

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4066-N-01]

## Office of the Assistant Secretary for Public and Indian Housing; NOFA for FY 1996 for the Public and Indian Housing Tenant Opportunities Program Technical Assistance

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

**ACTION:** Notice of funding availability for FY 1996.

**SUMMARY:** HUD is announcing the availability of \$15 million for Fiscal Year 1996 under the Public and Indian Housing Tenant Opportunities Program (TOP). HUD reinvented resident management and created the TOP to expand the range of the resident-managed activities, so that resident organizations can set priorities based on the needs in their communities. The program provides assistance to Resident Councils (RCs), Resident Management Corporations (RMCs) Resident Organizations (ROs) and National Resident Organizations (NROs), Regional Resident Organizations (RROs), and Statewide Resident Organizations (SROs), to fund training and other tenant opportunities, such as the formation of such entities, identification of the relevant social support needs, and securing of such support for residents of public and Indian housing. The NOFA discusses eligibility, funding amounts, selection criteria, how to apply for funding, and the selection process, and includes an appendix setting out the Consultant/Trainer Checklist.

**DATES:** Application kits may be requested beginning July 3, 1996. The application deadline will be specified in the application kit, and will be firm as to date and time. Applicants will have at least 30 days from today's publication of the NOFA to prepare and submit their applications.

The separate deadline for comments on the information collection requirements is September 3, 1996.

**ADDRESSES:** To obtain a copy of the application kit, please write the Resident Initiatives Clearinghouse, Post Office Box 6424, Rockville, MD 20850, or call the toll free number 1-800-955-2232. Requests for application kits must include your name, mailing address (including zip code), telephone number (including area code), and should refer to document FR-4066. Applicants may access the TOP Application Kit through HUD's World Wide Web site at <http://www.hud.gov/pih>.

[www.hud.gov/pih](http://www.hud.gov/pih). This NOFA cannot be used as the application.

Comments on the proposed information collection requirements must refer to the NOFA for FY 1996 for the Public and Indian Housing Tenant Opportunities Program Technical Assistance (FR-4066), and must be sent to: Reports Liaison Officer, Office of Community Relations and Involvement, Department of Housing and Urban Development, 451 7th Street, SW, Room 4112, Washington, DC 20410-3600.

### FOR FURTHER INFORMATION CONTACT:

Christine Jenkins or Barbara J. Armstrong, Office of Community Relations and Involvement, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4112, Washington, D.C. 20410; telephone: (202) 708-3611. All Indian Housing applicants may contact Tracy Outlaw, Office of Native American Programs, Department of Housing and Urban Development, 451 Seventh Street, SW, Room B-133, Washington, D.C. 20410; telephone: (202) 755-0088. For hearing- and speech-impaired persons, these numbers may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1-800-877-8339. (Other than the "800" TTY number, telephone numbers are not toll-free.)

### SUPPLEMENTARY INFORMATION:

#### Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), and have been assigned OMB control number 2577-0087. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. Because this OMB control number will be expiring later this year, the Department is soliciting comments, as required under 5 CFR 1320.8(d), before submitting the information collection requirements contained in this NOFA to OMB for renewal of the control number in accordance with 5 CFR 1320.10. Information on the estimated information collection burden is provided under the heading, *Other Matters*, at the end of this notice.

#### I. Purpose and Description

##### A. Authority

Section 20, United States Housing Act of 1937 (42 U.S.C. 1437r); sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

The amount of funding provided under this NOFA was appropriated for the program in the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104-134, 110 Stat. 1321; approved April 26, 1996).

#### B. Statutory Background

Section 122 of the Housing and Community Development Act of 1987 (Pub. L. 100-42, approved February 5, 1988) amended the United States Housing Act of 1937 (1937 Act) by adding a new section 20 (42 U.S.C. 1437r) (section 20). Section 20 states as part of its purpose the encouragement of "increased resident management of public housing projects [and the provision of funding] . . . to promote formation and development of resident management entities" (Sec. 20(a)). Under Section 20(f)(1):

. . . [T]he Secretary shall provide financial assistance to resident management corporations or resident councils that obtain, by contract or otherwise, technical assistance for the development of resident management entities, including the formation of such entities, the development of the management capability of newly formed or existing entities, the identification of the social support needs of residents of public housing projects, and the securing of such support.

Under Section 20(f)(2), this financial assistance may not exceed \$100,000 with respect to any public housing project. Section 20 is implemented in 24 CFR part 950, subpart O (for Indian housing), and part 964 (for public housing). The rules set forth, among other things, the policies, procedures, and requirements of resident participation and management of public and Indian housing.

The TOP meets the need in many communities for business development, education, job training and development, social services, and opportunities for other self-help initiatives. The program enables resident entities to establish priorities, based on the efforts in their public and Indian housing communities, that are aimed at furthering economic lift and independence. Financial assistance in the form of technical assistance grants is provided by the Secretary to resident grantees to prepare for management activities in their housing development (hereinafter referred to as TOP technical assistance grants). The TOP technical assistance grants are available for "the development of resident management entities, including the formation of such entities, the development of the management capability of newly formed or existing entities, the identification of the social support needs of residents of

public housing projects and the securing of such support."

Residents may use TOP technical assistance grants for training related to any TOP initiative. The results from organizations in training have been significant and multifaceted. For example, resident-managed activities have resulted in economic development, resident self-sufficiency, improved living conditions, and enhanced social services for residents (i.e., child care and other youth projects). TOP will provide public and Indian housing residents the opportunity to be trained and move toward responsible roles in their communities. The training will aim to enhance the functioning of the resident council as well as develop skills to engage in resident-managed activities in its community. The Department strongly encourages resident entities to develop a partnership with their public housing agency or Indian housing authority (hereafter jointly referred to as "HA"). The Department is committed to building a real partnership among HAs, residents, and HUD.

In FY 1996, \$15 million is available to public and Indian housing RCs/RMCs/ROs, of which \$500,000 is set-aside for NROs/RROs/SROs to provide technical assistance and training activities under the TOP program.

Today, approximately 905 resident groups throughout the country are in training under this program. HUD supports the tenant opportunities movement, as well as other self-sufficiency and improvement programs designed to benefit public and Indian housing residents. HUD's Office of Community Relations and Involvement has the responsibility of delivering a variety of resident initiative programs, with assistance from a network of Community Relations and Involvement Specialists (CRIs) in HUD's field structure. The CRIs are available to provide direct assistance to residents and resident groups interested in resident initiatives programs.

#### *C. Termination and Enforcement of Grant Award*

All grant awards may be terminated if a recipient materially fails to comply with the terms and conditions of an award in accordance with Revised OMB Circular A-110 and 24 CFR part 84 (§§ 84.60, 84.61, and 84.62).

#### *D. New Features of This NOFA*

(1) All applicants are required to submit a TOP Work Plan that includes TOP-specific training programs/performance standards for implementing the TOP grant. The

purpose of the training programs/performance standards is to facilitate positive outcomes, products or deliverables such as jobs, businesses, and services. The applicant must select and implement the training programs/performance standards of choice in accordance with the needs of the community. The training programs/performance standards are not all-inclusive, and grantees may work with the HUD Field Offices to establish other training programs/performance standards to meet their needs, provided that the results would be measurable. (See Section I.Q of this NOFA).

(2) All TOP grantees must adhere to the new travel policy established by HUD. The policy ensures that all travel funded under TOP is directed toward the successful completion of the required TOP Work Plan/Performance Standards and time frames as explained in Section I.Q of this NOFA. The travel policy sets a maximum amount of \$5,000 over the 3- to 5-year period of the grant. Requests for funds beyond the limit of \$5,000 must be approved by the local HUD Office. All grantees must attend a HUD-sponsored TOP orientation training prior to expending TOP funds, with the exception of funds needed to attend the training. If the grantee's grant agreement is executed and the organization is properly established in the Line of Credit Control System/Voice Response System (LOCCS/VRS), the grantee must draw down the total amount needed to attend the training. If the grantee's grant agreement is not executed and the organization is not properly established in the LOCCS/VRS, the grantee may request the HA to advance the organization the total amount needed to attend the HUD orientation training. The grantee must reimburse the HA when the organization is properly established in the LOCCS/VRS.

This travel policy is not applicable to NROs/RROs/SROs. HUD will be developing a travel policy that establishes guidelines for NROs/RROs/SROs in the near future.

(3) To ensure the successful implementation of the TOP Work plan activities, RCs/RMCs/ROs are required to determine the need to contract for outside consulting/training services, after considering their own capacity. Each RC/RMC/RO is encouraged to make maximum use of its HA; nonprofits; or other Federal, State, or local government resources for technical assistance and training needs. All Basic Grantees may use up to \$15,000 to obtain a consultant/trainer from the TOP database of registered consultant/trainers for assistance in implementing

Tasks 1 through 4 of the TOP Work Plan. (The TOP Work Plan is included in the TOP Application Kit).

The HA; other nonprofits; and Federal, State, or local government resources may serve as the consultant/trainer; however, the identified source that intends to establish a contract with the RC/RMC/RO must register with HUD prior to executing a contract.

(4) HUD encourages all interested consultants/trainers to register to participate in the TOP by completing the Consultant/Trainer Checklist included as an Appendix to this NOFA and mailing it to the following address: Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Resident Involvement, 451 7th Street, SW, Room 4112, Washington, D.C. 20410.

The TOP grantee may select the HA as the consultant/trainer, however, the HA must register to be included in the TOP database. Grantees may invite other familiar consultants/trainers to register in the TOP database.

(5) After completion of Tasks 1 through 4 of the TOP Work Plan, the RC/RMO/RO may hire a consultant/trainer to assist in the implementation of Tasks 5 through 7 of the TOP Work Plan. The grantees must follow 24 CFR 84, which implements OMB Circular A-110 and prescribes standards and policies essential to ensure open and free competition for the proper execution of procurement transactions when selecting a consultant/trainer. HUD will make available the source list of registered consultant/trainers upon request, for use in a competitive solicitation for consultant services to assist the RC/RMC/RO in implementing TOP Work Plan Tasks 5 through 7 of the TOP Work Plan. The amount allowed for hiring an individual consultant for this purpose shall not exceed 50 percent of the total grant award or \$50,000, whichever is less. HUD Field Offices will monitor this process to ensure compliance with these requirements.

(6) *Applicants shall not solicit any proposals for application preparation or a training and technical assistance contract prior to receiving a TOP grant award.* This year HUD is eliminating the "full-service" and "separation of application preparation" approaches to be used by grantees for obtaining consultant services. The full-service approach allowed RCs/RMCs/ROs to solicit competitive proposals for consultants to assist in the preparation of the application and included provisions for a training and technical assistance contract without another competitive process if the RCs/RMCs/ROs were selected to receive a grant.

The separation of application preparation from consultant work to be performed after the award of a grant approach allowed an applicant to solicit competitive proposals and contract with a Consultant-Trainer/Housing Management specialist for the development of an application for technical assistance. If the applicant was selected for funding, the Consultant/Trainer/Housing Management Specialist had to compete again through an open and free procurement process for a training and technical assistance contract.

(7) All NROs/RROs/SROs must be registered as a nonprofit organization at the time of application submission. NROs/RROs/SROs must list in the application the name of the RCs/RMCs/ROs that the organization will train or provide technical assistance and must provide letters of support from each entity identified in the application. The NROs/RROs/SROs cannot list RCs/RMC/ROs that have received a maximum of \$100,000.

(8) HUD no longer allows the formation of Partnership Paradigm Technical Assistance (PPTA) organizations or the Technical Assistance Organizations (TAOs). Therefore, no PPTA or TAO applications will be considered for a TOP grant.

(9) HUD has included eligible activities for the elderly or disabled persons. (See section I.K(5) of this NOFA).

(10) All RCs/RMCs/ROs, city-wide/jurisdiction-wide organizations and NROs/RROs/SROs previously funded the maximum of \$100,000 under the TOP cannot reapply for funding under this NOFA. This decision was made in accordance with section 20(f)(2), which states "the financial assistance provided under this subsection with respect to any public housing project may not exceed \$100,000." This section would also prohibit an award to NROs/RROs/SROs if the resident organizations being served have received the maximum amount of \$100,000.

#### *E. Other Features of This NOFA*

(1) RCs/RMCs/ROs that have duly elected boards may receive up to \$100,000.

(2) All applicants that are selected for funding (including NROs/RROs/SROs) will access the grant funds through the LOCCS/VRS as explained in Section I.F, "Funding," of this NOFA.

(3) An application kit is required as the formal submission to apply for funding. The kit includes information on the preparation of a TOP Work Plan/Performance Standards and Budget for

activities proposed by the applicant. This process facilitates the expeditious execution of a TOP Technical Assistance Grant (TOP TAG) for those applicants that are selected to receive funding (see Section I.H., TOP Technical Assistance Grant Agreement). The kit also includes narratives, certifications, and forms.

(4) A specific certification form is included in the application kit that requires each RC/RMC/RO to certify that it has held a democratic election. The certification must be signed by an authorized representative of the local HA and/or an independent third party monitor. (Not applicable to Indian ROs or NROs/RROs/SROs).

(5) The information listed below is regarding *all HOPE I (lead or joint) applicants*:

All applications that are submitted by HOPE I (lead or joint) grantees will be screened. A cross-check will be made against the HOPE I Planning grants and HOPE I Implementation grants, to assure compliance with section 20(f)(4) of the 1937 Act, which states: "The Secretary may not provide financial assistance under this subsection to any resident management corporation or resident council with respect to which assistance for the development or formation of such entity is provided under title III." HOPE I Planning and Implementation grantees were required to propose plans to establish a RC, RMC, or cooperative association where one did not exist for the proposed homeownership site, including the development or formation of that entity. In addition, HOPE I Full Planning and Implementation grant applicants were expected to include in their applications all eligible activities necessary to make their proposed homeownership program feasible (even if some of the proposed activities were to be carried out with non-HOPE I funds, such as resident management funds). Consequently, in reviewing TOP grant applications, for all applicants who are HOPE I (lead or joint) grantees the following rules apply:

Rule 1. An applicant for TOP funds that has received a HOPE I Full Planning or Implementation grant (as a lead or joint applicant) may not also receive a TOP grant, unless the applicant proposed in its HOPE I application to use TOP funding to carry out those activities.

Rule 2. An applicant for TOP funds that has received a HOPE I Mini Planning grant (as a lead or joint applicant) may not receive a TOP grant for any activity proposed for funding in the HOPE I grant. Mini Planning grant applicants may apply for a TOP grant if

the activities proposed in the TOP application are not duplicative.

(6) All applicants will have an opportunity to correct technical deficiencies that are curable in this application submission as provided for in this NOFA.

#### *F. Funding*

As noted, \$15 million was appropriated in FY 1996 for the TOP. Of this amount, \$25,000 has been allocated to one RC not funded in the FY 1995 funding cycle because of a HUD technical error. The remainder of the funds is being made available on a competitive basis under this NOFA to applicants that submit timely applications and are selected for funding. Under section 20(f)(2), this financial assistance may not exceed \$100,000 with respect to any public housing project.

Of the remaining \$14,975,000 in funds, \$500,000 will be awarded to NROs, RROs, and SROs. The purpose of these grants is to provide technical assistance to public and Indian housing residents desiring either to establish a RC/RMC/RO where one does not exist or to organize an inactive RC/RMC/RO.

With the remaining \$14,475,000, the Department will provide two types of grants to RCs/RMCs/ROs: (1) Basic Grants; and (2) Additional Grants.

#### *Basic Grants*

All RCs/RMCs/ROs that have been in existence for several years, and new emerging groups that meet eligibility requirements (see Definitions, Section I.I of the NOFA), may apply for a Basic Grant for up to \$100,000. All grantees will access the TOP grant funds through the LOCCS/VRS.

To ensure the progress of the grantees, each grantee will be allowed to draw down through LOCCS/VRS only the specific amount of funding needed to complete the tasks and subtasks specified in the TOP Work Plan. The grantee must complete all activities under Tasks 1 through 4 in the TOP Work Plan prior to advancing to TOP Work Plan Tasks 5 through 7 and receiving additional funds.

The local HUD Field Office or Area Office of Native American Programs (ONAP) will be responsible for approving the TOP Work Plan and permitting grantees access to the LOCCS/VRS.

#### *Additional Grants*

Any RC/RMC/RO selected for a Resident Management(RM)/TOP grant in FYs 1988-1995 (including a mini grant for start-up activities) that received less than a total of \$100,000

may apply for an Additional Grant not to exceed (including previous grants) the total statutory maximum of \$100,000.

To ensure the progress of the grantees, each grantee will be allowed to draw down from LOCCS/VRS only the specific amount of funding needed to complete the tasks and subtasks specified in the TOP Work Plan. Each Additional Grant grantee must provide a progress report that will indicate accomplishments and the remaining tasks to be completed. The local HUD Field Office or Area ONAP will be responsible for approving the TOP Work Plan and permitting grantees access to the LOCCS/VRS.

Each Additional Grant applicant must demonstrate the need for additional funding by submitting evidence of completing specific activities. An Additional Grant applicant may receive a higher score if most of the activities listed in Section I.O(1) of this NOFA are completed and documentation is included as evidence.

#### NROs/SROs/RROs Grants

The purpose of this grant is to provide technical assistance to public and Indian housing residents desiring either to establish a RC/RMC/RO where one does not exist or to organize an inactive RC/RMC/RO. The awards will be competitive, using the Rating Factors in Section I.P of this NOFA, and applicants must meet eligibility requirements. The local HUD Field Office or Area ONAP will be responsible for approving the TOP Work Plan and determining the ability of the grantee to access the LOCCS/VRS.

Each NRO/RRO/SRO must be registered as a nonprofit organization at the time of application submission. NROs/RROs/SROs must list in the application the name of the RCs/RMCs/ROs that the organization will train or provide technical assistance, and provide letters of support from each entity identified in the application. The NROs/RROs/SROs cannot list RCs/RMC/ROs that have already received the maximum of \$100,000.

#### G. Fair Housing Act Requirement

No grantee may discriminate based on race, national origin, religion, color, familial status, disability, or sex in the provision of any benefits or services.

#### H. TOP Technical Assistance Grant Agreement

Grant awards will be made through a TOP Technical Assistance Grant Agreement which defines the legal framework for the relationship between HUD and a resident grantee for the

proposed activities approved for funding. The grant agreement will contain all administrative documents and forms needed to execute the grant. No funds can be drawn down by a grantee until the grant agreement is executed by the local HUD Field Office or Area ONAP.

#### I. Definitions

The following definitions apply to public housing, as provided in 24 CFR 964.115 and 964.120:

**Resident Council (RC).** An incorporated or unincorporated nonprofit organization or association that shall consist of persons residing in public housing and must meet each of the following requirements in order to receive official recognition from the HA/ HUD, and be eligible to receive funds for resident council activities, and stipends for officers for their related costs for volunteer work in public housing:

(1) It may represent residents residing in scattered site buildings, in areas of contiguous row houses; or in one or more contiguous buildings; in a development; or in a combination of these buildings or developments.

(2) It must adopt written procedures such as by-laws, or a constitution which provides for the election of residents to the governing board by the voting membership of the residents residing in public housing on a regular basis but at least once every 3 years. The written procedures must provide for the recall of the resident board by the voting membership. These provisions shall allow for a petition or other expression of the voting membership's desire for a recall election, and set the number of percentage of voting membership ("threshold") who must be in agreement in order to hold a recall election. This threshold shall not be less than 10 percent of the voting membership.

(3) It must have a democratically elected governing board that is elected by the voting membership. At a minimum, the governing board should consist of five elected board members. The voting membership must consist of heads of households (any age) and other residents at least 18 years of age or older and whose name appears on a lease for the unit in the public housing that the resident council represents.

**Resident Management Corporation (RMC).** An entity that consists of residents residing in public housing must have each of the following characteristics in order to receive official recognition by the HA and HUD:

(1) It shall be a nonprofit organization that is validly incorporated under the laws of the State in which it is located;

(2) It may be established by more than one resident council, so long as each such council:

(a) Approves the establishment of the corporation; and

(b) Has representation on the Board of Directors of the corporation.

(3) It shall have an elected Board of Directors, and elections must be held at least once every 3 years;

(4) Its by-laws shall require the Board of Directors to include resident representatives of each resident council involved in establishing the corporation; include qualifications to run for office, frequency of elections, procedures for recall, and term limits if desired;

(5) Its voting members shall be heads of households (any age) and other residents at least 18 years of age and whose name appears on the lease of a unit in public housing represented by the resident management corporation;

(6) Where a resident council already exists for the development, or a portion of the development, the resident management corporation shall be approved by the resident council board and a majority of the residents. If there is no resident council, a majority of the residents of the public housing development it will represent must approve the establishment of such a corporation for the purposes of managing the project; and

(7) It may serve as both the resident management corporation and the resident council, so long as the corporation meets the requirements of this part for a resident council.

The following definitions apply to Indian Housing, as defined in 24 CFR part 950:

**Resident Management Corporation (RMC).** An entity that proposes to enter into, or enters into, a contract to manage IHA property. The corporation shall have each of the following characteristics:

(1) It shall be a nonprofit organization that is incorporated under the laws of the State or Indian tribe in which it is located;

(2) It may be established by more than one resident organization, so long as each such organization both approves the establishment of the corporation and has representation on the Board of Directors of the corporation;

(3) It shall have an elected Board of Directors;

(4) Its by-laws shall require the Board of Directors to include representatives of each resident organization involved in establishing the corporation;

(5) Its voting members are required to be residents of the project or projects it manages; and

(6) It shall be approved by the resident organization. If there is no organization, a majority of the households of the project or projects shall approve the establishment of such an organization.

**Resident Organization (RO).** A Resident Organization (or "Resident Council" as defined in Section 20 of the Act) is an incorporated or unincorporated nonprofit organization or association that meets each of the following criteria:

- (1) It shall consist of residents only, and only residents may vote;
- (2) If it represents residents in more than one development or in all of the developments of an IHA, it shall fairly represent residents from each development that it represents;
- (3) It shall adopt written procedures providing for the election of specific officers on a regular basis; and
- (4) It shall have a democratically elected governing board. The voting membership of the board shall consist solely of the residents of the development or developments that the RO represents.

The following definitions apply to NROs/RROs/SROs applicants:

(Note: A NRO/RRO/SRO must be incorporated as a nonprofit organization at the time of application submission to be eligible for funding under this NOFA.)

**National Resident Organization (NRO).** An incorporated nonprofit organization or association for public and Indian housing that meets each of the following requirements:

- (1) It is national (i.e., conducts activities or provides services in at least two HUD Areas or two States);
- (2) It has experience in providing start-up and capacity-building training to residents and resident organizations; and

(3) Public or Indian housing residents representing different geographical locations in the country must comprise the majority of the board of directors.

**Regional Resident Organization (RRO).** An incorporated nonprofit organization or association for public or Indian housing that meets each of the following requirements:

- (1) It is regional (i.e., not limited by HUD Areas, including Tribal Areas); and
- (2) It has experience in providing start-up and capacity-building training to residents and resident organizations; and

(3) Public or Indian housing residents representing different geographical locations in the region must comprise the majority of the board of directors.

**Statewide Resident Organization (SRO).** An incorporated nonprofit

organization or association for public or Indian housing that meets the following requirements:

- (1) It is Statewide;
- (2) It has experience in providing start-up and capacity-building training to residents and resident organizations; and
- (3) Public or Indian housing residents representing different geographical locations in the State must comprise the majority of the board of directors.

#### *J. Eligibility*

Only organizations that meet the definition of a RC/RMC/RO or a NRO/RRO/SRO, as set forth under the Section I.I, "Definitions," of this NOFA. The local HUD Field Office or Area ONAP will screen applications to determine compliance with the following:

(1) Only public and Indian housing RCs/RMCs/ROs and NROs/SROs/RROs are eligible to apply for this grant. The local HAs, Section 8 developments, or other federally subsidized housing communities are not eligible to apply.

(2) An RC/RMC/RO must have a democratically elected governing board to be eligible for funding. The applicant will be required to complete a certification of resident council board election, which must be notarized and signed by the local HA or an independent third-party monitor. (Not applicable to Indian ROs and NROs/RROs/SROs.)

(3) A RC/RMC/RO will receive consideration for a Basic Grant based on the rating factors contained in Section I.N of this NOFA.

(4) A RC/RMC/RO selected for funding in FYs 1988–1995 that received less than the statutory maximum of \$100,000 may apply for an Additional Grant not to exceed (including previous grants) the total statutory maximum of \$100,000. Grantees that were awarded the maximum total amount of \$100,000 in FYs 1988–1995 are not eligible to apply.

(5) A RC/RMC/RO will receive consideration for an Additional Grant based on the rating factors contained in Section I.O of this NOFA.

(6) Only one application will be considered for funding from an individual development. If more than one application is received from a development, only the application from the duly elected RC/RMC/RO will be considered. All other applications will be rejected.

(7) A city-wide organization (consisting of members from RCs/RMCs/ROs who reside in housing developments that are owned and

operated by the same HA within the city) may represent more than one RC/RMC/RO within an HA and apply jointly for a TOP grant. However, the city-wide organization cannot represent any RC/RMC/RO that has received Resident Management (RM)/TOP technical assistance funding totalling \$100,000 in previous years. The individual developments under the umbrella of the city-wide organization may apply for a separate grant only if the activities that are included in the individual development's application are not the same activities that are included in the city-wide organization's application, and as long as no public housing development receives more than \$100,000. All applications will be screened for duplicative activities.

(8) A jurisdiction-wide organization (consisting of members from RCs/RMCs/ROs who reside in housing developments that are owned and operated by the same HA within that HA's jurisdiction, other than a city-wide organization making an application in accordance with paragraph (7) in this Section I.I) may be formed for the purpose of advising the HA Board of Commissioners or Executive Directors in all areas of HA operations. In that case, the jurisdiction-wide organization may apply for a grant to carry out jurisdiction-wide programs. Jurisdiction-wide organization applicants may receive up to the maximum total of \$100,000, provided no public housing development included in its application receives more than a total of \$100,000 of TOP funding.

(9) An NRO/SRO/RRO that is organized to provide technical assistance to RCs/RMCs/ROs may receive grants up to the maximum total of \$100,000, provided no public housing development included in its application receives more than a total of \$100,000 of TOP funding. An NRO/SRO/RRO previously funded for \$100,000 cannot reapply for funding under this NOFA, because of the statutory limitation of \$100,000.

#### *K. Eligible Activities*

Activities for which funding under this NOFA may be provided to an eligible RC/RMC/RO or NRO/RRO/SRO include any combination of, but are not limited to, the following:

- (1) Resident Capacity Building:
  - Training board members in community organizing, board development, and leadership training; and
  - Determining the feasibility of the TOP initiatives for a specific development.

## (2) Resident Management:

- Building and strengthening its capacity as an organization (e.g., establishing operating/planning committees and block/building captains to carry out specific organizational tasks, developing by-laws, etc.); developing a cohesive relationship between the residents and the local community; and building a partnership with the HA;

- Training residents, as potential employees of an RMC, in skills directly related to the operation, management, maintenance and financial systems of a project;

- Training of residents with respect to fair housing and equal opportunity requirements, including the residents' rights under the housing program, procedures for reporting violations, all civil rights-related program requirements, requirements for reasonable accommodation, and alleviating architectural barriers.

- Gaining assistance in negotiating management contracts and in related contract monitoring and management procedures, and designing a long-range planning system related to contracts; and

- Assisting in the actual creation of a RC/RMC/RO, such as consulting and acquiring legal assistance to incorporate, prepare by-laws, draft a corporate charter, and apply for nonprofit status.

## (3) Resident Management Business Development:

- Economic development training related to resident management and technical assistance for job training and placement in RC/RMC/RO developments;

- Technical assistance and training in business development related to resident management, through feasibility and market studies; development of business plans; affirmative outreach activities; and innovative financing methods, including revolving loan funds; and

- Legal advice in establishing resident management-required business entities.

## (4) Partnerships:

- Training that is required to establish a partnership between the HA and the residents. RCs/RMCs/ROs under the same HA's jurisdiction may wish to come together jointly, pool grant funds, and hire a consultant who will provide technical assistance and training related to building a partnership with the HA and assist in implementing activities in the TOP program.

- Other partnerships developed by the local residents/HA in the community.

(5) Social Support Services (such as self-sufficiency; youth initiatives; and elderly/handicapped activities):

- Conducting feasibility studies to determine training and social services needs;

- Coordinating support services;
- Training for programs such as child care, early childhood development, parent involvement, volunteer services, parenting skills, and before- and after-school programs;

- Training programs on health, nutrition, and safety;

- Conducting workshops for youth services, child abuse and neglect prevention, and tutorial services, in partnership with community-based organizations, such as local Boys and Girls Clubs, YMCA/YWCA, Boys/Girls Scouts, Campfire, Big Brothers/Big Sisters, 4-H Clubs, etc.; and

- Training in the development of strategies to implement youth programs successfully. For example, assessing the needs and problems of the youth; improving youth initiatives that are currently active; and training youth, housing authority staff, and RCs/RMCs/ROs on youth initiatives and program activities.

- Developing a plan to establish a congregate meal program for seniors, including seniors living in a family project;

- Developing a plan to establish a transportation system that would provide transportation of residents to senior and youth activities and activities for persons with disabilities; and

- Training programs in developing a resident newspaper that would be written by and for residents.

## (6) General:

- Training required on HUD regulations and policies governing the operation of low-income public and Indian housing, financial management, capacity building to develop the necessary skills to assume management responsibilities at the project, and property management;

- Training in accessing other funding sources;

- Developing training programs/performance standards and assessment procedures to measure the success of the RC/RMC/RO;

- Gaining assistance in acquiring fidelity bonding and insurance, but not the cost of the bonding and insurance;

- Assessing potential management functions or tasks that the RC/RMC/RO might undertake;

- Training in resident management-related skills, such as computer and clerical (payroll clerk/records management) skills;

- Resident management-related employment training and counseling;

- Hiring trainers or other experts. By law, resident grantees must ensure that all training is provided by a qualified public housing management specialist (Consultant/Trainer) or the local HA. To ensure the successful implementation of the TOP Work Plan activities, the RCs/RMCs/ROs are required to determine the need to contract for outside consulting/training services, after considering their own capacity. The RCs/RMCs/ROs are encouraged to make maximum use of their HA, nonprofits, or other Federal, State, or local government resources for technical assistance and training needs. All Basic Grantees may use up to \$15,000 to obtain a consultant/trainer from the TOP database of registered consultant/trainers for assistance in implementing Tasks 1 through 4 of the TOP Work Plan. (The TOP Work Plan is included in the TOP Application Kit.)

The HA, other nonprofits, Federal, State or local government resources may serve as the consultant/trainer; however, the identified source that intends to establish a contract with the RC/RMC/RO must register with HUD prior to executing a contract.

After completion of Tasks 1 through 4 of the TOP Work Plan, the RC/RMO/RO may hire a consultant/trainer to assist in the implementation of Tasks 5 through 7 of the TOP Work Plan. The grantees must follow 24 CFR 84, which implements OMB Circular A-110 and prescribes standards and policies essential to ensure open and free competition for the proper execution of procurement transactions when selecting a consultant/trainer. HUD will make available the source list of registered consultant/trainers upon request, for use in a competitive solicitation for consultant services to assist the RC/RMC/RO in implementing TOP Work Plan Tasks 5 through 7 of the TOP Work Plan. The amount allowed for hiring an individual consultant for this purpose shall not exceed 50 percent of the total grant award or \$50,000, whichever is less. HUD Field Offices will monitor this process to ensure compliance with these requirements.

- Rental or lease of a car, van, or bus by resident grantees to attend training related to the TOP initiatives; and

- Stipends, as provided in this paragraph. Officers and members of a RC/RMC/RO will only receive stipends for participating in or receiving training under the TOP, subject to the availability of funds, if the following applies:

(i) The RCs/RMCs/ROs have completed at least two training programs/performance standards, one of which must be the training program/performance standard listed as number

one in the Work Plan/Training Programs/Performance Standards section (see Work Plan/Training Programs/Performance Standards, Section I.Q of this NOFA). The stipends should be used for additional costs incurred during the training programs, such as childcare and transportation costs; or

(ii) RCs/RMCs/ROs are being trained to implement resident management activities only, and the officers and members of the resident entity are within 3 to 6 months of establishing a dual/full management contract with the PHA/IHA. Generally, no more than 10 percent of the grant funds should be used for this purpose.

(7) Capacity building and training to facilitate resident participation in the Comprehensive Grant Program.

(8) Implementation of activities by a RC/RMC/RO associated with the operation and maintenance of the public and Indian housing project. Examples of eligible activities in this category that have not been mentioned previously are:

- Designing and implementing financial management systems that include provisions for budgeting, accounting, and auditing;
- Designing and implementing the TOP travel policy and personnel policies; performance standards for measuring staff productivity; policies and procedures covering organizational structure, such as recordkeeping, maintenance, insurance, occupancy, and management information systems; any other recognized functional responsibilities relating to property management, in general, and public and Indian housing management, in particular; and responsibilities relating to any TOP initiative;
- Identifying the social support needs of residents, and the securing of that support by hiring a services coordinator. The services coordinator should identify a plan to provide short-term technical assistance, assess, coordinate, and assist in implementing the services needed by the residents, such as health clinics, day care, and security; and
- Assessing potential homeownership opportunities for residents within public and Indian housing or anywhere in the community.

(9) *Administrative costs* necessary for the implementation of activities outlined in paragraphs (1) through (8) of this Section I.K, "Eligible Activities," of the NOFA. Appropriate administrative costs include, but are not limited to, the following items or activities:

- Telephone, telegraph, printing, and sundry nondwelling equipment (such as office supplies, computer software, and

furniture). In addition, a reasonable portion of funds may be applied to the acquisition of equipment, such as computer hardware and copying machines. A grantee must justify the need for this equipment in relationship to implementing the TOP initiatives.

- Travel directly related to the successful completion of the required TOP Work Plan. All grantees must adhere to the travel policy established by HUD and must have received TOP orientation training prior to spending any TOP funds, with the exception of funds needed to attend a HUD-sponsored TOP orientation training. The policy sets travel costs at a maximum amount of \$5,000 per RC/RMC/RO (not applicable to NROs/RROs/SROs).

- Child care expenses for individual staff and board members, in cases where staff or board members who need child care are involved in training-related activities associated with the development of resident management entities. Not more than 2 percent of the total grant amount (0.02 times the grant award amount) may be used for expenses to support child care needs.

(10) *For NROs/RROs/SROs only:*

Organizing and establishing democratically elected and effective RCs/RMCs/ROs:

- Identify inactive RCs/RMCs/ROs that have RM/TOP grants and provide local training and technical assistance to enable the organizations to implement the RM/TOP Work Plan;
- Assist residents in organizing a RC/RMC/RO and provide appropriate training and technical assistance (i.e., incorporation, nonprofit status, by-laws, elections; buildings, floor, and block captains; leadership training; form a partnership with the HA; develop and implement a needs assessment survey). This list is not inclusive.
- Provide training and technical assistance to the resident organizations in accomplishing any of the eligible activities related to the TOP initiatives.
- Provision of training must be performed within the jurisdiction of the resident organization. This will require the trainer to be a local person or entity.

All NROs/RROs/SROs must be knowledgeable and adhere to all policies that relate to the RC/RMC/RO.

#### *L. Ineligible Activities*

Ineligible items or activities include, but are not limited to, the following:

- (1) Entertainment, including associated costs such as food and beverages, except normal per diem for meals related to travel performed in connection with implementing the TOP Work Plan. (See TOP Travel Notice for more specific guidance.)

(2) Purchase or rental of land or buildings or any improvements to land or buildings;

(3) Activities not directly related to the TOP initiatives, e.g., lead-based paint testing and abatement and operating capital for economic development activities;

(4) Purchase of any vehicle (car, van, bus, etc.) or any other property, other than as described under paragraph (9) of Section I.K, "Eligible Activities," of this NOFA, unless approved by HUD Headquarters or the local HUD Field Office;

(5) Architectural and engineering fees;

(6) Payment of salaries for routine project operations, such as security and maintenance, or for RC/RMC/RO staff, except that a reasonable amount of grant funds may be used to hire a person to coordinate the TOP grant activities or coordinate on-site social services;

(7) Payment of fees for lobbying services;

(8) Any fraudulent or wasteful expenditures or expenditures otherwise incurred contrary to HUD program regulations or directives will be considered ineligible expenditures, upon appropriate determination by an audit by HUD Field Office staff, and HUD will reduce the grantee's grant for the amount expended; and

(9) Any activity otherwise eligible under this NOFA for which funds are being provided from any other source.

#### *M. Selection Process*

Each application for a grant award that is submitted in a timely manner, as specified in the application kit, to the appropriate local HUD field office or Area Office of Native American Programs (ONAP) (see Appendix to this NOFA) and that otherwise meets the requirements of this NOFA, will be evaluated. An application for either a Basic Grant or an Additional Grant must receive a minimum score of 50 points (out of the maximum of 110 points) to be eligible for funding. NROs/RROs/SROs must receive a minimum score of 50 points (out of a maximum of 110) to be considered for funding. The local Field Office or Area ONAP will transfer all RC/RMC/RO applications to a grant review site for processing by a Grants Management Team. Upon completion of the review, all applications will be placed in an overall nationwide ranking order and funded until all funds are exhausted.

#### *N. Rating Factors—Basic Grants*

An application for funding for a Basic Grant will be reviewed based on the following Rating Factors (maximum of 110 points, including 10 bonus points).



(1) DESCRIBE THE ACTIVITIES AND GOALS OF THE RC/RMC/RO AND THE COMMUNITY (Maximum Points: 25):

- A high score (Maximum Points: 25) is received where the RC/RMC/RO identifies activities and describes the goals of the community. The applicant includes a detailed and structured plan for addressing the needs and accomplishing the overall goals of the RC/RMC/RO.

- A medium score (Maximum Points: 12) is received where the RC/RMC/RO identifies activities and describes the goals of the community, but the plan to address the needs and accomplish the goals is general.

- A low score (Maximum Points: 5) is received where the RC/RMC/RO does not identify any activities and the plan to address the needs and accomplish the goals of the community is unclear.

- A score of zero (0 points) will be given if the applicant fails to respond to this factor.

(2) EVIDENCE OF SUPPORT BY DEVELOPMENT'S RESIDENTS AND RESIDENT INVOLVEMENT IN THE RC's/RMC's/RO's ACTIVITIES (Maximum Points: 25):

- A high score (Maximum Points: 25) is received where the RC/RMC/RO describes support by the residents and provides documentation that shows support and the involvement of the residents in the RC's/RMC's/RO's activities. An applicant must submit a copy of a petition or other documentation (e.g., membership list) showing 75–100 percent of support and involvement of the residents, minutes of the RC's/RMC's/RO's recent monthly meeting, and the attendance log.

- A medium score (Maximum Points: 12) is received where the RC/RMC/RO describes support by the residents and the documentation of support includes a petition or other documentation (e.g., membership list) showing 50 percent of support and involvement of the residents.

- A low score (5 points) is received where the RC/RMC/RO describes support by the residents and the documentation of support includes documentation (e.g., petition, membership list) showing less than 50 percent of support and involvement of the residents.

- A score of zero (0 points) is received where the RC/RMC/RO fails to provide documentation of support by the development's residents and support is not mentioned in the narrative.

(3) EVIDENCE THAT THE RC/RMC/RO HAS A PARTNERSHIP WITH THE HA: (Maximum Points: 25 + 10 bonus points). Under this factor, 10 Bonus

Points will be given if the applicant can provide a narrative describing any additional partnerships the RC/RMC/RO has developed with the housing authority in order to implement other programs or initiatives such as Section 3 initiatives, HUD's Drug Elimination Program, Youth Sports Program, Comprehensive Grant (CGP), or other related initiatives. The narrative describing the additional partnerships must be signed by both the HA's Executive Director and a member of the RC's/RMC's/RO's Board. The narrative cannot include activities that are listed in the letter of support provided by the local HA.

- A high score (Maximum Points: 25) is received where the RC/RMC/RO provides a letter of support from the local HA that shows evidence that the HA and RC/RMC/RO have been working in partnership for at least 2 years, and the HA has provided opportunities and services such as training, contracts for services, transportation, and other in-kind services. (The letter must be signed by the local HA Executive Director.) There must be evidence that the HA has committed to support the RC/RMC/RO activities under the TOP program and has assisted in the preparation of the RC/RMC/RO's application for funding. The partnership must also be evidenced by submitting a copy of an executed Memorandum of Understanding (MOU).

- A medium score (Maximum Points: 12) is received where either: (i) The RC/RMC/RO provides a letter of support from the HA that states its support of the RC's/RMC's/RO's activities, but there is no evidence of a commitment to assist the RC/RMC/RO in implementing the TOP Work Plan or of a partnership established between the HA and the residents; or (ii) the RC/RMC/RO provides detailed documents (e.g., copies of correspondence exchanged with the HA, summaries of meetings held with the HA, and summaries of efforts made to establish a partnership with the HA) indicating that the residents have made a substantial effort to establish a partnership with the HA, but the HA will not support the RC's/RMC's/RO's activities.

- A low score (Maximum Points: 5) is received if the applicant mentions HA support or obstacles encountered in attempting to build a partnership with the HA.

- A score of zero (0 points) is received where the RC/RMC/RO fails to submit a letter of support or documentation of its efforts to obtain HA support.

(4) EVIDENCE THAT THE RC/RMC/RO HAS SUPPORT OF STATE/TRIBAL/LOCAL GOVERNMENT, COMMUNITY

ORGANIZATIONS, OR OTHER PUBLIC/PRIVATE SECTOR GROUPS (Maximum Points: 15)

- A high score (Maximum Points: 15) is received where the RC/RMC/RO provides copies of letters of support discussing specific assistance from three or more entities (e.g., State/Tribal/local government, community organizations, or other public/private sector groups).

- A medium score (Maximum Points: 7) is received where the RC/RMC/RO provides letters of support from two entities.

- A low score (Maximum Points: 3) is received where the RC/RMC/RO fails to provide any letters of support, but support of the State/Tribal/local government, community organizations, or other public/private sector groups is mentioned in the narrative.

- A score of zero (0 points) is received where the RC/RMC/RO fails to submit a letter of support or documentation of its efforts to obtain support from the State/Tribal/local government, community organizations, or other public/private sector groups.

(5) CAPABILITY OF RC/RMC/RO IN HANDLING FINANCIAL RESOURCES (Maximum Points: 10). This factor can be demonstrated by including previous experience of the RC/RMC/RO or by providing an explanation of how the financial resources will be obtained:

- A high score (Maximum Points: 10) is received where the RC/RMC/RO provides evidence of having 2 or more years of experience in handling financial resources and has adequate accounting procedures in place or lacks experience but has provided an acceptable plan (i.e., hiring the HA or other private organizations) to develop the financial controls.

- A medium score (Maximum Points: 5) is received where the RC/RMC/RO provides evidence of having 1 year of experience in handling financial resources, but no accounting procedures are established and no acceptable plan has been provided to hire the HA or other private organizations to develop the financial controls.

- A low score (Maximum Points: 2) is received where the RC/RMC/RO provides evidence of having less than 1 year of experience in handling financial resources.

- A score of zero (0 points) is received where the RC/RMC/RO has no experience in handling financial resources and there is clearly no accounting system or procedures established.

*O. Rating Factors—Additional Grants*

An application for funding for an Additional Grant will be reviewed based



on the following Rating Factors (maximum 110 points, including 10 bonus points).

(1) EVIDENCE OF ACCOMPLISHMENTS AND NEED FOR ADDITIONAL FUNDING (Maximum Points: 30):

- A high score (Maximum Points: 30) is received where the RC/RMC/RO provides a summary that includes accomplishments and a description of need for additional funding. Applicant must also provide evidence that shows the completion of all of the activities listed below, therefore demonstrating progress and a need for additional funding:

(a) Developed an active community organization that includes democratically elected officers (example: election certification signed by the local HA and/or an independent third-party organization and minutes of meetings);

(b) Developed by-laws pursuant to 24 CFR part 950, subpart O, or 24 CFR part 964, whichever is applicable, that govern the operation of the organization (example: a copy of the RC's/RMC's/RO's by-laws);

(c) Developed floor/block captains or residential community groups and program committees that are in training or had training to carry out specific tasks (example: a copy of a list that includes the floor/block captains or residential community groups and program committees, and training plan or certificate of completion of training);

(d) Developed a basic financial management and accounting system that will provide effective control over and accountability for all grant funds; (example: a certification that the accounting system is developed);

(e) Developed a Memorandum of Understanding (MOU) between the RC/RMC/RO and HA that states the elements of their relationship and delineates what support the HA will provide to the resident organization (e.g., on-the-job training, technical assistance, equipment, space, transportation, etc.) and the activities to be conducted by the RC/RMC/RO (example: a copy of an executed MOU between the RC/RMC/RO and HA); and

(f) Evidence of completing a course of TOP-related training (example: a copy of the certificate or letter from the consultant/trainer that indicates the successful completion of training by the RC/RMC/RO).

- A medium score (Maximum Points: 20) is received where the RC/RMC/RO provides a summary that includes accomplishments and a description of need for additional funding and submits evidence of completing four of the

activities listed under "high score" of this factor.

- A low score (Maximum Points: 10) is received where the RC/RMC/RO submits evidence of completing two of the activities listed under "high score" of this factor, but does not submit a summary that includes accomplishments and a description of need for additional funding.

- A score of zero (0 points) is given if the applicant does not submit a summary that includes accomplishments and a description of need for additional funding or evidence of accomplishing any of the activities listed under "high score" of this factor.

(2) EVIDENCE OF SUPPORT BY DEVELOPMENT'S RESIDENTS AND RESIDENT INVOLVEMENT IN THE RC's/RMC's/RO's ACTIVITIES (Maximum Points: 25):

- A high score (Maximum Points: 25) is received where the RC/RMC/RO describes support by the residents and provides documentation that shows support and the involvement of the residents in the RC's/RMC's/RO's activities. An applicant must submit a copy of a petition or other documentation (e.g., membership list) showing 75–100 percent of support and involvement of the residents, minutes of the RC's/RMC's/RO's recent monthly meeting, and the attendance log.

- A medium score (Maximum Points: 12) is received where the RC/RMC/RO describes support by the residents and the documentation of support includes a petition or other documentation (e.g., membership list) showing 50 percent of support and involvement of the residents.

- A low score (5 points) is received where the RC/RMC/RO describes support by the residents and the documentation of support includes documentation (e.g., petition, membership list) showing less than 50 percent of support and involvement of the residents.

- A score of zero (0 points) is received where the RC/RMC/RO fails to provide documentation of support by the development's residents and support is not mentioned in the narrative.

(3) EVIDENCE THAT THE RC/RMC/RO HAS A PARTNERSHIP WITH THE HA: (Maximum Points: 25 + 10 bonus points). Under this factor, *10 Bonus Points* will be given if the applicant can provide a narrative describing any additional partnerships the RC/RMC/RO has developed with the housing authority in order to implement other programs or initiatives such as Section 3 initiatives, HUD's Drug Elimination Program, Youth Sports Program, CGP, or

other related initiatives. The narrative describing the additional partnerships must be signed by both the HA's Executive Director and a member of the RC's/RMC's/RO's Board. The narrative cannot include activities that are listed in the letter of support provided by the local HA.

- A high score (Maximum Points: 25) is received where the RC/RMC/RO provides a letter of support from the local HA that shows evidence that the HA and RC/RMC/RO have been working in partnership for at least 2 years, and the HA has provided opportunities and services such as training, contracts for services, transportation, and other in-kind services. (The letter must be signed by the local HA Executive Director.) There must be evidence that the HA has committed to support the RC/RMC/RO activities under the TOP program and has assisted in the preparation of the RC/RMC/RO's application for funding. The partnership must also be evidenced by submitting a copy of an executed Memorandum of Understanding (MOU).

- A medium score (Maximum Points: 12) is received where either: (i) the RC/RMC/RO provides a letter of support from the HA that states its support of the RC's/RMC's/RO's activities, but there is no evidence of a commitment to assist the RC/RMC/RO in implementing the TOP Work Plan or of a partnership established between the HA and the residents; or (ii) the RC/RMC/RO provides detailed documents (e.g., copies of correspondence exchanged with the HA, summaries of meetings held with the HA, and summaries of efforts made to establish a partnership with the HA) indicating that the residents have made a substantial effort to establish a partnership with the HA, but the HA will not support the RC's/RMC's/RO's activities.

- A low score (Maximum Points: 5) is received if the applicant mentions HA support or obstacles encountered in attempting to build a partnership with the HA.

- A score of zero (0 points) is received where the RC/RMC/RO fails to submit a letter of support or documentation of its efforts to obtain HA support.

(4) EVIDENCE THAT THE RC/RMC/RO HAS THE SUPPORT OF THE STATE/TRIBAL/LOCAL GOVERNMENT, COMMUNITY ORGANIZATIONS, OR OTHER PUBLIC/PRIVATE SECTOR GROUPS (Maximum Points: 20)

- A high score (Maximum Points: 20) is received where the RC/RMC/RO provides copies of letters from three or more entities (e.g., State/Tribal/local

government, community organizations, or other public/private sector groups).

- A medium score (Maximum Points: 10) is received where the RC/RMC/RO provides letters of support from two entities.

- A low score (Maximum Points: 5) is received where the RC/RMC/RO provides a letter of support from one entity.

P. Rating Factors—NROs/RROs/SROs  
An application for funding will be reviewed based on the following Rating Factors (maximum of 110 points, including 10 bonus points).

(1) DESCRIBE THE GOALS AND OBJECTIVES OF THE NRO/RRO/SRO (Maximum Points: 30):

- A high score (Maximum Points: 30) is received where the NRO/RRO/SRO provides a detailed plan clearly describing methods for accomplishing the overall goals and objectives of organizing and training RCs/RMCs/ROs in the TOP initiatives. Applicants should also provide a description of the proposed training, identify selected trainers, and submit support letters from selected trainers and a list of RCs/RMCs/ROs that will receive training.

- A medium score (Maximum Points: 15) is received where the NRO/RRO/SRO provides a general outline of proposed methods for accomplishing the goals and objectives of organizing and training RCs/RMCs/ROs in the TOP initiatives.

- A score of zero (0 points) is received where the NRO/RRO/SRO does not clearly state the goals and objectives of the TOP initiative.

(2) EVIDENCE OF SUPPORT BY NRO/RRO/SRO BOARD OF DIRECTORS. (Maximum Points: 10):

- A high score (Maximum Points: 10) is received where the NRO/RRO/SRO provides documentation that shows support from its board of directors, as evidenced by a board resolution, minutes of meetings, and letters of support.

- A medium score (Maximum Points: 5) is received where the NRO/RRO/SRO provides documentation of support that is limited to minutes of meetings or letters of support.

- Low score (Maximum Points: 2) is received where the NRO/RRO/SRO fails to provide documentation of support, but support is mentioned.

(3) DESCRIPTION OF A PLAN TO FACILITATE THE CREATION OF A PARTNERSHIP(S) AMONG THE HA, RESIDENTS, AND OTHER LOCAL ORGANIZATIONS. (Maximum Points: 20 + 10 bonus points) *Ten Bonus Points* will be given if the applicant can provide a letter of support from the local HA of each RC/RMC/RO identified to

receive training/technical assistance in the application.

- A high score (Maximum Points: 20) is received where the NRO/RRO/SRO provides a detailed plan that clearly describes methods for facilitating the creation of a strong partnership among the HAs, residents, and other local organizations. The plan includes the advantages of the partnership to the residents and the community.

- A medium score (Maximum Points: 10) is received where the NRO/RRO/SRO provides a general outline of methods for facilitating the creation of a strong partnership among the HA, residents, and other local organizations.

- A score of zero (0 Points) is received where the NRO/RRO/SRO provides a plan that is not clear.

(4) TRAINING EXPERIENCE:

(4a) *EVIDENCE OF PRIOR RESIDENT TRAINING EXPERIENCE.* This factor can be demonstrated by the support of the RCs/RMCs/ROs. The letters of support should indicate the type and quality of prior training and how the training is being used by the RC/RMC/RO. (Maximum Points: 20)

- A high score (Maximum Points: 20) is received where the applicant provides documentation that shows support by the residents (i.e., letters of support and a list that includes each RC/RMC/RO that the NRO/RRO/SRO has provided training or technical assistance. The list must also include the type of contract the NRO/RROs/SRO has established with each RC/RMC/RO).

- A medium score (Maximum Points: 10) is received where the applicant provides documentation that is limited to a list that includes the RCs/RMCs/ROs to which the NRO/RRO/SRO has provided training or technical assistance. The list must also include the type of contract the NRO/RRO/SRO has established with each RC/RMC/RO.

- Low score (Maximum Points: 5) is received where the applicant fails to provide documentation of support by the development's residents, but support is mentioned.

(4b) *EVIDENCE OF THE CAPABILITY TO PROVIDE LOCAL TRAINING.* The applicant should demonstrate the ability to sustain the training and technical assistance through provision of local or on-site trainers and to coordinate these activities throughout the grant period. The applicant should also demonstrate that the residents will have access to continued training and technical assistance through the local provider after the completion of the grant period. (Maximum Points: 10):

- A high score (Maximum Points: 10) is received where the applicant provides a detailed plan clearly showing its

capability to identify and provide local training and to coordinate activities of the local training provider.

- A medium score (Maximum Points: 5) is received where the applicant provides a general description of its capability to identify and provide local training.

- A score of zero (0 points) is received where the applicant does not clearly state its capability to identify and provide local training.

(5) CAPABILITY OF HANDLING FINANCIAL RESOURCES. This factor can be demonstrated through previous experience, adequate financial control procedures, or similar evidence, or by an explanation of how such capability will be obtained. (Maximum Points: 10):

- A high score (Maximum Points: 10) is received where the NRO/RRO/SRO provides evidence of having 2 or more years of experience in handling financial resources and has adequate accounting procedures in place.

- A medium score (Maximum Points: 5) is received where the NRO/RRO/SRO provides evidence of having less than 2 years of experience in handling financial resources or has provided a plan for developing financial controls that are adequate.

- A score of zero (0 points) is received where the NRO/RRO/SRO has no experience in handling financial matters and does not submit evidence that shows that an adequate accounting system is in place or under development.

Q. *Top Work Plan/Training Programs/Performance Standards*

Each applicant is required to submit a TOP Work Plan that includes TOP-related activities that clearly show accomplishment of the RC's/RMC's/RO's goals within 3–5 years. The budget should include costs that are needed to implement each activity and training program/performance standard included in the TOP Work Plan. The projected budget should not exceed the maximum amount of \$100,000. The TOP Work Plan should also include training programs, against which HUD will measure performance standards based on task accomplishments and time frames; for example, how detailed is the TOP Work Plan; what is the time frame for accomplishing the tasks; what resources will be used to accomplish these tasks, etc. Therefore, it is essential that training programs/performance standards and time frames be designed to produce results. Grantees are required to complete at least two training programs/performance standards, one of which must be the training program/performance standard listed below as

number "1." These training programs/performance standards are not all-inclusive, and grantees may work with the HUD Field Office and the local HA to select other training programs/performance standards to meet their specific needs; however, the results must be measurable. Time frames for the suggested training programs/performance standards listed below are flexible, up to the limit established in each activity. Failure to meet the time frames may result in default of the Technical Assistance Grant (TAG) Agreement. Whenever the RC/RMC/RO hires a trainer or other expert for training/technical assistance, the training/technical assistance must be provided by a qualified housing management specialist, Consultant/Trainer, the HA, or other sources knowledgeable about the program.

#### Training Programs/Performance Standards

The training programs/performance standards include, but are not limited to:

1. Train block/building/floor captains, members of the RC/RMC/RO board, and other interested residents to increase its capacity as an organization. Examples may include, but are not limited to, establishing operating/planning committees and block/building/floor captains to carry out specific organization tasks and developing a cohesive relationship between the residents and the local community.

The training program must begin within 3–6 months after the TAG Agreement has been executed. All grantees must perform this training activity in a timely manner, because it serves to focus the resident community and will broaden participation by providing specific training to a large body of residents.

The following HUD requirements and training elements can be included in a training program:

- 24 CFR part 964 and part 950 (Public/Indian Housing).
- Training in civil rights requirements, including those for persons with disabilities.
- Procedures and guidelines governing TOP.
- Organization development.
- Conflict resolution and mediation.
- Techniques on planning and conducting organizational meetings.
- HUD regulations and policies governing the operation of low-income housing, which includes CGP, Section 3, etc.
- Procurement and contracting; financial management.

2. Develop strategies to decrease crime and violence by creating a sense of community responsibility and common concerns.

This training program must be in place within 6 months of completing TOP Work Plan Tasks 1 through 4; however, the results may take much longer. By completing the first training activity listed in number 1, above, there may be automatic progress made on this training activity, because crime and violence decreases when a sense of community begins to develop. Community and caring, combined with appropriate law enforcement, are the best tools against crime.

3. Train residents to develop a tutorial and scholarship program using a "Board of Very Important Persons (VIP)," such as Accountants, Bankers, Lawyers, officials in public/private agencies/organizations, to provide opportunities for educational attainment needed to perform resident-managed functions, including through institutions of higher learning.

This training program must be in place within 12 to 19 months of completing TOP Work Plan Tasks 1 through 4. This training activity may not be appropriate for every resident. The HA and grantee should work closely to develop strategies that fit the needs of the residents living in public/Indian housing.

4. Train residents in areas related to resident-owned businesses and provide technical assistance for job training and placement in the RMC development. This can be accomplished by using programs, such as the Section 3 jobs initiative or, for IHAs, Indian preference in accordance with 24 CFR Part 950.175 and Section 7(b) of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450e(b)).

This training program must be in place within 18 to 24 months of completing TOP Work Plan Tasks 1 through 4. This training activity may be achievable if developed in conjunction with the Section 3 technical assistance initiative and the Comprehensive Grant Program. The training strategy developed to implement the first training activity listed in number 1, above, can facilitate a practical approach to economic development and job training.

5. Train and provide technical assistance to residents in resident-managed business development.

This training program must be in place within 12 to 18 months of completing TOP Work Plan Tasks 1 through 4. This training activity would involve feasibility and market studies, development of business plans,

outreach activities and innovative financing methods involving revolving loan funds and legal advice in establishing a resident-managed business entity.

6. Train residents in areas related to social support needs.

This training program must be in place within 24 months of completing TOP Work Plan Tasks 1 through 4. This training activity may involve feasibility studies to determine training and social support needs; training in management-related employment training and counseling; coordination of support services; training for programs such as child care, early childhood development, parent involvement, volunteer services, parenting skills, and before and after school programs; and training programs on health, nutrition and safety.

7. Train residents in the development of strategies to implement successfully a youth program that will address the needs of the youth, such as reducing crime, drug use, violence, and teenage pregnancy.

This training program must be in place within 18 months of completing TOP Work Plan Tasks 1 through 4; however, results may take longer. This training activity could involve, for example, the needs and problems of youth; improving youth initiatives that are currently active; and training youth, housing authority staff, resident management corporations, and resident councils on youth initiatives and program activities.

8. Train residents in the management of public and Indian housing developments.

This training program must be in place within 24 months of completing TOP Work Plan Tasks 1 through 4. This training activity requires residents to establish a partnership with the HA, receive training relating to property management, and establish a dual/full management contract with the HA. The dual management contract allows residents to work jointly with the HA in preparation for managing certain functions in the development. The full management contract allows residents to manage certain functions at the development. Training may involve skills directly related to the operation, management, maintenance, and financial systems of a project; training of residents with respect to fair housing requirements; negotiating management contracts; designing a long-range planning system; and training on HUD regulations and policies governing the operation of low-income public housing.

9. Train residents to develop a homeownership plan under section 5(h) of the United States Housing Act of 1937) or an equivalent program.

This training program must be in place within 18 months of completing TOP Work Plan Tasks 1 through 4. Training would involve determining feasibility for homeownership by residents, including assessing the feasibility of other housing (including HUD-owned or -held single or multifamily) affordable for purchase by residents.

This training activity may result in residents developing a homeownership plan under the 5(h) (section 5(h) of the United States Housing Act of 1937, 42 U.S.C. 1437c(h)(5)) or an equivalent program and submitting the plan to HUD for approval.

General Top Work Plan Outline (for Basic and Additional Applicants)

(The TOP Work Plan in its entirety is provided in the TOP Application Kit.)

**TASK 1**—Organize public housing community and outreach to formulate basis to implement TOP initiatives.

**TASK 2**—Develop operating procedures for grant administration.

**TASK 3**—Develop memorandum of understanding (MOU) between the RC/RMC/RO and the HA based on collaborative principles, to empower the public housing community to implement TOP initiatives.

**TASK 4**—Develop a plan to obtain technical assistance and training to implement TOP initiatives.

**TASK 5**—Contract with consultant/trainer to obtain required training, guidance, and technical assistance in TOP initiatives.

**TASK 6**—Design, development, and implementation of resident and/or property management initiatives.

**TASK 7**—Design, development, and implementation of self-sufficiency programs.

**TASK 8**—Miscellaneous activities/expenditures.

**TASK 9**—Travel.

General Top Work Plan Outline (for NROs/RROs/SROs)

(The TOP Work Plan in its entirety is provided in the TOP Application Kit.)

**TASK 1**—Develop and implement an outreach strategy.

**TASK 2**—Organize resident groups.

**TASK 3**—Assist in organizing residents around concerns and issues of the TOP and other PIH programs as appropriate.

**TASK 4**—Develop strategies and implement a plan to ensure an effective partnership among RCs/RMCs/ROs, HAs, and the NROs/RROs/SROs.

**TASK 5**—Assist resident groups in implementing a strategy for developing TOP initiatives selected by the RC/RMC/RO.

#### *R. HUD Notification*

HUD will publish a listing of all successful applicants in the Federal Register, for public information.

#### *II. Checklist of Application Submission Requirements*

The application kit, which includes the NOFA, will contain a list of all application submission requirements to complete the application process.

#### *III. Application Process*

##### *A. Actions Preceding Application Submission*

Consistent with this NOFA, HUD may direct a HA to notify its existing RCs/RMCs/ROs of this funding opportunity. It is important for residents to be advised that, even in the absence of a RC/RMC/RO, the opportunity exists to establish a RC/RMC/RO before applying for funding. If no RC/RMC/RO exists for any of the developments, HUD encourages every HA to post this NOFA in a prominent location within the HA's main office, as well as in each development's office.

##### *B. Application Submission and Development*

(1) **Submission.** An application kit is required as the formal submission to apply for funding. The kit includes the overview of the TOP program, application requirements, forms, certifications, assurances, worksheets, selection criteria, TOP Work Plan, and budget information. An application kit may be obtained by writing the Resident Initiatives Clearinghouse, P.O. Box 6091, Rockville, MD 20850, or by calling the toll-free number: 1-800-955-2232. Requests for application kits must include your name, mailing address (including zip code), and telephone number (including area code), and should refer to document FR-4066. Applications may be requested beginning July 3, 1996. Applicants may access the TOP Application Kit through HUD's World Wide Web at <http://www.hud.gov/pih>. Each RC/RMC/RO and NRO/RRO/SRO must submit its application to the local HUD Field Office or, in the case of an IHA, to the appropriate HUD Office of Native American Programs, listed in the Appendix to this NOFA.

Each applicant must submit the original and two copies of its application. The Appendix lists addresses of HUD Field Offices that will accept a completed application. All

applications must be received by the local HUD Field Office no later than 3:00 p.m. (local time) on the deadline date listed in the application kit. In the interest of fairness to all competing applicants, any application that is received after the deadline date and time will be considered ineligible. Applicants should take this practice into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery-related problems. HUD will date-stamp incoming applications to evidence (timely or late) receipt, and, upon request, will provide an acknowledgement of receipt. Facsimile and telegraphic applications are not authorized and will not be considered.

HUD also encourages an applicant to submit a copy of the application to the HA for the jurisdiction in which the RC/RMC/RO is located.

(2) **Development.** The application must contain the following information:

(a) **RCs/RMCs/ROs:** Name and address of the RC/RMC/RO. Name and title of the board members of the RC/RMC/RO and date of the last election. A copy of the RC's/RMC's/RO's organizational documents (board resolution, charter, articles of incorporation (if incorporated)) and by-laws, narratives for all rating factors (Basic or Additional Grant), support letters, evidence needed for certain rating factors, forms, certifications, assurances, TOP Work Plan, budget, and training programs/performance standards information. Name and phone number of a contact person (in the event further information or clarification is needed during the application review process). Name, address, and phone number of the HA for the applicant's jurisdiction, to which inquiries may be addressed concerning the application.

(b) **NROs/RROs/SROs:** Name and address of the applicant. Name, title, and telephone number of a contact person (in the event further information or clarification is needed during the application review process). Name and title of the board members and date of last election. A copy of the articles of incorporation and nonprofit documents (i.e., by-laws, tax-exempt status or other organizational documents). Each NRO/RRO/SRO is required to list in the application the RCs/RMCs/ROs that the organization will train or provide technical assistance to, and to provide letters of support from each RC/RMC/RO identified in the application. In addition, the application should include the name and address of the HA for any jurisdiction in which the applicant proposes to organize new or inactive

RCs/RMCs/ROs and a proposed schedule of activities.

(c) *For all applicants:*

- The name of any development for which the funds are proposed to be used;
- A summary of the program proposed in the application. Also include in the summary the proposed length of time, in months, needed to complete TOP activities (i.e., 24 months, 36 months, etc). The maximum length to complete all activities is 5 years;
- The application must be signed by an authorized member of the board of the RC/RMC/RO or NRO/RRO/SRO (not the HA), and must include a resolution from the RC/RMC/RO or NRO/RRO/SRO stating that it agrees to comply with the terms and conditions established under this program and under 24 CFR parts 964 (for public housing) and 950 (for Indian housing); and
- Assurances (e.g., board resolution or certificate) that the RC/RMC/RO or NRO/RRO/SRO will comply with all applicable Federal laws, Executive Orders, regulations, and policies governing this program, including all applicable civil rights laws, regulations, and program requirements.

(3) *HA Support.* HUD is in full support of a cooperative relationship between each RC/RMC/RO and its HA. A resident organization is urged to involve its HA in the application planning and submission process. This can be achieved through meetings to discuss resident concerns and objectives and how best to translate these objectives into activities in the application. The RC/RMC/RO is also encouraged to obtain a letter of support from the HA, indicating to what extent the HA supports the proposed activities listed by the RC/RMC/RO and how the HA will assist the RC/RMC/RO. To foster partnership, HUD encourages NROs/RROs/SROs to obtain letters of support from the local HA of each RC/RMC/RO identified in the application to receive training/technical assistance.

#### IV. Training and Procurement Requirements

All grantees must adhere to the training and procurement requirements established by HUD. All grantees must attend a HUD-sponsored TOP orientation training before spending TOP funds, with the exception of funds needed to attend the training. If the grantee's grant agreement is executed and the organization is properly established in the LOCCS/VRS, the grantee must draw down the total amount needed to attend the training. If the grantee's grant agreement is not executed and the organization is not

properly established in the LOCCS/VRS, the grantee may request the HA to advance the organization the total amount needed to attend the HUD orientation training. The grantee must reimburse the HA when the organization is properly established in the LOCCS/VRS.

#### A. Training Requirements

(1) RC/RMC/RO grantees are required to have training, and NRO/SRO/RRO grantees are requested to provide training, in the areas listed below, but the amount and scope of training will depend on the resident groups' goals. For example, training required to assume property management is more extensive than training needed to establish a landscaping enterprise. The required training areas are:

(a) HUD regulations and policies governing the operation of low-income housing, which includes the part 900 series of 24 CFR; Section 3 (of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u), implemented in 24 CFR part 135; other Fair Housing Act requirements; and applicable civil rights laws as implemented for public housing (24 CFR part 964) and Indian housing (24 CFR part 950);

(b) Financial management, including budgetary and accounting principles and techniques, in accordance with Federal guidelines, including OMB Circulars A-110 (and implementing regulations at 24 CFR part 84) and A-122, which contain Federal administrative requirements for grants, and A-133, relating to audit requirements for nonprofit organizations;

(c) Capacity building to develop the necessary skills to assume management responsibilities at the project; and

(d) Based on the goals of the RC/RMC/RO, property management or any TOP activities training that is required.

(2) Each grantee must ensure that this training is provided by a qualified housing management specialist (Consultant/Trainer) or the local HA. The RC/RMC/RO may spend up to \$15,000 to hire an individual consultant to assist in implementing the TOP Work Plan Tasks 1 through 4. The total allowed for hiring an individual consultant to assist in implementing the TOP Work Plan Tasks 5 through 7 shall not exceed 50 percent of the total award to the grantee or \$50,000, whichever is less.

#### B. Reporting Requirements

Grantees participating in TOP are required to submit Semiannual Reports Form (HUD) 52370, which will evaluate the progress in carrying out the

approved TOP workplan/budget. Grantees shall submit the report on a semiannual basis for the periods ending June 30 and December 31. The reports must be submitted to HUD within 30 days after the end of each semiannual reporting period. No grant payments will be approved for drawdown through the Line of Credit Control System/Voice Response System (LOCCS) for grantees with overdue progress reports.

#### C. OMB Procurement Requirements

(1) The resident grantees must follow 24 CFR part 84, which implements OMB Circulars A-110 and A-122, prescribing standards and policies essential to the proper execution of procurement transactions, including standards of conduct for resident grantees' employees, officers, or agents engaged in procurement actions, to avoid any conflict of interest.

(2) To ensure the successful implementation of the TOP Work Plan activities, the RC/RMC/RO is required to determine the need to contract for outside consulting/training services, after considering its own capacity. Each RC/RMC/RO is encouraged to make maximum use of its HA, nonprofits, or other Federal, State, or local government resources for technical assistance and training needs. To ensure the successful implementation of the TOP Work Plan activities, each Basic Grantee may use up to \$15,000 to obtain a consultant/trainer from the TOP database of registered consultant/trainers for assistance in implementing Tasks 1 through 4 of the TOP Work Plan.

(3) HUD encourages all interested consultants/trainers to register to participate in the TOP by completing the Consultant/Trainer Checklist included as an appendix to this NOFA and mailing it to the following address: Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Resident Involvement, 451 7th Street, SW Room 4112, Washington, D.C. 20410.

The TOP grantee may select the HA to serve as the consultant/trainer; however, the HA must register to be included in the TOP database. Grantees may invite other familiar consultants/trainers to register in the TOP database.

(4) After completion of Tasks 1 through 4 of the TOP Work Plan, the RC/RMO/RO may hire a consultant/trainer to assist in the implementation of Tasks 5 through 7 of the TOP Work Plan. The grantees must follow 24 CFR 84, which implements OMB Circular A-110 and prescribes standards and policies essential to ensure open and free competition for the proper execution of procurement transactions,

when selecting a consultant/trainer. HUD will make available the source list of registered consultant/trainers upon request, for use in a competitive solicitation for consultant services to assist the RC/RMC/RO in implementing TOP Work Plan Tasks 5 through 7 of the TOP Work Plan. The amount allowed for hiring an individual consultant for this purpose shall not exceed 50 percent of the total grant award or \$50,000, whichever is less. HUD Field Offices will monitor this process to ensure compliance with these requirements.

#### V. Corrections to Deficient Applications

HUD will notify an applicant in writing of any technical deficiencies in the application. Any deficiency capable of cure will involve only items not necessary for HUD to assess the merits of an application against the Rating Factors specified in this NOFA. For example, signatures needed on certain forms, certifications, TOP Work Plan, budget, and other required forms may be considered curable deficiencies. All applicants, including NROs/RROs/SROs, must submit corrections to the local HUD Field Office (including Area ONAPs, as appropriate) within 14 calendar days from the date of HUD's letter notifying the applicant of any technical deficiency. If corrections are received by the local Field Office after the 14-day time frame, the applications will be considered incomplete and will not be considered for funding.

After the application due date, applicants will not have an opportunity to submit independently information omitted from the application that directly relates to the rating factors contained in the sections on rating factors in this NOFA (Sections I.N-I.P.), so as to enhance the merits of the application. HUD encourages all applicants to submit all documents with their applications before the due date, so that applicants will not be affected by the technical deficiency period.

#### VI. Other Matters

##### A. Freedom of Information Act

Applications submitted in response to this NOFA are subject to disclosure under the Freedom of Information Act (FOIA). To assist the Department in determining whether to release information contained in an application in the event a FOIA request is received, an applicant may, through clear earmarking or otherwise, indicate those portions of its application that it believes should not be disclosed. The applicant's views will be used solely to aid the Department in preparing its response to a FOIA request; the

Department is required by the FOIA to make an independent evaluation of the information.

HUD suggests that an applicant provide a basis, when possible, for its belief that confidential treatment is appropriate; general assertions or blanket requests for confidentiality, without more information, are of limited value to the Department in making determinations concerning the release of information under FOIA. The Department is required to segregate disclosable information from non-disclosable items, so an applicant should be careful to identify each portion of the application for which confidential treatment is requested.

The Department emphasizes that the presence or absence of comments or earmarking regarding confidential information will have no bearing on the evaluation of applications submitted in response to this solicitation.

##### B. Environmental Impact

In accordance with 40 CFR 1508.4 of the regulations of the Council on Environmental Quality and 24 CFR 50.20(b) of the HUD regulations, the policies and procedures contained in this rule relate only to technical assistance and, therefore, are categorically excluded from the requirements of the National Environmental Policy Act.

##### C. Executive Order 12606, The Family

The General Counsel, as the Designated Official under Executive Order 12606, *The Family*, has determined that this notice does not have potential for significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under the Order. No significant change in existing HUD policies or programs will result from promulgation of this notice, as those policies and programs relate to family concerns.

##### D. Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that the policies contained in this notice will not have substantial direct effects on States or their political subdivisions, or on the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government. As a result, the notice is not subject to review under the Order. The NOFA will fund technical assistance and activities for resident management and other TOP initiatives of public and Indian housing.

It will have no meaningful impact on States or their political subdivisions.

##### E. Documentation and Public Access Requirements; Applicant/Recipient Disclosures: HUD Reform Act

*Documentation and public access requirements.* Pursuant to Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) (HUD Reform Act), HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Materials will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in a Federal Register notice of recipients of HUD assistance awarded on a competitive basis. (See section 102 and 24 CFR part 4, subpart A, as published on April 1, 1996 (61 FR 14448).)

*Disclosures.* HUD will make available to the public for 5 years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than 3 years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15.

##### F. Prohibition Against Advance Information on Funding Decisions

HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) (Reform Act), codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons

who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics-related questions should contact the HUD Office of Ethics (202) 708-3815 (TTY/Voice) (this is not a toll-free number). Any HUD employee who has specific program questions, such as whether particular subject matter can be discussed with persons outside the Department, should contact the appropriate Field Office Counsel or Headquarters counsel for the program to which the question pertains.

G. Information Collection Burden

The Department is soliciting comments, as required under 5 CFR 1320.8(d), before submitting the information collection requirements contained in this NOFA to OMB for renewal of the control number in accordance with 5 CFR 1320.10. The Department is seeking comments from members of the public and affected agencies concerning the proposed collection of information to:

(1) Evaluate whether the proposed collection of information is necessary

for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Interested persons are invited to submit comments regarding the information collection requirements in this proposal. Comments must be received within 60 days from the date of this proposal. Comments must refer to the proposal by name and docket number (FR-4066-N-01) and must be sent to: Reports Liaison Officer, Office of Community Relations and Involvement, Department of Housing and Urban Development, 451 7th Street, SW, Room 4112, Washington, DC 20410-3600.

This Notice also lists the following information:  
*Title of Proposal:* NOFA for FY 1996 for the Public and Indian Housing Tenant Opportunities Program—Technical Assistance.

*Description of the Need for the Information and Proposed Use:* This information collection is required in connection with the issuance of this NOFA, announcing the availability of \$15 million to Resident Councils (RCs)/Resident Management Corporations (RMCs)/Resident Organizations (ROs), of which \$500,000 is set-aside for National Resident Organizations (NROs)/Regional Resident Organizations (RROs)/Statewide Resident Organizations (SROs) to provide technical assistance and training activities under the TOP program.

*Form Number:* None.  
*Members of Affected Public:* State and local governments.  
*Estimation of the Total Number of Hours Needed to Prepare the Information Collection including Number of Respondents, Frequency of Response, and Hours of Response:*

	Number of re-spond-ents	Fre-quency of re-sponses	Hours per re-sponse	Burden hours
Application Development .....	5225	10	41	21,422
Total Estimated Burden Hours: 21,422.				

H. Drug-Free Workplace Certification

The Drug-Free Workplace Act of 1988 (42 U.S.C. 701) requires grantees of federal agencies to certify that they will provide drug-free workplaces. Each potential recipient under this NOFA must certify that it will comply with

drug-free workplace requirements in accordance with the Act and with HUD's rules at 24 CFR part 24, subpart F.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance program number is 14.853.

Authority: 42 U.S.C. 1437r; 42 U.S.C. 3535(d).  
Dated: June 27, 1996.  
Michael B. Janis,  
General Deputy Assistant Secretary for Public and Indian Housing.  
BILLING CODE 4210-33-P



**Tenant Opportunities Program****Consultant/Trainer Checklist**

Public Housing Tenant Opportunities Program (TOP) Technical Assistance

**U.S. Department of Housing  
and Urban Development**  
Office of Public and Indian Housing

APPENDIX A

OMB Approval No. 2577-0087 (exp.08/31/96)

**Public reporting burden** for this collection of information is estimated to average 16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Paperwork Reduction Project (2577-0087), Office of Information Technology, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600.

**Do not send this form to the above address.**

Completion of this form is voluntary, but if you wish to provide technical assistance, it will ensure that your primary areas of interest/expertise are recorded. Data collected is publicly available. The collection of this information is authorized by Sections 23(c) and (g) of the U.S. Housing Act of 1937 as amended by Section 554 of the Cranston-Gonzales National Affordable Housing Act, P.L. 101-625. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

**Privacy Act Statement:** The U.S. Housing Act of 1937, as amended, authorizes the Department of Housing & Urban Development (HUD) to collect all the information on this form. The Housing & Community Development Act of 1987, 42 U.S.C. 3543 authorizes HUD to collect Social Security Numbers (SSN). The information will be used to help manage the number and quality of consultants participating in the program. Specifically, the information will allow HUD to categorize consultants by field of expertise, geographic location, check references, and determine daily fees. The SSN is used as a unique identifier. HUD may disclose this information to Federal, State and local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. It will not be otherwise disclosed or released outside of HUD, except as required and permitted by law. Failure to provide the information could result in HUD's denial of proposed management or fees or cancellation of management contracts for noncompliance with HUD procedures. Providing the SSN is mandatory, and failure to provide it could affect your participation in HUD programs.

Please answer all the following questions. Part 1 asks for your name and other personal information and your business mailing address. Part 2 requests you identify from a list your specific capabilities and skills. Part 3 requests information about your references and background.

**Part 1: Personal Information**

Your Last Name	Your First Name	Your Social Security Number	Your Home Phone (Include Area Code)
Your Mailing Address (Department)			
Office			
Street Address			Business Phone (Include Area Code)
City, State & Zip Code			Business Fax (Include Area Code)

**Part 2: Skills Inventory**

Please identify the types of projects you feel you would be most effective in providing technical assistance. Refer to the categories on the back of this form. These categories are refined further into specific Skill Areas. Please review the categories listed, and then list the specific Skill Areas (eg. A204, C303) which best fits your capabilities and interests in the spaces provided below. You may list up to 15 Skill Areas. Please attach a narrative capability statement and approach to giving drug technical assistance in the Skill Areas you list.

Skill 1	Skill 2	Skill 3	Skill 4	Skill 5	Skill 6	Skill 7	Other (specify)
Skill 8	Skill 9	Skill 10	Skill 11	Skill 12	Skill 13	Skill 14	

**Part 3: Work References** (Please list at least three references. At least one should be a Housing Agency, Resident Management Corp., or Resident Council you have provided services for.)

Name and Address of Reference	Contact Person	Phone Number (Include Area Code)
1.		
2.		
3.		

**Part 3: Background**

Do you have experience working with persons who: speak only Spanish? Yes ☐ No ☐ are  
Native Americans? Yes ☐ No ☐

Do you have a criminal record? Yes ☐ No ☐ Having a criminal record may not prevent you from participating in the program. If you checked "Yes," please explain: (attach additional information if necessary.)

Have you completed all parts of this form? Yes ☐ No ☐

Have you attached a narrative capability statement that explains your experience in the Skill Areas you listed in Part 2? Yes ☐ No ☐

Have you attached your resume? Yes ☐ No ☐

Have you attached your rate of pay justification? Yes ☐ No ☐ This could include a previous invoice for similar work, a recent W-2 form, or an accountant's statement.

**Incomplete applications will be returned**

form HUD-52371 (05/15/96)

## APPENDIX A

**Resource Skill Areas****A Agency Organization and Management**

A101 Reserved  
 A202 Reserved  
 A203 Reserved  
 A204 Eviction Procedures  
 A205 Lease Agreements  
 A206 Legal Issues and Services  
 A207 M.I.S./Records Management  
 A208 Management Concepts, Systems and Techniques  
 A209 Analysis/Study  
 A210 Organizational Development  
 A211 Policy/Mission Development  
 A212 Population Management  
 A213 Screening Procedures  
 A214 Contract Negotiations  
 A999 Other (Specify)

**B Facility Operations (Reserved)****C Program Development**

C301 Action Planning  
 C302 Crises Intervention/Mediation/Conflict Resolution  
 C303 Designing/Implementing Programs  
 C304 Facilitation of Work Groups  
 C305 Needs Assessment/Surveys  
 C306 Program Evaluation  
 C307 Public/Private Partnerships  
 C308 Reserved  
 C309 Strategic Planning  
 C310 Training Design and Development  
 C311 Training Delivery Strategies  
 C312 Reserved  
 C313 Use of Volunteers  
 C314 Working With Local/State Elected Officials  
 C315 Working With State Legislatures  
 C316 Working in Multi-Cultural Populations  
 C317 Self Sufficiency Program  
 C999 Other (Specify)

**D Prevention/Intervention Programs**

D401 Aftercare  
 D402 Community Outreach  
 D403 Community Based Treatment  
 D404 Reserved  
 D405 Reserved  
 D406 Family Meetings  
 D407 Intervention/Referral  
 D408 Reserved  
 D409 Reserved  
 D410 Parent Education  
 D411 Parenting/Family Management  
 D412 Peer Support Programs  
 D413 Personal Goal Setting  
 D414 Reserved  
 D415 Resident Assistance Programs  
 D416 Student Assistance Programs  
 D417 Reserved  
 D418 Youth Resistance Training  
 D419 Youth Leadership  
 D999 Other (Specify)

**E Anti-Crime Strategies**

E501 Reserved  
 E502 Reserved  
 E503 Reserved  
 E504 Reserved  
 E505 Reserved  
 E506 Reserved  
 E507 Reserved  
 E508 Hotlines/Tiplines  
 E509 Neighborhood Watch  
 E510 Reserved  
 E511 Resident Patrols  
 E512 Reserved  
 E513 Reserved  
 E514 Reserved  
 E999 Other (Specify)

**F Alternative Programs**

F601 4-H  
 F602 Big Brothers/Big Sisters  
 F603 Boys/Girls Clubs  
 F604 Career Planning  
 F605 College/Scholarship Programs  
 F606 Education/GED  
 F607 Entrepreneurship  
 F608 Foster Grandparents  
 F609 Reserved  
 F610 Job Placement/Follow-up  
 F611 Job Training  
 F612 Reserved  
 F613 Mentor/Surrogate Relationships  
 F614 Reserved  
 F615 Reserved  
 F616 Reserved  
 F617 Sports/Cultural Activities  
 F618 Tutoring  
 F619 Vocational Training  
 F999 Other (Specify)

**G Community/Resident Organization and Leadership Training**

G700 Community Organizing  
 G701 Working with Residents or Resident Involvement  
 G702 Resident Management  
 G703 Economic Development  
 G704 Procedures/Guidelines governing TOP  
 G705 Financial Management/Accounting  
 G706 Property Management  
 G707 Procurement and Contracting  
 F999 Other (Specify)

Appendix B—Names, Addresses, and Telephone Numbers of HUD Field Offices Accepting Applications for Tenant Opportunities Program Technical Assistance

*Massachusetts State Office*

Public Housing Division, Room 375, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Boston, Massachusetts 02222-1092, (617) 565-5234

*Connecticut State Office*

Public Housing Division, First Floor, 330 Main St., Hartford, Connecticut 06106-1860, (203) 240-4523

*New Hampshire State Office*

Public Housing Division, Norris Cotton Federal Building, 275 Chestnut St., Manchester, New Hampshire 03101-2487, (603) 666-7681

*Rhode Island State Office*

Public Housing Division, Sixth Floor, 10 Weybosset Street, Providence, Rhode Island 02903-3234, (401) 528-5351

*New York State Office*

Public Housing Division, 26 Federal Plaza, New York, New York 10278-0068, (212) 264-6500

*Buffalo Area Office*

Public Housing Division, 465 Main Street, Lafayette Court, 5th Floor, Buffalo, New York 14203-1780, (716) 551-5755

*New Jersey State Office*

Public Housing Division, One Newark Center, Thirteenth Floor, Newark, New Jersey 07102-5260, (201) 622-7900

*Washington, D.C. Office*

Public Housing Division, 820 First St. N.E., Suite 300, Washington, D.C. 20002-4502, (202) 275-9200

*Pennsylvania State Office*

Public Housing Division, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390, (215) 656-0579

*Maryland State Office*

Public Housing Division, City Crescent Building, 10 South Howard St., 5th Floor, Baltimore, Maryland 21202-2505, (410) 962-2520

*Pittsburgh Area Office*

Public Housing Division, 339 Sixth Avenue, Pittsburgh, Pennsylvania 15222-2515, (412) 644-6428

*Virginia State Office*

Public Housing Division, The 3600 Centre, 3600 West Broad St., P.O. Box 90331, Richmond, Virginia 23230-0331, (804) 278-4559

*West Virginia State Office*

Public Housing Division, 405 Capitol St., Suite 708, Charleston, West Virginia 25301-1795, (304) 347-7000

*Georgia State Office*

Public Housing Division, Richard B. Russell Federal Building, 75 Spring Street, S.W.,

Atlanta, Georgia 30303-3388, (404) 331-5136

*Alabama State Office*

Public Housing Division, Beacon Ridge Tower, 600 Beacon Parkway West, Suite 300, Birmingham, Alabama 35209-3144, (205) 290-7617

*Kentucky State Office*

Public Housing Division, P.O. Box 1044, 601 W. Broadway, Louisville, Kentucky 40201-1044, (502) 582-6163

*Mississippi State Office*

Public Housing Division, Dr. A. H. McCoy Federal Building, 100 West Capitol St., Suite 910, Jackson, Mississippi 39269-1096, (601) 965-5308

*North Carolina State Office*

Public Housing Division, Koger Building, 2306 W. Meadowview Rd., Greensboro, North Carolina 27407-3707, (910) 547-4001

*Caribbean Office*

Public Housing Division, New San Juan Office Building, 159 Carlos E. Chardon Ave., San Juan, Puerto Rico 00918-1804, (809) 766-6121

*South Carolina State Office*

Public Housing Division, Strom Thurmond Federal Building, 1835 Assembly St., Columbia, South Carolina 29201-2480, (803) 765-5592

*Knoxville Area Office*

Public Housing Division, John J. Duncan Federal Building, 710 Locust St. 3rd Floor, Knoxville, Tennessee 37902-2526, (615) 545-4384

*Tennessee State Office*

Public Housing Division, 251 Cumberland Bend Drive, Suite 200, Nashville, Tennessee 37228-1803, (615) 736-5213

*Jacksonville Area Office*

Public Housing Division, Southern Bell Tower, 301 West Bay Street, Suite 2200, Jacksonville, Florida 32202-5121, (904) 232-2626

*Illinois State Office*

Public Housing Division, Ralph Metcalfe Federal Building, 77 West Jackson Boulevard, Chicago, Illinois 60604-3507, (312) 353-5680

*Michigan State Office*

Public Housing Division, Patrick V. McNamara Federal Building, 477 Michigan Ave., Detroit, Michigan 48226-2592, (313) 226-7900

*Indiana State Office*

Public Housing Division, 151 North Delaware St., Indianapolis, Indiana 46204-2526, (317) 226-6303

*Grand Rapids Area Office*

Public Housing Division, Trade Center Building, 50 Louis, N.W., Grand Rapids, Michigan 49503-2648, (616) 456-2127

*Minnesota State Office*

Public Housing Division, 220 2nd St. South, Bridge Place Building, Minneapolis, Minnesota 55401-2195, (612) 370-3000

*Cincinnati Area Office*

Public Housing Division, 525 Vine St., 7th Floor, Cincinnati, Ohio 45202-3188, (513) 684-2884

*Cleveland Area Office*

Public Housing Division, Renaissance Building, 1350 Euclid Ave., 5th Floor, Cleveland, Ohio 44115-1815, (216) 522-4058

*Ohio State Office*

Public Housing Division, 200 North High Street, Columbus, Ohio 43215-2499, (614) 469-5737

*Wisconsin State Office*

Public Housing Division, Henry S. Reuss Federal Plaza, 310 W. Wisconsin Ave., Suite 1380, Milwaukee, Wisconsin 53203-2289, (414) 297-3214

*Texas State Office*

Public Housing Division, 1600 Throckmorton, P.O. Box 2905, Fort Worth, Texas 76113-2905, (817) 885-5401

*Houston Area Office*

Public Housing Division, Norfolk Tower, 2211 Norfolk, Suite 200, Houston, Texas 77098-4096, (713) 834-3274

*San Antonio Area Office*

Public Housing Division, Washington Square Building, 800 Dolorosa St., San Antonio, Texas 78207-4563, (210) 229-6783

*Arkansas State Office*

Public Housing Division, TCBY Tower, 425 West Capitol Ave., Little Rock, Arkansas 72201-3488, (501) 324-5931

*Louisiana State Office*

Public Housing Division, Fisk Federal Building, 1661 Canal St., Suite 3100, New Orleans, Louisiana 70112-2887, (504) 589-7200

*New Mexico State Office*

Public Housing Division, 625 Truman Street N.E., Albuquerque, NM 87110-6443, (505) 262-6463

*Oklahoma State Office*

Public Housing Division, 500 W. Main Street, 3rd Floor, Oklahoma City, OK 73102-3202, (405) 553-7559

*Nebraska State Office*

Public Housing Division, 10909 Mill Valley Rd., Omaha, Nebraska 68154-3955, (402) 492-3100

*St. Louis Area Office*

Public Housing Division, Robert A. Young Federal Building, 1222 Spruce St. Room 3207, St. Louis, Missouri 63103-2836, (314) 539-6583

*Kansas/Missouri State Office*

Public Housing Division, Room 200, Gateway Tower II, 400 State Avenue, Kansas City, Kansas 66101-2406, (913) 551-5462

*Iowa State Office*

Public Housing Division, Federal Building,  
210 Walnut St., Rm. 239, Des Moines, Iowa  
50309-2155, (515) 284-4512

*Colorado State Office*

Public Housing Division, 633 17th Street,  
First Interstate Tower North, Denver,  
Colorado 80202-3607, (303) 672-5440

*California State Office*

Public Housing Division, Philip Burton  
Federal Building & U.S. Courthouse, 450  
Golden Gate Avenue, P.O. Box 36003, San  
Francisco, California 94102-3448, (415)  
556-4752

*Hawaii State Office*

Public Housing Division, 7 Waterfront Plaza,  
500 Ala Moana Blvd., Suite 500, Honolulu,  
Hawaii 96813-4918, (808) 522-8185

*Los Angeles Area Office*

Public Housing Division, 1615 W. Olympic  
Blvd., Los Angeles, California 90015-3801,  
(213) 251-7122

*Sacramento, California Office*

Public Housing Division, 777 12th St., Suite  
200, Sacramento, California 95814-1997,  
(916) 551-1351

*Arizona State Office*

Public Housing Division, Two Arizona  
Center, 400 N. 5th St., Suite 1600, Phoenix,  
Arizona 85004-2361, (602) 379-4434

*Oregon State Office*

Public Housing Division, Cascade Building,  
400 Southwest Sixth Ave., Suite 700,  
Portland, Oregon 97204-1596, (503) 326-  
2661

*Washington State Office*

(Alaska public housing applicants send  
applications to address below)

Public Housing Division, Suite 360, Seattle  
Federal Office Building, 909 First Avenue,  
Seattle, Washington 98104-1000, (206)  
220-5292

*Native American Program Offices*

Serves: All States East of the Mississippi  
River and Iowa:

Mr. Frances Harjo, Administrator, Eastern/  
Woodlands Office of Native American  
Programs, 5P, 77 W. Jackson Boulevard,  
24th Floor, Chicago, Illinois 60604-3507,  
(312) 353-1282 or 1-800-735-3239, TDD—  
1-800-927-9275 or (312) 886-3741

Serves: Oklahoma, Kansas, Missouri,  
Texas, Arkansas, and Louisiana:

Mr. Wayne Simms, Administrator, Southern  
Plains Office of Native American Programs,  
6.7P, 500 W. Main Street, Suite 400,  
Oklahoma City, OK 73102-3202, (405)  
553-7520

Serves: Colorado, Montana, the Dakotas,  
Nebraska, Utah, and Wyoming:

Mr. Vernon Haragara, Administrator,  
Northern Plains Office of Native American

Programs, 8P, First Interstate Tower North,  
633 17th Street, Denver, Colorado 80202-  
3607, (303) 672-5462

Serves: California, Nevada, Arizona, and  
New Mexico:

Mr. Raphael Mecham, Administrator,  
Southwest Office of Native American  
Programs, Two Arizona Center, 9 OIP, 400  
N. Fifth Street, Suite 1650, Phoenix,  
Arizona 85004, (602) 379-4156

Administrator, Southwest Office of Native  
American Programs, Albuquerque Division  
of Native American Programs, 9EPIDI,  
Albuquerque Plaza, 201 3rd Street, NW,  
Suite 1830, Albuquerque, NM 87102-3368,  
(505) 766-1372

Serves: Washington, Idaho, and Oregon:

Mr. Jerry Leslie, Administrator, Northwest  
Office of Native American Programs, 10PI,  
Seattle Federal Office Building, 909 First  
Avenue, Suite 300, Seattle, Washington  
98104, (206) 220-5270

Serves: Alaska:

Mr. Marlin Knight, Administrator, Alaska  
Office of Native American Programs,  
10.1PI, University Plaza Building, 949 East  
36th Avenue, Suite 401, Anchorage, Alaska  
99508-4399, (907) 271-4633

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