



U.S. Department of Housing and Urban Development

Community Planning and Development

FY 2023 and FY 2024 Rural Capacity Building for Community Development and Affordable
Housing Grants (RCB)

FR-6700-N-08

03/25/2024

Table of Contents

OVERVIEW	3
I. FUNDING OPPORTUNITY DESCRIPTION.....	3
A. Program Description	3
B. Authority	15
II. AWARD INFORMATION	15
A. Available Funds	15
B. Number of Awards	15
C. Minimum/Maximum Award Information	15
D. Period of Performance.....	15
E. Type of Funding Instrument	15
III. ELIGIBILITY INFORMATION	16
A. Eligible Applicants.....	16
B. Ineligible Applicants	16
C. Cost Sharing or Matching.....	17
D. Threshold Eligibility Requirements	18
E. Statutory and Regulatory Requirements Affecting Eligibility	21
F. Program-Specific Requirements	21
G. Criteria for Beneficiaries.....	24
IV. APPLICATION AND SUBMISSION INFORMATION	25
A. Obtain an Application Package.....	25
B. Content and Form of Application Submission	26
C. System for Award Management (SAM) and Unique Entity Identifier (UEI).....	31
D. Application Submission Dates and Times	31
E. Intergovernmental Review	34
F. Funding Restrictions	34
G. Other Submission Requirements.....	35
V. APPLICATION REVIEW INFORMATION	38
A. Review Criteria	38
B. Review and Selection Process.....	55
VI. AWARD ADMINISTRATION INFORMATION.....	57
A. Award Notices.....	57
B. Administrative, National and Departmental Policy Requirements and Terms for HUD Applicants and Recipients of Financial Assistance Awards.....	59

C. Reporting62
D. Debriefing63
VII. AGENCY CONTACT(S).....63
VIII. OTHER INFORMATION63
APPENDIX.....64

Community Planning and Development

Funding Opportunity Title:

FY 2023 and FY 2024 Rural Capacity Building for Community Development and Affordable Housing Grants (RCB)

Funding Opportunity Number:

FR-6700-N-08

Assistance Listing Number (formerly CFDA Number):

14.265

Due Date for Applications:

03/25/2024

OVERVIEW

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

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

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

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

OMB Approval Number(s):

2506-0195; 2501-0017

I. FUNDING OPPORTUNITY DESCRIPTION

A. Program Description

1. Purpose

Purpose: The Rural Capacity Building program enhances the capacity and ability of rural housing development organizations, Community Development Corporations (CDCs), Community Housing Development Organizations (CHDOs), local governments, and Indian tribes (eligible beneficiaries) to carry out affordable housing and community development

activities in rural areas for the benefit of low- and moderate-income households. The Rural Capacity Building program achieves this by funding National Organizations with expertise in rural housing and rural community development who work directly to build the capacity of eligible beneficiaries.

2. HUD and Program-Specific Goals and Objectives

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

You are expected to align your application to the applicable strategic goals and objectives below. Use the information in this section to describe in your application the specific goals, objectives, and measures that your project is expected to help accomplish. If your project is selected for funding, you are also expected to establish a plan to track progress related to those goals, objectives, and measures. HUD will monitor compliance with the goals, objectives, and measures in your project.

Applicable Goals and Objectives from HUD's Strategic Plan

1. Strategic Goal 1: Support Underserved Communities

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

2. 1A: Advance Housing Justice

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

3. 1B: Reduce Homelessness

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

4. 1C: Invest in the Success of Communities

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

5. Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing

Ensure housing demand is matched by adequate production of new homes and equitable access to housing opportunities for all people.

6. 2A: Increase the Supply of Housing

Enhance HUD's programs that increase the production and supply of housing across the country.

7. Strategic Goal 3: Promote Homeownership

Promote homeownership opportunities, equitable access to credit for purchase and improvements, and wealth-building in underserved communities.

8. 3A: Advance Sustainable Homeownership

Advance the deployment of tools and capital that put sustainable homeownership within reach.

9. Strategic Goal 4: Advance Sustainable Communities

Advance sustainable communities by strengthening climate resilience and energy efficiency, promoting environmental justice, and recognizing housing's role as essential to health.

10. 4B: Strengthen Environmental Justice

Reduce exposure to health risks, environmental hazards, and substandard housing, especially for low-income households and communities of color.

11. 4C: Integrate Health and Housing

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

Under the overarching goal of HUD's FY 2022-2026 Strategic Framework to pursue transformative housing and community-building policy and programs, the strategic plan acknowledges that

- Housing is the foundation on which we live, grow, and thrive.
- Millions of Americans struggle with housing and remain shut out from the opportunities a good home provides.
- By advancing inclusive, equity-focused policy and programs, HUD is delivering the support that people need to make their way home.

It is important that everyone has an affordable, healthy place to live. This includes the needs of rural America. This NOFO provides funding to support Rural Capacity Building activities that assist HUD in reaching strategic objectives by increasing the capacity of Community Development Corporations, Community Development Housing Organizations and rural housing development organizations and Tribes that serve rural American communities through affordable housing and community development activities. Please incorporate these goals in your application submission.

Funding Opportunity Goals Funding Opportunity Goals for the Rural Capacity Building Program are as follows:

1. Award national nonprofits with expertise in rural housing and community development to build the capacity of local governments, Indian Tribes, housing development organizations, rural Community Development Corporations (CDCs), and rural Community Housing Development Organizations (CHDOs), to serve low- and moderate-income families and persons in rural areas.
2. To increase capacity building efforts to enable CDCs, CHDOs, and Indian Tribes to access federal funds.
3. To assist rural community organizations to evaluate performance, work with their rural communities, use available resource more effectively, and link plans to foster regional planning.

3. Changes from Previous NOFO

This NOFO contains the following changes since the program last published a NOFO:

Section I.A. Program Description – This section is updated to include HUD Strategic Plan goals and objectives, to ensure NOFOs are explicitly aligned. Programs may also include objectives, strategies and measures related to program-specific goals and expectations for applicants. Furthermore, this section includes new definitions: Cooperative Agreement, Environmental Justice, Equity, Minority-Serving Institutions, Racial Equity, Resilience, and Underserved Communities. The following definition is removed: DUNS.

Section III.D. Threshold Eligibility Requirements – Affirmatively Furthering Fair Housing (AFFH) has been removed as a threshold requirement but, AFFH remains an application requirement under section IV.G. of the NOFO.

Section III.E. Statutory and Regulatory Requirements Affecting Eligibility – This section is updated to include applicable eligibility requirements. The NOFO Template supplemental document is also updated and posted on [HUD's Funding Opportunity webpage](#).

Section III.F. Program-Specific Requirements – This section is updated to emphasize two requirements, to support the priorities in HUD’s FY2022-FY2026 Strategic Plan: Advancing Racial Equity and Affirmative Marketing. Applicants are required to submit narratives to address these requirements.

Section IV.B. Content and Form of Application Submission – This section is updated to require a Federal Assistance Assurance certification via sam.gov, and form HUD 424-B (Applicant Assurances and Certifications). Also, the requirements related to the Certification Regarding Lobbying form and Disclosure of Lobbying Activities are clarified.

Section IV.G. Other Submission Requirements – This section is updated to include additional submission requirements for AFFH and Code of Conduct, Federal Assistance Assurances, and for required forms HUD 424-B and HUD 2280.

Section V.A. Review Criteria – This section is updated to reflect preference points related to HUD's current priorities. Also updated to expand the review criteria for Environmental Justice. Rating Factor 3 has been further updated to include Fair Housing and Racial Equity.

Section V.B. Review and Selection Process – This section is updated to include a new requirement to ensure applicants have Experience Promoting Racial Equity.

Section VI.B. Administrative, National and Departmental Policy Requirements and Terms for HUD Applicants and Recipients of Financial Assistance Awards – This section is updated to include compliance with: Secretary Fudge April 12, 2022 memorandum; equity requirements; and waste, fraud, and abuse requirements. Additionally, this section clarifies requirements related to nondiscrimination and equal opportunity. The related NOFO Template supplemental document is updated and posted on [HUD’s Funding Opportunity webpage](#). Furthermore, this section is updated to require program details related to its termination policy.

Other NOFO changes include the following:

- **Federal Relay Service** – The Federal Relay Service contract expired in February 2022. HUD no longer uses the service. The NOFO is updated to include the use of Federal Communications Commission (FCC) relay services for individuals who are deaf or hard of hearing or who have speech or communication disabilities. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.
- **Minimum and Maximum Award Amounts:** The minimum award amount has been reduced from \$1.250 million to \$750,000 and the maximum award amount has been increased from \$2.50 million to \$3.50 million.
- **Additional application attachment.** Applicants will be required to include an abstract as an attachment. Details of the abstract are further described in Section IV.B.1. of this NOFO.
- **National Organization.** The definition of a National Organization has been updated.
- **Environmental Review.** The Environmental Review requirements have been updated in Section VI. B. of this NOFO.

To improve your chances of success, please be sure to read this announcement fully and carefully, and respond to all the elements in each factor.

4. Definitions

a. Standard Definitions

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

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

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

Expanded Authorized Organization Representative is a user in Grants.gov who is authorized by the E-Biz POC to perform the functions of a Standard AOR, initiate and submit applications on behalf of your organization, and is allowed to modify organization-level settings and certifications in Grants.gov.

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

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

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

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

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

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

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

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

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

E-Business Point of Contact (E-Biz POC) is an organization applicant who is responsible for the administration and management of grant activities for his or her organization. The E-Biz POC is likely to be an organization's chief financial officer or authorizing official. The E-Biz POC authorizes representatives of their organization to apply on behalf of the organization (see Authorized Organization Representative definition). There can only be one E-Biz POC per unique entity identifier (see definition of Unique Entity Identifier below).

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

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

https://www.hud.gov/program_offices/comm_planning/environment_energy/regulations.

Equity has the meaning given to that term in Section 2(a) of Executive Order [13985](#) and means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual,

transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

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

(1)

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

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

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

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

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

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

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

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

Minority-Serving Institutions (MSIs) are

(1) a part B institution (as defined in [20 U.S.C. 1601](#));

(2) a Hispanic-serving institution (as defined in [20 U.S.C. 1101a\(5\)](#));

(3) a Tribal College or University (as defined in [20 U.S.C. 1059c](#));

(4) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in [20 U.S.C. 1059d\(b\)](#));

(5) a Predominantly Black Institution (as defined in [20 U.S.C. 1059e](#));

(6) an Asian American and Native American Pacific Islander-serving institution (as defined in [20 U.S.C. 1059g](#)); or

(7) a Native American-serving nontribal institution (as defined in [20 U.S.C. 1059f](#)).

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

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

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

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

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

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

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

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

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

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

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

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

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

b. Program Definitions.

Eligible Applicant: The National Organization (defined in this RCB NOFO) applying for funding under this funding announcement. There are two types of applicants:

1. *New Applicants:* National Organizations that have not been awarded RCB program funds in the past five years, from FY 2018 to FY 2021/2022.
2. *Currently, Funded Applicants:* National Organizations that have been awarded one or more RCB program grants, in grant years FY 2018 to FY 2021/2022.

Eligible Beneficiary: A local organization of one of the following types that serves a rural area(s): rural housing development organization, Community Development Corporation (CDC), Community Housing Development Organization (CHDO), Local government, and/or Indian tribe.

Capacity Building: Capacity building is support, investment, or training used to increase an eligible beneficiary's level of operational, programmatic, financial, or organizational capability, so it may more effectively and efficiently implement its mission. It is a process in which eligible beneficiaries improve and increase skills, knowledge, tools, and other resources needed to serve low- and moderate- income households in local communities that need increased or improved affordable housing and community development.

Community Development Corporation (CDC):

1. A CDC is a nonprofit organization that meets these qualifications:
 - a. Is organized under Federal, State, or local law to engage in community development activities (which may include housing and economic development activities) primarily within an identified geographic area of operation;
 - b. Is governed by a board of directors composed of community residents, business leaders and civic leaders;
 - c. Has as its primary purpose the improvement of the physical, economic or social environment of its geographic area of operation by addressing one or more critical problems of the area, with particular attention to the needs of persons of low income;

d. Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization;

e. Has a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) or (4) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1);

f. Has standards of financial accountability that conform to 2 CFR 200.302, "Financial Management" and 2 CFR 200.303, "Internal Controls"; and

g. Is not an agency or instrumentality of a State or local government.

2. At the request of a recipient, HUD may determine that a nonprofit organization that does not qualify under paragraph 1(a) through (g) is a CDC if

a. It is a Small Business Administration (SBA) approved Section 501 State Development Company, or an SBA Certified Section 503 Company under the Small Business Investment Act of 1958, as amended (P.L. 85-699), or

b. The recipient demonstrates to the satisfaction of HUD, through the provision of information regarding the organization's charter and by-laws, that the organization is sufficiently similar in purpose, function, and scope to those entities qualifying under paragraphs 1(a) through (g) of this definition, or

c. It is a State or locally chartered organization; however, the State or local government may not have the right to appoint more than one-third of the membership of the organization's governing body and no more than one-third of the board members may be public officials or employees of the State or local government entity chartering the organization. Board members appointed by the State or local government may not appoint the remaining two-thirds of the board members.

Community Housing Development Organization (CHDO): A CHDO is defined in the HOME Investment Partnerships Program regulation (HOME Program) at 24 CFR 92.2. The HOME Program is authorized by the HOME Investment Partnerships Act at title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, 42 U.S.C. 12701 et seq.

Consultant: An individual who is tasked with providing valuable and pertinent advice generally drawn from a high degree of broad administrative, professional, or technical knowledge or experience. The grantee must determine whether a consultant is a subrecipient or a contractor.

Family: Family refers to the definition of "family" in 24 CFR 5.403. Family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

1. A single person, who may be an elderly person, displaced person, a person with a disability, near-elderly person, or any other single person; or

2. A group of persons residing together, and such group includes, but is not limited to:

a. A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);

b. An elderly family;

- c. A near-elderly family;
- d. A family where one or more household members is a person with a disability;
- e. A displaced family; and
- f. The remaining members of a tenant family.

Household: Household means all the persons occupying a housing unit. The occupants may be a family as defined in 24 CFR 5.403; two or more families living together, or any other group of related or unrelated persons who share living arrangements, regardless of actual or perceived sexual orientation, gender identity, or marital status.

Local government: To be an eligible beneficiary of the RCB program, a local government must be located in a rural area, or be serving rural areas within its jurisdiction. State governments and statewide agencies are not considered local governments.

Low- and moderate-income household: Low- and moderate-income household means a household having an income equal to or less than the Section 8 low-income limit established by HUD, which means a household whose income does not exceed 80 percent of the Area Median Income (AMI).

Low- and moderate-income person: Low- and moderate-income person means a member of a family having an income equal to or less than the Section 8 low-income limit established by HUD, which means an individual whose income does not exceed 80 percent of the AMI. Unrelated individuals will be considered as one-person families for this purpose.

Low-income household: Low-income household means a household having an income equal to or less than the Section 8 very low-income limit established by HUD, which means a household whose income does not exceed 50 percent of the AMI.

Low-income person: Low-income person means a member of a family that has an income equal to or less than the Section 8 very low-income limit established by HUD, which means an individual whose income does not exceed 50 percent of the AMI. Unrelated individuals shall be considered as one-person families for this purpose.

National Organization: For the purpose of the RCB program, a National Organization must be a single 501(c)(3) non-profit entity, other than an institution of higher education, that has ongoing experience in rural housing including experience working with rural housing organizations, local governments, Tribes, and conducting RCB eligible capacity building activities in rural areas with RCB eligible beneficiaries serving high need rural communities, as evidenced by work within the last ten years in at least eight of HUD's Federal regions. Having relevant experience working in one state in a HUD Federal region is sufficient for counting that region towards the eight-region minimum. HUD's Federal regions are described on HUD's website at: <http://portal.hud.gov/hudportal/HUD?src=/localoffices/regions>.

Outcomes: Results achieved, or benefits derived from the capacity building activity conducted, typically demonstrated by the eligible beneficiary. Some examples include an ability to maintain a full-time paid staff person, increased amount of affordable homes in a beneficiary's portfolio, or success in building the beneficiary's loan portfolio to conduct community development.

Outputs: Deliverables such as products created, grants made, individuals served, or trainings delivered that are usually quantified by number produced, number delivered, number of attendees, etc. Outputs do not measure a change in a beneficiary's capacity directly, but they do identify what the grantee has done with the program funds.

Rural Area: A rural area is a statistical geographic entity delineated by the Census Bureau that does not meet the definition of an urbanized area. An urbanized area is a statistical geographic entity delineated by the US Census Bureau, consisting of densely settled census tracts and blocks and adjacent densely settled territory that together contain at least 50,000 people. As of the 2010 decennial census, the United States contained 486 urbanized areas with an additional 11 in Puerto Rico. For more information about urbanized areas, including maps, FAQs, and reference manuals, please refer to this Census Bureau website - <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>.

To demonstrate that a beneficiary complies with the rural area requirement, grantees will be expected to implement a review process to confirm that the proposed rural beneficiary is located geographically within an eligible rural area or, as a result of RCB assistance, will be commencing or expanding service in an eligible rural area. HUD has created a mapping tool for grantees to utilize in assessing a beneficiary's compliance with the rural area definition. The mapping tool is posted on HUD's RCB grant program webpage - https://www.hud.gov/program_offices/comm_planning/section-4. Scroll to the bottom of the page where Resources are listed and select Rural Beneficiary Mapping Tool.

Rural Housing Development Organization (RHDO):

1. An RHDO is a nonprofit organization that undertakes eligible RCB Program activities, as defined in this NOFO, and that meets these qualifications:
 - a. Is a nonprofit with a tax exemption ruling from the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code of 1986 (26 CFR 1.501(c)(3)-1);
 - b. Is organized to engage in housing and community development activities (which may include housing and economic development activities) focused on the improvement of the physical, economic or social environment of its identified rural geographic area of operation, with particular attention to the needs of persons of low income;
 - c. Is neither controlled by, nor under the direction of, individuals or entities seeking to derive profit or gain from the organization;
 - d. Has, or is actively working to have, standards of financial accountability that conform to 2 CFR 200.302, "Financial Management" and 2 CFR 200.303, "Internal Controls"; and
 - e. Is not an agency, department, or instrumentality of a Federal, State, or local government.

RHDOs may be organizations that are working to establish themselves as official CDCs or CHDOs. RHDOs must be organizations that are either currently engaged in housing development as a primary part of their mission, or that are actively working to build their capacity to complete housing development projects.

B. Authority

The \$6 million in Rural Capacity Building for Community Development and Affordable Housing program funds made available through the FY 2023 NOFO are authorized by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved on December 29, 2022). Congress has not yet appropriated fiscal year 2024 funds for this program. Therefore, the applicable funding terms and conditions are contingent on future congressional action.

II. AWARD INFORMATION

A. Available Funds

Funding of approximately **\$6,000,000** is available through this NOFO. Subject to appropriations, HUD reserves the right to award fiscal year 2024 funds based on this NOFO competition.

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

B. Number of Awards

HUD expects to make approximately 5 awards from the funds available under this NOFO.

C. Minimum/Maximum Award Information

Estimated Total Funding:

\$6,000,000

Minimum Award Amount:

\$750,000

Per Budget Period

Maximum Award Amount:

\$3,500,000

Per Budget Period

D. Period of Performance

Estimated Project Start Date:

05/28/2024

Estimated Project End Date:

05/28/2028

Length of Project Periods:

Other

Length of Periods Explanation of Other:

48-month project period and budget period and project period.

E. Type of Funding Instrument

Funding Instrument Type:

G (Grant)

HUD will enter into a grant agreement with selected applicants for the period of performance.

III. ELIGIBILITY INFORMATION

A. Eligible Applicants

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

Additional Information on Eligibility

Only National Organizations that are 501(c)(3) nonprofits, other than institutions of higher education, may apply for RCB funding.

For the purpose of the RCB program, a National Organization must be a single non-profit organization that has ongoing experience conducting RCB eligible capacity building activities in rural areas with rural housing organizations, local governments, and Indian tribes as evidenced by work within the last ten years in at least eight of HUD's Federal regions. Having relevant experience working in one state in a HUD region is sufficient for counting that region towards the eight-region minimum. HUD's Federal regions are described on HUD's website at:

<http://portal.hud.gov/hudportal/HUD?src=/localoffices/regions>

Faith-based organizations

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

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

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

B. Ineligible Applicants

The following non-exhaustive list of organizations are ineligible to apply for RCB program funds:

- Government Entities;
- Institutions of Higher Education;
- For profit organizations;
- Nonprofit organizations that do not meet the definition of National organization; and

- Individuals.

C. Cost Sharing or Matching

This Program does not require cost sharing or matching, but provides points based on leverage as described below.

There is no match requirement under the Rural Capacity Building program. However, applicants are encouraged to secure leverage, or voluntary committed cost sharing as defined in 2 CFR §200.1, from non-Federal public, private, and/or nonprofit sector resources (such as financing, supplies, or services). Applicants who submit evidence of leverage will receive credit in the review of their application. The pledged leverage becomes a binding requirement of the award. Documentation of leverage through Letters of Firm Commitment and a Leverage Summary must meet the requirements outlined in Rating Factor 5 of this NOFO.

If the anticipated leverage is not provided, HUD will re-assess the application with the corrected leverage commitment. If the application is no longer fundable after re-rating and re-ranking the application, HUD will rescind the grant and recapture grant funds. Leverage funds must be used for RCB eligible activities in approved action plan activities, and are subject to the same rules and requirements set forth in this NOFO, including a prohibition on fees or profit. In addition, loans made with non-RCB funds that a beneficiary must repay are not considered leverage. However, if the loan is offered at below market interest rates, the cost difference between the lower interest rate and the market interest rate can be accepted as leverage with proper documentation.

The RCB Program does not allow Federal sources to be used as leverage. All leverage funds, including in-kind contributions, must conform to the requirements of 2 CFR Part 200.1 and 2 CFR 200.306. Leverage sources may come from public (non-Federal), private, and nonprofit sources, including, but not limited to:

1. State and local housing finance agencies;
2. Local Governments;
3. Foundations;
4. Government Sponsored Enterprises such as the Federal Home Loan Banks, Fannie Mae, and Freddie Mac;
5. Colleges and universities;
6. Financial institutions or banks; and
7. Other private funders.

Once an RCB award is made, the grantee will be required to show evidence through semi-annual reports and the final closeout report to HUD that the amount of committed leverage was actually received and used for the intended purpose. Subject to HUD approval, sources of leverage funds may be substituted with other eligible leverage sources after grant award, as long as the total dollar commitment is met.

D. Threshold Eligibility Requirements

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

1. Resolution of Civil Rights Matters

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

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

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

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

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

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

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

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

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

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

- (3) Current compliance with a conciliation agreement signed by all the parties and approved by the state governmental or local administrative agency with jurisdiction over the matter;
- (4) Current compliance with a consent order or consent decree;
- (5) Current compliance with a final judicial ruling or administrative ruling or decision; or
- (6) Dismissal of charges.

2. Timely Submission of Applications

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

. As stated in Section III.A of this NOFO, to be eligible for funding for the RCB program, the applicant must qualify as an eligible national organization. To accomplish this, the applicant must provide evidence of:

1. **Non-Profit Status:** The applicant must be a non-profit entity with active 501(c)(3) status, and not an institution of higher education. Applicants must provide proof of their nonprofit tax-exempt status by attaching a copy of the organization's IRS determination letter showing its status as a 501(c)(3) tax-exempt entity. HUD will also verify the organization's non-profit status using the IRS's Exempt Organizations select check tool found at <https://apps.irs.gov/app/eos/>.
2. **National Organization Status:** The applicant must be a National Organization according to the definition provided in Section I.A 4b of this NOFO. To meet the National Organization threshold requirement, the applicant must provide evidence of the national scope of its specific, relevant work within the last 10 years conducting eligible activities in rural areas with eligible beneficiaries in at least eight HUD regions. To do this, applicants must present the following evidence to establish eligibility as a National Organization:
 - *Threshold Summary:* A Threshold Summary must be included at the beginning of the narrative portion of the application and it will count against the narrative page limit.

HUD reserves the right to review publicly available information (e.g., organizational website, IRS website <https://apps.irs.gov/app/eos/> to verify that application materials are consistent with such information.

To accurately determine the applicant's eligibility, the Threshold Summary must clearly identify specific activities and cite the:

- HUD Region where the activity was conducted;
- State(s) within the HUD Region where the activity was conducted;
- Type and mode (e.g. onsite, online, etc.) of eligible activity (e.g. loans, grants, trainings);
- Name and type of eligible beneficiary of the activity;
- Year(s) the activity was conducted (years must be specific; do not cite any activity older than 10 years.); and

- Amount of funding expended on this activity.

The excerpted table below is an example of how applicants can present their Threshold Summary with specific examples of recent and ongoing experience:

HUD Region Represented	State(s) Served within the HUD Region	Type and Mode of Eligible Activity	Name and Type of Beneficiary(ies) Served (no more than 5 examples for each)	Specific Year(s) Conducted	Total Amount of Funding for this Activity
8	MT	Grant: Direct provision of funds following an RFP process	My Town CDC, CDC	2019	\$15,000
5	WI, MN	Grant: Direct provision of funds following an RFP process	Your Town, Inc., CHDO, Happy Meadow, Inc., CDC Town of Smallville, local government	2014, 2015, 2016	\$50,000
7	MO	Training: Onsite	Homes for Our Town, Rural Housing Development Organization Building our Community, CDC	2016	\$17,000

If a single activity or type of activity was conducted in multiple HUD regions, or if the beneficiaries crossed HUD regions, please list the activity separately such that only one HUD Region is represented per row. To establish national scope, applicants need only present one example of relevant work that meets the criteria for a National Organization for each of the minimum eight regions that they have worked in. In addition, it is expected that the work presented in this Threshold Summary will be consistent with the applicant's narrative in Factor 1 for experience. The Threshold Summary will not affect the applicant's overall score on the application; it will only be used to determine the organization's eligibility to apply for RCB program funding.

As a reminder, the Threshold Summary should be included at the beginning of the applicant's program narrative prior to the response to the Six Factors.

E. Statutory and Regulatory Requirements Affecting Eligibility

Eligibility Requirements for Applicants of HUD's Financial Assistance Programs

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

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

In addition, each applicant under this NOFO must have the necessary processes and systems in place to comply with the Award Term in Appendix A of [24 CFR part 170](#) if the applicant receives an award, unless an exception applies as provided in [2 CFR170.110](#).

F. Program-Specific Requirements

Purpose: The Rural Capacity Building program enhances the capacity of rural housing development organizations, Community Development Corporations (CDCs), Community Housing Development Organizations (CHDOs), local governments, and Indian tribes (eligible beneficiaries) to carry out affordable housing and community development activities in rural areas for the benefit of low- and moderate-income families and persons. The Rural Capacity Building program achieves this by funding National Organizations with expertise in rural housing and rural community development who work directly to build the capacity of eligible beneficiaries.

Eligible Program Activities and Costs. RCB program funds are limited to capacity building activities that strengthen the organizational infrastructure, management, and governance capabilities of eligible beneficiaries serving rural areas. Through these activities, eligible beneficiaries increase their capacity to carry out community development and affordable housing activities that benefit low-income or low- and moderate-income families and persons in rural areas.

1. ***Training, education, support, and advice to eligible beneficiaries*** to increase their capacity to carry out community development and affordable housing activities that benefit low-income or low- and moderate-income families and persons in rural areas. Support and advice includes types of technical assistance including but limited to conferences, toolkits, training materials and direct consultation. Examples of this include, but are not limited to, building the capacity of eligible beneficiaries to:
 - Conduct an organizational assessment;
 - Engage in strategic planning and Board development;
 - Access and implement technological improvements;
 - Engage with rural community stakeholders;

- Evaluate performance of current and planned rural community efforts;
 - Plan for the use of available rural resources in a comprehensive and holistic manner;
 - Participate in HUD planning efforts to ensure rural participation and the assessment of rural area needs; and
 - Foster regional planning efforts by connecting local, rural community plans with neighboring communities.
2. ***Financial Assistance*** including pass-through grants, loans, or other financial assistance to eligible beneficiaries for activities listed in preceding paragraph III.F.1 to increase their capacity to carry out community development and affordable housing activities that benefit low-income or low- and moderate-income families and persons in rural areas. All activities are categorically excluded from the environmental review under NEPA.
 3. ***Such other activities as may be determined by the grantees in consultation with the Secretary or his or her designee.***

Eligible program activities allowed under the third listed eligible activity only include HUD-reviewed and approved reasonable administrative tasks directly related to the grantee's management of the RCB program. Some examples of reasonable administrative activities specific to the management of the RCB program include the preparation of RCB action plans, preparation of RCB program reports, and management of the implementation of the first and second eligible activities. To qualify under the third listed eligible activity, the activity must first be proposed in an action plan, and then reviewed and approved by HUD through the action plan process after a grant award is made; thus, it should not be proposed through this application.

Any activities proposed in this application that do not fall under the first and second eligible activity, or the single accepted administrative task under the third eligible activity, will be considered ineligible activities for the review of this application and will not be reviewed in the assessment in Factor 4, Soundness of Approach and Factor 6, Achieving Results and Program Evaluation. Any inclusion of ineligible activities will cause the reduction of points in Factors 4 and 6.

Any RCB-funded activity that results in the creation of intangible property, including but not limited to the creation of curriculum, trainings, data or research findings will be held to the rules at 2 CFR 200.315 where by the Federal awarding agency reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so. In addition, loan funds paid back to the grant are considered program income and must be used for eligible RCB program activities according to 2 CFR 200 (2 CFR 200.307).

Some Ineligible Activities and Ineligible Costs

The following is a non-exhaustive list of some ineligible activities and costs, and it does not represent ALL of the ineligible activities or ineligible costs possible in the RCB program.

- *Construction, acquisition, leasing, development, or housing rehabilitation costs* are not eligible activities with RCB funds. RCB funds may be used to build the capacity of eligible beneficiaries to be able to engage in construction, rehabilitation, or development

work, but the funds cannot be used to directly fund those activities. All activities are categorically excluded from environmental review under NEPA.

- *Food and meals.* Food is considered an entertainment cost (2 CFR 200.438) and is an ineligible expense.
- *Fundraising* with RCB funds is prohibited, in accordance with 2 CFR 200.442.
- *Issue advocacy or political engagement* with RCB funds is prohibited in accordance with 2 CFR 200.450.

Program Priorities. Activities undertaken as part of, or as a result of, capacity building efforts described in this section should support the implementation of HUD, USDA-Rural Development and other federal programs in rural areas, in addition to issues related to sustainability and comprehensive neighborhood revitalization activities. Through the eligible activities of this NOFO, grantees are encouraged to build the capacity of entities in rural areas that lack designated rural housing development organizations, CDCs, or CHDOs, and to ensure that those entities gain new access or expand existing access to federal funding. Through RCB program activities, grantees are encouraged to align with and support projects that create opportunities for investments focused on equity, job growth, economic recovery, environmental justice and neighborhood revitalization. Additionally, grantees are encouraged to consider how eligible beneficiaries may align investments with regional planning for sustainable economic development, if such efforts are underway in a jurisdiction.

Fair Housing and Equal Opportunity Requirements.

HUD's general non-discrimination and equal opportunity requirements at 24 CFR 5.105(a) apply to the RCB program and any activity conducted under this NOFO. The web-page at https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_rights_and_obligations provides an overview of pertinent laws and implementing regulations concerning non-discrimination and accessibility for persons with disabilities that apply to RCB grants. The civil rights laws and implementing regulations apply to the grantee and any subrecipient or contractor to which Federal financial assistance is extended for any program or activity funded under this NOFO.

Advancing Racial Equity

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

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

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

Applicants should provide a narrative addressing all four bullets above. Applicants should provide their response in Attachment A. This will not count toward the 40 page limit. This is a mandatory requirement. This narrative will be evaluated for sufficiency and will not change the applicant's score or rank as compared to other applicants. If the narrative is deemed insufficient, it will be a "Curable Deficiency" that will be communicated to the applicant for correction with a notice of deficiency. Attachment A shall be limited to one page.

Affirmative Marketing

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

Applicants should submit a narrative addressing the above prompt on Affirmative Marketing. This narrative should be labeled as Attachment B and submitted according to the instructions in Section IV.B.

Applicants should describe what efforts they will make to market their activities to communities that would be least likely to apply, including but not limited to how they will conduct outreach to rural communities of color, such as Black, Latino, indigenous, Native American, Asian, Pacific Islander, or other populations of color and communities who are least likely to apply. The Affirmative Marketing narrative is a mandatory requirement and will not count towards the 40-page limit. This narrative will be evaluated for sufficiency and will not change the applicant's score, or rank as compared to other applicants. If the narrative is deemed insufficient, it will be a "Curable Deficiency" that will be communicated to the applicant for correction with a notice of deficiency. Attachment B shall be limited to one page.

G. Criteria for Beneficiaries.

This program has eligibility criteria for beneficiaries.

Eligible Beneficiaries in the RCB program are not Eligible Applicants for the RCB program.

By definition, RCB Eligible Beneficiaries are not eligible to apply to this RCB NOFO; National Organizations are the only organizations that can be deemed Eligible Applicants by successfully meeting the requirements of a National Organization established in Section I.A. and Section III.A of this FY 2023 RCB NOFO. Only Eligible Applicants can apply to HUD directly for RCB program funds through this NOFO.

Successfully funded RCB program National Organizations are required to work with Eligible Beneficiaries with their RCB program grant award.

RCB program Eligible Beneficiaries are limited to local non-profit organizations and other entities serving rural areas that are one of the following types of organizations:

- Rural housing development organizations,
- Community Development Corporations (CDC),
- Community Housing Development Organizations (CHDO),
- Local governments, and/or
- Indian tribes.

RCB program Eligible Beneficiaries must serve rural areas. To demonstrate that a beneficiary complies with the rural area requirement, grantees will be expected to implement a review process to confirm that the proposed beneficiary is physically located within an eligible rural area or, as a result of RCB assistance, will commence or expand service in an eligible rural area. HUD has created a mapping tool for grantees to utilize in assessing a beneficiary's compliance with the rural area definition. The mapping tool is posted on HUD's RCB grant program webpage - https://www.hud.gov/program_offices/comm_planning/section-4. Please scroll down to the Resources at the bottom of the page and select Rural Beneficiary Mapping Tool.

For-profit organizations are not eligible as RCB beneficiaries.

State agencies and State-wide organizations are not eligible as beneficiaries of RCB program capacity building activities.

IV. APPLICATION AND SUBMISSION INFORMATION

A. Obtain an Application Package

Instructions for Applicants

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

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

Name:

Anupama Abhyankar

Email:

CapacityBuilding@hud.gov

HUD Organization:

CPD

Street:
 451 7th Street, SW
 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 NOFO for which you are applying. If they do not match, you have downloaded the wrong Application Instruction and Application Package.

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

1. Content

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Application for Federal Assistance (SF-424)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Applicant and Recipient Assurances and Certifications (HUD 424-B)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Applicant/Recipient Disclosure/Update Report (HUD 2880)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Disclosure of Lobbying Activities (SF-LLL)	Review section IV.G. of this NOFO for detailed submission requirements.	Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
		excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement.
Certification of Lobbying Activities	This form is required.	
IRS determination letter showing 501(c)(3) tax-exempt non-profit status.	This evidence is required.	Applicants must provide proof that the Internal Revenue Service currently recognizes the applicant as an organization to which contributions are tax deductible under section 501(c)(3) of the Internal Revenue Code.
Letters of Firm Commitment for Leverage Documentation	These Letter(s) of Firm Commitment must be included as evidence if the applicant seeks to be considered for Leverage points in Factor 4.	See Rating Factor 4 for the requirements of Letters of Firm Commitment.
Indirect cost rate documentation	Documentation is required.	Applicants are required to provide documentation identifying the federally negotiated indirect cost rate from the cognizant agency that shows the approved rate, or provide an attachment that states that the de minimis rate of 10% Modified Total Direct Costs (MTDC) will be used. Refer to Section IV.F Funding Restrictions, Indirect Cost Rate, for full details on this requirement.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
<p>Certification of Consistency with Promise Zone Goals and Implementation (HUD 50153)</p>	<p>Required for consideration for the Promise Zones Preference Point. The form is available for download from the Application Package associated with this NOFO, and online at https://www.hud.gov/sites/dfiles/OCHCO/documents/50153.pdf.</p>	<p>To receive Promise Zones Preference Points, this form must be signed and dated (the date must fall within the NOFO application period) by the Promise Zone Official authorized to certify that the proposed RCB project meets the criteria to receive Preference Points. For the RCB program, applicants can only receive the Preference Points if they commit to working with a Rural and Tribal PZ Designee(s), found at https://www.hudexchange.info/programs/promise-zones/designee-contact-information/#ruralandtribal-designees-contact-information.</p>
<p>HBCU Letter of Commitment</p>	<p>Required for consideration for the HBCU preference points.</p>	<p>Required for consideration for the Preference Point.</p>
<p>HUD Form 4130</p>	<p>Required form for communicating your budget proposal. The form is available for download from the Application Package associated with this NOFO, and online at https://www.hud.gov/program_offices/administration/hudclips/forms/hud4.</p>	
<p>Federal Assistance Assurance</p>	<p>This is a required certification via sam.gov. Review section IV.G.2. of this NOFO. for detailed submission requirements.</p>	

Applicants must provide a Threshold Summary at the beginning of the narrative to ensure accuracy in determining applicant eligibility. See Section III.D.3 of this NOFO for mandatory elements.

Applicants must also include in the application package the following narratives:

- **Advancing Racial Equity narrative** that addresses all four bullets as described in Section III.F. This narrative should be labeled as Attachment A. This will not count towards the 40-page limit and is a mandatory requirement. This narrative will be evaluated for sufficiency and will not change the applicant’s score, or rank as compared to other applicants. If the narrative is deemed insufficient, it will be a “Curable Deficiency” that will be communicated to the applicant for correction with a notice of deficiency.
- **Affirmative Marketing narrative** that addresses the prompt in Section III.F. The Affirmative Marketing narrative should be labeled as Attachment B. This will not count towards the 40-page limit and is a mandatory requirement. This narrative will be evaluated for sufficiency and will not change the applicant’s score, or rank as compared to other applicants. If the narrative is deemed insufficient, it will be a “Curable Deficiency” that will be communicated to the applicant for correction with a notice of deficiency
- A complete written narrative that addresses all elements in Rating Factors 1 through 6 (Six Factors) in Section V.A.1 of this NOFO must be submitted. The narrative for the Six Factors will be reviewed as a whole. Applicants are advised to address the specific requirements of each Rating Factor in the narrative section corresponding to each Rating Factor.
- Applicants should include a one-page abstract with the application. The abstract should include the following:
 - Grantee Name
 - Grantee Address
 - Project Name
 - Project Director
 - Project Director Contact Information
 - Purpose
 - Activities to be performed
 - SMART Goals (Program Level and Project Level)
 - Expected Targets
 - Deliverables and Expected Outcomes
 - Subrecipient Activities
 - Requested Amount
 - Leverage
 - Approved Indirect Cost Rate
 - The applicant should identify and describe participation with the Rural Partners Network to include collaboration with any of the 16 identified federal agencies and regional commissions through the Rural Prosperity Interagency Policy Council.

The page limit does not apply to the abstract. The Advancing Racial Equity and Affirmatively Marketing Narrative must be submitted via Attachments A and B and are not included in the page limit. Information contained in the abstract will not be rated.

2. Format and Form

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

40 Pages maximum length of narratives

Other

Page Limitation and Font Size. Narratives addressing Factors 1 through 6, Preference Points, and Threshold Summary are limited to a total of 40 typed pages of single-spaced text on 8.5 by 11-inch paper, with no less than 1-inch margins, using a Times New Roman standard 12-point font (footnotes and endnotes may be presented in size 10 font). All applicants should enter the applicant name, UEI number, and page numbers on each of the narrative pages of the application. HUD will not review more than 40 pages of narrative for the Six Factors, Preference Points narrative, and Threshold Summary combined. The page limit does not include form HUD-50153 in support of the Promise Zones Preference Points, Letters of Firm Commitments for leverage documentation, Indirect Cost rate documentation, Non-Profit Status documentation, HUD Form 4130 Multi-Year Budget, or any of the other required documents that are provided as attachments.

1. **Prohibition on Materials Not Required.** Materials other than what is requested in this NOFO are prohibited. Reviewers will not consider résumés, charts, letters, or any other documents attached to the application that are not specified in this NOFO.
2. **Checklist for Application Submission.** The following checklist is provided as a guide to help ensure that applicants submit all the required elements. All forms required for application submission can be found in the application and instruction downloads on [Grants.gov](https://www.grants.gov). The paper submission must be in the order provided below:
 - Application for Federal Assistance (SF-424);
 - Applicant and Recipient Assurances and Certifications (HUD 424-B)
 - Applicant/Recipient Disclosure/Update Report (Form HUD2880);
 - Certification Regarding Lobbying (Lobbying form);
 - Disclosure of Lobbying Activities (SF-LLL), (if applicable);
 - IRS determination letter showing 501(c)(3) tax-exempt non-profit Status;
 - Narrative addressing Factors 1 through 6, Threshold Summary, and Abstract;
 - Advancing Racial Equity narrative (see Section III.F) Attachment A
 - Affirmative Marketing narrative (see Section III.F) Attachment B
 - HUD Form 4130 Multi-Year Budget
 - Leverage Documentation, Letter(s) of Firm Commitment (if applicable);
 - Indirect Cost Rate Documentation;
 - HBCU Letter of Commitment (required for Preference Points)

- Certification of Consistency with Promise Zone Goals and Implementation (Form HUD 50153) (required for Preference Points); and
 - Completion of the Federal Assistance Representations and Certifications section of your sam.gov registration.
3. **Additional Information on the RCB Program, Frequently Asked Questions and possible Webcast.** Please check the "Rural Capacity Building Program" webpage on the HUD website at https://www.hud.gov/program_offices/comm_planning/section%204%20and%20rural%20capacity for any related RCB program updates, including Frequently Asked Questions.

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

1. SAM Registration Requirement

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

2. UEI Requirement

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

3. Requirement to Register with Grants.gov

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

D. Application Submission Dates and Times

1. Application Due Date Explanation

The application deadline is 11:59:59 PM Eastern time on 03/25/2024

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

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

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

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

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

2. Grants.gov Customer Support

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

3. Grants.gov Application Submission

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

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

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

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

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

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

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

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

4. Amending or Resubmitting an Application

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

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

5. Grace Period for Grants.gov Submissions

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

6. Late Applications

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

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

7. Corrections to Deficient Applications

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

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

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

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

The subject line of the email sent to applicationsupport@hud.gov must state: Technical Cure and include the Grants.gov application tracking number or the GrantSolutions application number (e.g., Subject: Technical Cure - GRANT123456 or Technical Cure - 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 UEI as having a curable deficiency. Failure to correct the deficiency and meet the requirement to have a UEI and active registration in SAM will render the application ineligible for funding.

8. Authoritative Versions of HUD NOFOs

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

9. Exemptions

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

E. Intergovernmental Review

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

F. Funding Restrictions

Prohibition on Fees or Profit: No fee or profit may be paid to any recipient or subrecipient of an award under this RCB program NOFO. This prohibition applies to leverage funds.

Contractor and Subrecipient Rate Determination: Prior to beginning work on an activity, the grantee must have a contract with any hired contractors and subrecipients. In addition to the requirements laid out in 2 CFR 200.331, the contract with any contractor or subrecipient must clearly state the RCB related work expected to be performed, the expected performance outputs (deliverables) from that work, the period of performance for the contract, the expected number of hours of work, and the hourly rate of pay to be applied. The contract must establish if the hourly rate of pay is a "fully-loaded" or "unloaded" rate. "Fully-loaded" rates are rates that include the

wage rate, fringe benefits, and overhead for the contractor or subrecipient as clearly stated in the contract, while “unloaded” rates only include the hourly wage rate.

High Rate Contractors and Subrecipients: RCB program funds may not be used, directly or indirectly, to pay or provide reimbursement for payment of the salary of a contractor or subrecipient at more than the “unloaded” hourly equivalent of the rate paid for the OPM General Schedule Grade 15, Step 10 (based on the locality of the consultant, contractor, or subrecipient’s primary work address) without prior written approval from HUD. For more information on OPM's General Schedule, please see the Office of Personnel Management (OPM) website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB.pdf>. Additionally, RCB program funds may not be used, directly or indirectly, to pay or provide reimbursement for payment of the salary of a contractor or subrecipient at more than the “loaded” rate of \$150 an hour without prior written approval from HUD.

If the grantee believes there is sufficient need or cause for hiring a contractor or subrecipient at a high rate, it may submit a request to HUD and a written justification for review and consideration, and it must receive HUD’s approval prior to commencing services with the high rate contractor, consultant, or subrecipient. In all cases, the grantee must receive approval from HUD before commencing any RCB program work with a high rate contractor or subrecipient.

Indirect Cost Rate

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

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your organization does not have a current negotiated rate (including provisional rate) and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC), as defined at [2 CFR 200.1](#). Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both, as described in [2 CFR 200.403](#). Once elected, the de minimis rate must be applied consistently for all Federal awards until the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

G. Other Submission Requirements

1. Standard Application, Assurances, Certifications and Disclosures

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

The SF-424 is the government-wide form required to apply for Federal assistance programs, discretionary Federal grants, and other forms of financial assistance programs. You must

complete and submit the form with the other required forms and information as directed in this NOFO.

By signing the forms in the SF-424 either through electronic submission or in paper copy submission (for those granted a waiver), you and the signing authorized organization representative affirm that you both have reviewed the certifications and assurances associated with the application for Federal assistance and (1) are aware the submission of the SF-424 is an assertion that the relevant certifications and assurances are established and (2) acknowledge that the truthfulness of the certifications and assurances are material representations upon which HUD will rely when making an award to the applicant. If it is later determined the signing authorized organization representative to the application made a false certification or assurance, caused the submission of a false certification or assurance, or did not have the authority to make a legally binding commitment for the applicant, the applicant and the individual who signed the application may be subject to administrative, civil, or criminal action. Additionally, HUD may terminate the award to the applicant organization or pursue other available remedies. Each applicant is responsible for including the correct certifications and assurances with its application submission, including those applicable to all applicants, those applicable only to Federally recognized Indian tribes, or Alaskan native villages and those applicable to applicants other than Federally recognized Indian tribes, or Alaskan native villages.

(b) HUD Assurances (HUD 424-B)

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

(c) Applicant Disclosure Report Form 2880 (HUD 2880)

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

(d) Code of Conduct

Both you, as the award recipient, and all subrecipients must have a code of conduct (or written standards of conduct). The code of conduct must comply with the requirements included in the

“Conducting Business in Accordance with Ethical Standards” section of the [Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards](#), as well as any program-specific requirements. These requirements include ethical standards related to conflicts of interest for procurements in [2 CFR 200.318\(c\)](#) and [2 CFR 200.317](#), as well as HUD-specific conflict of interest standards. HUD maintains a list of organizations that have previously submitted written standards of conduct on its [Code of Conduct for HUD Grant Programs webpage](#). But it is your responsibility to ensure that the standards are compliant with the noted requirements and that HUD has the latest version of the written standards. Updated written standards should be submitted with the application. Any updates to your written standards, after the application period, should be submitted as directed by the HUD program contact for this NOFO.

(e) Certification and Disclosure Regarding Lobbying Activities

According to the regulations at 24 C.F.R. § 87.100 (b) and (c), applicants and grantees must submit the “Certification Regarding Lobbying form (e.g., Lobbying form).” Also, applicants and grantees must submit the “Disclosure of Lobbying Activities Form” (i.e., SF-LLL) if lobbying payments occur. Applicants, as well as grantees, must adhere to these lobbying provisions, or they will be subject to civil penalties.

Affirmatively Furthering Fair Housing

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

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

Applicants will submit a response to this requirement under Rating Factor 3: Underserved Communities and Fair Housing. Applicants will describe how their proposed NOFO activities are aligned with AFFH requirements in response to Rating Factor 3.1, Fair Housing and Underserved Communities, Affirmatively Furthering Fair Housing.

2. Other Program-Specific Requirements

Federal Assistance Assurances. To assure compliance with statutory requirements for non-construction grant programs, you must complete the Federal Assistance Representations and Certifications section of your sam.gov registration. HUD and OMB use information reported within sam.gov for general management of Federal assistance awards programs. For more information on how to update your sam.gov registration, visit SAM.gov or the Federal Service Desk, FSD.gov. You can search for help at FSD any time or request help from an FSD agent Monday-Friday 8 a.m. to 8 p.m. ET.

V. APPLICATION REVIEW INFORMATION

A. Review Criteria

1. Rating Factors

There will be two types of reviews on all applications for the RCB program:

1. **Threshold Review** to determine applicant's eligibility using the applicant's provided Threshold Summary at the beginning of the narrative, and
2. **Rating Factor Review** of the eligible applicant's narrative application.

The maximum number of points to be awarded for an RCB Program application is 104, which includes 100 points for Rating Factors 1 through 6 and four Preference Points. To be considered for funding, the application must receive a minimum score of 75 points, including a minimum score of 19 points under Rating Factor 1. Applicants are only eligible to receive Preference Points if they received a rating score of 75 or more for Factors 1 through 6, including 19 minimum points under Rating Factor 1. Two Preference Points may be awarded for partnering with HBCUs or working with communities that have met Promise Zones, and two points may be awarded for Environmental Justice as described in Section V.A.2 of this NOFO.

Points are assigned based on the content and quality of the applicant's narrative response to the Six Factors. The narrative must cover the activities that will be carried out with RCB funds during the four-year term of the FY 2023 grant agreement. When examples are required they must be recent (within the last five years) and relevant to the activities proposed. Submissions must also be as specific as possible when describing the communities, populations, and organizations they propose to serve and the specific outcomes to be achieved.

<u>FY 2023/2024 RCB Scoring Summary</u>	<u>Maximum Points</u>
<i>Factor 1: Capacity of Applicant and Relevant Organizational Experience</i>	28
Organizational Capacity	(21)
Eligible Activity Experience in Rural Areas	(7)
<i>Factor 2: Extent of the Problem and Need for Capacity Building</i>	10
Need for Capacity Building in Rural Areas	(8)
Data Quality	(2)
<i>Factor 3: Fair Housing and Underserved Communities</i>	5
<i>Factor 4: Soundness of Approach</i>	36
Description of Activities	(15)

Implementation Process and Plan to Conduct Activities	(21)
Factor 5: <i>Leveraging Resources</i>	6
Leverage Ratio	(2)
Application of Leverage Funds	(4)
Factor 6: <i>Achieving Results and Program Evaluation</i>	15
Performance Plan with Expected Performance Outputs and Outcomes	(8)
Performance Evaluation Plans	(4)
Past Performance	(3)
Preference Points: <i>Promise Zones, HBCUs, or Environmental Justice</i>	4
Total	104

Factor 1: Capacity of Applicant and Relevant Organizational Experience

Maximum Points: 28

Applicants must describe the capacity of the organization to manage federal grants, and its organizational experience relevant to implementing RCB program eligible activities with rural organizations that could be considered eligible beneficiaries. To be considered for a grant award, the applicant must meet a minimum threshold score of 19 points for Rating Factor 1.

Applicants must have the capacity to manage a federal grant award and execute the proposed RCB program. Successful RCB program applicants are expected to possess the management, organizational, and financial capacity to immediately execute the RCB program upon receipt of a grant award.

Furthermore, RCB awards are limited to funding eligible activities that assist eligible beneficiaries. RCB funds cannot be used to build the capacity of the applicant or grantee.

Applicants are expected to have experience and readiness with the following competencies when awards are made:

1. Project management;
2. Rapid program design and launch;
3. Financial management;
4. Contract and subrecipient management (as applicable);
5. Determining, tracking and evaluating project or program outcomes; and
6. Accountability, Quality Control, Monitoring and Internal Audit requirements described in 2 CFR 200.

Organizational Capacity (21 points)

To assess this factor, HUD will consider the extent to which the applicant demonstrates that it has sufficient management, financial and programmatic capacity. Applicants must describe their:

1. *Management Capacity* –
 - a. Describe their organization’s structure as it will pertain to the staff that will manage the RCB grant award;
 - b. Provide an RCB-specific organizational chart and list brief summaries of the roles of key staff that will manage the RCB program grant award and funds;
 - c. Demonstrate that the applicant has knowledgeable and experienced staff with organizational and management skills adequate for managing federal grants and thus able to successfully manage the RCB program grant upon receipt of the grant award; and
 - d. Explain or provide evidence of how the applicant has the capacity to concurrently manage multiple projects, possibly with multiple partners, in more than one geographic location.

If any of the management of the RCB grant program will be handled by contractors then the applicant must explain the reasons and benefits for choosing to use contractors to manage these aspects of its FY 2023/2024 RCB program. In addition, the applicant must generally describe the selection process used, or that will be used, for procuring qualified individuals or organizations to manage any aspect of the RCB program.

Other than names and position titles, please do not use any Personally Identifiable Information (PII) and do not include résumés. (See 2 CFR 200.1 for more on PII.)

Responses to this Factor should focus on the key staff that will manage the RCB program and who will be responsible for the delivery of eligible activities. To the extent any staffing gaps, vacancies, or positions in the applicant organization are contingent upon award, applicants must identify how and when the staffing position or capacity gap will be filled.

Currently Funded Applicants past performance will be incorporated into the assessment of their organizational capacity. HUD will evaluate the extent to which the currently funded applicant has demonstrated effective, sound and responsible grant management of previous RCB grant awards that includes, but is not limited to, financial, monitoring, and other information in HUD’s files, and the applicant's past performance in meeting leverage commitments. HUD will use Section V.B.1 and 2 of this NOFO as a basis for expectations of past performance for this element.

2. *Capacity to Deliver Eligible Activities* - The applicant must demonstrate that there are skilled and experienced key personnel that will be responsible for the delivery of the proposed eligible capacity building activities in rural areas, and that it has the capacity to deliver each of their proposed eligible activities, or that it has a plan to recruit/procure individuals to fill specific roles, with the expert knowledge of capacity building for rural housing and community development providers.

If the applicant proposes to use contractors or subrecipients to supplement the delivery of the RCB eligible activities, then the applicant must explain the reasons for choosing to use contractors or subrecipients to deliver eligible activities in its proposed FY 2023/2024 RCB program. In addition, the narrative must generally describe the selection process for recruiting or procuring qualified individuals or organizations to deliver eligible capacity building activities to eligible beneficiaries.

This description must be consistent with the description of the applicant's program activity approach described in Factor 4.

1. *Financial Capacity* - All applicants will be assessed on their capacity to manage and effectively expend federal funding in a timely manner and in accordance with grant requirements. The following criteria will be applied to the narrative as relevant to the applicant's standing as a new or currently-funded applicant:
2. *New Applicants*, which are those that have received no RCB program grant awards in the past five program years of FY 2018-FY 2022, must demonstrate that they have a financial management system in place that is suitable for managing and producing financial data relevant to federal grants. The applicant must:
 - i. Describe the components of its financial management system;
 - ii. List the financial reports that it can produce to be regularly monitored and reviewed by senior management and HUD;
 - iii. List the financial reports it will use for implementation of the RCB program; and
 - iv. Explain how its financial management system has allowed it to successfully implement and execute in a timely manner, similar funding-sized and/or types of grants comparable to what it proposes with the FY 2023/2024 RCB program.
3. *Currently-Funded Applicants*, which are those that currently manage one or more RCB program grants from FY 2018 - FY 2022, must:
 - i. **Financial Management System:** Demonstrate that it has a financial management system in place that is suitable for managing and producing financial data relevant to federal grants, including its current RCB grants. The applicant must:
 1. Describe the components of its financial management system;
 2. List the financial reports that it can produce to be regularly monitored and reviewed by senior management and HUD;
 3. List the financial reports it will use for implementation of the RCB program; and
 4. Explain how its financial management system has allowed it to successfully implement and timely execute similar funding-sized and/or types of grants, including past RCB grant awards, comparable to what it proposes with the FY 2023 program.
 - ii. **Timely Expenditure and Disbursement of RCB Grant Funds:** Describe the timeliness of expenditure and disbursement of their applicable RCB program funds for the FY 2018 through FY 2022 grant awards, using financial information collected from HUD's Line of Credit Control System (LOCCS) no later than 30 days before the published due date of this FY 2023/2024 RCB NOFO. The

description must include the following information for each of the RCB program grants awarded for the Fiscal Years 2018-2022 awards:

1. The date the information was pulled from LOCCS;
2. The amount of the applicant’s RCB program grant award amount(s) from HUD for each grant year awarded;
3. The RCB program fund amount and percentage committed to eligible activities as evidenced by a HUD-approved activity plan, for each grant award;
4. The amount and percentage of RCB program funds disbursed, as indicated in LOCCS no later than 30 days before the published due date of this FY 2023/2024 RCB NOFO, for each applicable grant funding year; and
5. The balance of funds remaining undisbursed for each of the applicant’s RCB grant awards.

In rating this sub-element, HUD will evaluate the extent to which the applicant demonstrates successful past performance in the timely commitment and disbursement of RCB program grant funds using the benchmark expectations in the table below. This includes the completion of the FY 2018 grant awards, the return of any unspent FY 2018 funds, or the extension of a FY 2018 grant award, as applicable. To determine the drawdown rate, HUD will calculate and confirm the ratio of the amount of RCB program grant funds disbursed as of the LOCCs collection date for each applicable grant year award to the amount of RCB program funds awarded for each applicable grant award. Applicants will be assessed proportionally based on the number of RCB awards received in the past five years, such that applicants will not be rated on the number of previous RCB awards received, but on the ability to drawdown funds in a timely manner on the actual RCB awards received.

Points will be assigned based on the following expectations related to the start date of each grant.

Grant Year	Percent of Funds Expected to be drawdown from LOCCs
FY 2018	100%
<i>FY 2019-2020</i>	Greater than 50%
FY 2021-2022	Greater than 0%

Eligible Activity Experience in Rural Areas (7 points)

To assess this element, the applicant must describe the organization's specific experience in rural areas in:

1. Building the capacity of rural organizations by undertaking eligible RCB program activities listed in Section III.F that meet the definition of RCB program eligible beneficiaries to develop rural affordable housing and conduct rural community development.
2. Increasing the participation of RCB eligible beneficiaries to participate in and utilize HUD, USDA-Rural Development, and other federal programs in rural jurisdictions, which may include the organization's own experience working with other federal programs in rural areas.
3. Assessing and researching national rural conditions, and its participation in communities of practice with researchers and other national rural housing organizations.

Specific requires that applicants describe in detail the type and scale of activities performed and the type and geographic reach of rural organizations served.

Factor 2: Extent of the Problem and Need for Capacity Building

Maximum Points: 10

Applicants must describe their understanding of the overall capacity building needs of eligible beneficiaries in rural areas, with particular focus on eligible beneficiaries in rural areas where they propose to utilize FY 2023/2024RCB program funds. The narrative must explain the nature and extent of the needs in relation to the eligible activities and priorities identified in Section III.F of this NOFO, and must support the description of the needs with credible, reliable, and quantitative information.

Need for Capacity Building in Rural Areas

Specifically, this factor will be assessed on the applicant's identification and explanation of:

1. ***The Affordable Housing and Community Development Needs of Rural Communities.***
Describe the general socioeconomic (which may include housing, economic, health, accessibility, education, infrastructure, etc.) needs of rural communities, families, and individuals. If the applicant knows the rural areas where it intends to work, then it should also address the specific needs of those rural areas.
2. ***The Capacity Building Needs of Eligible Beneficiaries Serving Rural Areas to Improve Their Ability to Engage in Community Development and Affordable Housing.***
 - a. ***Beneficiary Needs:*** Drawing on the stated general socioeconomic needs of rural communities and their residents, explain the specific capacity building needs of eligible beneficiaries that are providing affordable housing and community development services in the rural areas, to address the identified socioeconomic needs.
 - b. ***Capacity Building Needs of Up-and-Coming Eligible Beneficiaries:*** Identify the capacity building needs of organizations seeking to build their capacity to conduct community development or affordable housing activities to become designated as CDCs or CHDOs in rural areas that lack such designated organizations.

- c. *Obtaining and administering HUD programs:* Identify the capacity needs of eligible beneficiaries serving rural areas in relation to increasing and/or improving their ability to obtain and manage HUD programs

Data Quality

The applicant’s explanation of both community needs and eligible beneficiary needs required above must be supported by objective information and/or data. Some examples of quality sources include, but are not limited to, the most recently published Census, American Housing Surveys, state or local Consolidated Plans, HUD program reports available through the HUD Exchanges or HUD User websites, or other demonstrably relevant, recent (within five years) and reliable data sources. For the purpose of demonstrating the specific needs of eligible beneficiaries, applicants may use data collected through the organization’s own valid, recent, reliable and replicable means of collection. If an applicant uses its own collected data source, it must provide a brief explanation of the research methods used in data collection and analysis.

Factor 3: Underserved Communities and Fair Housing

Maximum Points: 5

Applicants will be evaluated on their experience in and plans for advancing equity, assisting underserved communities, and addressing fair housing and civil rights issues through building the capacity of eligible beneficiaries. All eligible applicants should have knowledge of and experience with delivering services consistent with and in furtherance of federal fair housing and nondiscrimination laws and regulations.

Affirmatively Furthering Fair Housing (3 points)

Applicants should explain how their proposed activities will affirmatively further fair housing in compliance with the Fair Housing Act. Applicants should describe how they will educate beneficiaries on ways to identify and consider patterns of segregation and develop meaningful strategies and actions to promote integration increase access to opportunity for protected class groups, including, as applicable, providing technical assistance to beneficiaries on how to undertake fair housing planning. In addition, applicants may outline steps they will take to ensure that housing created or preserved by beneficiaries through loans, grants, and other federal financial assistance will expand access to housing choice for protected classes.

Experience Promoting Racial Equity (2 points)

Applicant should explain their experience or resources to effectively address the needs of underserved communities, particularly for Black and Brown persons, which includes Black, Latino, indigenous, Native American, Asian, Pacific Islander, and other persons of color. Applicants can demonstrate their experience by describing their experience soliciting, obtaining, and applying input from underserved groups when designing, planning, or implementing programs and activities; Their experience building community partnerships with grassroots organizations; And or experience designing or operating programs that have provided tangible reductions in racial disparities. Applicants may also describe the experience of staff who have lived experience and or expertise to provide services in a culturally competent way or resources to hire such staff for NOFO funded work.

Factor 4: Soundness of Approach

Maximum Points: 36

Applicants will be evaluated on the overall quality of the proposed approach to build the capacity of eligible beneficiaries based on the capacity building needs identified in Factor 2. HUD will

consider the connection among the specific identified capacity building needs and the applicant's proposed activities, as well as the cost-effectiveness of proposed activities. Applicants must present their proposed plan for building the capacity of eligible beneficiaries based on the capacity building needs identified in Factor 2.

Specifically, the applicant's narrative must include the following elements:

1. **Description of Activities (15 points):** HUD will evaluate the extent to which the application clearly describes:
 - a. *Proposed Eligible Activities* - Applicants must explain the overall strategic vision of its proposed RCB program and its approach to capacity building by describing the eligible activities (according to Section III.F of this NOFO) they propose to conduct to address the capacity building needs of eligible beneficiaries as identified under Rating Factor 2. The applicant must explain how the proposed activities are feasible and practical to meeting the capacity building needs of eligible beneficiaries. Be sure to identify the method of execution of the proposed activities, as applicable; for example, if the applicant proposes to conduct a series of trainings, indicate if the training will be done live on-site, virtually and/or if they will be recorded for later distribution.

It is expected that the applicant organization will be conducting the majority of the RCB activities. If the applicant plans to utilize other organizations or individuals, such as contractors or subrecipients, to directly implement any of the proposed activities, then it must explain:

- i. Why contractors or subrecipients are needed to conduct activities in their proposed RCB program.
- ii. The extent to which the applicant will utilize such other organization(s)/individual(s); and
- iii. The extent (including estimated percentage of overall RCB work) to which the contractor or subrecipient will provide services or conduct RCB eligible activities on behalf of the applicant.

Keep in mind that no activities can be proposed under the third eligible activity cited in Section III.F of this NOFO, other than RCB-related Administration work, as activities under the third eligible activity can only be approved through the post-award action plan activity process and should not be proposed in this application. Proposing ineligible activities in this application will result in the loss of one point under this element. Furthermore, if any ineligible activities are proposed to be conducted with the RCB funds in this application, then any narrative pertaining to the proposed ineligible activities will not be reviewed in the assessment of the Six Factors, and such activities will be removed from the applicant's proposed budget, if awarded.

- b. *Rationale and Effectiveness of Approach* - The applicant must describe how it determined that the proposed activities will be cost-effective and how the activities, including the method of delivery, will enable the eligible beneficiaries to increase their capacity to successfully carry out specific housing and community development activities. Applicants are expected to briefly state the evidence and research basis for selecting

certain types of activities as support for the integration of selected activities into their proposed RCB program. To receive full credit, the applicant must convincingly explain:

- i. Why the proposed activities, including the method of delivery, were selected for the proposed FY 2023/2024 RCB program;
- ii. Why the proposed activities and method of approach represent the best, most cost-effective approach to meet the identified needs of eligible beneficiaries; and
- iii. How the capacity building activities will result in the ability of eligible beneficiaries to commence work on specific housing, community, and/or economic development activities by the end of the grant's term.

2. Implementation Process and Plan to Conduct Activities (21 points) Applicants must describe a plan for how they will design, organize, implement and manage the proposed capacity building activities, including how they will operate under the requirements of the RCB program. For example, if the applicant proposes to run an internal Request for Proposals (RFP) process to select eligible beneficiaries, then a summary of that plan and how it is connected to the proposed time frame should be provided.

HUD will evaluate the extent to which the application presents and supports a detailed and well-planned approach for conducting eligible program activities that address the capacity building needs of eligible beneficiaries serving rural areas, as the applicant identified in Rating Factor 2 of this application.

To receive full credit, applicants must explain how it will implement and manage the proposed activities with a FY 2023/2024 grant award by describing:

- a. *The Method and Process for Activity Delivery:* What is the method and process that will be used to implement and manage the proposed activities, including an explanation for how the applicant determines where to direct FY 2023/2024 RCB grant funds (for example, an RFP process)?
- b. *The Proposed Eligible Beneficiaries:* How will eligible beneficiaries be identified and selected? If the applicant already knows the eligible beneficiaries it will serve, it should identify them specifically and explain how they were selected.
- c. *Rural Area Geographic Determination:* Explain how the applicant will determine which rural areas to serve using RCB program funds. This should include a description of the process and factors it will use to select rural areas geographies. Rural areas geographies should be based on the needs identified in the narrative for Factor 2. While it is not expected that the applicant identify precise locations at this time, applicants may provide geographies as broad as HUD regions. If an applicant has already determined the rural areas it will serve in specific regions, states, or communities then it must indicate them in the narrative, and explain how and why they were selected.
- d. *Support for HUD Programs and Planning Processes:* Explain how the proposed rural capacity building activities will support and magnify the effects of other HUD programs and any local Consolidated Plan(s) in the rural communities where RCB program beneficiaries are assisted. Specifically, applicants should discuss activities in connection

to the needs related to accessing HUD programs as identified in the narrative for Factor 2. In addition, applicants can discuss how the activities will support local implementation of other federal programs, such as USDA-Rural Development programs.

- e. **Budget:** Provide a four-year budget on Form HUD-4130 that shows the individual costs of managing and delivering the proposed FY 2023 RCB grant program, following the instructions on the form. On the budget form, applicants should specifically address the following areas, as applicable, for each year of the program:
- i. **Applicant Organization Grant Management Administration Costs:** Applicants must list applicable grant management administration costs related to Personnel (Direct Labor); Fringe Benefits; Travel (just for grant management administration); Equipment (only items > \$5,000 depreciated value); Supplies (only items < \$5,000 depreciated value); Contractors and Consultants for Administration; and Indirect Costs related to Administration.
 - ii. **Planning and Administrative Costs** Planning and Administrative Costs are defined as costs for general management, oversight, coordination, evaluation, and reporting on eligible activities. Such costs do not include costs directly related to carrying out eligible activities, since those costs are eligible as part of the activity delivery costs. Planning and administrative costs may include but are not limited to, salaries, wages, and general management, oversight, and coordination of the RCB program activities.
 - iii. **Eligible Activities to Eligible Beneficiaries:** Applicants must list applicable activity delivery costs related to the provision of the first and second eligible activities in Section III.F of this NOFO (Training, Financial Assistance, etc.). Applicants must provide a breakdown of the costs expected to be associated with each eligible activity as expected action plan activities or projects. This should cover the Direct Labor costs from the Applicant's staff; fringe benefits; Travel; Contractor and Consultants specific to the execution of the activity (include subrecipients and the estimated or known hourly rate). Financial Assistance to Beneficiaries (as applicable); Equipment (only items > \$5,000 depreciated value for each activity delivery); Supplies (only items < \$5,000 depreciated value for each activity delivery); and Indirect Costs.
 - iv. **Leverage:** RCB program applicants must apply their committed leverage amounts to the budget as it relates to each activity. Please note, that while there is a column for "Match," there is no requirement for Match in the RCB program so applicants may leave this column blank. Applicants must be sure that any Leverage included in the application for consideration under Factor 5, Leveraging Resources, is represented in the budget and that it is clearly consistent with any Letters of Firm Commitment submitted with this application. Applicants that do not have Letters of Firm Commitment for leverage may still include funding they intend to pursue or other federal funds (which may not be used as Leverage) in their budget as "Other Funding Sources."
 - v. **Grand Totals:** The HUD funding total must equal the requested amount and the leverage total must be consistent with the submitted Firm Letters of Commitment.
 - vi. **Written Budget Narrative.** The budget narrative must go beyond the detailed budget form to explain the assumptions used to develop each budget line item and clearly connect the budget line items to the proposed program design and the

individual activity costs. To receive full credit, all items listed on the budget form must be discussed. If consultants or subrecipients are included in the budget, the applicant must address the assumptions used for choosing to use consultants or subrecipients for the delivery of services or Administration of the grant and explain how it arrived at the estimated hourly rate.

- vii. *Schedule*: Provide a schedule and description that shows how the plan and the proposed activities are expected to be completed each year of the four-year grant period. The distribution of work explained in this schedule must be consistent with the year-to-year budget provided in this application and be consistent with the proposed activities. Applicants may propose to complete the RCB work in less than four years, but to receive full credit the schedule must still represent four years and show that early completion.
- viii. *Options for Scaling Proposed Activities*. Given the possibility that successful applicants will not be funded for their full requested amount, they must identify options for scaling back the proposed activities within the Budget Narrative. This step allows for HUD to consider the applicant's preferences and assess project feasibility to determine the final grant award. Some options for how this may be accomplished is by ranking the proposed activities in order of importance or by providing a narrative ranking their RCB program priorities.

Factor 5: Leveraging Resources

Maximum Points: 6

Leverage serves as an indicator of community support and commitment for the proposed RCB program activities. In this factor, HUD will evaluate the applicant's ability to secure leverage from public, private and/or nonprofit sector resources (such as financing, supplies, or services) other than RCB grant funds or other Federal funds. The leverage should enhance the applicant's proposed RCB program and its ability to perform eligible activities during the grant period.

To accurately determine the applicant's eligible leverage commitment, applicants must submit a Leverage Summary. The Leverage Summary must clearly identify the sources of leverage as described in the Letters of Firm Commitment. Each letter should

1. Be printed on the letterhead of the organization providing the leverage resource;
2. Include the name of the organization committing the leverage resource;
3. Clearly state the RCB Applicant's name as the recipient of the proposed leverage resource(s);
4. Describe the type of commitment (e.g., cash or in-kind), any restrictions on the commitment (e.g., geographic reach), and the proposed dollar value of the leverage commitment;
5. Confirm that the leveraging funds are not tied to a Federal funding source;
6. State the specific period of time that the funds are available, or if they have an unrestricted time frame;
7. Explain how the leverage commitment specifically enhances and contributes to the applicant's proposed RCB program activities in this application; and

8. Be signed and dated by an official of the organization committing the leverage resource who is legally able to make commitments on behalf of the organization. The date of the signature must occur after the date of publication of this RCB NOFO.

The table below is an example of how applicants can present their Leverage Summary.

Entity providing firm commitment	Dollar amount	Corresponding activity	Type of commitment (in-kind, cash etc).
XYZ	50,000	Training	Cash
ABC	10,000	Financial assistance	In kind
JHU	40,000	Financial assistance	Cash
Total leverage amount	/100,000		
Total amount of grant request	1,000,000		
Percentage of leverage (calculated as the leverage amount divided by the total grant request 100,000/1,000,000 and multiplied by 100)	10%		

Resources may include cash or in-kind contributions of services, equipment, or supplies that are firmly committed for use in the proposed RCB program. “Firmly committed” means that the source, type and amount of the resource and its dedication for application to RCB program activities are explicit.

Endorsements or general letters of support from organizations or vendors alone will not count as leverage and should not be included in the application. Only Letters of Firm Commitment, that meet the eight requirements listed above and are submitted with the NOFO, will count toward the calculation of leverage ratio.

Applicant organizations may choose to submit a portion of their own assets toward the leverage ratio, but such commitments must still be stated in a Letter of Firm Commitment that meets the eight requirements above, and it must meet the leverage requirements set forth in Section III.C of this NOFO. In addition, applicants may use leverage resources for the FY 2023/2024 RCB application that were previously committed to the applicant by an organization who re-commits them (or a portion of them) for use during the proposed application period. The applicant must clearly identify how the leveraged funds will be used to support the applicant’s proposed program. Distinct leverage commitments previously accepted for any current RCB grant awards or other Federal awards will not be accepted for the FY 2023/2024 RCB program.

To rate this factor, the following elements will be assessed:

1. **Leverage Ratio (2 points)** - HUD will assess the amount of leverage committed as a percentage of the requested grant amount. Applicants that demonstrate a leverage ratio (calculated from the Leverage Summary) of 20 percent or greater of the requested RCB grant amount will be awarded two points. Applicants demonstrating a lesser ratio will be awarded the points proportionate to their documented leverage. If an application is funded for less than the requested amount, the calculated percentage of leverage in the application will be multiplied by the awarded amount to establish the reduced amount of leverage that the grantee will have to provide. Applicants will only be awarded points for the leverage percentage calculated from acceptable Letters of Firm Commitment.
2. **Application of Leverage Funds (4 points)** - In the narrative, the applicant must explain how it will use the committed leverage funding to support its proposed program activities to build the capacity of eligible program beneficiaries. Furthermore, the applicant must describe how the leverage will enhance its proposed RCB program. The narrative discussion must be consistent with the information presented in any the Leverage Summary, Letters of Firm Commitment and with the leverage amounts and information presented in the budget in Factor 4.

Grantees will be required to show evidence that committed leverage resources were actually received and used for their intended purposes through semi-annual reports and the final closeout report to HUD. Subject to HUD approval, sources of leverage funds may be substituted with other eligible leverage sources after grant award, if the total dollar commitment is maintained. If the substituted leverage is less than proposed in this application, or if the grantee fails to meet the leverage commitment by the end of the grant period of performance, HUD will re-rate and re-rank the application with the corrected leverage commitment. If the application is no longer able to be funded after re-rating and re-ranking the application, HUD will rescind the grant and recapture grant funds.

Factor 6: Achieving Results and Program Evaluation

Maximum Points: 15

Overall, this factor addresses how the applicant proposes to achieve results and conduct program evaluation, and it reflects HUD's goal to embrace high standards of ethics, management, and accountability.

The applicant shall provide an effective performance plan to evaluate and quantifiably measure the performance of its proposed RCB program activities through the statement of specific outputs and identification of specific expected outcomes that demonstrate improved capacity of the eligible beneficiaries. The applicant's performance plan will be assessed for reasonableness, consistency with the activities proposed in Factor 4, and if they quantifiably demonstrate expected improved organizational development of eligible beneficiaries.

Applicants and grantees are expected to consistently identify and maintain the distinction between outputs and outcomes as defined in this NOFO. Organizations awarded RCB grant funds will be held accountable not only for producing the stated outputs from this application and in future action plan activities, but also for the effectiveness of those outputs in affecting positive outcomes for eligible beneficiaries that demonstrate their increased capacity to serve their communities.

1. ***Performance Plan with Expected Performance Outputs and Outcomes (8 points):*** The applicant must provide a description of the applicant's performance plan. To receive full credit the performance plan must incorporate:
 - a. The overarching RCB program performance goals;
 - b. Specific planned outputs, with numeric goals;
 - c. Specific planned outcomes, with numeric goals; and
 - d. A timeline for the achievement of performance outputs and outcomes.

Planned outputs and outcomes may be taken from the list of examples below, or applicants may propose other quantifiable output or outcome measures that apply to the activities proposed in Factor 4. All proposed outcome measures must clearly demonstrate how eligible beneficiaries improved skills, technical capabilities, and ability to undertake community development and affordable housing activities will be identified and measured.

Possible Outputs from the Implementation of RCB Activities

General Outputs for all Activities:

- Number of individuals served
- Number of CDCs/CHDOs, RHDOs, Tribes, and local governments served
 - Number of organizations served (used in rare occasions like at an open training at a conference)
- Number of HUD Regions served
- Number of states served
- Number of surveys distributed to eligible beneficiaries (CDCs, CHDOs, rhdos, tribes etc)

1. Eligible Activity 1: Training and Education Outputs

- Number of engagements/trainings offered
 - Number of web-based engagements/trainings offered
 - Number of in-person engagements/trainings
- Number of attendees at each engagement/training offered
- Number of peer-to-peer learning events
 - Number of attendees at each peer-to-peer learning event
- Number of publications created
- Number of curricula developed

2. Eligible Activity 2: Financial Assistance Outputs:

Number of individuals receiving financial assistance to attend training

Dollar amount of financial assistance provided to individuals to attend training

Number of grants awarded

Dollar amount of grants awarded

Number of grant applications received

Number of loans made

Dollar amount of loans made

Number of loan applications received

Number of other financial assistance activities

Dollar amount invested in other financial activities

Number of paid jobs created within the beneficiary organization(s)

Possible Outcomes for Eligible Beneficiaries that Result from Receiving RCB Activity Engagements

Number of new CDCs or CHDOs created

Number of organizations newly accessing or expanding Federal funding

Dollar amount of new or expanded Federal funding received

Number of participants earning or renewing a licensure or certification in a discipline directly related to the management and work of the beneficiary organization

Number of community development projects supported

Dollar amount invested into community development projects

Number of community programs supported

Dollar amount invested into community programs

Number of new community partnerships developed

Jobs

Number of jobs created from the beneficiary's work

Housing

Number of housing units in the development process by the beneficiary

Number of new housing units created by the beneficiary

Number of housing units preserved, repaired, or rehabilitated by the beneficiary

Business

Number of businesses assisted by the beneficiary

Number of businesses created through the beneficiary's work

2. ***Performance Evaluation Plans (4 points):*** This element of the performance plan will be assessed on the extent to which the application clearly describes detailed plans for evaluating the effectiveness of the organization's RCB program. The plan must include two types of evaluation:

- a. *Internal Organizational Evaluation of the Applicant's Management of the RCB Program Operation:* Describe how the applicant will assess and evaluate its internal operations and processes for managing and administering the RCB program grant award during the Period of Performance of the RCB grant award.
 - b. *Evaluation of RCB Program Effectiveness and Delivery:* Describe the process for how the applicant will evaluate the effectiveness of the RCB program and activities proposed in Factor 4, including how it will evaluate its performance plan within the Period of Performance of the RCB grant award. The narrative will be rated on the extent to which the evaluation plan includes outcomes that are specific, measurable, and appropriate in relation to the activities proposed. The measures should quantifiably demonstrate the expected improved organizational development of eligible beneficiaries.
3. **Past Performance (3 points)**
- a. *New Applicants:* Applicants that have not received an RCB award within the past 5 years must describe their past performance on at least one other grant that is similar in scope (i.e. building the capacity of organizations that would qualify as RCB eligible beneficiaries through the provision training and/or financial assistance) to the RCB grant program that they have managed within the past 5 years. To receive credit, applicants must:
 - i. State the source of the similar grant award;
 - ii. State the name of the grant award program (if applicable);
 - iii. Provide a brief and relevant description of the program;
 - iv. Describe the type of comparable activity(ies) that it conducted with the similar grant program; and
 - v. Provide a brief summary of the results, outputs, and outcomes of its work through that grant program.

The applicant will be assessed on their past performance in successfully delivering on RCB program comparable program outputs and outcomes that resulted in positive outcomes in improving the ability of organizations that would qualify as RCB program eligible beneficiaries to provide affordable housing and community development. Specifically, applicants should how they were able to achieve any comparable outputs and outcomes from the list of quantifiable measures listed under element 1 of Factor 6 of this NOFO, or other relevant measures.

(Currently RCB Funded Applicants): Applicants that have received an RCB grant award in the last five years (FY 2018-FY 2022) will also be assessed on their past performance in delivering on program outputs and outcomes achieved. Current applicants must provide a narrative explaining RCB program delivery performance within the last five years. HUD will evaluate past RCB performance to determine if it was timely, cost-effective, and resulted in positive outcomes in the delivery of capacity building activities for eligible beneficiaries in improving their ability to provide affordable housing and community development. Specifically, applicants should use information from previous or current RCB program grant awards to describe how RCB program activities contributed to, or resulted in, the achievement of program goals and outcomes using the list of quantifiable measures listed under element 1 of Factor 6 of this NOFO, or other relevant measures.

Currently, funded applicants should include, as applicable, examples of increases and improvements in affordable housing and community development program accomplishments as a result of building the capacity of eligible beneficiaries.

This program does not offer points for Section 3.

2. Other Factors

Preference Points

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

Environmental Justice (2 points)

Promise Zones (PZ) (2 points)

Historically Black Colleges and Universities (HBCUs) (2 points)

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

This program does not offer points for Climate Change

Environmental Justice: In accordance with [Executive Order 12898](#), Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and EO 14008, HUD will award up to two (2) points for applications proposing activities that advance Environmental Justice (as defined in Section I.A.4 of this NOFO). For the purposes of this grant program, activities that advance Environmental Justice include doing the following for people or communities that have been environmentally underserved or overburdened (e.g. low-income and Black and Brown communities):

- Reducing or mitigating exposure to environmental and health hazards (e.g. industrial facilities, EPA superfund sites, legacy pollution, heat islands).
- Improving protection from and resilience to environmental harms (e.g. fire-resistant materials, floodproofing).
- Expanding environmental benefits (e.g. clean air and water, public transportation, bike and walking paths, clean energy, green technology, biodiversity).
- Overcoming prior disinvestment in environmental infrastructure (e.g. drainage systems, green spaces, pollution controls).

To receive points under this Section, your application must describe in detail how your proposed activities will advance Environmental Justice in one or more of these ways.

In addition, to receive points under this Section, your application must also clearly describe how your activities will be informed by input from affected communities. To provide those affected a

meaningful opportunity to participate in the design and implementation of your activities, you should make key information available online and through other media, engage with community leaders, solicit public feedback, hold public meetings at a variety of times and locations or virtually, and respond appropriately to community concerns.

HBCUs

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

This program does not offer preference points related to minority-serving institutions.

Promise Zones

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

B. Review and Selection Process

1. Past Performance

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

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

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

Timely use of funds received from HUD

Timely submission and quality of reports submitted to HUD

Meeting program requirements

Meeting performance targets as established in the grant agreement

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

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

The number of persons served or targeted for assistance

Promoting self-sufficiency and economic independence

Producing positive outcomes and results

Other

- The nature of and resolution of any Monitoring findings;
- The nature of and resolution of any publicly available audit findings; and

- The nature of requests for grant extensions, the pattern of those requests, and if it was beyond the control of the grantee.

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

2. Assessing Applicant Risk

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

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

HUD evaluates the integrity of the applicant as reflected in government-wide websites, information in HUD's files, the federal Do Not Pay portal, public information and information received during HUD's Name Check Review process, and incorporates the risk assessment criteria laid out in 2 CFR 200.205. If this integrity evaluation results in an adverse finding, HUD reserves the right to take any of the remedies provided in 2 CFR 200.205 and HUD reserves the right to impose specific grant conditions in accordance with 2 CFR 200.207.

1. **Review Types.** Two types of reviews will be conducted. First, HUD will review each application to determine whether it meets threshold eligibility requirements. If an application does not meet threshold eligibility requirements, HUD will not assess the application with respect to the Rating Factors for award. Second, HUD will review and assign scores to eligible applications using the Rating Factors for Award noted under Criteria, Section V.A.
2. **Threshold Eligibility Requirements.** All applicants must comply with the threshold requirements found in this NOFO and the eligibility requirements listed in Section III of this NOFO in order to be reviewed, scored, and ranked. Applications that do not meet these requirements and applications that were received after the deadline (see Section IV.D of this NOFO) will be ineligible for funding.
3. **Rating.** HUD will rate all eligible applications that meet the Threshold Requirements against the criteria in Rating Factors 1 through 6 and assign a rating score. The maximum

total rating score for the six Rating Factors is 100 points. An applicant can receive Preference Points if it scores a minimum of 75 points for the six Rating Factors. HUD will award two Preference Points to applicants that meet the Promise Zones criteria or two Preference Points to applicants that meet the HBCU criteria. An applicant can receive a possible total of 102 points, which includes Rating Factors 1 through 6 and a possible 2 total Preference Points.

4. **Minimum Rating Score.** Applicants must receive a total rating score of 75 points or more for Rating Factors 1 through 6 (without the addition of the Preference Points) to be eligible for funding. In addition, applicants must earn at least 19 points for Factor 1 to be eligible for funding. HUD will reject any application that does not meet the minimum rating score requirements.
5. **Ranked Order.** After adding any Preference Points, HUD will place eligible applications that meet the minimum rating score requirements in ranked order and will award up to the amount requested or a lesser amount if sufficient funds are not available. Meeting the minimum score of 75 points does not guarantee a funding award will be made. HUD reserves the right to adjust funding to meet urgent policy priorities.
6. **Grant Award Adjustments.** Successful applicants selected to receive a grant award that is less than they applied for are required to participate in the negotiation process to create an updated program budget and plan reflecting the actual award offer, and to include the exclusion of any proposed ineligible activities, if applicable. In cases where HUD cannot successfully conclude negotiations on an updated program budget and plan, or if the selected applicant fails to provide HUD with requested information as part of the negotiation process in the required time frame, an award will not be made to that applicant. In such an instance, HUD may offer an award to and negotiate with another applicant.

3. Experience Promoting Racial Equity

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

Applicants will address this requirement in response to Rating Factor 3.1, Fair Housing and Underserved Communities; Experience Promoting Racial Equity

VI. AWARD ADMINISTRATION INFORMATION

A. Award Notices

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

1. Final Grant

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

2. Adjustments to Funding

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

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

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

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

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

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

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

3. Funding Errors

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

4 Following the evaluation process, HUD will send written notifications to both successful and unsuccessful applicants (i.e. their applications were received by the deadline but were not chosen). Notifications will be sent by email to the person listed as the Authorized Representative in item 21 of the SF-424.

A notification sent to a successful applicant is not an authorization to begin performance or to incur costs. Successful applicants will receive notification of the preliminary award decision and must submit a revised budget and plan for any amount offered that is less than the original request, and they must engage in negotiations with HUD to receive final approval. Once negotiations are completed in a timely manner (according to the deadlines set in the award notification) and an updated budget and plan is approved, HUD will send the successful applicant a signed grant agreement package to be signed and returned

Once the grant agreement is signed, the grantee must submit to HUD an action plan with specific activities and budgets for each initiative it proposes to implement, based on its final approved budget and plan. RCB work and program activities cannot commence unless it has been approved as an activity in an action plan. The action plan and activities will show when and how the federal funds and leverage funds will be used. The action plan and activities must be sufficiently detailed for monitoring purposes and must identify the performance goals and objectives to be achieved. HUD will approve the action plan and activities or notify the grantee of matters that must be addressed prior to approval. Multiple action plan activities may be submitted for each grant; as such, action plan activities may be developed for less than the full dollar amount and term of the award, but no HUD-funded costs may be incurred for any activity until the action plan activity is approved by HUD. All activities are also subject to the environmental requirements in Section VI.B of this NOFO.

Consistent with the web resources provided in Section VIII.3 of this NOFO and the requirements at 2 CFR 200.112 and 200.318, after selection, but prior to award, applicants selected for funding must provide HUD with an up-to-date copy of their written Code of Conduct. An applicant who previously submitted an application and included a copy of its Code of Conduct will not be required to submit another copy if the applicant is listed in the Code of Conduct elibrary for HUD Grant Programs located at https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants , unless the information has been revised.

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

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

1. Compliance with The Fair Housing Act ([42 U.S.C. 3601-3619](#)) and implementing regulations at [24 CFR part 100 et seq](#)
2. Compliance with Title VI of the Civil Rights Act of 1964, [42 U.S.C. 2000d-2000d-4](#) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at [24 CFR part 1](#)
3. Compliance with the Age Discrimination Act of 1975 ([42 U.S.C. 6101-6107](#)) and implementing regulations at [24 CFR part 146](#)
4. Compliance with Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](#)) and

implementing regulations at [24 CFR part 8](#)

5. Compliance with the Americans with Disabilities Act, [42 U.S.C. 12101 et seq](#)

6. Compliance with Affirmatively Furthering Fair Housing (AFFH) requirements, including those listed on HUD's [Affirmatively Furthering Fair Housing](#) webpage

7. Compliance with Economic Opportunities for Low-and Very Low-income Persons (Section 3) requirements, including those listed at [24 CFR part 75](#)

8. Compliance with Improving Access to Services for Persons with Limited English Proficiency (LEP) requirements, including those listed within [Federal Register Notice, FR-4878-N-02](#) (also see [HUD's webpage](#))

9. Compliance with Accessible Technology requirements, including those listed on in [HUD's Policy on Section 508 of the Rehabilitation Act and Accessible Technology](#)

10. Compliance with Equal Access Requirements (see [24 CFR 5.105\(a\)\(2\)](#) and [5.106](#))

11. Compliance with Ensuring the Participation of Small Disadvantaged Business, and Women-Owned Business requirements at [2 CFR 200.321](#)

12. Compliance with Energy Efficient, Sustainable, Accessible, and Free from Discrimination by Design

13. Compliance with Real Estate Acquisition and Relocation requirements (see [49 CFR part 24](#) and applicable program regulations)

14. Compliance with Participation in HUD-Sponsored Program Evaluation (see [Federal Register Notice, FR-6278-N-01](#))

15. Compliance with OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (see [2 CFR part 200](#))

16. Compliance with Drug-Free Workplace requirements (see [2 CFR part 2429](#), which is HUD's implementation of [41 U.S.C. 701, et seq.](#))

17. Compliance with the requirements related to safeguarding resident/client files

18. Compliance with the Federal Funding Accountability and Transparency Act of 2006 ([2 CFR part 170](#)) (FFATA), as amended

19. Compliance with Eminent Domain

20. Compliance with Accessibility for Persons with Disabilities requirements on [HUD's Disability Overview](#) webpage

21. Compliance with Violence Against Women Act at [24 CFR part 5](#), subpart L and applicable program regulations

22. Compliance with Conducting Business in Accordance with Ethical Standards/Code of Conduct, including [2 CFR 200.317](#), [2 CFR 200.318\(c\)](#) and other applicable conflicts of interest requirements

23. Compliance with the [Build America, Buy America \(BABA\) Act](#) procurement requirements and [implementing guidance available on HUD's dedicated webpage](#)

24. Compliance with System for Award Management and Universal Identifier Requirements at [2 CFR part 25](#)

25. Compliance with [section 106\(g\) of the Trafficking Victims Protection Act of 2000 \(TVPA\), as amended \(22 USC 7104\(g\)\)](#) and implementing regulations at [2 CFR part 175](#) (Award Term for Trafficking in Persons)

26. Compliance with Award Term and Condition for Recipient Integrity and Performance Matters (see [Appendix XII to 2 CFR part 200](#))

27. Compliance with Suspension and Debarment (see [2 CFR part 2424](#) and [2 CFR part 180](#))

28. Compliance with environmental justice requirements under Executive Orders [12898](#) and

[14008](#), and OMB Memorandum [M-21-28](#), which implements the Justice40 Initiative, section 223 of Executive Order [14008](#).

29. Compliance with Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation in HUD Programs (see [HUD Secretary Fudge's April 12, 2022 memorandum](#))

Compliance with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a contractor, subcontractor, grantee, subgrantee, and personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant. (See [Federal Contractor or Grantee Protections | Office of Inspector General, Department of Housing and Urban Development \(hudoig.gov\)](#)”

Environmental Review

In accordance with 24 CFR 24 CFR 50.19(b)(3),(9) and(16), activities funded under this NOFO are exempt or categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and not subject to environmental review under related laws and authorities.

Prohibition on Surveillance

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

Remedies for Noncompliance

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

In addition to 2 CFR 200.340 regarding causes of termination, please also see 2 CFR 200.339 which includes remedies for noncompliance that HUD can take if a non-Federal entity fails to comply with federal statutes, regulations, or terms of an award.

Lead-Based Paint Requirements

3. Additional Lead-Based Paint Requirements

When providing housing assistance for purchase, lease, support services, operation or work that may disturb painted surfaces, of pre1978 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)).

When providing training, education, support, and advice on education or counseling on buying or renting housing that may include pre-1978 housing, grantees must inform beneficiaries of the requirements under the Lead Disclosure Rule (24 CFR part 35, subpart A), and, if the focus of

the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as applicable, F - M).

C. Reporting

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

1. Recipient Integrity and Performance Matters

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

2. Race, Ethnicity and Other Data Reporting

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

Applicants can address this requirement in response to Rating Factor 3.1 -- Fair Housing and Underserved Communities; Experience Promoting Racial Equity

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

FFATA requires information on federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov. Accordingly, each award HUD makes under this NOFO will be subject to the requirements provided by the Award Term in Appendix A to [2 CFR part 170](#), "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed \$30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than \$30,000.

4. Program-Specific Reporting Requirements

Semi-Annual/Final Performance Reports: The RCB program grantees are required to submit semi-annual performance reports throughout the Period of Performance of the grant award and a final report at the end of the period of performance to be included in the closeout package. Please direct questions regarding specific reporting requirements to the point of contact listed in Section VII. Agency Contact(s).

D. Debriefing

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

VII. AGENCY CONTACT(S)

HUD staff will be available to provide clarification on the content of this NOFO. Questions regarding specific program requirements for this NOFO should be directed to the POC listed below.

Name:

Anupama Abhyankar

Phone:

202-402-3981

Email:

CapacityBuilding@hud.gov

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

VIII. OTHER INFORMATION

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

This NOFO does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing (other than tenant-based rental assistance), rehabilitation, demolition, or new construction, or establish revise or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under [24 CFR 50.19\(c\)\(1\)](#), this NOFO is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321).

2. Web Resources.

- [Affirmatively Furthering Fair Housing](#)
- [Assistance Listing \(formerly CFDA\)](#)

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

3. Program Relevant Web Resources

APPENDIX