



U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, D.C. 20410-0001

THE SECRETARY

June 22, 2009

Dear Executive Director:

As a joint effort between the Department of Housing and Urban Development and the Centers for Medicare & Medicaid Services (CMS), the Department of Health and Human Services (HHS), this letter is sent to share information with you about the Money Follows the Person (MFP) demonstration program and to identify how you can support this crucial effort.

The MFP program, which is administered by CMS, is the largest congressionally mandated Medicaid demonstration in the history of serving people with disabilities and the elderly. This program provides nearly \$1.75 billion for home and community-based long-term care (LTC) services by supporting states to shift their Medicaid LTC spending away from institutional settings to community living. Institutional settings include hospitals, nursing homes, and intermediate care facilities for the mentally retarded (ICF/MRs, which serve people with developmental disabilities).

In 2006, CMS awarded MFP grants to 29 states and the District of Columbia, and expects approximately 37,000 individuals to transition from institutions to the community between now and 2011. A cross section of Medicaid LTC populations will make the transition, including elderly individuals with intellectual and physical disabilities, and individuals with mental illness. Many of these individuals will need housing in the community.

At this time, the Department is urging public housing authorities (PHAs) to provide a local admission preference to people making the transition from institutions into community-based settings. Some people who are transitioning may reside in one of the 29 states or in the District of Columbia, which are approved to participate in the MFP program. As you know, PHAs may limit the number of applicants that qualify for any local preference. The Public Housing and the Housing Choice Voucher (HCV) programs are examples of available community-based residential options that may benefit many currently institutionalized, low-income individuals who plan to transition into community-based living. Please be assured that program participants will receive all necessary supportive services through the CMS network.

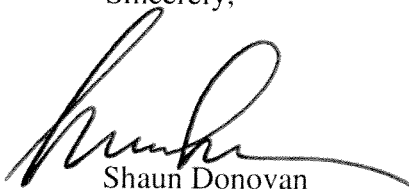
Enclosed is a tool developed through the collaboration of the Department and CMS to assist you in providing housing to individuals transitioning from institutional to community-based settings. The tool, entitled *Money Follows the Person: A Q & A for Public Housing Authorities* explains, through the use of a question and answer format, how to get involved in this important program. It also includes a listing of contacts for the 29 states and the District of Columbia that are participating in the demonstration program.

Thank you for considering the provision of a local admission preference for people transitioning from institutional to community-based settings. This is an opportune time to initiate this preference, since CMS has provided funding to help states provide Medicaid-eligible individuals who are transitioning with appropriate, necessary long-term care services in a community setting. Further, coordinating with the MFP program to provide housing options for individuals with disabilities will help you to comply with obligations resulting from the Supreme Court's *Olmstead* decision and the Americans with Disabilities Act of 1990.

Additional information on the MFP program is available on the Internet at: http://www.cms.hhs.gov/DeficitReductionAct/20_MFP.asp. In the near future, the Department and CMS will host a conference call with PHA and MFP directors to answer any MFP questions and respond to suggestions you may have to improve the utility of this joint project.

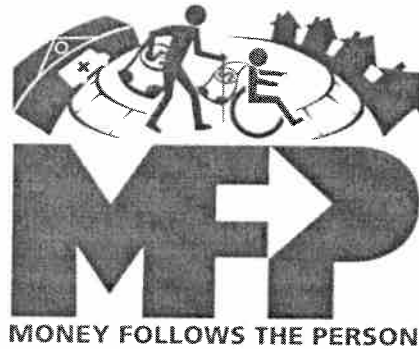
If you have questions about the enclosed MFP tool or would like to request free technical assistance to participate in the MFP program, please contact Ms. Renee Kneppar, of HUD, at 202-402-6263. If you have questions regarding the MFP program, please contact Ms. Kate King, of CMS, at 410-786-1283.

Sincerely,



Shaun Donovan

Enclosure



Money Follows the Person Rebalancing Demonstration

A Q&A for Public Housing Authorities

Developed by the Centers for Medicare & Medicaid Services in cooperation with the Department of Housing and Urban Development

The Money Follows the Person Demonstration

Q.1. What does “Money Follows the Person” (MFP) mean?

A.1. Money Follows the Person or MFP allows Medicaid funding (services) to follow a person from an institutional setting to housing in the community. Even though these services are provided by different entities, the Medicaid funding pays for the costs of services in the community.

The Centers for Medicare & Medicaid Services (CMS) defines MFP as a system of flexible financing for long-term services and supports that enable available funds to move with the individual to the most appropriate and preferred setting as the individual’s needs and preferences change. This approach has two major components. One component is a financial system that allows Medicaid funds to be spent on home and community-based services when individuals move to the community. This often involves a redistribution of State funds between the long-term services institutional and waiver programs. The second component is an institutional setting transition program that identifies individuals in institutions who wish to transition to the community and helps them to do so.

Q.2. What is the purpose of MFP?

A.2. MFP provides states with new resources to help them make changes to their long-term care services and programs. In addition, MFP assists with State efforts to reduce their reliance on institutions while developing community long-term care services and programs. Money Follows the Person focuses on assuring that older adults and people with disabilities receive the assistance they need to fully participate in the communities in which they live.

Q.3. How is “Institution” being defined?

A.3. For the MFP Demonstration, an institution is defined as a hospital, a nursing home, an intermediate care facility for the mentally retarded and, in limited instances, psychiatric facilities.

Q.4. What is a “Waiver” service or program?

A.4. When you hear the term Waiver service or program, this usually refers to a service or program that is funded by a Medicaid program called home and community based services (HCBS) waivers. Every state has HCBS programs or services. Home and community-based waiver services help individuals who are eligible for Medicaid who otherwise qualify to be admitted to an institution to live independently in the community. Federal regulations allow States to cover services that are not typically covered under the regular Medicaid program. Subject to approval by CMS, each state chooses which services they will offer.

Q.5. Why is it so difficult to have Medicaid funding (services) follow a person from an institution to housing in the community?

A.5. Medicaid beneficiaries have an entitlement to services in an institution. Medicaid will pay for all eligible beneficiaries to live in an approved institution. Most of the Medicaid

longterm services, supports, programs, and waivers that help people live in the *community* are not entitlements.

Q.6. What does “Rebalance” mean?

A.6. Most Medicaid long-term care spending pays for services in institutions. In FY 2006, over 71% of Medicaid long-term care spending for individuals with disabilities and older adults paid for nursing home care. While spending on home and community based services has grown significantly over the past ten years, the structure of the Medicaid program is biased toward institutional care. “Rebalance” means creating the flexibility to allow Medicaid payment for services in the settings that are preferred by older adults and people with disabilities. By offering a full array of services in the community, the percentage of Medicaid funds spent on home and community-based services will increase, thereby rebalancing Medicaid long-term care spending.

Q.7. What benefits do States receive for participating in the demonstration?

A.7. States receive additional federal Medicaid funds for up to one year for home and community based services provided to each person who moves to the community.

Q.8. What happens after the one-year period ends?

A.8. States are required to continue to provide services using home and community based services waivers or regular Medicaid services for as long as the person lives in the community and is eligible for Medicaid services. States that have waiting lists for waiver services are required to expand or reserve funding to continue serving people who transition.

Q.9. Why is housing such an important piece of the Demonstration?

A.9. After an individual enters a nursing home or other institution, he or she soon loses their home or apartment in the community. Individuals who are interested in moving out of institutions and returning to the community find a limited selection or lack of affordable, accessible, and integrated housing in their communities. Therefore, it is often difficult or impossible for people to transition out of nursing homes without having housing options available.

Q.10. Which States are a part of MFP and will additional States be added?

A.10. Awards were made to 30 States and the District of Columbia. South Carolina has since ended its participation in the program.

Q.11. How many people in each state will be transitioning out of institutions?

A.11. Initial proposals projected that over 38,000 Medicaid beneficiaries would transition over a five-year period. The actual number of transitions may vary from the initial estimates as States develop the infrastructure, including working with PHAs and other housing agencies, to support older adults and people with disabilities participating in MFP in the community.

About 44% of the individuals who transition will be older adults, 29% will be individuals with physical disabilities; 20% will be individuals with intellectual/developmental disabilities and about 7% will have a mental illness.

* States and the number of individuals expected to transition *

State	Number	State	Number	State	Number
Arkansas	305	Kentucky	546	North Dakota	110
California	2,000	Louisiana	760	Ohio	2,231
Connecticut	700	Maryland	2,413	Oklahoma	2,075
District of Columbia	1,110	Michigan	3,100	Oregon	780
Delaware	100	Missouri	250	Pennsylvania	2,490
Georgia	1,312	Nebraska	900	Texas	2,616
Hawaii	415	New Hampshire	370	Virginia	1,011
Illinois	3,357	New Jersey	590	Washington	660
Indiana	1,031	New York	2,800	Wisconsin	1,262
Iowa	518	North Carolina	1,045		
Kansas	934				

Q.12. Who is eligible for MFP?

A.12. States will assist older adults (age 65 and older), individuals with physical disabilities, individuals with intellectual/developmental disabilities and individuals with psychiatric disabilities. Participants must have lived in an institution for at least six months prior to transitioning.

Accessing Services

Q.13. Who helps individuals during and after the transition and what is their role?

A.13. Each participant will be paired with a person who assists them during the transition process. States use different terms to describe the person who helps with the transition process such as transition coordinator, relocation specialist or care manager. We will use the term transition coordinator to refer to this person.

The transition coordinator is usually involved during the pre-transition planning, the actual transition, and for a period following the transition. The transition coordinator provides information about community services, programs, and housing to individuals living in institutions who are interested in moving. The transition coordinator assesses what services and supports will be needed to help the person move and live successfully in the community. Transition coordinators will work with housing agencies to locate housing if necessary, and coordinate or arrange services as needed.

Once the person is settled in the community, they will be assisted with service coordination by a service coordinator or case manager.

Q. 14. What services will be available to help tenants live independently?

A.14. Each state program submits to CMS a description of the services that are available during and following MFP participation. The services must be sufficient to enable a person to live independently in the community. States will offer beneficiaries who transition a range of home and community based waiver services and other services traditionally covered by Medicaid. Waiver services typically include care management services, personal emergency response systems, home modifications and accessibility adaptations, personal care assistance services, homemaker/home health aide services, adult day health services, habilitation services, psychosocial rehabilitation services, clinic services for individuals with chronic mental illness, home delivered meals, and other services developed by the state that are required to keep a person from being institutionalized. Additional services are available to help with daily activities such as bathing, dressing, using the toilet, preparing meals and eating, housekeeping, shopping, and making appointments with health care providers if needed.

Q.15. Who will arrange and coordinate services that are needed by tenants?

A.15. MFP participants will work with the transition coordinator to assess their needs and develop a plan to meet those needs. The coordinator will assist with the move and arrange services that are needed during and following the move.

Q.16. Who will monitor the services that are provided?

A.16. Transition coordinators make regular visits and phone calls to participants to ensure that all necessary services are being provided. Over time, the contact will shift to the service coordinator affiliated with the home and community based services program. A back up plan will be prepared for each participant in the event that a scheduled service is not provided as planned. The execution of this plan is the responsibility of the individual's service coordinator.

Q.17. Will the services provided change if the tenant's needs change and how will this be done?

A.17. The transition coordinator or service coordinator and the participant will have contact on a regular basis. As the person's service needs change, the transition coordinator or the service coordinator will work with the person to adjust their plan to assure all of the individual's needs are met.

Q.18. What happens if a person's health declines?

A.18. The transition coordinator or the service coordinator will monitor the participant's health status and make referrals to home health agencies or arrange appointments with medical professionals as needed. Should someone address the potential health situation when/if a person needs to return to a nursing home setting?

Housing

Q.19. How will MFP help participants maintain their apartment?

A.19. Services arranged by the transition coordinator will include housekeeping, laundry, periodic heavy cleaning, assistance with meal planning and preparation, and other assistance needed to maintain the unit.

Q.20. Are funds available to retrofit a unit? How do housing managers access those funds?

A.20. Yes, the transition coordinator will coordinate with the property manager and the prospective tenant to determine what, if any, modifications to an apartment unit may be needed for the individual to live independently. Each state program has guidelines for the type of retrofitting that may be approved, the maximum cost of the changes, and the process for approving the work.

Q.21. How will the cost of furniture, supplies and equipment needed to set up an apartment be paid?

A.21. The MFP demonstration utilizes Medicaid funds to cover the costs of setting up an apartment and related one-time transition expenses. The items that may be purchased and the amount of available funds varies by state. MFP demonstration funding may be used for such items as utility deposits, essential furnishings (a bed, a table, chairs, window blinds, eating utensils, and food preparation items), moving expenses, pest eradication, allergen control, one-time cleaning prior to occupancy or other items specified by the individual State of residency.

Q.22. In view of the large scope of MFP, why aren't additional funds available for rent subsidies?

A. 22. Medicaid law prohibits the use of funds to pay for rent, utilities or food (room and board) outside of an institution. Note, previous sentence contradicts Answer 14 that states home delivered meals are covered. The Congressional Committees with jurisdiction over Medicaid do not have jurisdiction over HUD programs. The Congressional committees who drafted the Deficit Reduction Act (DRA) did not include additional funding for housing when it drafted the Money Follows the Person Demonstration section of the DRA. However, as a "Supplemental Service" under MFP things such as rental deposits and utility turn-on expenses (one time costs) can be paid.

Q.23. What role are property managers and other housing professionals expected to have?

A.23. Property managers and other housing professionals' roles will not change as a result of having a MFP participant lease one of their units or receive the housing assistance offered. Services will be arranged by staff that supports the participant during and after the transition. Property managers may want to have the contact information for the transition coordinator or service coordinator in the event the property manager becomes aware of a concern or need of the tenant.

Q.24. What sources of funding for housing might be used to support MFP demonstration participants?

A.24. Funding sources that may be used to support MFP demonstration participants include, but are not limited to, most types of housing choice vouchers (HCV); low income housing tax credits (LIHTC); community development block grant funds (CDBG); HOME investment partnership program (HOME) funds (predominantly tenant-based rental assistance (TBRA); federal rural housing services funding (RHS); housing finance agency (HFA) bond funds; community housing development organization funds (CHDO); state and local housing trusts; section 811 supportive housing for persons with disabilities program, Public Housing, and a variety of homeownership funding sources. Some states have been successful in establishing a source of bridge funding to make rental housing more affordable while individuals are on waiting lists for housing choice vouchers.

Q.25. What types of housing will be needed by MFP participants?

A.25. Many participants will prefer and need units that are affordable, accessible, and integrated in housing developments in the community. It is expected that participants will want a variety of living arrangements and types of housing, such as public housing units, apartments in senior communities, sharing a house or apartment with roommate(s), living with a family, living alone, etc. The DRA describes three types of “qualified” housing:

- A home owned or leased by the individual or the individual's family member;
- An apartment with an individual lease, with lockable access and egress, and which includes living, sleeping, bathing, and cooking areas over which the individual or the individual's family has domain and control; or
- A group or shared residence for no more than 4 unrelated individuals.

Q.26. What, if any, new or special requirements or guidance are made on the PHAs or housing professionals due to HUD and Congressional support of the MFP demonstration?

A.26. There are no new or special requirements of PHAs or housing professionals due to HUD and Congressional support of the MFP demonstration. In October 2006, in a letter to PHA executive directors, Secretary Jackson stated, *“The Department strongly supports expanding accessible, affordable, and integrated housing options to promote the transition of people with disabilities and seniors out of institutional settings and into the community. The Money Follows the Person Rebalancing Initiative offers a great opportunity for public housing authorities (PHAs), state housing finance agencies, CMS, and local disability organizations to work together to provide such housing options. I encourage all PHAs, under their existing authority to set local preferences, to use Public Housing units, Housing Choice Vouchers, Mainstream Vouchers to join with state Medicaid offices and aging and disability agencies administering Medicaid programs in promoting the Money Follows the Person Rebalancing Initiative.”*

Q.27. Will the PHA property manager or other housing professionals be expected to respond to emergencies and if so, with whom should they contract?

A.27. There are no additional or special requirements for property managers or other housing professionals for MFP participants related to emergencies. Each state MFP demonstration is required to have an emergency response and back-up system that can be accessed by the property managers and other housing professionals who become aware of any situation that requires an immediate or urgent level of response.

Q.28. How will a PHA, property manager, or other housing professionals know that an applicant is participating in the MFP Demonstration?

A.28. Since a transition coordinator will be providing assistance to each MFP participant, the PHA, a property manager, or other housing professionals will be informed that an applicant is participating in the MFP demonstration.

Q.29. What should a housing professional expect from a MFP participant?

A.29. A housing professional should expect a participant in the MFP demonstration to be moving from a nursing home or other institution. They should expect the individual or a legal representative to sign a lease (if it is required) as any other tenant would. In addition, as has been discussed at length in this document, each MFP participant will have access to a variety of services and supports depending upon their needs including 24 hr. care if the individual requires it. Lastly, as was mentioned in Q.27, each participant in the MFP demonstration will have access to an emergency and backup response team or system.

Q.30. How does having a MFP participant as a tenant affect common or public areas of a building?

A.30. There are no specific MFP requirements that will affect common or public areas of a building. Tenants who are MFP participants will access and use public or common areas in the same way any other tenant would.

Appendix

Sample MFP Preference Language

Define: Local preferences (24 CFR 960.206) must be based on local housing needs and priorities determined by the PHA. PHAs may limit the number of applicants that qualify for any local preference. PHAs that choose to establish local preferences are permitted to rank the preferences in a hierarchical order for admission purposes.

Persons Transitioning from Institutional Settings: Under the category of local preferences, a PHA may choose to provide a preference to people transitioning from institutional settings into independent, community-based living. Institutional settings include hospitals, nursing homes, and institutions for individuals with developmental disabilities. Some people transitioning may reside in one of the 29 States or the District of Columbia that have received specific funding for transitioning persons from institutions through a demonstration called Money Follows the Person (MFP). MFP is administered by the Centers for Medicare & Medicaid Services (<http://www.cms.hhs.gov/RealChoice/downloads/MFP.pdf>). The demonstration provides the necessary health and social services that people will require upon transitioning from an institution and thereafter to live independently in the community.

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	As of 7/13/09		
	Jamie Buchenauer	717-772-2288	jbuchenaue@state.pa.us

MFP Project Directors Contact List as of June 11, 2009

TX	Marc Gold Steve Ashman	512.438.2260 512.438.4135	marc.gold@dads.state.tx.us steven.ashman@dads.state.tx.us
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WA	Elizabeth Prince	360.725.2561	Prince@dshs.wa.gov
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MFP Project Directors Contact List as of June 11, 2009

HUD's FY2009 NOFAs for Discretionary Programs published on December 29, 2008 (73 FR 79548), as amended on April 16, 2009 (74 FR 17685). Applicants should take particular note that they should follow the application submission instructions contained in this NOFA and not use those in the General section. The notice providing information regarding the application process, funding criteria and eligibility requirements is available on the HUD Web site at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

FOR FURTHER INFORMATION CONTACT: For information concerning the Capacity Building NOFA program, a Community Planning and Development Specialist, Office of Rural Housing and Economic Development, Office of Community Planning and Development, Department Housing and Urban Development, 451 Seventh Street, SW., Room 7137, Washington, DC 20410-7000; telephone (202) 708-2290 (this is not a toll-free number) or 1-877-787-2526 (this is a toll-free number). Persons with speech or hearing impairments may access this telephone number via TTY by calling the toll-free Federal Information Relay Service during working hours at 800-877-8339.

Dated: May 20, 2009.

Nelson R. Bregón,

General Deputy Assistant Secretary for Community Planning and Development.

[FR Doc. E9-14632 Filed 6-19-09; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5332-N-01]

Proposed Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2009 Rental Assistance for Non-Elderly Persons With Disabilities; Request for Comments

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Proposed notice of HUD's Fiscal Year 2009 Notice of Funding Availability (NOFA) for Rental Assistance for Non-Elderly Persons with Disabilities and request for comments.

SUMMARY: The Omnibus Appropriations Act, 2009 (Pub. L. 111-8) makes available \$30 million for incremental Section 8 Housing Choice Vouchers (HCV) for non-elderly disabled families served by entities (which this NOFA will limit to public housing agencies (PHAs)) with demonstrated experience and resources for supportive services).

This money should fund approximately 4,000 HCVs. Approximately 25 percent (\$7,500,000 and 1,000 HCVs) will be made available for non-elderly families transitioning out of nursing homes and other institutions into the community. To permit the Department to better design the distribution of this assistance, particularly as it relates to transitioning non-elderly disabled families out of nursing homes and other institutions and the NOFA's tie-in to the Money Follows the Person (MFP) Demonstration administered by the Department of Health and Human Services, HUD is soliciting public comment. Comments addressing the threshold factors used to distribute this assistance and whether HUD should establish a more performance-based method for distributing vouchers, and how the State institutional transition programs such as the MFP Demonstration can work effectively with the PHAs that are awarded vouchers for this purpose are also welcome. All comments will be considered during the development of the final NOFA published by HUD.

DATES: *Comment Due Date:* July 13, 2009.

ADDRESSES: Interested persons are invited to submit comments to the U.S. Department of Housing and Urban Development, Office of Public and Indian Housing, Housing Voucher Management and Operations Division, 451 7th Street, SW., Room 4210, Washington, DC 20410, ATTN: Phyllis Smelkinson. Individuals interested in submitting comments electronically may forward them by e-mail to NEDVoucherNOFA@hud.gov. All comments must refer to the above docket number and title. Facsimile (FAX) comments will not be accepted.

FOR FURTHER INFORMATION CONTACT: Questions regarding specific HCV program requirements should be directed to Phyllis Smelkinson by phone at (202) 402-4138 or by e-mail at Phyllis.A.Smelkinson@hud.gov or the NOFA Information Center at (800) HUD-8929 (toll-free). Persons with hearing or speech impairments may access these numbers via TTY by calling the Federal Information Relay Service at (800) 877-8339. The NOFA Information Center is open between the hours of 10 a.m. and 6:30 p.m. eastern time, Monday through Friday, except Federal holidays.

Overview Information

A. Federal Agency Name: Department of Housing and Urban Development, Office of Public and Indian Housing.

B. Funding Opportunity Title: Rental Assistance for Non-Elderly Persons With Disabilities.

C. Announcement Type: Initial announcement.

D. Funding Opportunity Number: OMB Approval Numbers applicable to this NOFA are 2577-0169 and 2577-0083

E. Catalog of Federal Domestic Assistance (CFDA) Number(s): 14.871, Section 8 Housing Choice Vouchers.

F. Dates:

1. Application Receipt Requirements and Date: HUD is not currently accepting applications for this assistance. HUD will require applicants to submit applications electronically through Grants.gov. Please see the Notice of HUD's Fiscal Year (FY) 2009 Notice of Funding Availability (NOFA); Policy Requirements and General Section to HUD's FY 2009 NOFAs for Discretionary Programs (General Section) published in the **Federal Register** on December 29, 2008 (73 FR 79548), for information on the Grants.gov registration process. All applicants must have a DUN and Bradstreet Universal Numbering System (DUNS) number, have a current registration in the Central Contractor Registration (CCR), and be registered with Grants.gov to submit an application electronically. All applicants regardless of submission through Grants.gov or in paper format must have a DUNS number and be registered in CCR to receive an award of funds from HUD. See the General Section for further details.

2. Estimated Grant Award Date. The estimated award date will be included in the final NOFA published by HUD.

G. Additional Important Overview Information:

1. Approximately \$22,500,000 that will support about 3,000 HCVs under this NOFA will enable non-elderly disabled families on a PHA's waiting list to access affordable housing (Category 1). Approximately \$7,500,000 that will support about 1,000 HCVs under this NOFA will enable non-elderly persons with disabilities to transition from nursing homes and other health care institutions into the community (Category 2). Individuals in Category 2 must be admitted from the PHA's waiting list and assisted through a preference as stated in the PHA's Administrative Plan for transitioning persons from institutions. Any non-elderly disabled family or individual on the PHA waiting list is eligible for a Category 1 voucher, however, HUD encourages PHAs to consider establishing a selection preference to make some or all of its Category 1

allocation available to disabled families or individuals that without housing assistance, are at risk of institutionalization.

2. *Application materials.* The FY2009 General Section and Notice of Funding Availability (NOFA) and application materials will be available for download via the Federal portal <http://www.grants.gov> at http://www.grants.gov/applicants/apply_for_grants.jsp.

Full Text of Announcement

I. Funding Opportunity Description

A. Available Funds

This NOFA announces the availability of \$30 million in one-year budget authority for HCVs for non-elderly disabled families which should fund approximately 4,000 vouchers. Of that amount, \$22,500,000 will be allocated for non-elderly disabled families on the PHA's waiting list and up to \$7,500,000 will be allocated for non-elderly disabled families transitioning from nursing homes and other institutions into the community. Any funds remaining unobligated under HUD's FY 2008 NOFAs entitled "Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans (Designated Housing)" (November 28, 2008, 73 FR 72513) or "Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Types of Section 8 Project-Based Developments and Sections 202, 221(d)(3), and 236 Developments (Certain Developments)" (November 28, 2008, 73 FR 72507) will also be made available under this NOFA under Category 1. (Pursuant to the Consolidated Appropriations Act, 2008, any funds still remaining unobligated under the aforementioned NOFAs will be available for other non-elderly disabled families through a subsequent NOFA. Based on that authority, if there are any funds still remaining unobligated under those NOFAs, that funding will be assigned to Category 1 under this NOFA.)

B. Purpose of This Program

HCVs under this NOFA will enable non-elderly disabled families to access affordable housing.

C. Legal Authority

See **SUMMARY** section above.

D. Definitions of Terms

The following definitions apply to funding available under this NOFA.

1. Elderly Family

A family whose head, spouse, or sole member is 62 years or older. It may include two or more elderly persons living together, or one or more elderly persons living with one or more persons determined under the public housing agency plan to be essential to their care or well being.

2. Non-elderly Disabled Family

A family that does not meet the definition of an elderly family whose head, spouse, or sole member is a person with disabilities.

3. Person With Disabilities

See definition under 24 CFR 5.403.

4. Nursing Homes and/or Other Institutions

This definition includes intermediate care facilities and specialized institutions that care for the mentally retarded, developmentally disabled or mentally ill, but excludes board and care facilities (e.g. adult homes, adult day care, adult congregate living). For full definitions of these eligible facilities, please reference Chapter 2 of Handbook 4600.1 REV-1: *Section 232 Mortgage Insurance for Residential Care Facilities*.

II. Award Information

A. HCV Funding Process

For each category, HUD will only fund one application per PHA under this announcement. This one-application-per-PHA limit under each category applies regardless of whether or not the PHA is a State or regional PHA. A PHA may submit an application for funding under Category 1 and an application for funding under Category 2.

1. Maximum Voucher Request

A PHA may apply for a total of 10 percent of its HCV authorized baseline units or 200 vouchers, whichever is less. The PHA may apply for both categories under this NOFA, but may not exceed the maximum voucher request. A separate application must be submitted for each category. For Category 2, the number of vouchers requested by the PHA may not exceed the number of vouchers that the partnering resource agency is projecting will be needed to assist transitioning individuals over a 12-month period (see section IV.B.2.f. of this NOFA).

2. Determination of Funding Amount for the Applicant's Requested Number of Vouchers

HUD's Housing Voucher Financial Management Division will determine

the amount of one-year budget authority that an applicant will be awarded under this NOFA based on the PHA's per unit cost for 2009 renewal funding or 2010 renewal funding, depending on the most recently available data. Administrative fees are not included in this funding and will be determined in accordance with section 10 of Public and Indian Housing (PIH) Notice 2008-15 (HA) or a subsequent administrative fee notice (a copy of all PIH notices referenced in this NOFA may be downloaded at <http://www.hudclips.org>). PIH Moving to Work (MTW) agencies will be funded under this NOFA in accordance with their MTW agreements.

3. Unfunded Approvable Applications

PHAs with approvable applications that are not funded in whole or in part due to insufficient funds available under this NOFA will not be funded.

III. Eligibility Information

A. Eligible Applicants

PHAs that currently administer a HCV program are eligible to apply for funding under this NOFA.

B. Cost Sharing or Matching

None required.

C. Other Requirements

1. Eligible Activities

HCVs awarded under this NOFA will be subject to all of the requirements of 24 CFR part 982. MTW agencies may administer these vouchers in accordance with their MTW agreements unless they are inconsistent with Appropriations Act requirements or the requirements of this NOFA. The Omnibus Appropriations Act of 2009 states that assistance made available under this section of the Act shall continue to remain available for non-elderly families upon turnover. Therefore, upon turnover, these vouchers (both Category 1 and Category 2, as defined below, must be made available only to non-elderly disabled families on the PHA's waiting list. Note that a Category 2 voucher does not necessarily have to be issued to another Category 2 family upon turnover, but must be re-issued to a non-elderly disabled family.

2. Threshold Requirements

a. All applicants must meet all threshold requirements provided in Section III.C of the General Section except for Section III.C.2.d and Section III.C.4.b., where the requirements under this NOFA are applicable as follows:

(1) Section III.C.2.d. (Conducting Business in Accordance with Core

Values and Ethical Standards). To reflect core values, all applicant PHAs awarded under this NOFA shall develop and maintain a written code of conduct in the PHA's administrative plan that:

(a) Requires compliance with the conflict of interest requirements of the HCV program cited in 24 CFR 982.161; and (b) Prohibits the solicitation or acceptance of gifts or gratuities in excess of a nominal value by an officer or employee of the HA or any contractor, subcontractor, or agent of the PHA. The PHA's administrative plan shall state the PHA policies concerning PHA administrative and disciplinary remedies for violation of the PHA code of conduct. The PHA shall inform all officers, employees and agents of its organization of the PHA's code of conduct.

(2). Section III.C.4.b. (Affirmatively Furthering Fair Housing). Prior to the application due date under this NOFA, each applicant must submit to the public housing director in the applicant's local HUD field office an addendum to the applicant's HCV administrative plan that outlines reasonable steps the applicant will take to affirmatively further fair housing in regard to the vouchers awarded under this NOFA. Reasonable steps must include informing affected applicants on how to file a fair housing complaint including the provision of the toll free number for the Housing Discrimination Hotline: 1-800-669-9777 and the Federal Information Relay Service at (800) 887-8339.

Further, an applicant must comply with the affirmatively furthering fair housing requirements of 24 CFR Section 903.7(o) by: (a) Examining its programs or proposed programs; (b) identifying any impediments to fair housing choice within those programs; (c) addressing those impediments in a reasonable fashion in view of the resources available; (d) working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and (e) maintaining records reflecting these analyses and actions. Further, applicant PHAs are encouraged to take the following proactive steps in addressing accessibility problems for persons with disabilities: (f) Where requested by an individual, assist program applicants and participants gain access to supportive services available within the community, but not require eligible applicants or participants to accept supportive services as a condition of continued participation in the program; (g) Identify public and private funding sources to assist participants with

disabilities in covering the costs of structural alterations and other accessibility features that are needed as accommodations for their disabilities; (h) Not deny persons who qualify for a HCV under this program other housing opportunities, or otherwise restrict access to PHA programs to eligible applicants who choose not to participate; (i) Provide housing search assistance; (j) In accordance with rent reasonableness requirements, approve higher rents to owners that provide accessible units with structural modifications for persons with disabilities; and (k) Provide technical assistance, through referrals to local fair housing and equal opportunity offices, to owners interested in making reasonable accommodations or units accessible to persons with disabilities.

b. Applications under this NOFA must also meet the following threshold requirements to be eligible for funding under this NOFA.

(1) Each applicant must meet the PIC reporting requirements of 95 percent under PIH Notice 2007-29(HA) that will be assessed for the month immediately preceding the month in which the applications under this NOFA are due. MTW agencies must meet a reporting requirement of 85 percent, consistent with existing MTW reporting requirements.

(2) Each applicant must have achieved points (15 or 20) under the Section 8 Management Assessment Program (SEMAP) leasing indicator (24 CFR 985.3(n)) and not be designated as troubled for its most recent assessed fiscal year. MTW agencies that are not required to report under SEMAP shall be held to the 95 percent lease-up and budget authority utilization requirements referenced above. These MTW agencies are required to submit a certification with their application certifying that they are not required to report under SEMAP, and that they meet the 95 percent lease-up or budget authority utilization requirements.

(3) The PHA applicant must not have any major unresolved program management findings from an Inspector General audit, HUD management review or Independent Public Accountant (IPA) audit for the PHA's HCV program or other significant program compliance problems (such as fair housing and/or civil rights violations or findings) that were not resolved or in the process of being resolved (as determined by the local field office) prior to this NOFA's application deadline. Major program management findings, or significant program compliance problems, are those that would cast doubt on the capacity of the applicant to effectively administer

any new HCV funding in accordance with applicable HUD regulatory and statutory requirements.

(4) The PHA must not be involved in litigation where HUD determines that the litigation may seriously impede the ability of the applicant to administer the vouchers.

(5) The PHA must demonstrate experience and resources for supportive services (See Section IV.B.e. and Section IV.B.f.).

3. Eligible Participants

Non-elderly disabled families that are income eligible under 24 CFR 982.201(b)(1).

4. Environmental Review

In accordance with 24 CFR 50.19(b)(11) and 58.35(b)(1) of the HUD regulations, tenant-based rental activities under this program are categorically excluded from the requirements of the National Environmental Policy Act of 1969 (NEPA) and are not subject to environmental review under the related laws and authorities. Activities under the homeownership option for existing units and for units under construction at the time the family enters into the contract for sale are categorically excluded from NEPA requirements and excluded from other environmental requirements under 24 CFR Section 58.5 in accordance with 24 CFR Section 58.35(b)(5), but PHAs are responsible for the environmental requirements in 24 CFR Section 982.626(c). With regard to activities under the homeownership option for units not yet under construction at the time the family enters into the contract for sale, the additional environmental review requirements referenced in 24 CFR Sections 982.628(e), 982.631(c)(3) and 982.637(b) also apply in addition to Section 982.626(c), and the PHA shall submit all relevant environmental information to the responsible entity or to HUD to assist in the completion of those requirements.

IV. Application and Timely Receipt Information

HUD is not currently accepting applications. The information presented in this Section IV is offered to provide individuals interested in submitting public comment to consider HUD's proposed application procedures.

A. Addresses to Request Application Package

This section describes how the applicant may obtain application forms, additional information about the

General Section, and how to obtain technical assistance.

1. Copies of this published NOFA and related application forms may be downloaded from the Grants.gov Web site at http://www07.grants.gov/applicants/apply_for_grants.jsp. If the applicant has difficulty accessing the information, it may receive customer support from Grants.gov by calling the help line at (800) 518-GRANTS ((800) 518-4726) or by sending an e-mail to support@grants.gov. The operators will assist the applicant in accessing the information. If the applicant does not have Internet access and need to obtain a copy of this NOFA, it can contact HUD's NOFA Information Center toll-free at (800) HUD-8929. Persons with hearing or speech impairments may call the Federal Information Relay Service at (800) 877-8339.

B. Content of Application Under This NOFA

Each PHA must complete the following forms:

1. Form SF-424, *Application for Federal Assistance*. Every application must contain a SF-424 as the cover page to the application. When completing this form, the Federal Identifier requested in section 5a is the PHA's five digit number (e.g., MD035 or AK002). PHA applicants should estimate proposed start date and end date in section 17. In Section 18 (Estimated Funding), complete only 18.a and 18.g. The amount entered in both fields should be the total number of vouchers requested in Section B of the form HUD-52515 times the housing assistance payments per unit cost for 2009 HCV renewal funding or 2010 HCV renewal funding, depending on the most recent available data.

2. Form HUD-52515, *Funding Application, Section 8 Tenant-Based Assistance, Rental Certificate Program, Rental Voucher Program*. A separate application must be submitted for Category 1 and Category 2 if the PHA wants to request HCVs under both categories. When completing this form, only complete the box for total dwelling units under vouchers in section B. Do not complete sections A or C. In section D of the form, the PHA applicant must provide the following information:

- a. The category of funding (Category 1 or Category 2).
- b. The number of authorized baseline HCV units.
- c. The number of HCVs requested.
- d. The minimum number of vouchers the PHA is willing to accept under this category if selected under a lottery system.
- e. To demonstrate PHA experience:

(1) At least 20 percent of the PHA's HCVs are used by non-elderly disabled families as reflected in PIC for the end of the month prior to the submission date; or

(2) The PHA has a preference on its waiting list for non-elderly disabled families as recorded in its administrative plan as documented by that section of the administrative plan attached to the application; or

(3) The PHA has been previously funded for one of the following special purpose voucher allocations: Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans; Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Types of Section 8 Project-Based Developments; Mainstream Housing Opportunities for Persons with Disabilities and the Project Access Pilot Program.

f. To demonstrate that the applicant PHA has resources for supportive services for non-elderly disabled families, the applicant PHA must describe those resources in full detail in this section. In addition, for Category 2, the PHA must identify the partnering resource agency and describe the provision of supportive services for a transitioned person. The PHA must also specify the number of vouchers that the partnering resource agency is projecting will be needed to assist transitioning individuals over a 12-month period. The number of vouchers requested by the PHA under Category 2 may not exceed this number.

Supportive services for Category 2 vouchers must include the provision of care/case management, in addition to the needed health and social services. These services are usually funded through the State Medicaid program and provided by local home care agencies. In 29 States and the District of Columbia, the Medicaid programs have been awarded demonstration funds from the U.S. Department of Health and Human Services (HHS) to provide the needed supportive services a transitioned person needs to live safely and as independently as possible in the community (the Money follows the Person (MFP) demonstration). For a person who is transitioning under this demonstration, the contact partnering resource agency is the MFP program within the State Medicaid program. More information on MFP can be found at http://www.cms.hhs.gov/DeficitReductionAct/20_MFP.asp. All persons that are transitioning as a MFP participant are guaranteed to receive the needed health and social services. Therefore, the only resource documentation that is needed in these

instances is evidence of MFP participation by the partnering resource agency.

For PHAs located in States not participating in the MFP demonstration, the PHA should contact the State Medicaid Program to determine if similar supportive services and individual referrals will be made available for these Category 2 vouchers. A PHA that is not located in a State participating in the MFP demonstration must describe the resources that will be made available to the transitioning individual by the partnering resource agency if the PHA is applying for voucher funding under Category 2.

During the 60-day preparation period for submission of this NOFA, HUD in collaboration with the U.S. Department of Health and Human Services will provide information, outreach and technical assistance to PHAs interested in applying for Category 2 vouchers.

3. Form HUD-2880, *Applicant/Recipient Disclosure/Update Report*;

4. Form HUD-2993, *Acknowledgment of Application Receipt only required if paper application*;

5. Form HUD-2991, *Certification of Consistency with the Consolidated Plan*, or a copy of the signed PHA Certification of Compliance for its current Annual PHA Plan; and

6. SF-LLL, *Disclosure of Lobbying Activities*, if applicable.

7. You Are Our Client Grant Application Survey (HUD-2994-A) (Optional); and

8. HUD Facsimile Transmittal (HUD-96011, Third Party Documentation Facsimile Transmittal).

C. Receipt Instructions

Applications under this NOFA must be received electronically through the Federal Web site Grants.gov, unless a waiver of this requirement is granted in accordance with the instructions below. The procedures for electronic submission of applications published in HUD's General Section on December 29, 2008 (73 FR 79548) including the provisions at Section IV.C., entitled "Receipt Dates and Times," removed by HUD's Amendment to the General Section published on April 16, 2009 (74 FR 17685) are reinstated and apply to this NOFA. Applicants must follow the instructions on the December 29, 2008 General Section, unless a waiver for cause in accordance with HUD's waiver policy of 24 CFR 5.1005, to the electronic application requirements is approved by HUD. Applicants requesting a waiver should submit their waiver requests in writing using e-mail or fax. Waiver requests must be submitted no later than 15 days prior to

the application deadline date and must be submitted in writing or by e-mail to Phyllis A. Smelkinson, Housing Program Specialist, Housing Voucher Management, Office of Public and Indian Housing, U.S. Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410. You can e-mail requests to Ms. Smelkinson at

Phyllis.A.Smelkinson@hud.gov. The subject line of the e-mail message should be (insert applicant name) FY09 Rental Assistance for Non-Elderly Persons with Disabilities Waiver Request. If an applicant is granted a waiver, then the approval will provide instructions for submitting paper copies to the appropriate HUD office. All paper applications must be received by the application deadline date to meet the requirements for timely receipt.

Paper applications will not be accepted from applicants that have not been granted a waiver. If an applicant is granted a waiver, the approval notice will provide instructions for submission. All applications in paper format must have received a waiver to the electronic application requirement and the application must be received by HUD on or before the application deadline date.

1. The application deadline for receipt of HUD applications via Grants.gov is 11:59:59 p.m. on XXXX, 2009. Applications must be received by Grants.gov by the deadline in order to meet the program deadline. Received means that the application has been successfully uploaded to the Grants.gov server and the applicant has received confirmation of successful submission to Grants.gov. Applicants should be aware that hitting the "sign and submit" button to transmit the application does not mean the application has been successfully uploaded to Grants.gov. Only when the upload is complete is the application date and time stamped by the Grants.gov system. An application that has been rejected by Grants.gov is not deemed to have been received by Grants.gov. (Please see Section D.1. of the General Section for a detailed explanation of Timely Receipt Requirements and Proof of Timely Receipt.) As in the past, HUD encourages applicants to submit their applications early and with sufficient time to address any issues that might affect the applicant's ability to have an application successfully uploaded and received by Grants.gov.

In FY 2009, HUD is establishing a one-day grace period from the date of notification of a rejection from Grants.gov, to allow applicants that successfully upload an application to

Grants.gov prior to the deadline date and time, but receive a rejection notice after the deadline date and time, to cure the reason for rejection and re-upload the application to Grants.gov. The paragraphs below describe HUD's Grace Period Policy for FY2009.

a. Applicants that have successfully uploaded their application to Grants.gov prior to the deadline, and subsequently receive a rejection notice from Grants.gov after the deadline date and time, will have a one-day grace period from the date stamp on the first Grants.gov rejection notice after the deadline, to cure the basis for the rejection and upload an application that corrects the problems cited in the rejection notice. Applicants can upload the application as many times as needed to cure noted deficiencies within the one-day grace period. The Grants.gov rejection notice identifies the reasons why the application was rejected. Applicants that do not understand the error messages received in the rejection notice should immediately contact the Grants.gov Help Desk so they can get assistance in clearing the problem. Generally, Grants.gov will reject an application because it contains an incorrect DUNS number or a DUNS number that does not match the AOR's registration, the application was submitted by an individual without proper authorization as the AOR, and/or the application contains file names that trigger a "VirusDetect" message. The grace period ends one day after the date stamp on the first rejection notice received after the deadline date.

Warning: Applications that contain file names which are longer than 50 characters (HUD recommends using file names with 32 characters or less), or contain spaces or special characters, will result in the file being detected as a virus by the Grants.gov system and the application will be rejected with a "VirusDetect" message. In FY2008, the use of spaces and special characters in file names, and the use of file names which were longer than fifty characters, resulted in the most instances of an applicant receiving a "VirusDetect" rejection. Applicants should also scan files for viruses because the Grants.gov system will also reject files with viruses.

Applications received by Grants.gov, including those received during the grace period, must be validated by Grants.gov to be rated or ranked or receive funding consideration by HUD. HUD will use the date and time stamp on the Grants.gov system to determine dates when the grace period begins and ends.

b. Applications uploaded to Grants.gov after the deadline date under

the following circumstances do not qualify for the grace period and will not be considered for funding:

(1) Applications uploaded and received by Grants.gov after the deadline date and time for which there is no prior rejection notice in the Grants.gov system logs will be considered late and will not be rated and ranked or receive funding consideration. Failure to successfully upload the application to Grants.gov by the deadline date and time does not qualify for the grace period as described above.

(2) Applications receiving a rejection notice due to the funding opportunity being closed will not be provided the one day grace period to correct the "opportunity closed" deficiency or any other basis for rejection because the applicant missed the deadline date and time and therefore does not qualify for the grace period as described above.

(3) If an application is uploaded during the grace period and is subsequently rejected after the grace period ends, the applicant will not be afforded additional time to correct the deficiency(ies) noted in the rejection notice.

c. The grace period ends at 11:59:59 p.m. one day from the date stamp on the first rejection notice issued by the Grants.gov system to the e-mail address provided in the Grants.gov registration. Applicants must ensure that their e-mail notification address contained in the Grants.gov registration is up-to-date. Neither HUD nor Grants.gov will be responsible if e-mail messages are not received at the address listed in the registration process. Applicants must also ensure that their e-mail systems will accept messages from Grants.gov. Applicants are responsible for monitoring their e-mail messages. Messages from Grants.gov come from *Support@grants.gov*.

d. The only exceptions to HUD's grace period policy are:

(1) The Grants.gov system is down and not available to applicants for at least 24 hours prior to the deadline date, or the system is down for 24 hours or longer, impacting the ability of applicants to cure a submission deficiency within the grace period; and/or

(2) There is a presidentially declared disaster in the applicant's area. In the event of either or both of these events, HUD will publish a notice extending the deadline or cure period, for applicants affected, as appropriate.

e. Busy servers or slow processing are not the basis for HUD to extend the deadline dates or the grace period.

Applicants are advised to monitor the Grants.gov system using the Grants.gov blog at <http://grants-gov.blogspot.com/>. The Grants.gov blog provides information on server capacity, traffic on the Grants.gov site, and other Federal grant closings each day. Applicants should monitor the site and take into account the amount of traffic on the site when applying.

2. An applicant will not be provided additional opportunities to correct rejection errors if an application is rejected after the one-day grace period has expired.

As with any electronic system, applicants may experience issues when attempting to submit their application which does not permit the uploading of the application to Grants.gov. Such issues can be due to firewall and virus protection software that the applicant has placed on their system or network; proxy and cache settings; Internet traffic; limitation on the size of the files attempting to be transmitted established at the applicant's site or by the applicant's Internet provider; Grants.gov servers experiencing busy traffic; or any number of issues. Therefore, HUD strongly advises applicants to submit their applications at least 48 hours prior to the deadline and when the Grants.gov Help Desk is open so that assistance can be provided. Assistance may require diagnosing an applicant's particular issues. An applicant that does not follow HUD's advice increases the applicant's risk of not being able to meet the timely receipt requirements. A submission attempt less than the recommended 48 hours before the deadline does not allow the time needed to research the reason for the problem or to work with the applicant in overcoming the uploading difficulty. Similarly, attempting to submit within 24 hours of the deadline or when the Grants.gov Help Desk is closed does not allow the time needed for Grants.gov or HUD to provide the needed assistance. In addition, HUD staff cannot provide assistance or contact Grants.gov on your behalf after the Help Desk is closed. HUD strongly encourages applicants to carefully read the December 29, 2008 General Section for additional information regarding the Grants.gov registration process, submitting an application through Grants.gov, and timely receipt instructions. HUD also encourages applicants to submit their applications early with sufficient time to address issues that might prevent their applications from being received by Grants.gov.

Applicants should also note that Adobe has put out new versions of Adobe Reader compatible with

Grants.gov. These versions are 8.1.5 and 9.1.1. Applicants must use the latest versions of the Adobe Reader compatible with Grants.gov, which are Adobe Reader 8.1.5 or 9.1.1.

D. Intergovernmental Review

This NOFA is not subject to Executive Order 12372, Intergovernmental Review of Federal Programs.

E. Funding Restrictions

Funds under this NOFA may only be used for housing assistance for eligible participants and may not be used for performance of routine HCV program functions that are reimbursed through HCV administrative fees.

V. Application Review Information

A. Criteria

1. Factors Used to Evaluate and Rate Applications

None.

B. Review and Selection Process

1. Technically Acceptable Applications

All technically acceptable applications that meet the threshold criteria of section III.C.2. above will be funded to the extent funds are available.

a. Funding Priority Categories

None.

b. Order of Funding

If funding under this NOFA is not available to fund all applications received by the NOFA deadline in each category, a lottery will be used until all funding is exhausted. If funding remains in either category, it will be used to fund the other category in lottery order.

c. Insufficient Funds

Not applicable.

2. Corrections to Deficient Applications

The Grants Management Center (GMC) may contact an applicant to clarify an item in its application or to correct a curable technical deficiency. Please note that clarifications or corrections of technical deficiencies in accordance with the information provided by HUD to the applicant must be submitted within 14 calendar days of the date of receipt of the HUD notification.

3. Unacceptable Applications

After the technical deficiency correction period (as provided in the General Section), the HUD GMC will disapprove PHA applications that it determines are not acceptable for processing. Applications from PHAs that fall into any of the following categories are ineligible for funding under this NOFA and will not be processed:

a. Any PHA that does not meet the threshold requirements of the General Section.

b. Any PHA that does not meet the threshold requirements of Section III.C.2. of this NOFA.

c. A PHA whose application does not comply with the requirements of this NOFA after the expiration of the 14-calendar day technical deficiency correction period;

d. A PHA whose application was received at grants.gov after the application deadline date; or

e. A PHA whose paper application that was approved for a waiver of the electronic application requirement was not received at the official place of receipt.

VI. Award Administration Information

A. Award Notices

Successful applicants in each category will receive an award letter from HUD. Funding will be provided to successful applicants as an amendment to the Annual Contributions Contract (ACC) of the applicant PHA.

Unsuccessful applicants will receive a notification of rejection letter from the GMC that will state the basis for the decision. The applicant may request an applicant debriefing. Beginning not less than 30 days after the awards for assistance are announced publicly, upon receiving a written request, HUD will provide a debriefing to the requesting applicant. See the General Section for additional information regarding a debriefing. Applicants requesting to be debriefed must send a written request to: Keia Neal, Acting Director, Grants Management Center at the e-mail address in Overview, Section F.

B. Administrative and National Policy Requirements

1. HUD's Strategic Goals

HUD is committed to ensuring that programs result in the achievement of HUD's strategic mission. HCVs awarded under this NOFA support the Department's strategic goals of: (1) Increasing homeownership opportunities, and (2) promoting decent, affordable housing by expanding access to these opportunities for non-elderly persons with disabilities. For more information about HUD's Strategic Plan and Annual Performance Plan, you may visit HUD's Web site at <http://www.hud.gov/offices/cfo/reports/cforept.cfm>.

C. Reporting

Successful applicants (including MTW agencies) must report the usage of

voucher funds under this NOFA through required submissions of the form HUD-50058, *Family Report*. PHAs must enter the program code "NED" on line 2n of the HUD-50058 for non-elderly families served under this NOFA and "NHT" for those non-elderly families transitioning from nursing homes and other institutions into the community. PHAs must maintain these codes for the duration of the family's participation in the HCV program. HUD's assessment of PHA compliance under this NOFA will be based on PIC system data.

VII. Agency Contacts

A. For Technical Assistance

See **FOR FURTHER INFORMATION CONTACT** above or you may contact the Public and Indian Housing Resource Center at 1-800-955-2232. Persons with hearing or speech impairments may access this number via TTY (text telephone) by calling the Federal Information Relay Service at 1-800-877-8339. (These are toll-free numbers). Prior to the application deadline, staff at the numbers given above, will be available to provide general guidance, but not guidance in actually preparing the application. Following selection, but prior to award, HUD staff will be available to assist in clarifying or confirming information that is a prerequisite to the offer of an award by HUD.

B. Technical Corrections to the NOFA

Technical corrections to this NOFA will be published in the **Federal Register** which the applicant is responsible for monitoring.

VIII. Other Information

A. References

The following are hereby incorporated by reference:

1. Executive Order 13132, Federalism;
2. Public Access, Documentation, and Disclosure;
3. Section 103 of the HUD Reform Act.

B. Paperwork Reduction Act

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520) and assigned OMB control numbers 2577-0169 and 2577-0083. In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection

displays a currently valid OMB control number.

C. Environmental Impact

This NOFA provides funding under, and does not alter the environmental requirements of 24 CFR part 982. Accordingly, under 24 CFR Section 50.19(c)(5), the NOFA is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). For environmental review of activities funded under this NOFA, see requirements described in section III.C.4 above.

Dated: June 17, 2009.

Paula O. Blunt,

General Deputy Assistant, Secretary for Public and Indian Housing.

[FR Doc. E9-14651 Filed 6-19-09; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5300-N-09]

Notice of Availability: Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2009 Public and Indian Housing Family Self-Sufficiency Program under the Resident Opportunity and Self-Sufficiency (ROSS) Program

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: HUD announces the availability on its Web site of the application information, submission deadlines, funding criteria, and other requirements for the FY2009 Public and Indian Housing Family Self-Sufficiency Program under the Resident Opportunity and Self-Sufficiency (ROSS) Program. The NOFA makes approximately \$12 million available under the Department of Housing and Urban Development Appropriations Act 2009 (Pub. L. 111-8, approved March 11, 2009). Applicants for assistance under this NOFA must address applicable requirements in the Notice of HUD's Fiscal Year 2009 Notice of Funding Availability (NOFA) Policy Requirements and General Section to the HUD's FY2009 NOFAs for Discretionary Programs (General Section) published on December 29, 2008 (73 FR 79548), as amended on April 16, 2009 (74 FR 17685). Applicants should take particular note that they should follow the application submission instructions contained in

this NOFA and not use those in the General Section. The notice providing information regarding the application process, funding criteria and eligibility requirements is available on the HUD Web site at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

FOR FURTHER INFORMATION CONTACT: For information concerning the Public and Indian Housing Family Self-Sufficiency Program under the Resident Opportunity and Self-Sufficiency (ROSS) Program, contact Anice Schervish, Urban Revitalization Division, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 3236, Washington DC 20410; telephone number 202-402-2341 (this is not a toll-free number). Persons with speech or hearing impairments may access this telephone number via TTY by calling the toll-free Federal Information Relay Service during working hours at 800-877-8339.

Dated: June 8, 2009.

Paula O. Blunt,

General Deputy Assistant Secretary for Public and Indian Housing.

[FR Doc. E9-14633 Filed 6-19-09; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5300-N-02]

Notice of Availability: Notice of Funding Availability (NOFA) for HUD's Fiscal Year (FY) 2009 Housing Counseling Program

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice.

SUMMARY: HUD announces the availability on its Web site of the applicant information, submission deadlines, funding criteria and other requirements for HUD's Housing Counseling Program NOFA for FY2009. Approximately \$58 million appropriated under the Department of Housing and Urban Development Appropriations Act, 2009 (Pub. L. 111-8, approved March 11, 2009) for HUD's Housing Counseling Program is available through this NOFA. Applicants for HUD's Housing Counseling Program must address the requirements established by HUD's Fiscal Year 2009 Notice of Funding Availability (NOFA) Policy Requirements and General Section to HUD's FY2009 NOFAs for Discretionary Programs (General Section) published