate in the rental assistance programs for the area in which the programs are to be carried out. Such demonstration includes: (i) The relevant enabling legislation, (ii) any rules and regulations adopted or to be adopted by the agency to govern its operations, and (iii) a supporting opinion from the agency counsel. (Check YES if documents are currently on file in the HUD Office).

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(q) The application includes a statement [ ] [ ] [ ] [ ] [ ]  
that the housing quality standards to be used in the operation of the program will be as set forth in 24 CFR 882.109 and/or 24 CFR 887.251 or that variations in the Acceptability Criteria are proposed or have been approved by the HUD Office. In the latter case, each proposed variation shall be specified

and justified.

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- (r) The application contains the HA schedule of leasing which must provide for the [ ] [ ] [ ] [ ] [ ]  
] expeditious leasing of rental vouchers and/or certificates in the program. In developing the schedule, an HA must specify the number of rental vouchers and/or certificates in the program that are expected to be leased at the end of each three-month interval. The schedule projects lease-up by eligible families within twelve months or sooner after execution of the ACC by HUD.
- 
- (s) The application contains estimates of the average adjusted income for [ ] [ ] [ ] [ ] [ ]  
] prospective participants for each bedroom size for each program.
- 
- (t) The application meets HUD's drug-free workplace requirements set out at 24 CFR [ ] [ ] [ ] [ ] [ ]  
] part 24, subpart F. The application contains an executed Certification regarding Drug-Free Workplace Requirements.
- 
- (u) The application meets HUD's regulations regarding the anti-lobbying set out at [ ] [ ] [ ] [ ] [ ]  
] 24 CFR 87. The application includes an anti-lobbying certification and, if warranted, disclosure of lobbying activities (SF-LLL).
- 
- (v) The application includes Section 213 [ ] [ ] [ ] [ ] [ ]  
] comments. (If not, the HUD Office must request comments from the local government providing a 30-calendar day comment period).
- 
- (w) The application includes the Equal [ ] [ ] [ ] [ ] [ ]  
] Opportunity Certification Form 916. If not, advise HA to submit the certification prior to the ACC execution.





SAMPLE

FY 95 SECTION 8 RESERVATION SUMMARY

\*\*\*\*\*  
\* GRAPHICS MATERIAL IN ORIGINAL DOCUMENT OMITTED \*  
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