



**U.S. Department of Housing and Urban Development**

Community Planning and Development

Fiscal Years 2023 and 2024 Preservation and Reinvestment Initiative for Community  
Enhancement (PRICE) Competition MODIFICATION

FR-6700-N-99

07/10/2024

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**Program Office:**

Community Planning and Development

**Funding Opportunity Title:**

Fiscal Years 2023 and 2024 Preservation and Reinvestment Initiative for Community Enhancement (PRICE) Competition MODIFICATION

**Funding Opportunity Number:**

FR-6700-N-99

**Assistance Listing Number (formerly CFDA Number):**

14.024

**Due Date for Applications:**

07/10/2024

## OVERVIEW

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

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

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

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

**OMB Approval Number(s):**

2506-0221

## I. FUNDING OPPORTUNITY DESCRIPTION

### A. Program Description

#### 1. Purpose

More than 22 million Americans currently live in manufactured housing.<sup>[1]</sup> Manufactured housing units account for approximately seven percent of occupied housing stock nationwide and fifteen percent in rural areas.<sup>[2]</sup> Manufactured housing is also the largest source of unsubsidized affordable housing in the country, making it a crucial piece of the nation's affordable housing stock.<sup>[3]</sup> The median household income of manufactured housing unit owners is about half the median household income of site-built homeowners. <sup>[4]</sup>

Manufactured housing can be permanently affixed to the lot underneath or be affixed to a support and anchoring system that allows the home to be relocated more easily. Manufactured housing is subject to HUD certification requirements pursuant to the regulations set forth in 24 CFR part 3282 (Manufactured Home Procedural and Enforcement Regulation) and the Manufactured Home Construction and Safety Standards set forth in 24 CFR 3280 (see the definition of manufactured housing in 24 CFR 3280.2).

There are many significant challenges that may impact housing stability for those that live in manufactured homes. Despite perceptions of manufactured housing as “mobile,” manufactured housing can be very expensive and complicated to move, and more than 90% of manufactured homes do not move after the initial installation.<sup>[5]</sup> This can present a significant challenge for owners of manufactured homes who do not own the lot underneath their unit (referred to as “homesite renters” for the purposes of this NOFO). For some manufactured housing owners who rent a lot in a manufactured housing community (MHC), there is the potential for landowners or investors to increase lot rents, forcing homesite renters to make a difficult decision: pay to move their home, pay the increased rent, or leave their valuable asset.

Due to state titling laws, many prospective homeowners looking to purchase a manufactured home may have no option but to finance their home with personal property or “chattel” loans, which often have higher interest rates than typical real property mortgages. Many older manufactured homes require repairs or enhancements to make them livable and suitable to their environment, or they are sited in hazard prone areas. Meanwhile, nearly a third of households living in manufactured housing are headed by an elderly individual, and manufactured housing households have a higher prevalence of a significant disability.<sup>[6]</sup> These vulnerable populations need access to infrastructure such as sidewalks, ramps, accessible parking, broadband access, and other amenities that are often unavailable for residents of manufactured housing. The infrastructure serving manufactured housing communities is often self-operated, not built to high standards, and has become increasingly stressed by deferred maintenance and extreme climate and weather events.<sup>[7]</sup>

HUD is issuing the Preservation and Reinvestment Initiative for Community Enhancement (PRICE) competition NOFO to preserve long-term housing affordability for residents of manufactured housing or an MHC, to redevelop MHCs, and to primarily benefit low- and moderate-income (LMI) residents. This NOFO is authorized by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022) and the Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024). This modification incorporates the funding of \$10 million from the FY2024 appropriation for PRICE into the FY2023 competition. This modification also increases the funding intended for Tribal Applicants. Of the funding available from the FY2024 appropriation, \$1 million is reserved for Tribal Applicants. Congress appropriated in FY2023 and FY2024 a total of \$235 million for competitive grants to preserve and revitalize manufactured housing and eligible manufactured

housing communities and directed HUD to undertake a competition under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.). Of the \$235 million available for the entire PRICE competition, \$210 million is available for PRICE Main. In total, at least \$11 million is intended for Tribal Applicants. The remaining \$25 million is reserved for a pilot program to assist in the redevelopment of manufactured housing communities as replacement housing that is affordable (PRICE Replacement Pilot). The minimum grant request for the PRICE Main competition is \$5 million for all applicants, except Tribal Applicants, and the maximum is \$75 million. Tribal Applicants may request a minimum of \$500,000 for the PRICE Main competition. The minimum grant request for the PRICE Replacement Pilot is \$5 million, and the maximum is \$10 million for all applicants. PRICE Main activities must assist in preserving and revitalizing manufactured housing and eligible MHCs, and PRICE Replacement Pilot awards must assist in the redevelopment of MHCs as affordable replacement housing.

**In addition to thoroughly reviewing this NOFO, applicants are strongly encouraged to monitor HUD's [PRICE web site](http://hud.gov/program_offices/comm_planning/price) (hud.gov/program\_offices/comm\_planning/price) for information about general updates, Frequently Asked Questions, and PRICE webinars.**

HUD has six goals for this competition:

- Fairly and effectively award the PRICE grant funding and related technical assistance.
- Increase housing supply and affordability for LMI persons nationwide, including in urban, suburban, rural, and tribal areas.
- Preserve and revitalize existing manufactured housing and manufactured housing communities.
- Increase resilience to extreme weather, natural hazards, and disaster events, support energy efficiency, and protect the health and safety of manufactured housing residents.
- Promote homeownership opportunities and advance resident-controlled sustainable communities through new and revitalized units of manufactured housing that will remain affordable.
- Support accessibility modifications, repairs, and replacement of deteriorating manufactured housing units – especially to increase accessibility and access for persons with disabilities, facilitate aging in place for older adults and increase access to affordable housing for low-income households.

Successful proposals will:

- Demonstrate a compelling need for the preservation and revitalization of manufactured housing or MHCs;
- Evaluate how manufactured housing and MHCs contribute to the local affordable housing stock and what resources are needed to rehabilitate or replace existing units and MHCs;
- Prioritize equity and affirmatively further fair housing by demonstrating a commitment and ability to identify and remove barriers to: 1) expanding access to affordable housing in a manner that promotes desegregation, and 2) expanding access to affordable housing for protected class groups, for example, by addressing the lack of physically accessible manufactured homes in accordance with Section 504 of the Rehabilitation Act of 1973 ([29 U.S.C. 794](http://www.uscourts.gov/29-U.S.C.-794)) and implementing regulations at [24 CFR part 8](http://www.ecfr.gov/current/title-24-title-24-subtitle-B-subchapter-A-subchapter-A-1-subchapter-A-1-1), or by addressing policies

preventing the rehabilitation of manufactured housing communities, deteriorating infrastructure, and lack of resources to support owners and residents of manufactured housing units;

- Engage a broad and inclusive stakeholder group, including residents of MHCs;
- Ensure tenant protections for manufactured housing residents who rent their unit and/or pad;
- Utilize strategies to reduce the impacts of environmental hazards and extreme weather;
- Increase community resilience, especially when reconstruction, relocation, or mitigation are involved; and,
- Ensure long-term housing availability, accessibility, and affordability for LMI households.

Please note the distinctions between the PRICE Main funding and the PRICE Replacement Pilot funding. PRICE Main focuses on affordable housing preservation by encouraging revitalization and enhancement activities to preserve existing MHCs and manufactured housing units, including the repair, rehabilitation, and replacement of existing manufactured homes; infrastructure improvements; and planning and resilience activities. The PRICE Replacement Pilot funding can be used for the redevelopment of MHCs as replacement housing to benefit households living in substandard housing or in disaster-prone areas, and includes activities such as construction of replacement housing, relocation assistance, buy-outs, and down payment assistance. The PRICE Replacement Pilot allows up to 4:1 replacement of manufactured housing units, which encourages applicants to expand affordable housing opportunities, boost housing supply, and spur innovative housing solutions.

Proposals for PRICE Main and PRICE Replacement Pilot may target one or multiple sites and may span multiple jurisdictions. HUD seeks to preserve and revitalize manufactured housing units or communities in both urban and rural areas, as well as on Tribal lands and in disaster-prone communities. Eligible revitalization activities are broad and may include infrastructure or housing (and other eligible activities). HUD is instituting a requirement that all housing units receiving PRICE assistance must be maintained as affordable for a minimum period of 15 years. Pursuant to title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.), proposals for PRICE Main and the PRICE Replacement Pilot may include, but are not limited to, the following eligible uses:

- Development or improvement of infrastructure that supports MHCs and/or manufactured housing units, including roads, sidewalks, water, and wastewater infrastructure including well and septic systems, and utility hookups;
- Repair, rehabilitation, or replacement of existing housing units in manufactured housing communities (pre-1976 units, which were referred to as mobile homes, may only be replaced. PRICE funds may not be used for their repair or rehabilitation);
- Assisting manufactured housing renters or homesite renters with land and site acquisition;
- Planning activities around MHCs, including functional or implementation plans for land use or zoning changes to be more permissive of manufactured housing units or communities;
- Resident and community services, including relocation assistance (which may include moving manufactured housing units) and eviction prevention;

- Resilience activities, which include the reconstruction, repair, or replacement of manufactured housing and MHCs, as well as that for infrastructure serving MHCs, to enhance their safety and stability in the face of natural hazards such as, but not limited to, wildfires, earthquakes, tornados, extreme heat, and flooding, and to mitigate known hazards and the rising threat that extreme weather events present to manufactured housing due to climate change, except that for pre-1976 mobile homes, funds made available under resilience activities may be used only for replacement; or,
- Environmental improvements such as remediation of contaminants in land servicing MHCs.

A portion of funds are reserved for PRICE Replacement Pilot awards that may be used for the following:

- Redevelopment of MHCs as affordable replacement housing. Note that for each unit of single-family manufactured housing (including pre-1976 mobile homes) replaced under the project, up to four dwelling units of such affordable housing must be provided; or,
- Relocation assistance, buy-outs, or down payment assistance for residents.

Please note that additional guidance on CDBG-eligible activities can be found in the [CDBG Guide to National Objectives and Eligible Activities for Entitlement Communities](#) and Basically CDBG, Chapter 4 (Housing). Tribal Applicants can also review ICDBG guidance here: [Indian Community Development Block Grant Program \(ICDBG\) - Grants | HUD.gov / U.S. Department of Housing and Urban Development \(HUD\)](#).

### Manufactured Housing Background

Manufactured homes are safe, quality housing and an affordable alternative often indistinguishable from site-built homes. Built in factories, the per square foot cost of producing a manufactured home is generally less than half the cost of constructing comparable site-built, single-family detached homes.<sup>[8]</sup> The lower production costs pass through to consumers as the purchase price and monthly costs of manufactured homes are generally less than half that of site-built homes. These lower costs provide an avenue to affordable homeownership options for LMI residents. With a large and growing shortage of affordable and physically accessible housing in the United States, manufactured housing can provide more rental and ownership options for a variety of populations, including LMI persons.

The benefits and affordability of manufactured housing also apply to homes built on Tribal lands. About seventeen percent of households on Tribal land live in manufactured housing.<sup>[9]</sup> With approximately 68,000 new units needed to eliminate housing overcrowding in Tribal areas alone, more manufactured housing could help alleviate an acute housing shortage for the American Indian/Alaska Native population and assist to replace severely physically inadequate units.

On June 22, 2023, HUD issued a [Dear Tribal Leader letter](#) soliciting Tribal feedback on manufactured housing needs in Indian Country. Additionally, manufactured housing was also discussed at HUD's inaugural Tribal Intergovernmental Advisory Committee (TIAC) meeting in April 2023, and Tribal representatives provided HUD feedback and recommendations. HUD received over seventy-four comments from more than ten respondents during Tribal consultation. Tribal commenters were supportive of the PRICE program, expressed a need for manufactured

housing in Tribal communities, and requested HUD provide a Tribal set-aside consistent with the Appropriations Acts. HUD thanks all the respondents that provided Tribal feedback. This NOFO was developed in accordance with HUD’s Tribal consultation policy and incorporates feedback from Tribal leaders.

A manufactured home is built to HUD’s Manufactured Home Construction and Safety Standards (“HUD Code”, 24 CFR part 3280), which are federal standards for the design and construction of manufactured homes to assure quality, durability, safety, and affordability. HUD was authorized to establish this code by the National Manufactured Housing Construction and Safety Standards Act of 1974. Since then, Congress and HUD have advanced the manufactured housing regulatory framework (including rounds of improvements to the HUD Code for manufactured housing beginning in 1976, and minimum installation standards promulgated in 2007 (24 CFR part 3285) and continual updates including the more recently published updates to The Manufactured Home Construction and Safety Standards, 3rd set Final Rule (effective July 12, 2021)).

### Manufactured Housing Statistics

- In 2021, the average price of a manufactured home was \$108,100 (\$72 per square foot) and the average price of a site-built home was \$365,900 (\$144 per square foot). These figures exclude land costs. [\[10\]](#)
- About 40 percent of manufactured homeowners rent the lot where their home is located. They typically rent individual plots of land, known as lots or pads, in MHCs owned and managed by a for-profit operator. Less commonly, borrowers may place the unit on someone else’s land (such as that belonging to a family member) without making payment, rent the land from a non-profit or government entity, or own the land indirectly, such as participating in a resident-controlled cooperative. [\[11\]](#)
- Freddie Mac estimates that there are 1,065 resident owned communities, constituting 2.4% of the 45,600 MHCs estimated to be operating in the U.S. [\[12\]](#)
- The U.S. Census Bureau estimates that 112,882 manufactured housing units were shipped across the country in 2022 – a number that has grown consistently since the market collapse in 2009. [\[13\]](#)
- New manufactured homes can be built to replace both aging manufactured homes as well as site-built housing stock. More than half of the overall U.S. housing stock is more than 42 years old and a quarter is more than 62 years old. [\[14\]](#)
- Manufactured housing has the potential to be an even more significant source of unsubsidized affordable housing than it is today. The Biden-Harris Administration’s Housing Supply Action Plan promotes the development of more attractive or low-cost financing for manufactured homes to increase the U.S. affordable housing supply. [\[15\]](#)

[1] Urban Institute. Retrieved from [22 Million Renters and Owners of Manufactured Homes Are Mostly Left Out of Pandemic Assistance | Urban Institute](#) on September 15, 2023.

[2] Urban Institute. Retrieved from [22 Million Renters and Owners of Manufactured Homes Are Mostly Left Out of Pandemic Assistance | Urban Institute](#) on September 15, 2023.

[3] Consumer Financial Protection Bureau. Retrieved from [Manufactured Housing Finance: New Insights from the Home Mortgage Disclosure Act Data \(consumerfinance.gov\)](#) on September 15, 2023.

- [4] Fannie Mae. Retrieved from [Manufactured Housing and Manufactured Homes Landscape | Fannie Mae](#) on October 5, 2023.
- [5] Mobile Home Living. Retrieved from [4 Things To Consider Before Moving A Manufactured Home | Mobile Home Living](#) on July 17, 2023.
- [6] Consumer Financial Protection Bureau. Retrieved from [Data Spotlight: Profiles of older adults living in mobile homes | Consumer Financial Protection Bureau \(consumerfinance.gov\)](#) on September 8, 2023.
- [7] American Planning Association. Retrieved from [Potential of Manufactured Housing and Resident-Owned Communities \(planning.org\)](#) on September 15, 2023.
- [8] Urban Institute. Retrieved from [How Manufactured Housing Can Fill Affordable Housing Gaps | Housing Matters \(urban.org\)](#) on September 15, 2023.
- [9] The Center for Indian Country Development (CICD) at the Federal Reserve Bank of Minneapolis. Retrieved from [cicd-tribal-leaders-handbook-on-homeownership.pdf \(minneapolisfed.org\)](#) on July 17, 2023.
- [10] Joint Center for Housing Studies of Harvard University. Retrieved from [Comparison of the Costs of Manufactured and Site-Built Housing \(harvard.edu\)](#) on December 22, 2023.
- [11] Enterprise Community Partners. Retrieved from [Supporting Manufactured Home Communities | Enterprise Community Partners](#) on July 17, 2023.
- [12] Freddie Mac. Retrieved from [Freddie Mac: Manufactured Housing Residents Face Challenges in Establishing Resident-Owned Communities | Freddie Mac \(gcs-web.com\)](#) on July 17, 2023.
- [13] The Census Bureau. Retrieved from [https://www2.census.gov/programs-surveys/mhs/tables/time-series/annual\\_shipmentstostates.xlsx](https://www2.census.gov/programs-surveys/mhs/tables/time-series/annual_shipmentstostates.xlsx) on October 19, 2023.
- [14] Urban Institute. Retrieved from [The Role of Manufactured Housing \(urban.org\)](#) on July 17, 2023.
- [15] The White House. Retrieved from [President Biden Announces New Actions to Ease the Burden of Housing Costs | The White House](#) on July 17, 2023.

## **2. HUD and Program-Specific Goals and Objectives**

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

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

### **Applicable Goals and Objectives from HUD's Strategic Plan**

### **1. Strategic Goal 1: Support Underserved Communities**

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

#### **2. 1A: Advance Housing Justice**

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

#### **3. 1C: Invest in the Success of Communities**

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

### **4. Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing**

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

#### **5. 2A: Increase the Supply of Housing**

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

### **6. Strategic Goal 3: Promote Homeownership**

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

#### **7. 3A: Advance Sustainable Homeownership**

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

### **8. Strategic Goal 4: Advance Sustainable Communities**

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

#### **9. 4A: Guide Investment in Climate Resilience**

Invest in climate resilience, energy efficiency, and renewable energy across HUD programs.

#### **10. 4B: Strengthen Environmental Justice**

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

### **Strategic Goal 1: Support Underserved Communities**

PRICE supports underserved communities, including vulnerable populations residing in manufactured homes, and promotes equitable community development that incorporates residents of manufactured housing and MHCs into the overall community planning process.

### **Strategic Goal 2: Ensure Access to and Increase the Production of Affordable Housing**

PRICE seeks to increase the supply of manufactured housing options and promote homeownership opportunities that make manufactured homes an available, affordable, and sustainable investment.

### **Strategic Goal 3: Promote Homeownership**

PRICE advances sustainable homeownership by encouraging manufactured home and site acquisition, which provides stability to tenants and homesite-renters of manufactured homes.

### **Strategic Goal 4: Advance Sustainable Communities**

PRICE encourages rehabilitation of manufactured homes and MHCs to make them climate and hazard resistant.

### **Funding Opportunity Goals**

- HUD has six goals for this competition:

- Fairly and effectively award the PRICE grant funding and related technical assistance.
- Increase housing supply and affordability for LMI persons nationwide, including in urban, suburban, rural, and tribal areas.
- Preserve and revitalize existing manufactured housing and manufactured housing communities.
- Increase resilience to extreme weather, natural hazards, and disaster events, support energy efficiency, and protect the health and safety of manufactured housing residents.
- Promote homeownership opportunities and advance resident-controlled sustainable communities through new and revitalized units of manufactured housing that will remain affordable.
- Support accessibility modifications, repairs, and replacement of deteriorating manufactured housing units, especially to increase accessibility and access for persons with disabilities, facilitate aging in place for older adults and increase access to affordable housing for low-income households.

### **3. Changes from Previous NOFO**

- Funding amounts for PRICE Main and for Tribal applicants have been updated to reflect additional PRICE funding provided by FY 24 Appropriations. See Sections II. A. and II. C. of this NOFO
- Additional background information about FY 23 and FY 24 Appropriations for PRICE is provided in Section I. A. 1.
- This NOFO provides guidance for applicants that wish to submit a single application requesting funding from both PRICE Main and PRICE Replacement Pilot in Sections III. C. and V. A, including clarifications on how such applicants will address the narrative prompts, provide separate budgets, and how they will be scored for match, but not leverage.
- Affordability requirements are clarified and expanded to apply to all PRICE activities, inclusive of infrastructure and housing activities, in Section IV.G.2.e.
- Clarification on minimum and maximum award amounts for PRICE Main, Tribal Applicants to PRICE Main, PRICE Replacement Pilot, and for combined PRICE Main and Replacement Pilot awards is provided in Sections I. A. 1., II. A. and II. C.
- This NOFO clarifies that other forms of residential new construction, which are not manufactured housing, are only eligible under the PRICE Replacement Pilot, see Sections III. F. 2. c. and d.
- The maximum application page limit has been increased from 40 to 45 pages. See Section IV. B. 2. of this NOFO.
- Definitions of match and leverage are provided in Sections I. A. 4. and III. C. For indirect costs, the de minimis rate option is updated to 15 percent based on recent changes to 2 CFR 200.403, see Section IV.F.
- Clarification on how applicants can demonstrate partnerships is provided in Section III. A.
- Clarification on how to obtain a UEI is provided in Section III. A.

- An exception to the minimum application threshold score for Tribal Applicants is provided in Section III. B. 7.
- Instructions provided for applicants who submitted applications prior to the NOFO modification are provided in Section III. D. 2.
- Updated public hearing / community meeting requirements and guidance on receiving public comments is provided in Sections VI. E. 4. and VI. E. 5. a. iii.
- Guidance for applicants who have not yet identified project sites has been added to Section V. A. 1. b.
- Clarification on the use of CDBG funds as leverage (PRICE Main) vs. match (PRICE Replacement Pilot) is provided in Section V. A. 1. d.
- Clarification on the timing of Environmental Reviews is provided in Section VI. B.
- Clarification on planning and administrative caps for non-government entities is provided in Section VI. E. 5. a. ix (ii).
- Clarification on the use of program income is provided in Section VI. E. 5. a. xvii.
- Clarification on demolition as an eligible activity is provided in Section VI. E. 5. a. xxviii.
- Clarification on the duration of PRICE funding under the separate Appropriations is provided in Section VI. E. 6.

#### 4. Definitions

##### a. Standard Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[https://www.hud.gov/program\\_offices/comm\\_planning/environment\\_energy/regulations](https://www.hud.gov/program_offices/comm_planning/environment_energy/regulations).

**Equity** has the meaning given to that term in Section 2(a) of Executive Order [13985](#) and means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

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

(1)

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

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

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

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

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

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

**Grants.gov** is the website serving as the Federal government's central portal for searching and applying for Federal financial assistance throughout the Federal government. Registration on

Grants.gov is required for submission of applications to prospective agencies unless otherwise specified in this NOFO.

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

**Minority-Serving Institutions (MSIs)** are

- (1) a part B institution (as defined in [20 U.S.C. 1601](#));
- (2) a Hispanic-serving institution (as defined in [20 U.S.C. 1101a\(5\)](#));
- (3) a Tribal College or University (as defined in [20 U.S.C. 1059c](#));
- (4) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in [20 U.S.C. 1059d\(b\)](#));
- (5) a Predominantly Black Institution (as defined in [20 U.S.C. 1059e](#));
- (6) an Asian American and Native American Pacific Islander-serving institution (as defined in [20 U.S.C. 1059g](#)); or
- (7) a Native American-serving nontribal institution (as defined in [20 U.S.C. 1059f](#)).

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

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

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

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

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

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

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

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

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

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

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

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

#### b. Program Definitions.

**Affordability**, as it applies to housing costs, are those which do not overburden LMI households to the point of being unable to afford other necessities and non-housing expenses. HUD defines this as costs including utilities and fees, for which the LMI household/occupant is paying no more than 30 percent of gross income. *Additional affordability requirements applicable to this NOFO can be found in Section VI.E.*

**Change of Use** occurs when the use of real property acquired or improved in whole or in part with PRICE funds and owned by a grantee or subrecipient is changed from its planned use when the grant agreement was executed. If a change of use occurs that does not comply with the requirements for the use of PRICE funding, the grantee must repay the PRICE grant. Tribal Applicants should review 24 CFR 1003.504, State grantees should review 24 CFR 570.489(j), and entitlement and all other grantees should review 24 CFR 570.505 and 24 CFR 570.503(b)(7).

**Colonias** are communities within the US-Mexico border region that lack potable water supply, adequate sewage systems, and decent, safe, and sanitary housing, as defined by Section 916 of the National Affordable Housing Act of 1990, as amended.

**Community Development Block Grant (CDBG) Program** provides annual grants on a formula basis to states, cities, and urban counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended 42 U.S.C. 5301 et seq.

**Community Development Financial Institutions (CDFIs)** are U.S. Department of Treasury-certified financial intermediaries whose primary mission is to promote community development. Types of organizations that may meet the criteria to qualify as a CDFI include community development banks, community development corporations, community development credit unions, community development loan funds, community development venture capital funds and microenterprise loan funds.

**Community Land Trust** a non-profit entity that

- (1) has the development and maintenance of housing that is permanently affordable to LMI persons as its primary purposes;
- (2) is not sponsored or controlled by a for-profit organization;
- (3) uses a lease, covenant, agreement, or other enforceable mechanisms to require housing and related improvements on land held by the community land trust to be affordable to LMI persons for at least 30 years; and
- (4) retains a right of first refusal or preemptive right to purchase the housing and related improvements on land held by the community land trust to maintain long-term affordability.

**Condominium** (also known as a condo) is a privately-owned unit within a multi-unit development. Each owner has a shared interest in the common areas of the building—such as elevators, garages, gyms, etc.—which are typically maintained through monthly homeowners' association (HOA) fees.

**Cooperative** An entity in which each member shares in the ownership of the whole project with the exclusive right to occupy a specific housing unit and to participate in project operations through the purchase of stock.

**Homeowners' Association** An organization in a condominium or other planned housing community that makes and enforces rules about the appearance and maintenance of properties and that maintains common areas with money from membership fees.

**Homesite Renter** A person or member of a household that owns a manufactured home but does not own the lot on which the home sits.

**Indian Community Development Block Grant (ICDBG) Program** The ICDBG Program provides eligible grantees with direct grants for use in developing viable Indian and Alaska Native Communities, including decent housing, a suitable living environment, and economic opportunities, primarily for LMI persons. Projects funded by the ICDBG program must mainly benefit LMI persons (24 CFR 1003.208).

**Indian tribe** The term "Indian tribe" has the same meaning as such term is defined in Section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA)

(25 U.S.C. 4103). It includes federally recognized Indian tribes and five state-recognized Indian tribes eligible under NAHASDA: the MOWA Band of Choctaw, Coharie, Haliwa-Saponi Tribe, Lumbee Tribe, and Waccamaw Siouan Tribe.

**Leverage** For the purposes of this NOFO, leverage is a federal or non-federal elective contribution that may be either financial or non-financial, and that is firmly committed to address activities described in an applicant's PRICE Main application. Leverage is not applicable for the PRICE Replacement Pilot. PRICE Main applications may receive points based on the total amount of other resources and funding the applicant is leveraging. See Section III.C., Section V.A.1.d., and Attachment F for more information.

**Local government or unit of general local government (UGLG)** shall have the same meaning as "unit of general local government" in Section 102(a)(1) of the Housing and Community Development Act of 1974: The term "unit of general local government" means any city, county, town, township, parish, village, or other general purpose political subdivision of a state; Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa, or a general purpose political subdivision thereof; a combination of such political subdivisions that, except as provided in Section 5306(d)(4) of this title, is recognized by the Secretary; the District of Columbia; and the Trust Territory of the Pacific Islands. This term "local government" includes entitlement CDBG grantees and non-entitlement communities.

**Lot Owner ("Owner")** A person or member of a household that owns the lot on which their home sits.

**Lot Rent** Any charge imposed on a leaseholder for rental and occupancy of a mobile or manufactured home lot, unless specifically excluded by statute or rule. Lot rent may or may not include fees for utilities and MHC amenities such as trash collection, groundskeeping, snow removal, internet access, etc.

**Manufactured Housing** A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width, or 40 body feet or more in length, or which when erected onsite is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. This term includes all structures that meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to 24 CFR 3282.13 and complies with the construction and safety standards set forth in 24 CFR 3280. The term does not include any self-propelled recreational vehicle. Calculations used to determine the number of square feet in a structure will include the total of square feet for each transportable section comprising the completed structure and will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected onsite. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. Nothing in this definition should be interpreted to mean that a manufactured home necessarily meets the requirements of HUD's Minimum Property Standards (HUD Handbook 4900.1) or that it is automatically eligible for financing under 12 U.S.C. 1709(b). References to manufactured housing and manufactured housing units in this NOFO include pre-1976 mobile homes, unless otherwise noted; however, PRICE funds may only be used to replace pre-1976 mobile homes, not for their repair or rehabilitation.

*Notes: Shipping containers that are converted into housing units cannot be accepted as a HUD-code manufactured home unless they are provided with a permanent chassis and are transported to the site on their own running gear and otherwise comply with all HUD Standards and Regulations for manufactured homes and state and local building codes. As discussed previously, all manufactured homes are built to the Manufactured Home Construction and Safety Standards, 24 CFR part 3280.*

**Manufactured Housing Community (MHC)** refers to land and manufactured housing units under unified ownership and developed for the purpose of providing individual spaces for the placement of manufactured homes for residential purposes within its boundaries. An MHC usually has some on-site utilities, road access, and water/sewer access and may have other community improvements such as a tornado shelter, broadband access, or drainage/landscaping. For purposes of this NOFO, housing units in MHCs may include a mix of manufactured, mobile (used for long-term residence, not transitory stays), stick-built, modular, or panelized units provided that manufactured housing units comprise 51% or more of the total housing units within the MHC.

**Match** is a required non-federal financial cost share exceeding 50 percent of the requested amount from the PRICE Replacement Pilot. Match is not applicable to PRICE Main. Match funding must be firmly committed. See section III.C., section V.A.1.d., and Attachment F for more information.

**Metropolitan Planning Organization (MPO)** shall have the same meaning as defined in Section 8 of the Federal Transit Act of 1991 at 23 U.S.C. 134(b).

**Modular Housing** A structure composed of modular components designed and manufactured off-site for residential use. Components are constructed in a facility that creates pre-engineered, factory-fabricated structures in one or more three-dimensional modules. State or local building codes in the jurisdiction of the site where the home is to be erected are complied with during component manufacturing. The components are transported to the home site for final assembly and completion on a permanent foundation under locally applicable building codes, if any. In some states or localities, modular homes are codified under another term, such as industrialized building or system-built home.

**Multijurisdictional entity** refers to any association of local governments or public agencies which are bound by collective agreement (such as a memorandum of understanding, joint powers authority, interstate compact, or the like), such that HUD determines that the entity is authorized and has administrative capability to carry out the activities under this NOFO on behalf of its member jurisdiction(s).

**Nonprofit entity** shall have the same meaning as nonprofit organization (as defined in 2 CFR 200.1) for the purposes of this NOFO.

**Nonprofit Organization** (as defined in [2 CFR 200.1](#)) means any corporation, trust, association, cooperative, or other organization, not including Institution of Higher Educations, that: (1) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; (2) is not organized primarily for profit; and (3) uses net proceeds to maintain, improve, or expand the operations of the organization.

**Planning Activities** Consists of all costs of data gathering, studies, analysis, and preparation of plans and the identification of actions that will implement such plans. These may include comprehensive plans, community development plans, functional plans including Consolidated Plans and Annual Action Plans required of CDBG jurisdictions, planning activities to affirmatively further fair housing, and other plans and studies included in 24 CFR 570.205 and Section 105(a)(12) of the HCD Act.

**Rehabilitation** The labor, materials, tools, and other costs of improving buildings, other than minor or routine repairs. The term includes when the use of a building is changed to an emergency shelter and the cost of this change, and any rehabilitation costs, does not exceed 75 percent of the value of the building before the change in use.

**Renter** A person or member of a household who rents an apartment or house, including manufactured housing.

**Resident** A person or member of a household living in a manufactured home who may be an owner, homesite renter, or renter.

**Resident-Controlled Manufactured Housing Community** A manufactured housing community wherein homeowners form a non-profit organization which is called a cooperative, or a community that is formally organized as a condominium or homeowners association. Resident households are members of the cooperative or association which owns the land and manages the business that is the community. This includes, but is not limited to, making decisions about lot rent increases, community infrastructure enhancements, and the disposition of community amenities. Members of a cooperative own shares of the enterprise which entitle them to the right to occupy a particular unit. Members of a condominium or homeowners association continue to own their own homes individually and an equal share of the common areas, improvements, and land beneath the entire community. These are the most common forms of resident-controlled entity. An applicant may demonstrate through submission of legal documents that it is a resident-controlled entity.

**Resilience Activities** means the reconstruction, repair, or replacement of manufactured housing and MHCs to protect the current and ongoing health and safety of manufactured housing residents and to address weatherization and energy efficiency needs.

**State Government** shall have the same meaning as “State” in Section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302).

**Tribal Applicant** means an Indian tribe, or a Tribally Designated Housing Entity or Tribal organization designated by such Indian tribe to apply for a grant on its behalf. PRICE grants made to Tribal Applicants will be subject to ICDBG program requirements in 24 CFR part 1003, as modified in waivers and alternative requirements described in this NOFO.

**Tribally Designated Housing Entities** The term “Tribally Designated Housing Entity” (TDHE) has the same meaning as such term is defined in Section 4 of NAHASDA (25 U.S.C. 4103(22)). Indian tribes may designate a TDHE to apply on the Indian tribe’s behalf under this NOFO. Applications submitted by a TDHE on behalf of an Indian tribe(s) must include a tribal certification(s) or resolution(s) on official letterhead authorizing the TDHE to apply on behalf of the Indian tribe(s). HUD will accept existing Indian Housing Plan (IHP) certifications that state that the Indian tribe has delegated to the TDHE the authority to submit an IHP or application on

behalf of the Indian tribe without prior review by the Indian tribe. The certification(s) or resolution(s) must be submitted with the application and is a curable deficiency. An Indian tribe that authorizes a TDHE to apply on its behalf may not also submit its own application for funding. Such applications will not be evaluated.

**Tribal organization** shall have the same meaning as the term “Tribal organization” in 24 CFR 1003.5(b). Indian tribes may designate a Tribal organization to apply on the Indian tribe’s behalf under this NOFO. Applications submitted by a Tribal organization on behalf of an Indian tribe(s) must include a tribal certification(s) or resolution(s) on official letterhead authorizing the Tribal organization to apply on behalf of the Indian tribe(s). The certification(s) or resolution(s) must be submitted with the application and is a curable deficiency. An Indian tribe that authorizes a Tribal organization to apply on its behalf may not also submit its own application for funding. Such an application will not be evaluated.

**Uniform Relocation and Real Properties Acquisition Policies Act of 1970**, as amended (URA) and its implementing regulations at 49 CFR part 24 establish minimum requirements for the acquisition of real property and the displacement of persons from their homes, businesses, or farms as a direct result of acquisition, rehabilitation, or demolition for federally assisted programs and projects.

## **B. Authority**

The funding authority for PRICE Main and the PRICE Replacement Pilot under this NOFO is provided by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022), with additional funding for PRICE Main provided by the Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024) (Appropriations Acts). The program authority for PRICE is Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the Appropriations Acts.

## **II. AWARD INFORMATION**

### **A. Available Funds**

Funding of approximately **\$235,000,000** is available through this NOFO.

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

- **PRICE Main:** \$210,000,000 (\$200 million of FY 2023 funds and \$10 million of FY 2024 funds) available to state governments, local governments, metropolitan planning organizations, multi-jurisdictional entities, resident-controlled MHCs, cooperatives, non-profit entities (including consortia of non-profit entities), CDFIs, Tribal Applicants, and entities that partner with one or several residents of such eligible communities or that propose to implement a grant program that would assist residents of such eligible communities for the purposes of development of infrastructure, planning activities, resident and community services, resilience activities, and providing other assistance to manufactured housing tenants and homesite renters for land and site acquisition. Note that eligible applicants may also support or partner with residents of Colonias. Of the amount for PRICE Main, at least \$11 million (\$10 million of FY 2023 funds and \$1

million of FY 2024 funds) is intended for Tribal Applicants, subject to HUD receiving an adequate number of fundable applications from Tribal Applicants. Among the eligible applicants listed, both current and prospective CDBG and ICDBG recipients are encouraged to apply. Tribal Applicants receiving PRICE Main funding are subject to the ICDBG requirements.

- **PRICE Replacement Pilot:** \$25,000,000 of FY 2023 funds are available to state governments, local governments, metropolitan planning organizations, multi-jurisdictional entities, resident-controlled MHCs, cooperatives, non-profit entities (including consortia of non-profit entities), CDFIs, Tribal Applicants, and entities that partner with one or several residents of such eligible communities or that propose to implement a grant program that would assist residents of such eligible communities in the redevelopment of manufactured housing communities as replacement housing that is affordable. Note that eligible applicants may also support or partner with residents of Colonias. Among the eligible applicants listed, both current and prospective CDBG and ICDBG recipients are encouraged to apply. Under the PRICE Replacement Pilot, grantees are required to supplement (“match”) the amount of the Pilot **request** with non-federal amounts exceeding 50 percent of the amount requested under the Pilot. If single-family manufactured housing units (including pre-1976 mobile homes) are replaced as part of a project that is conducted with PRICE Replacement Pilot funds, those units must be replaced with up to four units of such affordable housing. All housing units receiving PRICE assistance must be provided as affordable for a minimum period of 15 years. Applicants proposing to conduct such activities for redevelopment of manufactured housing communities as replacement housing that is affordable are also eligible to apply for PRICE Main. Tribal Applicants receiving PRICE Replacement Pilot funding are subject to the ICDBG requirements. An applicant applying for PRICE Replacement Pilot funding must include an express statement in the application that it is applying for the PRICE Replacement Pilot. PRICE Replacement Pilot applications that do not include the required match may be considered for PRICE Main, as applicable.

## B. Number of Awards

HUD expects to make approximately 25 awards from the funds available under this NOFO.

## C. Minimum/Maximum Award Information

Total Funding:

\$210,000,000 for PRICE Main awards (of which \$11,000,000 is designated for Tribal Applicants)

\$25,000,000 for PRICE Replacement Pilot awards

Minimum Award Amount for PRICE Main (all applicants except Tribal Applicants): \$5,000,000

Minimum Award Amount for PRICE Main (Tribal Applicants only): \$500,000

Maximum Award Amount for PRICE Main (all applicants **including** Tribal Applicants): \$75,000,000

Minimum Award Amount for PRICE Replacement Pilot (all applicants): \$5,000,000

Maximum Award Amount for PRICE Replacement Pilot (all applicants): \$10,000,000

Maximum Award Amount for Dual Awards (PRICE Main and PRICE Replacement, all applicants): \$75,000,000

Estimated Total Funding:  
\$235,000,000

Minimum Award Amount:  
\$500,000  
Per Project Period

Maximum Award Amount:  
\$75,000,000  
Per Project Period

## **D. Period of Performance**

Estimated Project Start Date:  
10/01/2024

Estimated Project End Date:  
09/30/2030

Length of Project Periods:  
Other

Length of Periods Explanation of Other:  
6 years

## **E. Type of Funding Instrument**

Funding Instrument Type:  
G (Grant)

## **III. ELIGIBILITY INFORMATION**

### **A. Eligible Applicants**

00 (State governments)

01 (County governments)

02 (City or township governments)

07 (Native American tribal governments (Federally recognized))

11 (Native American tribal organizations (other than Federally recognized tribal governments))

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

99 (Unrestricted (i.e., open to any type of entity above), subject to any clarification in text field entitled "Additional Information on Eligibility")

#### **Additional Information on Eligibility**

Other eligible applicants include multi-jurisdictional entities, metropolitan planning organizations, resident-controlled MHCs, cooperatives, non-profit entities (including consortia of

non-profit entities), CDFIs, Tribal Applicants, and entities (including for-profit entities) that partner with one or several residents of such eligible Manufactured Housing Communities or that propose to implement a grant program that would assist residents of such eligible Manufactured Housing Communities.

Applicants who partner with Manufactured Housing Communities or propose to implement a program assisting residents of eligible Manufactured Housing Communities may implement a grant award by means of subaward(s) to subrecipient(s) to carry out PRICE program activities. Such applicants must provide evidence of collaboration between the parties. This means attaching as a part of the application relevant and supporting documentation, such as a legally binding development or cooperation agreements. For-profit entities may be deemed eligible where HUD determines PRICE objectives are met and where HUD determines there is broad and inclusive stakeholder engagement with manufactured housing communities and their residents. All applicants (including for-profits) are subject to the PRICE-specific program requirements related to affordability as described in this NOFO. Among the eligible applicants listed, both current and prospective CDBG and ICDBG recipients are encouraged to apply. Refer to the Program Definitions in Section I.A.4. to review how these terms are defined in the PRICE competition.

Applicants must have a valid Universal Entity Identifier (UEI) from [www.sam.gov/](http://www.sam.gov/). Registration for SAM and Grants.gov is a multi-step process and can take four (4) weeks or longer to complete if data issues arise. Applicants without a valid registration cannot apply through Grants.gov. Complete registration instructions and guidance are provided on Grants.gov.

#### Faith-based organizations

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

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

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

## **B. Ineligible Applicants**

HUD will neither evaluate applications from nor award grants to individuals or any entity that does not meet the criteria above.

## C. Cost Sharing or Matching

This Program requires cost sharing or matching as described below.

There are two categories of funding in PRICE: The PRICE Main competition and the PRICE Replacement Pilot.

PRICE Replacement Pilot grantees are required to provide evidence of non-federal financial match exceeding 50 percent of the PRICE Replacement Pilot request. Please note that non-financial contributions such as, but not limited to, equipment, materials, sweat equity, and staff time will not count towards the total percentage of match for PRICE Replacement Pilot request.

The PRICE Main competition awards do not require cost sharing, matching funds, or leveraging. However, HUD encourages all applicants to leverage other Federal and non-Federal resources that will contribute to the success of the proposed project. **Applications that include leverage from other sources can receive more points as discussed in Section V.A.1.d below.**

Applicants for PRICE Main awards may credit both financial contributions and the dollar amounts of any non-financial contributions towards the percentage of leveraged commitments.

Applicants submitting a single application requesting funding from both PRICE Main and PRICE Replacement Pilot must provide a match exceeding 50 percent of the PRICE Replacement Pilot request, exclusive of the amounts requested for activities under PRICE Main. See Section V.A.1.d and Attachment F for more information. For applicants pursuing funding from both PRICE categories, i.e., Main and Pilot, you must address all applicable required prompts in the review criteria (Section V.A.1) and provide separate budget proposals for PRICE Main and the PRICE Replacement Pilot in order to receive full evaluation scoring consideration. HUD has separate and distinct evaluation criteria for PRICE Main and PRICE Replacement Pilot.

## D. Threshold Eligibility Requirements

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

### 1. Resolution of Civil Rights Matters

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

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

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

- (2) Status as a defendant in a Fair Housing Act lawsuit filed by the United States alleging a pattern or practice of discrimination or denial of rights to a group of persons raising an issue of general public importance under 42 U.S.C. 3614(a);
- (3) Status as a defendant in any other lawsuit filed or joined by the Department of Justice, or in which the Department of Justice has intervened, or filed an amicus brief or statement of interest, alleging a pattern or practice or systemic violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Americans with Disabilities Act, Violence Against Women Act, or a claim under the False Claims Act related to fair housing, non-discrimination, or civil rights generally including an alleged failure to affirmatively further fair housing;
- (4) Receipt of a letter of findings identifying systemic non-compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974; Violence Against Women Act; or the Americans with Disabilities Act; or
- (5) Receipt of a cause determination from a substantially equivalent state or local fair housing agency concerning a systemic violation of provisions of a state or local law prohibiting discrimination in housing based on sexual orientation, gender identity, or lawful source of income.

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

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

## **2. Timely Submission of Applications**

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

## **3. Eligible Applicant**

Applicants must be an eligible applicant in accordance with Section III.A of this NOFO and must identify which type of eligible applicant they are in their application.

Multijurisdictional entities or other eligible applicants that wish to partner with other entities or one or several residents of an eligible community to implement their proposed project must demonstrate partnership among all parties. The parties may demonstrate a partnership or evidence of collaboration between the parties by attaching relevant documentation to an

application, such as a legally binding development or cooperation agreement (this may include a CDBG joint agreement between an urban county and a metropolitan city or a HOME consortium agreement).

If an applicant wishes to engage in a partnership, all partners must submit a letter of intent to participate in the proposed project. The letter(s) of intent to participate and a binding cooperation, subrecipient or developer agreement, or a contract, as applicable and contingent upon award, must be included in the application. TDHEs and Tribal organizations applying on behalf of Indian tribes do not need to provide this documentation because they are applying on behalf of an Indian tribe and not as part of a partnership.

#### **4. Number of Applications**

1. An eligible applicant may submit only one application and must specify whether it is applying for the PRICE Main category, the PRICE Replacement Pilot category, or both categories of funding. An eligible applicant that has submitted an application may also apply as part of a separate partnership application. However, no community or project may be assisted by more than one PRICE grant.
2. If HUD receives electronically multiple versions of an application, HUD will review the last version of the application received by Grants.gov that meets the timely receipt requirements. All other applications (i.e., prior versions) will not be considered eligible. If applicants find, after submitting an application, that they want to amend or adjust their application and it is prior to the deadline date, applicants must resubmit the entire application to ensure that HUD gets a complete application.

## **E. Statutory and Regulatory Requirements Affecting Eligibility**

### **Eligibility Requirements for Applicants of HUD's Financial Assistance Programs**

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

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

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

## F. Program-Specific Requirements

1. **National objectives.** Each PRICE activity, other than general administration and planning, must meet a CDBG national objective pursuant to Section 101(c) of the Housing and Community Development Act of 1974. This means each activity must either benefit LMI persons, aid in the prevention or elimination of slums or blight OR meet an urgent need. Applications submitted by Tribal Applicants must meet the requirements of 24 CFR 1003.208. Applicants who have not administered CDBG or ICDBG funding are encouraged to familiarize themselves with program specific and crosscutting requirements, including environmental review, procurement, fair housing, and labor standards.
2. **Eligible activities.**
  - a. Each proposed activity must be eligible pursuant to Section 105(a) of the Housing and Community Development Act of 1974 or receive an eligibility waiver for the activity, requested in the application. Applicable waivers can be found in Appendix A. HUD does not guarantee that it will grant such waivers, but it will evaluate any request prior to determining whether to award funds for an application.
  - b. PRICE Main activities must assist in preserving and revitalizing manufactured housing and eligible MHCs, and PRICE Replacement Pilot awards must assist in the redevelopment of MHCs as affordable replacement housing.
  - c. Eligible activities may include, but are not limited to, the following examples listed below. These examples are organized into general categories (e.g., housing and housing-related activities, development of or improvement to infrastructure, etc.) but applicants should remain mindful of how their proposed activities align to the goals of whichever funding source they are pursuing (the PRICE Main competition or the PRICE Replacement Pilot).
    - i. Housing and housing-related activities. Examples include:
      - (a). Repairing, rehabilitating, and reconstructing existing manufactured housing units (except pre-1976 mobile homes, which are eligible for replacement only), including repairs, rehabilitation, or reconstruction to improve physical accessibility.
      - (b). Establishing loan or grant programs with affordability requirements for rehabilitation of existing manufactured housing units or other units in an MHC.
      - (c). Acquiring or subsidizing manufactured housing units at risk of demolition or loss of affordability; MHCs; or the lots on which manufactured homes are sited.
      - (d). Establishing a manufactured housing preservation fund to serve manufactured housing residents who own or lease the lots on which their home is sited.
      - (e). Developing anti-displacement policies, such as freezing tax assessments or limiting property tax increases on manufactured housing near new development.
      - (f). Providing capacity building for non-profit entities seeking to pool resources, engage landlords regionally, work more cooperatively, undertake joint housing rehabilitation programs, or merge operations.
      - (g). Developing programs or plans to support shared housing through actions such as revising local occupancy regulations, rehabilitating units, establishing

resident-matching programs, or similar activities.

(h). Providing technical assistance to community land trusts or other entities which leads to the preservation or revitalization of affordable, accessible housing.

ii. Development or improvement of infrastructure to support MHCs and manufactured units. Examples include:

(a). Installing new utility lines, utility hookups, or other necessary improvements.

(b). Upgrading existing utilities or improvements.

(c). Enhancing the resilience of infrastructure to natural hazards, extreme weather, and disaster events; this may include, but is not limited to relocating, burying, elevating, or hardening infrastructure and installing community based solar energy.

(d). Installing or upgrading broadband infrastructure.

(e). Acquiring, constructing, reconstructing, rehabilitating, or installing public facilities and improvements such as roads, pads, sidewalks, curbs and gutters, parks, playgrounds, water and sewer lines, wells, septic tanks, flood and drainage improvements, fire breaks, parking lots, etc.

iii. Manufactured housing development activities. Examples include:

(a). Financing the acquisition or installation of affordable, accessible housing.

(b). Acquiring or disposing of land or real property for the development of affordable housing

(c). Converting informal MHC subdivisions to resident-controlled communities.

(d). Assisting manufactured housing renters and homesite renters seeking to become homeowners with land and site acquisition, including for the purpose of creating resident-controlled manufactured housing communities.

(e). Reconstructing or rehabilitating housing units (except pre-1976 mobile homes, which are only eligible for replacement), in manufactured housing communities including reconstructing or rehabilitating manufactured housing to make units physically accessible to persons with disabilities.

(f). Acquisition of affordable manufactured housing units.

(g) Reconstruction using modular or other eligible constructed housing.

(h). Redeveloping MHCs as affordable replacement housing (note: up to four dwelling units of affordable housing, which may include modular and other housing construction methods, must be provided for each unit of single-family housing replaced under the PRICE Replacement Pilot).

(i). Establishing or building the capacity of a non-profit entity to carry out innovative financing strategies for manufactured housing.

(j). Providing large-scale technical assistance to affordable or non-profit developers, community land trusts, or other entities which leads to more affordable, accessible manufactured housing options for both renters and households wishing to own a manufactured home.

iv. Mitigation and resilience activities. Examples include:

(a). Conducting manufactured housing resilience activities, which include the reconstruction, repair, rehabilitation, or replacement of manufactured housing and MHCs or that of infrastructure serving MHCs, to enhance safety and stability in the face of weather-related hazards such as, but not limited to, wildfires, tornados, extreme heat, erosion, permafrost degradation, sea level rise, and flooding, and to mitigate known hazards, including those which have caused repetitive loss or that impact households the most at risk or vulnerable to weather-related hazards such as extreme temperatures, wind damage, or flooding. For pre-1976 mobile homes, PRICE funds may only be used for replacement, but not repair or rehabilitation.

(b). Conducting mitigation and resilience activities that address the rising threat that extreme weather events, such as extreme heat or cold, present to manufactured housing or MHCs, including roof ties, elevation of structures, insulation, fire breaks, stormwater systems and drainage, cooling / heating upgrades, tornado and storm shelters, landscaping with native plants, shade trees, or other green infrastructure, etc. This also includes directing support to LMI individuals and households that are less able to prepare for, respond to, and recover from natural disasters.

(c). Conducting mitigation and resilience activities that address human-caused risks that can impact manufactured housing or MHCs, which may include but are not limited to risks associated with the use or release of toxic materials, with uses that create pollution generally, and with activities that involve land disturbance that may inadvertently impact surrounding properties (e.g., fracking).

(d). Establishing new incentive programs for affordable, accessible manufactured housing development such as disaster resilience buy-outs (which entails fulfilling the acquisition requirements of 49 CFR part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs, as revised by this NOFO’s waiver and alternative requirements, and demolition of hazard-prone units and the repurposing of land for things such as park amenities, open space, or flood storage/overflow areas) and relocation of residents of an MHC in hazard-prone areas in accordance with 2 CFR 200, subpart E – Cost Principles, 49 CFR part 24, 24 CFR part 42, 24 CFR 570.606, and the fair housing and nondiscrimination requirements set forth at 24 CFR part 5.

Additional information about the applicability of 49 CFR part 24 and 24 CFR part 42 to HUD programs can be found at [HUD’s relocation website](#).

(e). Testing and remediation of contaminants and other health hazards such as lead, gasoline, or kerosene that may be present in soil.

v. Housing and voluntary supportive service activities that support new and existing residents of MHCs. Examples include providing:

(a). Relocation assistance (this may include providing relocation advisory services, temporary and/or permanent relocation assistance, and paying applicable costs required under 49 CFR part 24, 24 CFR 570.606, or 24 CFR part 42).

(b). Housing mobility counseling.

(c). Eviction prevention assistance (this may include, but is not limited to,

developing updates to local ordinances to protect renters and homesite renters of manufactured homes from eviction, informing residents of their rights, providing rental arrears when appropriate, providing housing or legal counseling, or land acquisition).

- (d). Down payment assistance, homebuyer education, and appraisal programs.
- (e). Support to establish resident self-governance in MHCs.

vi. Planning activities around manufactured housing residents and MHCs.

Government entities such as, but not limited to, UGLGs, Metropolitan Planning Organizations, and Tribal governments may develop or amend comprehensive plans, community development plans, or functional plans such as a housing plan or a Consolidated Plan (see 24 CFR 570.205 (and 24 CFR 1003.205 for tribes) for more information about eligible planning activities). Other examples include analyzing options and developing plans for the purpose(s) of:

- (a). Eliminating restrictions such as, but not limited to, zoning rules that limit opportunities to place manufactured housing on individual lots or establish MHCs.
- (b). Developing by-right permitting procedures.
- (c). Establishing Right of First Refusal for the purchase of MHCs by residents.
- (d). Establishing lot rent stabilization policies for MHCs.
- (e). Reducing or eliminating requirements related to parking, building height, lot coverage, setbacks, minimum unit size, minimum lot size, floor area ratio, and other common land use controls that have the effect of minimizing or excluding manufactured housing or MHCs.
- (f). Streamlining local permit processing by establishing one-stop or parallel-process permitting.
- (g). Streamlining to the extent feasible the need for public hearings for manufactured housing development for projects below certain unit thresholds.

d. PRICE awards can be used for acquisition / purchase of Manufactured Housing Units (MHUs), as well as installation and new construction of housing (please note that new construction of non-manufactured housing is an eligible activity under the PRICE Replacement Pilot only). New construction is distinct from reconstruction in that additional dwelling units are being provided by new construction. HUD is waiving 42 U.S.C. 5305(a), 24 CFR 570.207(b)(3), and 24 CFR 1003.207(b)(3) and adopting alternative requirements to the extent necessary to permit new construction of housing, which is inclusive of the installation costs of acquired MHUs, as well as other forms of residential construction subject to the same requirements that apply to rehabilitation activities under the provisions at Section 105(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(4)) and 24 CFR 570.202(b) and 24 CFR 1003.202(b). Other forms of residential new construction are not considered to be preserving or revitalizing manufactured housing and MHCs; therefore, other forms of residential new construction are only allowed as redevelopment under the PRICE Pilot and limited to up to four dwelling units for each unit replaced. The acquisition and installation of manufactured housing units is not limited to four units for each unit replaced.

e. PRICE awards can be used for voluntary buyouts for purposes of relocation. HUD is waiving the requirements at 49 CFR 24.101(b)(2) to the extent that they apply to the voluntary purchase carried out by a homebuyer who uses PRICE funds and does not have the power of eminent domain, in connection with the purchase and occupancy of a home which is the primary residence of that homebuyer. This waiver is necessary to reduce burdensome administrative requirements for homebuyers. Tenants occupying homes (real property) acquired and displaced by these voluntary purchases may be eligible for relocation assistance. Voluntary buyouts must be conducted in accordance with fair housing and nondiscrimination requirements set forth in 24 CFR part 5.

f. Program income generated from the use of PRICE awards can be used for operating and maintenance expenses for public facilities, improvements, and services funded by PRICE awards. HUD is waiving 42 U.S.C. 5305(a), 24 CFR 570.207(b)(2), and 24 CFR 1003.207(b)(2) and adopting alternative requirements to the extent necessary to permit grantees to use PRICE program income to operate and maintain public facilities, improvements, and services that were initially constructed, provided, or improved by a PRICE award.

**3. Ineligible activities.** Activities that are ineligible for PRICE funding include:

- a. Any activity that does not meet a national objective.
- b. Any activity that is not eligible under Section 105(a) of the Housing and Community Development Act of 1974, applicable implementing regulations, and this NOFO unless a waiver is obtained from HUD.
- c. Any activity that is not in compliance with applicable fair housing, nondiscrimination, labor standards, and environmental review requirements.
- d. Any activity carried out on or before the date of the letter announcing the award of the grant, except that you may use grant funds, should you receive an award, to reimburse PRICE eligible costs of grant application preparation, including planning and public outreach activities. Note that an existing CDBG grantee may choose to use annual CDBG funds to assist in applying for other federal grant programs if the grantee certifies that the program would meet local community development objectives.

**4. Waivers:** Waivers for administrative costs, public participation, and construction are included in Appendix A.

**5. Amendments.** Post-award, all amendments to the application must be submitted to HUD. HUD will review and approve or disapprove any amendment that is a substantial amendment. Substantial amendments are changes that affect the responses to the rating factors and include but are not limited to: a change in program benefit, beneficiaries, or eligibility criteria; the allocation or re-allocation of more than ten percent of the award; or the addition or deletion of an activity. A grantee may substantially amend the Application if it follows the same public participation requirements in this NOFO for the preparation and submission of an Application and HUD agrees in writing that the amended Application would still score in the fundable range for the competition. Prior to preparation and submission of any post-award amendment, the grantee is encouraged to work with its HUD representative to ensure the proposed change is consistent with this NOFO, and all applicable regulations and Federal law.

## **Advancing Racial Equity**

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

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

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

All PRICE applicants (except Tribal Applicants) must submit a narrative which addresses the four bullets above. Applicants who are CDBG grantees may use racial equity components of their Consolidated Plans, such as their housing and homeless needs assessments (which may be addressed in the Housing and Homeless Needs Assessment, Housing Market Analysis, or Strategic Plan sections) in fulfilling this requirement; however, applicants must ensure that the narrative demonstrates all four bullets above. This narrative will be submitted according to the instructions in Section IV.B. This narrative will be evaluated for sufficiency and will not change the applicant's score or rank as compared to other applicants. If the narrative is deemed insufficient, it will be a "Curable Deficiency" that will be communicated to the applicant for correction with a notice of deficiency.

PRICE Tribal Applicants: As provided in this NOFO, PRICE grants made to Tribal Applicants will be subject to ICDBG program requirements. In turn, these Tribal PRICE Applicants, who have unique sovereign and political status of Indian tribes, will serve low- and moderate- income Native Americans and Indigenous people in Tribal communities. Due to the specific focus of Tribal Applicants on serving Tribal communities, Tribal Applicants will be presumed to meet the substantive goals of Executive Order 13985 and the Advancing Racial Equity requirements of this NOFO when Tribal Applicants carry out activities in accordance with program requirements for the benefit of Tribal communities. Accordingly, HUD is not requiring Tribal Applicants to submit an additional narrative unless they believe there are potential barriers to underserved communities equitably benefiting from proposed grant activities. If so, they should identify those barriers, detail steps to prevent, reduce, or eliminate those barriers, and identify how they will measure, track progress, and evaluate the effectiveness of efforts to overcome those barriers.

## **Affirmative Marketing**

You must submit a narrative demonstrating that the housing, services, or other benefits provided under this grant will be affirmatively marketed broadly throughout the local area and nearby areas to any demographic groups that would be unlikely or least likely to apply absent such efforts. Such demographic groups may include, for example, Black and Brown persons or communities, individuals with limited English proficiency, individuals with disabilities, or families with children. Such activities may include outreach through community contacts or

service providers or at community centers serving the target population; and marketing on websites, social media channels, television, radio, and print media serving local members of the targeted group. Documentation for this factor consists of a narrative describing the activities that will fulfill the factor requirements.

This narrative is required and must address the issues outlined in the paragraph above. Applicants will submit this narrative according to the instructions in Section IV.B. This narrative will be evaluated for sufficiency and will not change the applicant's score or rank as compared to other applicants. If the narrative is deemed insufficient, it will be a "Curable Deficiency" that will be communicated to the applicant for correction with a notice of deficiency (note: this narrative does not count towards the application page limit).

### **Affirmatively Furthering Fair Housing**

This narrative is a mandatory requirement and limited to no more than two pages. This narrative will be evaluated for sufficiency and will not change the applicant's score or rank as compared to other applicants. This narrative will not count toward the 45-page application limit. If the narrative is missing or incomplete, it will be categorized as a "Curable Deficiency". The notice of deficiency will be communicated to the applicant for correction and must be remedied within three days of notification, as outlined in the NOFO. See the Affirmatively Furthering Fair Housing heading under Section IV.G. of this NOFO for more information.

**All Applicants (except Tribal Applicants):** Address the barriers to AFFH you described in V.A.1.a. Describe meaningful actions you will take that provide opportunities to access safe, accessible, and healthy housing by protected class groups, how your actions promote integration and reduce segregation, and/or transform racially or ethnically concentrated areas of poverty into areas of opportunity. Discuss how you will carry out the proposed activities in a manner that affirmatively furthers fair housing in compliance with the Fair Housing Act and its implementing regulations, and how applicants will meet the requirements of the definition of AFFH at 24 CFR 5.151. Additionally, describe how you will maintain compliance with civil rights laws.

**Tribal Applicants:** For Tribal Applicants, address how your project will help address barriers to affordable housing for Tribal members.

## **G. Criteria for Beneficiaries.**

Except as described in this NOFO and its appendices, statutory and regulatory provisions governing the CDBG program, including title I of the Housing and Community Development Act of 1974 and 24 CFR part 570 shall apply to the use of these funds. For CDBG entitlement communities and other entities receiving funding under this NOFO (see Section III.A.), except for states and Tribal Applicants, regulatory provisions at 24 CFR part 570 subparts A, C, D, J, K, and O apply, as appropriate. For states, 24 CFR part 570 subpart I applies, as appropriate; however, Section VI.E. waives the requirement for states to distribute funds through a method of distribution as is required for annual State CDBG funds. For Tribal Applicants, the ICDBG requirements in 24 CFR part 1003 will apply, as appropriate.

## **IV. APPLICATION AND SUBMISSION INFORMATION**

### **A. Obtain an Application Package**

#### **Instructions for Applicants**

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

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

Name:

Robert Peterson

Email:

PRICE@hud.gov

HUD Organization:

Street:

451 7th Street SW

City:

Washington

State:

DC DISTRICT OF COLUMBIA

Zip:

20410

### **B. Content and Form of Application Submission**

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

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

#### **1. Content**

<b>Forms/Assurances/Certifications</b>	<b>Submission Requirement</b>	<b>Notes/Description</b>
Application for Federal Assistance (SF-424)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Applicant and Recipient Assurances and Certifications (HUD 424-B)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Applicant/Recipient Disclosure/Update Report (HUD 2880)	This form is required.	Review section IV.B.2. of this NOFO for detailed submission requirements
Disclosure of Lobbying Activities (SF-LLL)	Review section IV.G. of this NOFO for detailed submission requirements.	Federally recognized Indian tribes and tribally designated housing entities (TDHEs) established by federally recognized Indian tribes as a result of the exercise of the tribe’s sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement.
Certification of Lobbying Activities	This form is required.	
Federal Assistance Representations and Certifications	This form is required via sam.gov	To assure compliance with statutory requirements for HUD programs, you must complete the “Federal Assistance Representations and Certifications” section of your sam.gov registration. HUD and OMB use information reported within sam.gov for general management of Federal assistance awards programs. For more information on how to update your sam.gov registration, visit SAM.gov or the Federal Service Desk, FSD.gov. You can search for help at FSD any time or request help from an FSD agent Monday-Friday 8 a.m. to 8 p.m. ET.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Grant Application Detailed Budget Worksheet (HUD-424-CBW)		This form is contained within the Instruction Package.
Assurances for Non-Construction Programs (SF-424B)	This form is required.	This form is contained within the Application Package.
Assurances for Construction Programs (SF-424D)	This form is required.	This form is contained within the Application Package.
PRICE Certifications	This document is required.	PRICE Certifications can be found in Appendix B.

The following provides instructions on the organization and content of your application. It lists the narrative exhibits and attachments, and instructions for each, that are required as part of the application. All narrative exhibits, attachments, and forms are required to be submitted in your application unless otherwise indicated. Review the Threshold Requirements in Section III.D, Other Submission Requirements in Section IV.G, and the Review Criteria in Section V.A for details about what should be submitted. Please be advised that not providing information clearly and consistently, and/or not providing exhibits and attachments in accordance with the instructions and documentation requirements in this NOFO, may negatively impact HUD's ability to determine if your application meets threshold requirements or to score your application. This could result in your application not being able to be scored and ranked or receiving a lower score. Please also only submit documents that are required to respond to a threshold requirement and/or rating factor. HUD forms required by this NOFO are provided in the application package download at <http://www.grants.gov/>. The list of narrative exhibits and attachments is provided below, along with instructions for each.

- a. **Table of Contents.** Provide a table of contents matching the submission requirements of this section.
- b. **Narrative Exhibits.** The narrative exhibits required in your applications are as follows:
  1. **Exhibit A Executive Summary.**
  2. **Exhibit B Threshold Requirements and Other Submission Requirements.** Review and provide a narrative response, as necessary, to the Threshold Requirements in Section III.D and Other Submission Requirements in Section IV.G.
  3. **Exhibit C Need Review** and provide a narrative response to V.A.1.a.
  4. **Exhibit D Soundness of Approach** Review and provide a narrative response to V.A.1.b.
  5. **Exhibit E Capacity** Review and provide a narrative response to V.A.1.c.
  6. **Exhibit F Match or Leverage.** Review and provide a narrative response to V.A.1.d.
  7. **Exhibit G Long-term Effect.** Review and provide a narrative response to V.A.1.e.

### **c. Required Attachments:**

- Advancing Racial Equity narrative per Section III. F. of this NOFO (Attachment A)
- Affirmative Marketing narrative per Section III. F. of this NOFO (Attachment B)
- Affirmatively Furthering Fair Housing narrative per Section III. F and Section IV.G of this NOFO (Attachment C)
- Eligible Applicants documentation per Section III. D. of this NOFO (Attachment D)
- Evidence of Partnership letters per Section III. D. of this NOFO, as applicable (Attachment E)
- Match or leverage documentation per Section III. C. of this NOFO, as applicable (Attachment F)
- Application Certifications and Standard forms per Sections IV. B. and Appendix B of this NOFO (Attachment G)
- Summary of comments received on published Application and list of commenters by name/organization per Section VI. E. of this NOFO (Attachment H)

Note: Attachments do not count towards the application page limit.

## **2. Format and Form**

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

45 Pages maximum length of narratives

Other

The narrative shall be 12-point (minimum) Times New Roman font on letter sized paper (8 1/2 x 11 inches) with at least 1-inch margins on all sides. The maximum page limit applies to all applicants.

### **a. Application Layout.**

- i. The first part of an application is comprised of narrative exhibits. The narratives respond to requirements, rating factors, and other criteria in the NOFO, as indicated below.
- ii. The second part of an application is comprised of attachments. These documents also respond to the rating factors in the NOFO, as well as threshold and mandatory documentation requirements. They include documents such as maps, photographs, application data forms, and various certifications.
- iii. Any pages marked as sub-pages (e.g., with numbers and letters such as 25A, 25B, 25C), will be treated as separate pages.
- iv. If a section is not applicable, indicate 'N/A' as a clear indication to HUD (do not leave the section blank);
- v. No more than one page of text may be placed on one sheet of paper (i.e., you may not shrink pages to get two or more on a page). Shrunken pages, or pages where a minimized or reduced font are used, will be counted as multiple pages;
- vi. Do not format the narrative exhibits in columns. Pages with text in columns will be counted as two pages;
- vii. All pages should be numbered. HUD recommends applicants consecutively number the pages of the Attachments section to ensure proper assembly of their application if printed.

**b. Format and Title Instructions.** Each narrative exhibit and attachment should be uploaded as its own separate file, with a title page based on the organization instruction in the section above. Do not upload an application that has multiple exhibits or attachments in the same file. HUD will use title pages as tabs when it downloads the application. Each title page should only contain the name of the narrative exhibit or attachment (e.g., “Exhibit A Executive Summary”) and the name of the Lead Applicant. **WARNING:** The file name should be fewer than 50 characters and not include spaces or special characters. Also, please note that Grants.gov is a system used by the entire Federal government and its structure does not necessarily reflect the PRICE NOFO (i.e., its Attachment 1 does not refer to the PRICE Attachment 1). Applicants should zip together the multiple attachment files (in one or more zip files, depending on the size) they have prepared in accordance with this NOFO and enter them into the slots provided by Grants.gov.

**c. Application Page Count.**

i. Each PRICE application must contain no more than 45 pages of narrative exhibits (attachments that are listed above in Section IV.B.1.c do not count towards the application page limit). Any pages beyond this limit will not be reviewed. HUD will not consider the information on any excess pages, potentially resulting in a lower score.

ii. Exceptions to page limits. The documents listed below constitute the only exceptions and are not counted in the page limit listed above. Extraneous information not requested in the NOFO that is provided in these attachments will be counted toward the page limit.

- Additional pages submitted at the request of HUD in response to a technical deficiency
- Table of Contents
- Tabs/title pages that are blank or display a title/header/'n/a' indication
- Advancing Racial Equity narrative per Section III. F. of this NOFO (Attachment A)
- Affirmative marketing narrative per Section III. F. of this NOFO (Attachment B)
- Affirmatively Furthering Fair Housing narrative per Section III. F. and Section IV.G of this NOFO (Attachment C)
- Eligible Applicants documentation per Section III. D. of this NOFO (Attachment D)
- Evidence of Partnership letters per Section III. D. of this NOFO (Attachment E)
- Match or leverage documentation per Section III. C. of this NOFO (Attachment F)
- Application Certifications and Standard forms per Sections IV. B. and Appendix B of this NOFO (Attachment G)
- Summary of comments received on published Application and list of commenters by name/organization per Section VI. E. of this NOFO (Attachment H)

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

### **1. SAM Registration Requirement**

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

## 2. UEI Requirement

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

## 3. Requirement to Register with Grants.gov

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

# D. Application Submission Dates and Times

## 1. Application Due Date Explanation

The application deadline is 11:59:59 PM Eastern time on

07/10/2024

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

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

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

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

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

## 2. Grants.gov Customer Support

Grants.gov provides customer support information on its website at <https://www.grants.gov/web/grants/support.html>. If you have difficulty accessing the application and instructions or have technical problems, contact Grants.gov customer support center by calling (800) 518-GRANTS (this is a toll-free number) or by sending an email to [support@grants.gov](mailto:support@grants.gov). The customer support center is open 24 hours a day, seven days per week,

except Federal holidays. Individuals who are deaf or hard of hearing, or who have speech and other communication disabilities may use a relay service to reach Grants.gov Customer Support. To learn more about how to make an accessible telephone call, visit the [webpage for Federal Communications Commission](#).

### **3. Grants.gov Application Submission**

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

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

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

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

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

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

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

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

### **4. Amending or Resubmitting an Application**

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

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

## **5. Grace Period for Grants.gov Submissions**

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

## **6. Late Applications**

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

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

## **7. Corrections to Deficient Applications**

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

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

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

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

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

Corrections to a paper application must be sent in accordance with and to the address indicated in the notification of deficiency. HUD will treat a paper application submitted in accordance with a waiver of electronic application containing the wrong UEI as having a curable deficiency.

Failure to correct the deficiency and meet the requirement to have a UEI and active registration in SAM will render the application ineligible for funding.

## **8. Authoritative Versions of HUD NOFOs**

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

## **9. Exemptions**

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

## **E. Intergovernmental Review**

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

## **F. Funding Restrictions**

1. **Statutory Time Limits.**
  - a. Required Expenditure Date. This NOFO establishes that a grantee must expend funds in a manner that meets all PRICE program requirements by the end of the period of the performance of the PRICE grant or September 20, 2032, whichever is earlier.
2. **Grant Size.** The minimum and maximum awards available under PRICE Main, PRICE Replacement Pilot, and for PRICE Tribal Applicants, are described in Section II.C of this NOFO.
3. **Cost Control Standards.**
  - a. Cost estimates must represent an economically viable preliminary plan for designing, planning, and carrying out the proposed activities, in accordance with local costs of labor, materials, and services.
  - b. Projected soft costs must be reasonable and comparable to industry standards and in accordance with the applicable policy, statute and/or regulations.
  - c. Grantees must provide a detailed budget identifying the specific use of all grant funds. In particular, if a Planning Coordinator has been or will be procured, the budget must break out the fee paid to the Planning Coordinator as well the budget for each specific activity included in the Planning Coordinator contract (such as a market study, etc.).
4. **Budget Deductions.** HUD may delete any unallowable items from the proposed budget and may reduce the grant amount accordingly. HUD will not fund any portion of an application that: (a) is not eligible for funding under specific HUD program statutory or regulatory requirements; (b) does not meet the requirements of this NOFO; or (c) is duplicative of other funded programs or activities from prior awards or other selected

applicants. Only the eligible portions of an application (excluding duplicative portions) may be funded.

5. **Grant Reduction, Recapture, or Withdrawal of Grant Amounts.** HUD reserves the right to amend an award and reduce the amount or recapture the grant. Additionally, HUD reserves the right to withdraw any grant funds a grantee has not obligated under its award, or any funds that a grantee has not accepted after being awarded. Prior to a reduction, withdrawal, or adjustment of a grant, the grantee shall be notified of such proposed action and given an opportunity within a prescribed time period for an informal consultation. HUD may redistribute any amounts to one or more other applicants eligible for PRICE funding.
6. **Ineligible Use of Grant Funds.** See Section III.F regarding ineligible uses of program funds.

### **Indirect Cost Rate**

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

Applicants other than state and local governments. If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your organization does not have a current negotiated rate (including provisional rate) and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 15% of Modified Total Direct Costs (MTDC), as defined at [2 CFR 200.1](#). Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both, as described in [2 CFR 200.403](#). Once elected, the de minimis rate must be applied consistently for all Federal awards until the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

State and local governments. If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than \$35 million in direct Federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in [Appendix VII to 2 CFR part 200](#).

If your department or agency unit receives no more than \$35 million in direct Federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with [2 CFR Part 200, Appendix VII](#), you may use the rate and distribution base specified in that indirect cost rate proposal.

Alternatively, if your department or agency unit receives no more than \$35 million in direct Federal funding per year and does not have a current negotiated rate (including provisional) rate, you may elect to use the de minimis rate of 15% of MTDC. As described in [2 CFR 200.403](#), costs must be consistently charged as either indirect or direct costs but may not be double

charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until your department or agency chooses to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.

As further explained below, this program is subject to a statute or regulation that imposes indirect cost rate restrictions that are different from the indirect cost rate requirements in [2 CFR 200](#).

As further explained below, this program is subject to an OMB-approved deviation from the negotiated rates, as provided by [2 CFR 200.414\(c\)](#).

## **G. Other Submission Requirements**

### **1. Standard Application, Assurances, Certifications and Disclosures**

#### **Standard Form 424 (SF-424) Application for Federal Assistance**

The SF-424 is the government-wide form required to apply for Federal assistance programs, discretionary Federal grants, and other forms of financial assistance programs. You must complete and submit the form with the other required forms and information as directed in this NOFO.

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

#### **Assurances (HUD 424-B)**

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

## **Federal Assistance Representations and Certifications**

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

### **Budget Form (424-CBW)**

Applicants must complete the 424-CBW budget form. Provide a breakdown of the aggregate numbers detailing the funding allocation to each activity. The form is accessible online at <https://www.hud.gov/sites/dfiles/OCHCO/documents/424-CBW.xls>. Instructions on how to complete the form are also available at <https://www.hud.gov/sites/dfiles/OCHCO/documents/424-CBW-I.xlsx>. Both the form and instructions are also available in the grants.gov Application Package for this NOFO.

### **Assurances for Construction Programs (SF-424D)**

Applicants use the SF-424D form to provide information on required assurances when applying for Federal financial assistance under construction grant programs.

### **Assurances for Non-Construction Programs (SF-424B)**

Applicants use the SF-424B to provide information on required assurances when applying for Federal financial assistance under non-construction grant programs.

### **Applicant Disclosure Report Form 2880 (HUD 2880)**

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

### **Disclosure of Lobbying Activities (SF-LLL)**

Download this form as part of the Application Package for this NOFO. If this form does not apply, indicate on the form (e.g., writing 'N/A') and submit it with your application.

### **Certification of Lobbying Activities**

All applicants except Federally recognized Indian tribes must submit this certification with their application. Download this form as part of the Application Package for this NOFO.

### **Code of Conduct**

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

### **Affirmatively Furthering Fair Housing**

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

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

Applicants must submit a narrative describing their adherence to Affirmatively Furthering Fair Housing, as described in Section III. F. and Section IV. G. of this NOFO. The narrative will be treated as a curable deficiency and will not count towards the application page limit.

## **2. Other Program-Specific Requirements**

a. **Fair Housing and Nondiscrimination.** HUD’s general non-discrimination and equal opportunity requirements at 24 CFR 5.105(a) apply to the PRICE Program. HUD’s nondiscrimination requirements at 24 CFR 1003.601 apply to Tribal Applicants. HUD’s [Fair Housing Rights and Obligations webpage](#) provides an overview of pertinent laws and implementing regulations concerning nondiscrimination and accessibility for persons with disabilities that apply

Applicants are reminded that HUD’s Title VI regulation, at 24 CFR 1.4(b)(3), specifically prohibits site selection that has the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination on the basis of race, color, or national origin, which includes the relocation areas and land and site acquisition. Pursuant to HUD’s Title VI regulation at 24 CFR 1.4(b)(2)(i), applicants are reminded that in determining the types of housing, facilities, accommodations, services, financial aid, or benefits that will be provided, they may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, which includes voluntary buyouts.

**b. Limited English Proficiency (LEP).** Applicants and Partners must take reasonable steps to provide meaningful language access to persons with LEP with regard to any program, activity, or service funded under this NOFO pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166. For assistance in ensuring that the information regarding the planning process and this application are available to LEP populations, applicants and recipients should consult the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons published on January 22, 2007, in the Federal Register (72 FR 2732).

**c. Physical Accessibility.** Note that all meetings open to the public must be held in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, Applicants and Partners must give priority to alternative methods of product or information delivery that are accessible to and usable by individuals with disabilities and offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and HUD's implementing regulations for Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) at 24 CFR part 8, Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12134) and the implementing regulations at 28 CFR part 35, and all other applicable laws and regulations. In addition, all notices of and communications during all training sessions and public meetings shall be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities and provide persons with disabilities with reasonable accommodations to ensure their equal and full participation as consistent with Section 504 of the Rehabilitation Act of 1973 and HUD's Section 504 regulations (See 24 CFR Section 8.6 and Section 8) and Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12134) and the implementing regulations at 28 CFR part 35 (See 28 CFR part 35, subpart E and 28 CFR § 35.130(b)(7)).

Pursuant to Section 504, covered multifamily housing projects that include substantial alterations to housing or include new construction of housing must comply with the Uniform Federal Accessibility Standards and the 2010 ADA Standards for Accessible Design with exceptions as detailed in HUD's Notice titled Nondiscrimination on the Basis of Disability in Federally Assisted Programs and Activities ("HUD's Deeming Notice"), which is available at 79 Fed. Reg. 29,671 (May 23, 2014). Under the Fair Housing Act, all new construction of covered multifamily dwellings and rehabilitation that results in a covered multifamily dwelling must contain certain features of accessible and adaptable design that comply with the design and construction requirements at 42 U.S.C. § 3604(f)(3)(C). This requirement is in addition to other accessibility requirements, which may be required by federal, state, or local law.

**d. Environmental Review.** A HUD environmental review is required for all activities funded under this NOFO. Refer to Section VI. B of this NOFO for additional information regarding environmental review requirements.

**e. Affordability.** HUD is instituting an alternative requirement that all activities assisted by PRICE funds, inclusive of infrastructure and housing activities, shall be required to provide affordability for a period of not less than 15 years. In its PRICE Action Plan, for all housing activities, a grantee must define "affordable rents" and the affordability standards and enforcement mechanisms that will apply to affordable rental housing. In its PRICE Action Plan, for all non-housing activities, a grantee must demonstrate how its agreements will attach

affordability requirements to the assisted activity. The minimum affordability standards acceptable for compliance are the HOME Investment Partnerships Program (HOME) requirements at 24 CFR 92.252(a), (e), and (f) (rental housing) and 24 CFR 92.254(a)(1)-(4) (homeownership). HOME Investment Partnerships Program (HOME) requirements at 24 CFR 92.252 (e) and (f) (rental housing) will apply to Homesite Renters who will pay no more than 30 percent of gross income on housing costs, including site rental, fees, and utilities. For Tribal Applicants, affordability standards that are consistent with the affordability standards used in the relevant Indian tribe’s Indian Housing Block Grant Program for comparable housing will be acceptable for compliance. If a grantee applies other standards, the standards must meet or exceed rent limitations and the periods of affordability in the applicable HOME requirements. HUD requires any affordability standards to be enforceable and imposed by recorded use restrictions, covenants, deed restrictions, or other mechanisms to ensure that the rental housing remains affordable for the required period of time.

## V. APPLICATION REVIEW INFORMATION

### A. Review Criteria

#### 1. Rating Factors

HUD will use the following rating factor criteria to evaluate applications under this NOFO. In addition to the requirement that proposals are well organized, clear, compelling, and address one or more eligible activities, applicants must describe whether they are applying for the **PRICE Main category, the PRICE Replacement Pilot category, or both categories of funding** and respond to all applicable rating factor criteria to be scored and ranked. Failure to respond to all the applicable rating factor criteria will result in an incomplete application. **If the applicant cannot respond to a specific question because it has determined that question does not apply to its proposed eligible activities, the applicant should specify why it does not apply rather than leaving it blank or unaddressed.** A total of 70 or more points is needed to be considered for an award. HUD may, at its discretion, award funds to Tribal Applicants scoring below the 70-point threshold by rank as HUD deems necessary to fulfill tribal award objectives.

Rating factor criteria are labeled as follows:

- **All Applicants:** All applicants should respond to the questions.
- **PRICE Main:** Questions for PRICE Main competition applicants.
- **PRICE Replacement Pilot:** Questions for PRICE Replacement Pilot applicants.

Total points for rating factors are 100 points, see potential points for each rating factor in Table 2. HUD will offer up to four (4) additional points, described in Section V.A.2 of this NOFO. The maximum points available in this NOFO is 104 points.

**Table 2: Potential Points for each Rating Factor**

Scoring Category	Potential Points
Factor (a): Need	15
Factor (b): Soundness of Approach	50

<i>Subfactor (b)(i): Project Description, Management, and Impact</i>	10
<i>Subfactor (b)(ii): Affordability and Equity</i>	15
<i>Subfactor (b)(iii): Environment and Resilience</i>	15
<i>Subfactor (b)(iv): Community Engagement</i>	10
<b>Factor (c): Capacity</b>	20
<b>Factor (d): Match or Leverage</b>	5
<b>Factor (e): Long Term Effect</b>	10

**a. Factor (a): NEED (Maximum 15 points)**

HUD is prioritizing proposals demonstrating: (1) need for affordable accessible housing options (including improved infrastructure and community amenities) in the project area(s) or subject communities described in the proposal, and (2) a clear and equitable focus on preserving and revitalizing manufactured housing to address the need described. HUD will rate more highly thorough and compelling proposals which address the need for affordable accessible housing by acquiring and installing, preserving, and/or rehabilitating manufactured housing (or other housing types, including modular housing).

- **Are you applying for PRICE Main, PRICE Replacement Pilot, or both categories of funding?**
  - **All Applicants:** Applicants must describe whether they are applying for the PRICE Main category, the PRICE Replacement Pilot category, or both categories of funding, and applications must address the narrative prompts that are applicable. Please indicate which of the following are being addressed: PRICE Main, PRICE Replacement Pilot, or both sets of narrative prompts.
  
- **What is your project area and the need for affordable accessible housing within it?**
  - **All Applicants:** For a single site proposal, describe the subject community; or for a regional or national multi-site proposal, describe the subject communities or geographic areas. Also describe the need for affordable accessible housing within them; you may include data or other relevant information about the lack of affordable housing options, risk of conversion of one or multiple MHCs to unaffordable market-rate housing or non-residential uses, number of LMI households in need of affordable accessible housing, hazards that have or could potentially impact the availability of housing, existing health and safety issues caused by existing substandard housing, or existing manufactured housing that is substandard and/or dated.
  
- **Is your project within or does it include any communities that meet Distress Criteria?**
  - **All Applicants:** Distress criteria are defined in 12 CFR 1805.201(b)(3)(ii)(D) (Certification as a Community Development Financial Institution) and include

communities with high rates of poverty, low income, high unemployment, and population loss. If your project is within or includes a community that meets one or more Distress Criteria, describe the issue(s) and their impact on the availability of housing. You may provide data and data sources in your description of issue(s) and impact on the availability of housing.

- **Does your proposal increase resilience in any disaster-prone areas?**
  - **All Applicants:** Is the area in or inclusive of a census tract identified as a [Community Disaster Resilience Zone](#), as defined by FEMA? If so, what future risks do the communities served by your proposal face due to natural hazards, extreme weather, and disasters such as flooding, wildfires, heat, severe storms, etc.?
- **What are the barriers to manufactured housing preservation or revitalization in your project area?**
  - **PRICE Main:** Barriers may include land use controls, insufficient infrastructure, insufficient access to materials and shipping logistics for remote and rural areas, permitting procedures and fees, perceived poor quality, low financing availability to purchase units and/or lots, local or political opposition to manufactured housing, low resident organizing or self-governance capacity, and high land values prohibitive for purchase by LMI households wishing to site a manufactured home. For non-Tribal Applicants, describe the protected class groups in your project area that lack access to safe and healthy affordable housing and the barriers to AFFH that create a lack of opportunity for them. Barriers may include existing patterns of segregation in the community, lack of opportunity in racially or ethnically concentrated areas of poverty, and discrimination. Note: you will describe how you plan to address these barriers in the required AFFH narrative in Section III. F. of this NOFO.
  - **PRICE Replacement Pilot:** Barriers to the preservation and revitalization of manufactured housing may include manufactured housing that is more costly to preserve than replace, or too old to sustain upgrades. Barriers to replacement of MHCs may include land use controls, permitting procedures and fees, high construction costs, low homeowner, or renter financing availability, local or political opposition to manufactured housing or the replacement affordable housing, resident organizing or self-governance capacity, and high land values prohibitive for purchase by LMI households. Why would the redevelopment not occur without federal funding? For non-Tribal Applicants, describe the protected class groups in your project area that lack access to safe and healthy affordable housing and the barriers to AFFH that create a lack of opportunity for them. Barriers may include existing patterns of segregation in the community, lack of opportunity in racially or ethnically concentrated areas of poverty, and discrimination. Note: you will describe how you plan to address these barriers in the required AFFH narrative in Section III. F. of this NOFO.

**b. Factor (b) SOUNDNESS OF APPROACH (Maximum 50 points)**

HUD is prioritizing proposals that (1) provide a clear vision and specific goals, and (2) explain how affordability will be preserved and environmental threats mitigated. HUD will rate

proposals which demonstrate sound planning and implementation practices that preserve and/or create long-term housing affordability for manufactured housing residents more highly.

**i. Subfactor (b)(i): Project Description, Management, and Impact (10 points)**

- **What are your vision and goals?**
  - **All Applicants:** A successful proposal will clearly articulate your vision and goals and provide details about the specific activities you wish to undertake that will create, preserve, or revitalize (including reconstruction using other construction methods) manufactured houses and ensure their availability and affordability to LMI households now and in the long-term. If you are proposing what you feel is a particularly innovative way to revitalize affordable housing, please describe why it's innovative and the added benefit to beneficiaries. Additionally, you should describe how the proposed activities are eligible and meet a National Objective (see Section III.F of this NOFO). For a single site, include physical descriptions, geography, map(s), and as applicable, connection to community amenities and utilities. For a regional or national multi-site proposal, also include a general description of the criteria used to select and characteristics of the communities you will be serving in your proposal. For both single site and multi-site proposals, identify the current landowners of any proposed project site(s) and their role in, and/or relationship to any proposed activities.
- **Which eligible activities will you use to address the need(s) described in Factor (a)?**
  - **PRICE Main:** Describe the activities you will undertake, how they will address existing need(s), and why they are an ideal solution to address the need(s). Describe how your proposal ensures housing stability for displaced residents and how their long-term housing stability will be ensured. Finally, describe whether units will be reserved for households assisted under other HUD affordable housing programs serving the needs of low-income households such as eligible Housing Choice Voucher (HCV) recipients, or the Indian Housing Block Grant (IHBG).
  - **PRICE Replacement Pilot:** How does the proposal for replacement housing address the need described in Factor (a)? Describe the proposed replacement housing, including the number of units proposed and the type of housing to be constructed as applicable (manufactured housing, single family attached, single family detached, multifamily, etc.) and cite the state and/or local building code(s) and land use regulation(s) that support the replacement housing. Provide detailed information on the MHC and the changes that will occur under this proposal. Describe how your proposal ensures housing stability for displaced residents and how their long-term housing stability will be ensured. Explain how the project will address the existing manufactured housing units in the MHC. Finally, describe whether units will be reserved for eligible Housing Choice Voucher (HCV) recipients.
- **What is your timeline and key tasks along that timeline?**
  - **All Applicants:** Demonstrate a clear and thoughtful planning process by providing the order and duration of the activities and key tasks described in your

proposal. For regional or national multi-site proposals, also describe if and how you will cascade work across different sites.

- **What is your budget?**

- **All Applicants:** Include all funding amounts and sources, how the funding will be provided, and how your project will be supported and sustained by the funding. Include the funding you are requesting from PRICE.
- **Applications pursuing both PRICE Main and PRICE Replacement Pilot funding:** You must indicate the total request, the amount requested under PRICE Main, and the amount requested under the PRICE Replacement Pilot. You must provide separate budgets, one for PRICE Main and one for PRICE Replacement Pilot.

*Please note that PRICE Replacement Pilot applicants must provide evidence of non-federal financial match funding exceeding 50 percent of the Pilot request. This requirement does not apply to PRICE Main applicants, though leveraging external funding is encouraged (see Factor d – Match or Leverage).*

- **What are the projected impacts of your activities if implemented?**

- **PRICE Main:** As applicable, clearly describe increased opportunities to access quality affordable housing, enhanced resilience of manufactured and other homes, enhancements to MHCs (e.g., infrastructure and services provided), retention of or increases to the availability of unsubsidized affordable housing, and overall benefit to the community or project area you wish to support.
- **PRICE Replacement Pilot:** Describe how the required dwelling units of affordable housing, of which up to four must be created to replace each unit of single-family housing, will remain affordable in the long-term (note: you must also address how lot rents and other fees will remain affordable as applicable). Include information on the resulting community or project area and the access to community amenities provided in the development or available in the surrounding community.

## ii. Subfactor (b)(ii): Affordability and Equity (15 points)

- **How will you ensure the availability of affordable manufactured housing options to LMI households?**

- **PRICE Main:** Describe how you will balance affordability with the opportunity to build financial security and wealth for manufactured homeowners and if applicable, how you will encourage their lot ownership for the siting of manufactured homes. Applicants should consider how the land ownership ties into the opportunities you plan to create and how this ensures long term affordability. Finally, describe how the affordable homeownership and/or rental opportunities you plan to create will remain affordable for *at least 15 years* and be promoted to LMI households and protected classes. *Note: Affordability requirements applicable to this NOFO can be found in Section VI.E of this NOFO.*
- **PRICE Replacement Pilot:** How will you ensure the availability of affordable replacement housing options to LMI households? Describe how the new

replacement units will create and retain affordable housing beyond the duration of your proposal assuming it is not federally subsidized upon project completion (please also include a description of how lot rents and other fees will remain affordable, if applicable). Applicants should consider how the land ownership ties into the opportunities you plan to create and how this ensures long term affordability. Describe the ownership structure and how the ownership structure will ensure long-term affordability and/or wealth-building for LMI households. Finally, describe how the affordable homeownership and/or rental opportunities you plan to create will remain affordable for *at least 15 years* and be promoted to LMI households and protected classes. *Note: Affordability requirements applicable to this NOFO can be found in Section VI.E of this NOFO.*

- **What protections will be in place for residents?**

- **All Applicants:** HUD expects that in communities where the tenant of a manufactured housing unit rents the unit and/or the pad, the community will maintain or adopt tenant site lease protections consist with or greater than those required by Fannie Mae or Freddie Mac. Examples of applicable requirements include:
  - Notice of rent increases
  - Renewable leasing structures
  - Right to purchase or sell
  - Right to sublease
  - Advanced notice of planned sale or closure of a community

Define how your activities will protect residents from lot rent and/or fee increases, relocation, eviction, paying arrearage, and other adverse actions. This may include, but is not limited to, updating local ordinances to protect residents of manufactured homes from eviction, informing them of their rights, providing housing or legal counseling, or land acquisition. Describe as applicable how these protections align with federal civil rights laws, including the Fair Housing Act, [Fannie Mae](#) or [Freddie Mac](#) tenant protections, [The White House Blueprint for a Renters Bill of Rights](#), as well as state, local, or Tribal laws, and regulations applicable to the community or communities being served. For regional or national multi-site proposals, describe state, local, or Tribal laws and regulations, and how your proposal aligns to each. Finally, if your activities involve resident displacement, for example because of disaster resilience buy-outs, how will you ensure affected homeowners get fair market value for their home and ensure all residents (owners and renters) are able to relocate to another home nearby or have opportunities to purchase replacement units?

- **How does your proposal encourage access to resources and financing, especially for underserved communities and persons?**

- **All Applicants:** Characteristics of underserved communities and persons may include those living in poverty, lacking a vehicle, or living in overcrowded homes, among others. If applicable, describe how your proposal will increase accessible and affordable housing opportunities for individuals with disabilities

and how it will support integrated and independent living with access to voluntary supportive services such as health services and transportation.

- **PRICE Main (except Tribal Applicants) and PRICE Replacement Pilot:** How will you provide opportunities to low-income individuals? Describe as applicable how your project will provide economic opportunities to low-income individuals and your history of hiring, training, contracting, and providing other economic opportunities in furtherance of Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and its implementing regulations at 24 CFR part 75.
- **Tribal Applicants:** Tribal Applicants must describe as applicable how the project will provide preferences in employment, training, and business opportunities to Indians and Indian organizations, consistent with Section 7(b) of the Indian Self-Determination and Education Assistance Act ([25 U.S.C. 5307\(b\)](#)) and 24 CFR 1003.510.

### iii. Subfactor (b)(iii): Environment and Resilience (15 points)

- **What significant hazards could impact your project site(s)?**
  - **All Applicants:** For each significant hazard, describe hazard mitigation activities you will undertake to enhance the resilience of manufactured homes or associated infrastructure. You may wish to consult the Federal Emergency Management Agency (FEMA) [National Risk Index](#), [Hazus Program](#), [Resilience Analysis and Planning Tool](#), and [Community Disaster Resilience Zone Platform Tools](#). Additional resources may be found in FEMA's [Recovery and Resilience Resource Library](#).
- **How will your activities address the current and future threat of natural hazards, extreme weather, and disaster events?**
  - **All Applicants:** Outline how you will enhance the safety and stability of manufactured housing given natural hazards, extreme weather, and disaster events in your project area. What steps will be taken to mitigate impacts to manufactured housing and/or MHCs from weather-related hazards such as, but not limited to, wildfires, tornados, extreme heat, and floods?

Describe how your project supports LMI households that may be particularly vulnerable to impacts from weather-related hazards due to difficulties they may face preparing for, responding to, and recovering from disasters. If your project area includes homes that have been subject to repetitive loss, how will your project address and mitigate future losses?

Describe how you will use and promote weather resistant and climate appropriate materials across all project sites in your proposal. For regional and national multi-site proposals, describe how you will vary your approach to address differences in climate or climate change considerations among those sites as applicable.

Describe how your project supports LMI households that may be particularly vulnerable to impacts from natural hazards due to difficulties they may face preparing for, responding to, and recovering from disasters. If your project area

includes homes that have been subject to repetitive loss, how will your project address and mitigate future losses?

- **How does your proposal help advance Environmental Justice (as defined in Section I.A.4 of this NOFO)?**
  - **All Applicants (except Tribal Applicants):** Describe in detail how your proposed activities will advance Environmental Justice in one or more of the activities below. You may wish to consult the [Climate and Economic Resilience Screening Tool](#) for examples of environmental justice factors and economic indicators, such as energy, health, legacy pollution, water/waste water, and projected risk of floods or wildfires. For this competition, activities that advance Environmental Justice for people or communities that have been environmentally underserved or overburdened (e.g., low-income, and Black and Brown communities) are listed below:
    - Reducing or mitigating exposure to environmental and health hazards (e.g., poor air quality, legacy pollution, heat islands, and soil contamination from current/former industrial areas).
    - Improving protection from and resilience to environmental harms (e.g., weatherization, tornado shelters, fire-resistant materials, floodproofing).
    - Expanding environmental benefits (e.g., clean air and water, public transportation, bike and walking paths, clean energy, green technology, biodiversity).
    - Overcoming prior disinvestment in environmental infrastructure (e.g., drainage systems, green spaces, pollution controls).
  - **Tribal Applicants:** Describe in detail how your proposed activities will advance Environmental Justice by reducing exposure to environmental and health hazards through improved housing conditions.

#### iv. Subfactor (b)(iv): Community Engagement (10 points)

- **How will you seek and encourage diverse stakeholder participation?**
  - **PRICE Main:** For each community you propose to support, describe how you will include and use input from stakeholders impacted by your proposed activities, such as manufactured housing residents, local governments, nonprofits, CDFIs, cooperatives, tenant advocates, fair housing organizations, manufactured housing developers, builders/general contractors, and unions. Describe what efforts you will take to engage and support participation by underserved communities and groups least likely to participate in the community. If the barriers described in Factor (a) will prevent successful project implementation, what is your plan to engage the community, local or state agencies, elected officials, etc., to address those barriers?
  - **PRICE Replacement Pilot:** For each community you propose to support, describe how you will include and use input from stakeholders impacted by your proposed activities such as manufactured housing residents, local governments, nonprofits, CDFIs, cooperatives, manufactured housing developers, builders/general contractors, fair housing organizations, and unions. Describe what efforts you will take to engage and support participation by underserved

communities and groups least likely to participate in the community. Additionally, as applicable, describe how public engagement and input will influence the replacement of housing units. If the barriers described in Factor (a) will prevent successful project implementation, what is your plan to engage the community, local or state agencies, elected officials, etc., to address those barriers?

- **How does your proposal align with existing community plans and policies?**
  - **All Applicants:** Does your proposal align with applicable existing comprehensive plans, land use plans, housing plans, fair housing planning, or other plans or policies in the community or communities across the project area(s)? Alternatively, if your proposal includes changing community plans and policies to be more supportive of manufactured housing, describe those changes and how you will secure buy-in to those changes from local officials and from community members.

**c. Factor (c): CAPACITY (Maximum 20 points)**

HUD will carefully consider the technical and financial capacity of applicants to ensure PRICE grantees can carry out project proposals in an efficient and timely manner while responsibly expending federal funds. HUD will rank proposals that demonstrate the applicant's capacity to carry out the proposal, as well as their recent experience carrying out similar work, more highly. Describe in your narrative:

- **What experience do you have managing projects?**
  - **All Applicants:** Detail your prior experience proposing, managing, implementing, and coordinating community development projects like the one you are proposing. Describe the roles and responsibilities your organization played, as well as those of partner organizations, if applicable. Provide references from clients, which may include but are not limited to beneficiaries and partners, verifying your experience.
- **What is your experience using grant funds?**
  - **All Applicants:** Provide at least one example of your experience managing and expending grant funds (ideally, but not necessarily, federal grant funds such as CDBG, NSP, CDBG-DR, HOME, or Section 108 funds, or in the case of Tribal Applicants, IHBG or ICDBG funds) to complete a project. Describe funds expended, for what purpose, and any challenges you experienced. If describing an example of your experience managing and expending federal grant funds, describe your experience meeting associated obligations and federal requirements.
- **Who are your key staff?**
  - **All Applicants:** List key staff from your organization (and your partner organizations, if applicable) who will be responsible for project leadership, management, and implementation, and the roles they will perform throughout the project(s) life cycle. Describe how your organization will manage partner organizations, if applicable, to ensure they are meeting expectations required for successful project implementation. Describe any gaps, vacancies, and contingency plans addressing potential staff or partner loss during the project. If applicable, list

your for-profit partner(s) and their financial interest in your proposed project. This may include, but is not limited to, land ownership within the project area(s).

- **What is your experience promoting racial equity?**
  - **All Applicants:** Describe your experience working directly with underserved communities, particularly Black and Brown communities, to design or operate programs that equitably benefit such groups, or experience successfully advancing racial equity in other ways. This may also include experience soliciting, obtaining, and applying input from such groups when designing, planning, or implementing programs and activities.
  
- **What is your experience completing environmental reviews?**
  - **All Applicants:** Describe your experience conducting environmental reviews in accordance with 24 CFR part 50 (non-profits not in consortium with a state government, tribal government, or unit of general local government) or 24 CFR part 58 (state government, tribal government, and units of general local government, or non-profits in consortium with any of the aforementioned). Please note that for physical development activities or property acquisition, you are generally prohibited from acquiring, rehabilitating, converting, demolishing, leasing, repairing, or constructing property, or committing or expending HUD funds until an environmental review process has been completed.
  
- **Are you familiar with cross-cutting federal requirements?**
  - **All Applicants:** Describe your experience with cross-cutting federal requirements and how you will comply with 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), Davis-Bacon labor standards (not applicable to Tribal Applicants), fair housing and nondiscrimination requirements, and the 49 CFR 24 (Uniform Relocation Act).

**d. Factor (d) MATCH OR LEVERAGE (Maximum 5 points)**

Match and leverage are defined in Section I.A.4.b. PRICE Main applications do not require external funding. However, HUD views external funding as an indicator of support and commitment to the project. Additional funds may also increase the effectiveness of the proposed activities. PRICE Replacement Pilot applicants must provide evidence of non-federal financial match funding exceeding 50 percent of the requested PRICE funds. Non-financial contributions will not be considered to meet this match requirement.

For PRICE Main proposals (excluding applications that are pursuing both categories of funding, PRICE Main and the PRICE Replacement Pilot), points will be awarded in accordance with Table 3 based on the percentage of leveraged commitments for the proposed activities.

**Table 3: PRICE Main Scoring for Leveraged Funding**

Leverage commitments as percent of grant funds requested	Points awarded
More than 50 percent	2

50 percent or less	1
No leveraged funding	0
Funding risks	Points awarded
Description of funding risk and contingency plan (see below)	3

For PRICE Replacement Pilot proposals (including applications for both categories of funding, PRICE Main and the PRICE Replacement Pilot), points will be awarded in accordance with Table 4 based on the percentage of match for the Replacement Pilot funds requested. *Any proposal for a PRICE Replacement Pilot award with less than the required amount of match is ineligible for a pilot award but may be considered for PRICE Main funding.*

**Table 4: PRICE Replacement Pilot Scoring for Match Funding**

Match as percent of grant funds requested	Points awarded
At least 100 percent	2
More than 50 percent but less than 100 percent	1
50 percent or less	Ineligible
Funding risks	Points awarded
Description of funding risk and contingency plan (see below)	3

- All Applicants:** Describe in your narrative the sources and amounts of match or leveraged funding, along with other resources or expertise those sources bring to the proposed project. These may include funding from state and local government sources, the non-profit sector, the private sector, among other potential sources. In addition to financial contributions, applicants for PRICE Main awards may credit the dollar amounts of any non-financial contributions towards their percentage of leveraged commitments. Please note that non-financial contributions will not count towards the total percentage of match for PRICE Replacement Pilot awards. Applicants must follow the below requirements in compiling and documenting match or leverage for the purposes of this NOFO. Otherwise, it may not be possible for HUD to count the commitment at the level claimed. These general requirements apply to all match or leveraged resource commitments.

- Resources must be firmly committed as of the application deadline date. “Firmly committed” means that the amount of the resource is a specific dollar amount and its dedication to PRICE activities is explicit. Estimates or dollar amount ranges are not considered a specific dollar amount and will not be considered. Endorsements or general letters of support alone will not count as resources and should not be included in the application.
- Match or leverage documents must represent valid and accurate commitments of future support. They must detail the dollar amount and any terms of the commitment.

They must also indicate that the funding is available to you for the activities directly related to undertaking your PRICE proposal.

3. Resource commitments must be written and signed and dated by a person authorized to make the commitment.

4. Commitment letters must be on official letterhead, or they will not be accepted. Note that commitment letters must be and are considered binding.

5. If the commitment documentation is not included in the application and submitted before the NOFO deadline, it will not be considered.

6. Staff time of the Applicant and/or Partner(s) (if any) will be an eligible leverage resource for PRICE Main if they are firmly committed and monetized.

- **All Applicants:** Describe proposal or project funding risks, such as being awarded less funding than requested through PRICE, or withdrawal of support from other funder(s) or internal budget risks which may prevent you from meeting your proposed timeline or completing certain activities. What is your contingency plan for addressing these funding risks?

**e. Factor (e) LONG-TERM EFFECT (Maximum 10 points)**

Describe in your narrative the long-term effect of your proposal. A high-scoring narrative will be specific and clearly address the needs identified in Factor (a), with a clear positive effect expected well beyond the term of the PRICE grant’s period of performance.

**All Applicants:**

- How will your proposed activities retain other affordable housing opportunities for LMI households in the community? How will you ensure LMI households are not eventually priced out of the community? How will you help current renters and homesite renters become homeowners or otherwise acquire an interest in the lot?
- How will your proposed activities ensure the long-term affordability, including lot rents and other fees as applicable, of housing without future federal subsidies? *Note: affordability requirements applicable to this NOFO can be found in Section VI.E of this NOFO.*
- How will your proposed activities promote stable homeownership options in the long-term, including both the house itself and the lot on which it sits?
- How will your proposal support underserved communities in the long term? How will your proposed activities advance housing access and justice for vulnerable populations or underserved communities? How will your proposal enable underserved communities, particularly those of color, to build wealth over the long term?
- How will your proposal make manufactured housing or MHCs livable, sustainable, and resilient? Examples may include, but are not limited to, long-term benefits of mitigation activities, weatherization, or infrastructure enhancement in MHCs. You may also describe how your proposal reduces resident health risks or exposure to environmental hazards.

PRICE Rating Factors	100 points
PRICE Preference Points	4 points

**PRICE**

**Maximum Points: 104**

**2. Other Factors**

**Preference Points**

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

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

This program does not offer points for Climate Change

This program does not offer points for Environmental Justice.

This program does not offer preference points related to HBCUs.

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

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

This program does not offer Promise Zone preference points.

HUD will offer preference points for the Period of Affordability only.

HUD encourages applicants to align to its Strategic Goals described in Section I.A.2 of this NOFO. Preference points will be awarded to applications that ensure the long-term availability of and access to affordable housing units in underserved communities, including both units of housing and the lot on which the housing sits, regardless of whether the lot is owned or rented by the homeowner. Up to four preference points, as described in Table 5, will be awarded to applications that propose going beyond the required period of affordability by demonstrating and documenting a plan to keep homeownership and/or rental opportunities affordable for longer.

**Table 5: Period of Affordability – Preference Points**

Period of Affordability – Preference Points	Preference points awarded
30 years or more	4
More than 15 years but less than 30 years	2

## **B. Review and Selection Process**

### **1. Past Performance**

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

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

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

Meeting program requirements

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

Producing positive outcomes and results

Additional considerations are described in Section V.A. of this NOFO.

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

### **2. Assessing Applicant Risk**

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

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

### **3. Experience Promoting Racial Equity**

In evaluating applications for funding, HUD will consider the extent to which the application demonstrates that the applicant has the experience and the resources to effectively address the needs of underserved communities, particularly Black and Brown communities. This may include experience successfully working directly with such groups, experience designing or operating programs that equitably benefit such groups, or experience successfully advancing

racial equity in other ways. This may also include experience soliciting, obtaining, and applying input from such groups when designing, planning, or implementing programs and activities.

All PRICE applicants must describe their experience or resources promoting racial equity in the Capacity factor, section V.A.1.c.i. HUD will consider the extent to which applicants have past experience or resources to effectively address the needs of underserved communities. PRICE Tribal Applicants should describe their past experience or resources to effectively address the needs of Native Americans.

#### **Additional information on Review and Selection Process**

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

#### **4. Application Screening.**

1. HUD will screen each application to determine if the Key Eligibility Criteria in Section III.A are met (including screening for technical deficiencies). If they are not met, the application will be deemed ineligible and will not receive further review. If they are met, HUD will screen the application to determine if it meets the other threshold criteria listed in Section III.D (including screening for technical deficiencies).
2. Corrections to Deficient Applications - Cure Period. In accordance with Section IV.D, corrections of technical deficiencies must be submitted by the due date and time specified in the curable deficiency notification from HUD. Examples of curable (correctable) technical deficiencies include, but are not limited to, inconsistencies in the funding request and failure to submit a signature and/or date on a certification.
3. Applications that will not be rated or ranked. HUD will not rate or rank applications that are deficient at the end of the cure period or that have not met the Threshold Requirements described in Section III.D. Such applications will not be eligible for funding.

**5. Preliminary Rating and Ranking.** Reviewers will rate each eligible application based solely on the rating factors described in Section V.A and assign a preliminary score for each rating factor and total score. HUD will then rank applications in score order.

**6. Final Panel Review.** A Final Review Panel will:

1. Review the Preliminary Rating and Ranking documentation to ensure any inconsistencies between preliminary reviewers are identified and rectified and to ensure the Preliminary Rating and Ranking documentation accurately reflects the contents of the application;
2. Assign a final score to each application and rank them in score order; and
3. Recommend for selection the most highly rated applications, subject to the amount of available funding, and with consideration of the \$25 million for PRICE Replacement Pilot awards and, in the PRICE Main category, the \$11 million intended for Tribal

Applicants, which includes \$1 million reserved consistent with the FY 24 Appropriations Act.

**7. Selection Considerations.** HUD reserves the right to fund applications out of rank order to prioritize benefit to low- and moderate-income residents, to prioritize the preservation of affordability for residents of manufactured housing or a manufactured housing community, and to ensure geographic diversity. A total of 70 points or more is needed to be considered for an award for either category of funding. HUD may award funds to Tribal Applicants scoring below the 70-point threshold, as HUD deems necessary to fulfill PRICE tribal objectives. Of the funding available from the FY2024 appropriation, \$1 million is reserved for Tribal Applicants. In total, at least \$11 million is intended for Tribal Applicants.

**8. Tie Scores.** If two or more applications have the same score and there are insufficient funds to select all of them, HUD will select the application(s) with the highest score for the overall Need Rating Factors. If a tie remains, HUD will select the application(s) with the highest score for the overall Soundness of Approach Rating Factors (including consideration of the proposed period of affordability described in the proposal), then overall Capacity Rating Factors.

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. Award Notices**

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

#### **1. Final Grant**

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

#### **2. Adjustments to Funding**

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

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

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

- b. HUD may adjust the funding for an application to ensure funding diversity, geographic diversity, and alignment with HUD administrative priorities.
- c. If an applicant turns down an award offer, or if HUD and an applicant do not finalize the terms and conditions of the award in a timely manner, HUD may withdraw the award offer and make an offer of funding to another eligible application.
- d. If funds remain after all selections have been made, remaining funds may be made available within the current fiscal year for other competitions within the program area, or be held for future competitions (if allowable in accordance with the applicable appropriation or authorizing statute), or be used as otherwise provided by authorizing statute or appropriation.
- e. If, after announcement of awards made under the current NOFO, additional funds become available either through the current appropriations, a supplemental appropriation, other appropriations or recapture of funds, HUD may, in accordance with the appropriation, use the additional funds to provide additional funding to an applicant awarded less than the requested amount of funds to make the full award, and/or to fund additional applicants that were eligible to receive an award but for which there were no funds available.

### **3. Funding Errors**

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

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

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

1. Compliance with The Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations at 24 CFR part 100 et seq
2. Compliance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-2000d-4 (Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR part 1
3. Compliance with the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations at 24 CFR part 146
4. Compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8
5. Compliance with the Americans with Disabilities Act, 42 U.S.C. 12101 et seq
6. Compliance with Affirmatively Furthering Fair Housing (AFFH) requirements, including those listed on HUD's Affirmatively Furthering Fair Housing webpage
7. Compliance with Economic Opportunities for Low-and Very Low-income Persons (Section 3)

requirements, including those listed at 24 CFR part 75

8. Compliance with Improving Access to Services for Persons with Limited English Proficiency (LEP) requirements, including those listed within Federal Register Notice, FR-4878-N-02 (also see HUD's webpage)
9. Compliance with Accessible Technology requirements, including those listed on in HUD's Policy on Section 508 of the Rehabilitation Act and Accessible Technology
10. Compliance with Equal Access Requirements (see 24 CFR 5.105(a)(2) and 5.106)
11. Compliance with Energy Efficient, Sustainable, Accessible, and Free from Discrimination by Design
12. Compliance with Participation in HUD-Sponsored Program Evaluation (see Federal Register Notice, FR-6278-N-01)
13. Compliance with Drug-Free Workplace requirements (see 2 CFR part 2429, which is HUD's implementation of 41 U.S.C. 701, et seq.)
14. Compliance with the requirements related to safeguarding resident/client files
15. Compliance with the Federal Funding Accountability and Transparency Act of 2006 (2 CFR part 170) (FFATA), as amended
16. Compliance with Eminent Domain
17. Compliance with Accessibility for Persons with Disabilities requirements on HUD's Disability Overview webpage
18. Compliance with Violence Against Women Act at 24 CFR part 5, subpart L and applicable program regulations
19. Compliance with the Build America, Buy America (BABA) Act procurement requirements and implementing guidance available on HUD's dedicated webpage
20. Compliance with System for Award Management and Universal Identifier Requirements at 2 CFR part 25
21. Compliance with section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 USC 7104(g)) and implementing regulations at 2 CFR part 175 (Award Term for Trafficking in Persons)
22. Compliance with Suspension and Debarment (see 2 CFR part 2424 and 2 CFR part 180)
23. Compliance with environmental justice requirements under Executive Orders 12898 and 14008, and OMB Memorandum M-21-28, which implements the Justice40 Initiative, section 223 of Executive Order 14008.
24. Compliance with Eliminating Barriers That May Unnecessarily Prevent Individuals with Criminal Histories from Participation in HUD Programs (see HUD Secretary Fudge's April 12, 2022 memorandum)
25. Compliance with equity requirements, which include compliance with racial equity and underserved communities and LGBTQ+ requirements under Executive Orders 13985 and 13988

Compliance with waste, fraud, and abuse requirements, including whistleblower protections. Compliance with 41 U.S.C. § 4712, which includes informing your employees in writing of their rights and remedies, in the predominant native language of the workforce. Under 41 U.S.C. § 4712, employees of a contractor, subcontractor, grantee, subgrantee, and personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health

or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant. (See [Federal Contractor or Grantee Protections | Office of Inspector General, Department of Housing and Urban Development \(hudoig.gov\)](#))

### **Environmental Review**

Compliance with environmental requirements, including regulations at 24 CFR part 50 or 58:

1. Activities under this NOFO are subject to environmental review by a responsible entity (as defined by 24 CFR 58.2(a)(7)) under HUD regulations at 24 CFR part 58 or by HUD under 24 CFR part 50. Each Applicant under this NOFO must work with their responsible entity under part 58, or HUD under part 50, to complete an environmental review for any awarded funds. As part of the environmental review process, the effect of a proposed project on people and the natural environment within a designated project area must be evaluated. This includes compliance with the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, environmental justice requirements as set forth in Executive Orders [12898](#), [14008](#), and [14096](#) and all applicable related federal environmental authorities.
2. For activities under a grant to an entity not included in the definition of recipient at 24 CFR 58.2(a)(5), such as a nonprofit or quasi-governmental entity, HUD will perform the environmental review under the provisions of 24 CFR part 50.
3. Irrespective of whether the responsible entity, in accordance with 24 CFR part 58, or HUD, in accordance with 24 CFR part 50, performs the environmental review, the grant recipient must supply all available, relevant information necessary for the responsible entity (or HUD, if applicable) to perform an environmental review for each activity, including information for each property when applicable. The Project Grant Recipient also must carry out mitigating measures required by the responsible entity (or HUD, if applicable) or select an alternative project site.
4. The recipient, its project partners, and their contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this NOFO, or commit or expend HUD or non-HUD funds for such eligible activities under this NOFO, until the responsible entity has completed the environmental review procedures required by 24 CFR part 58 and if applicable, the environmental certification and Request for Release of Funds and Certification (RROF) have been approved or HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the activity. HUD will not release grant funds if the recipient or any other party commits grant funds (i.e., incurs any costs or expenditures to be paid or reimbursed with such funds) before the recipient submits and HUD approves its RROF (where such submission is required).
5. Site contamination is a common concern for manufactured housing units and MHCs. MHCs may be situated on, or near, properties that have site contamination. Use of the EPA's NEPAassist tool (<https://www.epa.gov/nepa/nepassist>) when conducting the contamination analysis required by 24 CFR 58.5(i) as part of the environmental review can help locate potential sources of contamination. Contamination may affect the health and safety of MHU residents through direct exposure or through impacts to groundwater. PRICE grant funds can also be used for testing contamination levels as well as mitigation

of contamination as part of the environmental review process associated with an eligible project.

6. Environmental reviews are also applicable to projects undertaken by non-governmental entities. Non-governmental entities must coordinate with their local HUD field office to arrange required environmental reviews per 24 CFR part 50.

### **Prohibition on Surveillance**

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

### **Remedies for Noncompliance**

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

*Corrective and remedial actions.* To ensure compliance with the requirements of the Appropriations Acts and to effectively administer the PRICE program, HUD is waiving 42 U.S.C. 5304(e) of the HCD Act to the extent necessary to impose the following alternative requirement: HUD may undertake corrective and remedial actions for States in accordance with the authorities applicable to entitlement grantees in subpart O (including corrective and remedial actions in 24 CFR 570.910, 570.911, and 570.913) or under subpart I of the CDBG regulations at 24 CFR part 570. Before determining appropriate corrective actions, HUD will notify the grantee of the procedures applicable to its review. As in the annual CDBG program, in accordance with 24 CFR 570.300, the policies and procedures set forth in subpart O will apply to local governments receiving direct grants from HUD.

*Reduction, withdrawal, or adjustment of a grant or other appropriate action.* Prior to a reduction, withdrawal, or adjustment of a grant or other appropriate action taken pursuant to this section, the recipient shall be notified of such proposed action and given an opportunity within a prescribed time period for an informal consultation. Consistent with the procedures described in this NOFO, the Secretary may adjust, reduce, or withdraw the grant or take other actions as appropriate, except that funds already expended on eligible approved activities shall not be recaptured.

### **Lead-Based Paint Requirements**

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

When providing education or counseling on buying or renting housing that may include pre-1978 housing under your grant you must inform clients of their rights under the Lead Disclosure Rule (24 CFR part 35, subpart A), and, if the focus of the education or counseling is on rental or purchase of HUD-assisted pre-1978 housing, the Lead Safe Housing Rule (subparts B, R, and, as applicable, F - M).

## C. Reporting

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

### 1. Recipient Integrity and Performance Matters

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

### 2. Race, Ethnicity and Other Data Reporting

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

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

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

### 4. Program-Specific Reporting Requirements

**a. Use of Disaster Recovery Grant Reporting (DRGR) system.** HUD must require all grantees under this NOFO to report the sources and uses of all amounts expended and other information for HUD's annual report to Congress or other purposes as determined by HUD. If you are selected for funding, you must report to HUD using DRGR as described in Section VI.C.4.

1. HUD will provide training and technical assistance on the submitting of quarterly reports, as well as the use of DRGR for grantees unfamiliar with the system.
2. Completion of quarterly expenditure reports is mandatory for all grantees except Tribal Applicants, which must complete expenditure reports annually. Performance reports are required annually from all grantees. Failure to provide these reports within the required timeframe will result in corrective actions up to and including suspension of grant funds until the report is submitted and approved by HUD.
3. All grantees will be held to the milestones in the program schedule, as approved by HUD. Adjustments to the schedule may be made by the grantee only with prior HUD approval. All obligations of funds by the grantee or a partner must be recorded as obligations in DRGR on at least a quarterly basis.

4. Tribal Applicants:

(a). Annual Financial Reports. Unless otherwise advised, Tribal Applicants will have to submit a Federal Financial Report (SF-425) to the local HUD office within 30 days after the end of program year. If applicable, the SF-425 must also show that leveraging resources were received and used for their intended purposes. A final SF-425 must be submitted within 90 days after the end of the period of performance identified on the grant agreement.

(b). Annual Performance Reports. Tribal Applicants will submit performance reports annually. This report, which is like the ASER used in the ICDBG program, is due 45 days after the end of the Federal fiscal year and at the time of grant close-out. The report must include:

- The progress made on completing your project;
- A list of work remaining;
- A breakdown of funds spent; and
- When the project is done, an evaluation of its effectiveness in meeting your community development needs.
- The estimated number of (1) permanent and (2) temporary jobs that are created each year in whole or in part with PRICE funds. This estimate should include the number of recipient staff positions, sub-recipient staff positions, and related construction jobs or jobs created through contract between the employer and the grantee. HUD's Office of Labor Relations uses the definitions of permanent and temporary employment as follows:

1. A permanent employee, full-time or part-time, is one whose employment agreement with the employer is not limited by duration and remains continuous until employment is terminated, voluntarily or otherwise, or unless the employment agreement is altered to include a limit on duration.
2. A temporary employee, full-time or part-time, is one whose employment agreement with the employer contains conditions under which the employment is limited by duration involving time or task (e.g., not to exceed six months from hire, or on a date determined by the employer, or upon completion of a specified task(s)).

The grantee may provide additional information about the nature of these jobs if it wishes

- A summary of complaints received, and responses. The grantee will provide a timely written response to every citizen’s complaint. The grantee will provide a response within 15 working days of the receipt of the complaint, where practicable.

(c). Minority Business Enterprise Report. If funded, Tribal Applicants must submit this report on contract and subcontract activity by October 10 of each Federal fiscal year.

**b. Closeout.** HUD will close out PRICE grants in accordance with Section VI.E.

**c.** To the extent that administrative requirements of Section VI.B. of the General Section conflict with the requirements in Section VI.E, the requirements in Section VI.E will apply.

## **D. Debriefing**

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

## **E. PRICE Post-Award Program Requirements**

This Section contains the post-award requirements applicable to Community Development Block Grant (CDBG) funds made available by the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022) and the Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024) (Appropriations Acts) and awarded as Preservation and Reinvestment Initiative for Community Enhancement (PRICE) grants.

Consistent with the Appropriations Acts, funds shall be awarded directly to state governments, local governments, metropolitan planning organizations, multi-jurisdictional entities, Resident-controlled Manufactured Housing Communities, cooperatives, non-profit entities (including consortia of non-profit entities), Community Development Financial Institutions (CDFIs), and Tribal Applicants, and entities that partner with one or several residents of such eligible communities or that propose to implement a grant program that would assist residents of such eligible communities. A recipient of a PRICE grant is a “grantee.”

### **1. Use of Funds**

#### **a. General**

The Appropriations Acts made funds available to preserve and revitalize manufactured housing and eligible manufactured housing communities. The Appropriations Acts provides that eligible uses of such grants may include infrastructure, planning, resident, and community services (including relocation assistance and eviction prevention), resilience activities, and providing other assistance to residents or owners of manufactured homes, which may include providing assistance for manufactured housing land and site acquisition. A portion of the funding

(\$25,000,000) is reserved for grants to assist in the redevelopment of manufactured housing communities as replacement housing that is affordable.

**b. Applicable Statutory and Regulatory Requirements**

All recipients of PRICE grants are subject to: (1) the requirements of the Appropriations Acts; (2) this NOFO, including all appendices; and (3) applicable regulations governing the CDBG program at 24 CFR part 570, or the ICDBG program at 24 CFR 1003 with respect to Tribal Applicants, unless modified by waivers and alternative requirements published by HUD in this NOFO or other applicable Federal Register Notice

Applicants who are not recipients of formula CDBG funding will be subject to CDBG regulations applicable to entitlement communities, unless otherwise noted. Additionally, references to Entitlement communities within this section also include Manufactured Housing Communities, cooperatives, non-profit entities (including consortia of non-profit entities), CDFIs or other entities approved by the Secretary.

Because PRICE is a competitive program, HUD is treating a grantee's use of its PRICE grant independently of the consolidated plan and annual action plan process. The Appropriations Acts and the PRICE NOFO establish the purpose and define the eligible uses of PRICE funds.

Treating PRICE independently from the regular CDBG submission requirements implements the Appropriations Acts direction to allocate funds competitively and facilitates the distribution of PRICE funds, while ensuring public participation on the specific use of the funds. Therefore, HUD is waiving the consolidated plan regulations to the extent necessary to adjust reporting to fit the requirements of the Appropriations Acts, the PRICE competition, and the use of the Disaster Recovery Grant Reporting (DRGR) system.

The waivers, alternative requirements, and statutory changes apply only to PRICE funds and not to the use of annual formula allocations of CDBG funds or other HUD Community Planning and Development funds or ICDBG funds, even if they are used in conjunction with PRICE funds for a project. They provide expedited program implementation and implement statutory requirements unique to this appropriation.

**c. PRICE Action Plan and Amendments**

Applicants will submit an application, as described in this NOFO, detailing the proposed use of funds and how the use of these funds will preserve and revitalize manufactured housing and eligible manufactured housing communities. Once an Applicant receives a PRICE award, the grantee's application (or approved components of a grantee's application) will become the basis for its PRICE Action Plan. Once the grantee has received DRGR system access (see Section IV.C.4), the grantee will enter in DRGR the approved activities and narrative information and HUD will ensure that the information is consistent with the application and HUD's approval. This information encompasses the grantee's PRICE Action Plan. The grantee must publish the PRICE Action Plan on its official website(s). Such publications shall be in an accessible format and ensure access for individuals with disabilities.

Post-award, all amendments to the application must be submitted to HUD. HUD will review and approve or disapprove any amendment that is a substantial amendment. Substantial amendments are changes that affect the responses to the rating factors and include but are not limited to: a change in program benefit, beneficiaries, or eligibility criteria; the allocation or re-allocation of more than ten percent of the award; or the addition or deletion of an activity. A grantee may substantially amend the Application if it follows the same public participation requirements in this NOFO for the preparation and submission of an Application and HUD agrees in writing that the amended Application would still score in the fundable range for the competition. Prior to

preparation and submission of any post-award amendment, the grantee is encouraged to work with its HUD representative to ensure the proposed change is consistent with this NOFO, and all applicable regulations and Federal law. For Tribal Applicants that receive a PRICE grant, 24 CFR 1003.305 is waived and modified to the extent necessary to allow Tribal grantees that are PRICE grantees to follow the program amendments process outlined in the NOFO and this section. Amendments to the PRICE Action Plan that do not fall within the definition of a substantial amendment are “non-substantial amendments.” These are discussed in Section VI.E.5. below.

HUD can help determine whether the amendment would constitute a substantial amendment and help ensure the proposed change complies with this NOFO and all applicable requirements. Questions regarding specific program requirements for this NOFO should be directed to the POC listed in this NOFO. As indicated in this PRICE NOFO, if a grantee makes or proposes to make a substantial amendment to its project, HUD reserves the right to amend the grantee’s award and reduce the grant amount or recapture the grant consistent with Section IV.F of this NOFO. Additional information about substantial amendments can be found in Section VI.E.5. below. A grantee is required under this NOFO to show evidence that firmly committed match or leverage resources were actually received and used for their intended purposes through annual reports as the project proceeds. Sources of match or leverage funds may be substituted after grant award if the dollar amount of match or leverage is equal to or greater than the total amount of match or leverage identified as firmly committed in the application submissions to HUD. Substitution of a match or leverage source in the same amount committed in the Application is not a substantial amendment. Section VI.A. describes additional match or leverage reporting requirements in DRGR.

Applicants should note that some planning activities that can be carried out to assist manufactured housing residents and communities may contain unallowable costs pursuant to 2 CFR 200.444. Any activity to carry out the regular responsibilities of the unit of general local government or for building or portions thereof used for the general conduct of government is unallowable. Applicants should plan their approaches accordingly to ensure that PRICE award funds are not used for such costs. However, grantees may use match or leverage funding for such unallowable costs.

## **2. Timely Expenditure of Funds**

This NOFO establishes that a grantee must expend funds in a manner that meets all PRICE program requirements by the end of the period of the performance of the PRICE grant or September 20, 2032, whichever is earlier.

Grantees must comply with 2 CFR 200.305, as may be amended, and therefore may not draw down funds in advance of need.

## **3. Authority to Grant Waivers**

The Appropriations Acts authorizes the Secretary to waive or specify alternative requirements for any statute or regulation that the Secretary administers in connection with the use of PRICE funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) upon a finding that such waiver or alternative requirement is necessary to facilitate the use of funds authorized to preserve and revitalize manufactured housing and eligible manufactured housing communities. Regulatory waiver authority is also provided by 24 CFR 5.110, 91.600, 570.5, and 1003.6.

## **4. Overview of Grant Process**

The following steps are necessary for applications to be considered and for the expenditure of PRICE funds:

- Applicant conducts public participation in accordance with the requirements of the PRICE NOFO, including one in-person public hearing (which may be a community meeting for non-government applicants) and at least 15 calendar days for public comment ending not less than three calendar days before application submittal to allow the applicant time to consider and incorporate public comments into the application as needed. Applicants must allow for public comments to be submitted in-person, by mail, or electronically. Tribal Applicants may choose to follow the public participation requirements outlined in 24 CFR 1003.604 and follow traditional means of resident involvement and must certify to HUD that the Tribal Applicant complied with the requirements of 1003.604(a) and met public participation requirements prior to applying;
- Applicant responds to public comment and submits its application, including the summary of comments (Attachment H) received during the public comment period and list of commenters by name/organization, and certifications;
- HUD reviews applications in accordance with this NOFO and selects highest scoring Applicants for awards;
- If the application is selected for award, HUD sends an award letter selection letter to awardee outlining next steps before award is effective;
- HUD signs the grant agreement;
- HUD sends signed grant agreement;
- Awardee ensures that the HUD-approved application is posted on its official website;
- Awardee (hereinafter referred to as “grantee”) signs and returns the grant agreement;
- HUD establishes the line of credit for the grantee;
- Grantee requests and receives DRGR system access (if the grantee does not already have it);
- Grantee enters the HUD-approved activities from its application into DRGR (the PRICE Action Plan) and submits it to HUD within the system (funds can be drawn from the line of credit only for activities that are established in DRGR);
- HUD reviews the PRICE Action Plan for consistency with HUD’s approval of the application;
- The Responsible Entity completes applicable environmental review(s) pursuant to 24 CFR part 58 and, as applicable, receives from HUD or the state an approved Request for Release of Funds and certification; or HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the project; and
- The grantee begins to draw down funds from its line of credit.

#### **5. Applicable Rules, Statutes, Waivers, and Alternative Requirements**

This section describes requirements imposed by the Appropriations Acts, applicable waivers, and alternative requirements. For each waiver and alternative requirement described in this NOFO, the Secretary has determined that such waiver is necessary to facilitate the use of PRICE funds, good cause exists, and/or the action is not inconsistent with the overall purpose of the HCD Act. The waivers and alternative requirements provide additional flexibility in program design and implementation to preserve and revitalize manufactured housing and eligible manufactured housing communities while meeting the unique requirements of the Appropriations Acts. The

following requirements apply only to the PRICE funds awarded under this NOFO, and not to funds provided under any other component of the CDBG program, such as the annual formula Entitlement or State CDBG programs, Section 108 Loan Guarantee Program, the Neighborhood Stabilization Program, ICDBG, or any award under the Appropriations Acts.

Grantees may request additional waivers and alternative requirements as needed to address specific needs related to their activities (for waiver requests instructions, see Appendix A). Except where noted, waivers and alternative requirements described below apply to all grantees under this NOFO.

Except as described in this NOFO, statutory and regulatory provisions governing the State CDBG program shall apply to any state receiving an award under this PRICE NOFO, statutory and regulatory provisions governing the Entitlement CDBG program shall apply to both entitlement and non-entitlement units of general local government and non-CDBG grantees, and statutory and regulatory provisions governing the ICDBG program shall apply to Tribal Applicants. Applicable statutory provisions can be found at 42 U.S.C. 5301 et seq. Applicable state and Entitlement regulations can be found at 24 CFR part 570. ICDBG regulations can be found at 24 CFR part 1003. Consolidated plan and public participation requirements are found at 24 CFR part 91.

All references in the NOFO and in this section pertaining to timelines and/or deadlines are in terms of calendar days unless otherwise noted. The “date of this NOFO” shall mean the effective date of the PRICE NOFO unless otherwise noted.

**a. Grant Administration.**

i. *PRICE Action Plan and general requirements.* The requirements for CDBG action plans, located at 42 U.S.C. 5304(a)(1), 42 U.S.C. 5304(m), 42 U.S.C. 5306(d)(2)(C)(iii), 24 CFR 91.220, and 91.320, and requirements for ICDBG applications in 24 CFR part 1003, are waived for funds provided under the PRICE NOFO. Instead, each grantee must submit to HUD an application for PRICE. HUD will monitor the grantee’s activities and use of funds for consistency with its PRICE Action Plan and all other requirements, including performance and timeliness.

(a). *Application-related requirements.* The Application must meet the criteria of the NOFO and must identify the proposed use(s) of the grantee’s award, including criteria for eligibility, and how the uses preserve and revitalize manufactured housing and eligible manufactured housing communities.

(b). *Funds awarded to a state.* For each program or activity that will be carried out by the state, the application as entered into the PRICE Action Plan must describe: (1) the projected use of the PRICE funds, including the entity(ies) administering the program/activity, budget, and geographic area; (2) proposed start and end dates; (3) how the projected use will meet CDBG or ICDBG eligibility criteria and a national objective; and (4) estimated performance outcomes (i.e., a performance measure) as identified in the Section V.A.1 of this NOFO.

If a state chooses to use a method of distribution to allocate funds to local governments, it must describe in its application all criteria used to determine the distribution, including the relative importance of each criterion.

(c). *Funds awarded directly to a local government, non-CDBG grantee, or Tribal Applicant.* The local government, non-CDBG entity’s, or Tribal Applicant’s Application as entered into the PRICE Action Plan, shall describe: (1) the projected use of the PRICE funds, including the entity(ies) administering the program/activity, budget, and

geographic area; (2) proposed start and end dates; (3) how the projected use will meet CDBG and ICDBG eligibility criteria and a national objective; and (4) estimated performance outcomes (i.e., a performance measure) as identified in the Section V.A.1 of this NOFO.

(d). *General grant oversight*

(i). The grantee must maintain adequate capacity of its administering agency(ies) and staffs, and the capacity of any local government or other organization or Partner expected to carry out PRICE projects or activities. The grantee will plan and provide for increasing the capacity of local governments or other organizations, as needed and where capacity deficiencies (e.g., outstanding Office of Inspector General audit findings) have been identified. Grantees are responsible for providing adequate technical assistance to Partners, subrecipients, or subgrantees to ensure the timely, compliant, and effective use of funds. Although local governments or other organizations may carry out programs and projects, each grantee under this NOFO remains legally and financially accountable for the use of all funds and may not delegate or contract to any other party any inherently governmental responsibilities related to management of the funds, such as oversight, policy development, and financial management;

(ii). The grantee will manage program income (e.g., including in agreements whether subrecipients may retain it), and the purpose(s) for which it may be used. Waivers and alternative requirements related to program income can be found in this PRICE NOFO Section VI.E.5.a.

(e). *Obligation and expenditure of funds.* HUD will issue a grant agreement obligating the funds to the grantee. Only the funds described by the grantee in its application and approved by HUD will be obligated. In addition, HUD will establish the line of credit and the grantee will receive DRGR system access (if it does not have access already). The grantee must also enter its approved application activities in the PRICE Action Plan before it may draw funds as described in paragraph A.2, below.

(f). *Each activity must meet the applicable environmental requirements.* After the Responsible Entity completes an environmental review(s) pursuant to 24 CFR part 58, as applicable (and paragraph VI.D.5.a.xix, as applicable), and receives from HUD or the state an approved Request for Release of Funds and certification (as applicable), or HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the project, the grantee may draw down funds from the line of credit for the activity.

(g). *Anticipated outcomes and expenditure plan.* Each grantee must include in its PRICE Action Plan projected expenditures and anticipated outcomes. Additional information on compliance with this requirement is available in Section VI.E.5 of this NOFO.

(h). *PRICE Action Plan Amendments and Submission to HUD.* As the grantee proposes to amend its application, each proposed amendment must be highlighted, or otherwise identified, within the context of the entire application and be submitted to HUD. For substantial amendments, grantees must complete public participation requirements of this NOFO and Section V.A.3. of this section before HUD can approve the Amendment. HUD will only approve a substantial amendment if the new score is still within the competitive range. The beginning of every amendment must include a section that identifies exactly what content is being added, deleted, or changed. This section must also

include a chart or table that clearly illustrates where funds are coming from and where they are moving. The amendment must include a revised budget allocation table that reflects the entirety of all funds, as amended. A grantee's most recent version of its application must be accessible for viewing as a single document at any given point in time, rather than the public or HUD having to view and cross-reference changes among multiple amendments. Every amendment to the application (substantial and nonsubstantial) must be numbered sequentially and posted on the grantee's website. The Department will acknowledge receipt of the proposed amendment via e-mail or letter within 5 business days of receipt. HUD may seek additional information from the grantee to determine whether a proposed amendment is a substantial amendment.

ii. *HUD performance review authorities and grantee reporting requirements in the DRGR System.*

(a). *Performance review authorities.* 42 U.S.C. 5304(e) requires that the Secretary shall, at least on an annual basis, make such reviews and audits as may be necessary or appropriate to determine whether the grantee has carried out its activities in a timely manner, whether the grantee's activities and certifications are carried out in accordance with the requirements and the primary objectives of the HCD Act and other applicable laws, and whether the grantee has the continuing capacity to carry out those activities in a timely manner. This PRICE NOFO waives and provides alternative requirements for the submission of a performance report, pursuant to 24 CFR 91.520. In the alternative, and to ensure consistency between grants awarded under the Appropriations Acts, HUD is requiring that grantees enter information in the DRGR system in sufficient detail to permit the Department's review of grantee performance on an annual basis and to enable remote review of grantee data to allow HUD to assess compliance and risk.

(b). *PRICE Action Plan.* Once an Applicant receives a PRICE award, the grantee's application (or approved components of a grantee's application) will become the basis for its PRICE Action Plan. Each grantee must enter its PRICE Action Plan into DRGR, including performance measures. As more detailed information about uses of funds is identified by the grantee, the grantee must enter this information into the DRGR system at a level of detail that is sufficient to serve as the basis for acceptable performance reports, permits HUD review of compliance requirements, and allows public understanding of progress. The information must also be entered into the DRGR system so that the grantee is able to draw its PRICE funds from the line of credit. To enter an activity into the DRGR system, the grantee must know the activity type, national objective, activity budget, proposed performance outcomes, and the organization that will be responsible for the activity. In addition, a Universal Entity Identifier (UEI) must be entered into the system for any entity carrying out a PRICE funded activity, including the grantee, recipient(s) and subrecipient(s), contractor(s), and developers.

(c). *Tracking oversight activities in the DRGR system; use of DRGR data for HUD review and dissemination.* HUD will use data entered into the DRGR PRICE Action Plan and the APR, transactional data from the DRGR system, and other information provided by the grantee to provide reports to Congress and the public, as well as to (1) monitor for anomalies or performance problems; (2) reconcile budgets, obligations, funding draws, and expenditures; (3) calculate expenditures to determine compliance with program caps and the overall percentage of funds that benefit low- and moderate-income persons; and

(4) analyze the risk of grantee programs to determine priorities for the Department's monitoring.

(d). *Tracking program income in the DRGR system.* Grantees must use the DRGR system to draw grant funds for each activity. Grantees must also use the DRGR system to track program income receipts, disbursements, and revolving loan funds. If a grantee permits local governments or subrecipients to retain program income, the grantee must establish program income accounts in the DRGR system. The DRGR system requires grantees to use program income before drawing additional grant funds and ensures that program income retained by one organization will not affect grant draw requests for other organizations.

(e). *DRGR System Annual Performance Report (APR).* Each grantee must submit an APR through the DRGR system no later than 30 days following the end of the fiscal year. Tribal Applicants must submit an APR through DRGR no later than 45 days following the end of the fiscal year. Within three days of submission to HUD, each APR must be posted on the grantee's official website. HUD will also post the reports via the DRGR Public website. The grantee's first APR is due no later than 30 days (45 days in the case of Tribal Applicants) following the end of the federal fiscal year in which the grant award is made. For example, a grant award made in April requires an APR to be submitted by October 30. APRs must be submitted on an annual basis until the grant program is completed and meets the criteria for closeout. During the grant closeout process, a final APR may be required by HUD to ensure complete reporting (see Notice CPD-22-14: Closeout Instructions for CDBG Programs Grants).

Each APR will include information about the uses of funds in activities identified in the DRGR system PRICE Action Plan during the applicable year. This includes, but is not limited to, the: project name, activity, location, and national objective; funds budgeted, obligated, drawn down, and expended; the funding source and total amount of any non-CDBG funds to be expended on each activity; beginning and actual completion dates of completed activities; achieved performance outcomes, such as number of housing units complete or number of low-and moderate-income persons benefiting; and the race and ethnicity of persons assisted under direct-benefit activities. The DRGR system will automatically display the amount of program income receipted, the amount of program income reported as disbursed, and the amount of grant funds disbursed. In addition, match or leverage funds shall be identified for each activity, as applicable, in the DRGR system, and use of match or leverage funds committed in the grantee's PRICE Action Plan shall be included in the grantee's APR.

iii. *Public participation waiver and alternative requirement.* To permit a more streamlined process and ensure PRICE grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 24 CFR 570.486, 91.105(b) and (c), and 91.115(b) and (c), with respect to public participation requirements, are waived and replaced by the requirements below.

Note that the public participation process is distinct from stakeholder engagement scoring in this NOFO or any applicable consultation requirements. The streamlined requirements mandate at least one in-person public hearing (which may take the form of community meetings held by a non-government applicant provided that community meeting fulfills the same requirements applicable to public hearings) for the application and for each substantial amendment and require providing a reasonable notice (at least 15 calendar days) and opportunity for public comment and ongoing public access to information about the use of grant funds. The public hearings or

community meetings must be held in-person, at times and locations convenient to potential beneficiaries, and with accommodation for persons with disabilities. This can be a hybrid hearing or meeting that allows for both in-person and virtual attendance, by using an online platform that facilitates public access to all questions and responses. Applicants must allow for public comments to be submitted in-person, by mail, or electronically. The streamlined public participation requirements for the PRICE program are:

(a). *Publication of the PRICE application and Action Plan:* Before the Applicant submits the Application submissions for this NOFO, or a substantial amendment to the PRICE Action Plan, the Applicant must publish the PRICE application or Action Plan amendment for public comment. The published application must include the table of contents, all narrative exhibits, and the attachments (with the exception of Attachment F, Match or leverage documentation, Attachment G, Certifications and Standard forms, and Attachment H, Summary of comments received on published Application and list of commenters by name/organization, which would not be available prior to the public comment period).

To expedite the process and to ensure that the PRICE grants are awarded in a timely manner, while preserving reasonable community and public participation, HUD is requiring a minimum time for public comments of 15 calendar days. Application materials relating to proposed uses of funds must be posted on the applicant's official website. Funded applicants will be required to provide the website address of the proposed and final plans to HUD for posting to HUD's program website. Applicants are cautioned that, despite the competition process, they are still responsible for ensuring that all members of their community have equal access to information about the programs, and applicants are required to accept public comments in-person, by mail, and electronically.

The manner of publication must include prominent posting on the Applicant's official website(s) and must afford citizens, affected governments, and other interested parties a reasonable opportunity to examine the plan or amendment's contents. The official website should be accessible to all citizens and the topic of PRICE must be navigable by users from the Applicant's homepage. Applicants are required to hold at least one public hearing or community meeting to solicit public comments on the application submission and one hearing or community meeting before finalizing each substantial amendment submission.

Applicants are also encouraged to notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, and/or contacts with organizations located in or serving the target area or neighborhood.

Applicants are responsible for ensuring that all citizens have equal and meaningful access to information about the programs, including persons with disabilities and persons with limited English proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964. Each Applicant must ensure that program information is available in the appropriate languages for the geographic area served by the jurisdiction to ensure meaningful access with LEP individuals and is provided in an appropriate format to ensure effective communication with persons with disabilities.

For assistance in ensuring that this information is available to LEP populations, recipients should consult the Final Guidance to Federal Financial Assistance Recipients Regarding

Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons published on January 22, 2007, in the Federal Register (72 FR 2732). Subsequent to publication of any Application submission, the Applicant must provide a reasonable time frame and method(s) (including electronic submission) for receiving comments on the submission. A summary by topic of all comments or views received on the Application or substantial amendment to the PRICE Action Plan, a list of commenters by name or organization, and a summary of any comments or views not accepted and the reasons why must be submitted to HUD along with the submission. Such a summary submitted with the application submission will not count against the application page limits specified in this NOFO.

Substantial amendments are changes that affect the responses to the rating factors and include but are not limited to a change in program benefit, beneficiaries, or eligibility criteria; the allocation or re-allocation of more than ten percent of the award; or the addition or deletion of an activity. Subsequent to award, a grantee may substantially amend the Application if it follows the same public participation requirements in this NOFO for the preparation and submission of an application, and HUD agrees in writing that the amended Application would still score in the fundable range for the competition.

(b). *Non-substantial amendment.* The grantee is not required to undertake public comment when it makes any plan amendment that is not substantial; however, like substantial amendments, non-substantial amendments require HUD acceptance in the DRGR system prior to taking effect. The grantee must impose an effective date no less than five days after submission to HUD.

(c). *Physical Accessibility.* Note that all meetings must be held in facilities that are physically accessible to persons with disabilities. Where physical accessibility is not achievable, Applicants and Partners must give priority to alternative methods of product or information delivery that are accessible to and usable by individuals with disabilities and offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and HUD's implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12134) and the implementing regulations at 28 CFR part 35, and all other applicable laws and regulations. In addition, all notices of and communications during all training sessions and public meetings shall be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities and reasonable accommodation for persons with disabilities must be provided consistent with Section 504 of the Rehabilitation Act of 1973 and HUD's Section 504 regulations. See 24 CFR Section 8.6.

(d). *Post-award requirements.* A CDBG grantee must update its public participation plan to reflect the requirements of the NOFO and this section applicable to PRICE grants. The purpose of this plan is to inform citizens of the citizen complaint process and the grantee's response policy, the methods through which the public can learn about the grant and activity status, and the process the grantee will use to amend the PRICE Action Plan. The plan must satisfy the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant).

(i). *Website.* The PRICE application and grant award information must be navigable from the grantee (or relevant agency) homepage. Grantees are also encouraged to notify affected citizens through electronic mailings, press releases, statements by

public officials, media advertisements, public service announcements, and/or contacts with neighborhood organizations.

(ii). Availability and accessibility of the Application. The grantee must make the Application, any amendments, and all performance reports available to the public on its website(s) and on request. In addition, the grantee must make these documents available in formats accessible to persons with disabilities and persons who are LEP. During the term of the grant, the grantee will provide citizens, affected local governments, and other interested parties with reasonable and timely access to information and records relating to the Application and to the grantee's use of grant funds.

(iii). Citizen complaints. The grantee will provide a timely written response to every citizen's complaint. The grantee will provide a response within 15 working days of the receipt of the complaint, where practicable.

(e). *Tribal Applicants and Public Participation*. Tribal Applicants have the option of following the streamlined public participation requirements outlined in this paragraph or following the public participation requirements outlined in the ICDBG regulations at 24 CFR 1003.604.

iv. *Direct grant administration and means of carrying out eligible activities*.

(a). *Requirements applicable to state grantees*. Requirements at 42 U.S.C. 5306 are waived, to the extent necessary, to allow a state to directly carry out PRICE activities eligible under this NOFO, rather than distribute all funds to local governments. Pursuant to this waiver, the standard at Section 570.480(c) and the provisions at 42 U.S.C. 5304(e)(2) will also include activities that the state carries out directly. In addition, activities eligible under this NOFO may be carried out, subject to state law, by the state through its employees, through procurement contracts, or through assistance provided under agreements with subrecipients or recipients in all geographic areas within its jurisdiction, including entitlement areas and tribal areas, so long as the state is consistent with its PRICE Action Plan, including description of capacity and commitments to work with partners. Notwithstanding this waiver, state grantees continue to be responsible for civil rights, labor standards, and environmental protection requirements contained in the HCD Act and 24 CFR part 570, as well as ensuring such compliance by subgrantees.

(b). *Requirements for all grantees – direct administration and assistance to neighborhood organizations described in 42 U.S.C 5305(a)(15) of the HCD Act*. Activities made eligible at 42 U.S.C. 5305(a)(15) may only be undertaken by the eligible entities described in that section, whether the assistance is provided to such an entity from the state or from a local government.

v. *New construction*. HUD is waiving 42 U.S.C. 5305(a), 24 CFR 570.207(b)(3), and 24 CFR 1003.207(b)(3) and adopting alternative requirements to the extent necessary to permit new construction of housing subject to the same requirements that apply to rehabilitation activities under the provisions at Section 105(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(4)) and 24 CFR 570.202(b) and 24 CFR 1003.202(b).

vi. *Requirement for consultation during plan preparation*. Currently, the HCDA and regulations require states to consult with affected units of local government in non-entitlement areas of the state in determining the state's proposed method of distribution. HUD is waiving 42 U.S.C. 5306(d)(2)(C)(iv), 42 U.S.C. 5306(d)(2)(D), 24 CFR 91.325(b), and 91.110, to the extent necessary to comply with the consultation requirements in the NOFO.

vii. *Use of the “upper quartile” or “exception criteria” for low- and moderate-income area benefit activities.* Per the requirements at 42 U.S.C. 5305(c)(2)(A), certain communities are allowed to use a percentage less than 51 percent to qualify activities under the low- and moderate-income area benefit category. This exception is referred to as the “exception criteria” or the “upper quartile.” For entitlement communities that meet the regulatory exception criteria, the community may apply the criteria if it receives funds from a state PRICE grantee and the state grantee permits the use.

viii. *Use of “uncapped” income limits.* The Quality Housing and Work Responsibility Act of 1998 (Title V of Public Law 105-276) enacted a provision that directed the Department to grant exceptions to at least 10 jurisdictions that are currently “capped” under HUD’s low and moderate-income limits. Under this exception, a number of CDBG entitlement grantees may use “uncapped” income limits that reflect 80 percent of the actual median income for the area. Each year, HUD publishes guidance on its website identifying which grantees may use uncapped limits. The uncapped limits apply to activities funded pursuant to this PRICE NOFO in jurisdictions covered by the uncapped limits.

ix. *Grant administration responsibilities and general administration cap.*

(a). *Grantee responsibilities.* Per the Appropriations Acts, each grantee shall administer its award in compliance with all applicable laws and regulations. Each grantee shall be financially accountable for the use of all funds provided in this PRICE NOFO and may contract for administrative support, but grantees may not delegate or contract to any other party any inherently governmental responsibilities related to management of the funds, such as oversight, policy approval or adoption, and financial management.

(b). *General administration cap.* HUD is waiving caps for general administration, planning, and technical assistance that generally apply to CDBG and ICDBG grantees and applying alternative requirements. HUD reminds grantees that these waivers and alternative requirements do not relieve grantees from expending funds for such activities as they identified in their applications.

(i). *For state CDBG grantees under this PRICE NOFO,* the provisions of 42 U.S.C. 5306(d) and 24 CFR 570.489(a)(1)(i), (ii), and (iii), and (3)(ii) and (iii) will not apply to the extent that they cap administrative and technical assistance costs at three percent of an award, limit a state’s ability to charge a nominal application fee for grant applications for activities the state carries out directly, and require a dollar-for-dollar match of state funds for administrative costs exceeding \$100,000. 42 U.S.C. 5306(d)(5) and (6) are waived and replaced with the alternative requirement that grantees may use up to ten percent of the award for general administrative costs and technical assistance.

(ii). *For Entitlement CDBG grantees, other local governments, and non-governmental entities under this PRICE NOFO,* the provisions of 24 CFR 570.200(g)(1) and (2) and 570.509(a)(5) will not apply to the extent that they place a limit of planning and administrative costs of no greater than 20 percent of the PRICE grant and are replaced with the alternative requirement that grantees may use up to ten percent of the award for planning and general administrative costs and technical assistance.

(iii). *For Tribal Applicants,* the provisions of 24 CFR 1003.206 will apply, and Tribal Applicants may use up to 20 percent of the award for planning, general administrative costs and technical assistance.

x. *Planning-only activities – applicable to state grantees only.* The annual State CDBG program requires that local government grant recipients for planning-only grants must document that the use of funds meets a national objective. In the State CDBG program, these planning grants are typically used for individual project plans. By contrast, planning activities carried out by entitlement communities are more likely to include non-project specific plans such as functional land-use plans, master plans, historic preservation plans, comprehensive plans, fair housing planning, community recovery plans, development of housing codes, zoning ordinances, and neighborhood plans. These plans may guide long-term community development efforts comprising multiple activities funded by multiple sources. In the entitlement program, these general planning activities are presumed to meet a national objective under the requirements at 24 CFR 570.208(d)(4). Therefore, for state grantees receiving an award under this PRICE NOFO, the Department is removing the eligibility requirements at 24 CFR 570.483(b)(5) or (c)(3). Instead, states must comply with 570.208(d)(4) when directly administering planning activities in accordance with the Appropriations Acts. In addition, the types of planning activities that states may fund or administer are expanded to be consistent with those of entitlement communities identified at 24 CFR 570.205.

xi. *Waiver and alternative requirement for distribution to CDBG metropolitan cities and urban counties – applicable to state grantees only.* Section 5302(a)(7) of title 42, U.S.C. (definition of “nonentitlement area”) and provisions of 24 CFR part 570 that would prohibit or restrict a state from distributing CDBG funds to entitlement communities and Indian tribes under the CDBG program, are waived, including 24 CFR 570.480(a) and 570.486(c). Instead, the state may distribute funds to local governments, including entitlement communities, and Indian tribes.

xii. *Waiver and alternative requirement for activities located in entitlement jurisdictions – applicable to state grantees only.* Pursuant to 24 CFR part 570.486(c), any activity carried out in entitlement jurisdictions must significantly benefit residents of the non-entitlement UGLG carrying out the activity, and the state must determine that activity is meeting its needs in accordance with 42 U.S.C. 5306(d)(2)(D). The provisions of 24 CFR 570.486(c) are waived to the extent necessary to allow states, either directly or through units of general local government, to use funds for activities located in entitlement areas without contribution from the entitlement jurisdiction, consistent with the waiver and alternative requirements in this section. HUD is granting this waiver to facilitate and expedite the use of PRICE funds.

xiii. *Use of subrecipients—applicable to state grantees only.* The State CDBG regulations do not make specific provision for the treatment of entities that the CDBG Entitlement regulations define as “subrecipients.” The waiver allowing the state to directly carry out activities creates a situation in which the state may use subrecipients to carry out activities in a manner similar to an entitlement community. Therefore, for states taking advantage of the waiver to carry out activities directly, the requirements at 24 CFR 570.502, 570.503, and 570.500(c) apply, except the requirements that specific references to 24 CFR part 200 must be included in subrecipient agreements. Pursuant to 24 CFR 570.489(n) and 570.502, state grantees must ensure that their costs and those of its state recipients and subrecipients are in conformance with 2 CFR 200 subpart E, as may be amended and incorporated in HUD regulations, whether carrying out activities directly or through the use of a subrecipient.

xiv. *Recordkeeping*

(a). *State grantees.* When a state carries out activities directly, the requirements at 24 CFR 570.490(b) is waived and the following alternative provision shall apply: the state shall establish and maintain such records as may be necessary to facilitate review and

audit by HUD of the state's administration of PRICE funds under 24 CFR 570.493. Consistent with applicable statutes, regulations, waivers and alternative requirements, and other Federal requirements, the content of records maintained by the state shall be sufficient to: enable HUD to make the applicable determinations described at 24 CFR 570.493; make compliance determinations for activities carried out directly by the state; verify compliance with requirements of this NOFO and any other Notice governing the use of PRICE grants; and show how activities funded are consistent with the descriptions of activities proposed for funding in the PRICE Action Plan and DRGR system. For fair housing and equal opportunity purposes, and as applicable, such records shall include data on the racial, ethnic, and gender characteristics of persons who are Applicants for, participants in, or beneficiaries of the program.

(b). *Local government grantees.* Non-state grantees are subject to the recordkeeping requirements of 24 CFR 570.506.

(c). *Tribal Applicants.* Tribal Applicants are subject to the recordkeeping requirements of 24 CFR 1003.505.

xv. *Change of use of real property— applicable to state grantees only.* This waiver confirms the change of use of real property requirement for states carrying out activities directly. For purposes of this program, all references to “unit of general local government” in 24 CFR 570.489(j), shall be read as “unit of general local government or State.”

xvi. *Responsibility for review and handling of noncompliance – applicable to state grantees only.* This change is in conformance with the waiver allowing the state to carry out activities directly. 24 CFR 570.492 is waived, and the following alternative requirement applies for any State receiving a direct award under this PRICE NOFO: the state shall make reviews and audits, including onsite reviews of any subrecipients, designated public agencies, and local governments, as may be necessary or appropriate to meet the requirements of 42 U.S.C. 5304(e)(2), as amended, and as modified by this PRICE NOFO. In the case of noncompliance with these requirements, the state shall take such actions as may be appropriate to prevent a continuance of the deficiency, mitigate any adverse effects or consequences, and prevent a recurrence. The state shall establish remedies for noncompliance by any designated subrecipients, public agencies, or local governments.

xvii. *Program income alternative requirement.* The Department is waiving applicable program income rules at 42 U.S.C. 5304(j), 24 CFR 570.500(a) and (b), 570.504, and 570.489(e) to the extent necessary to provide additional flexibility as described under this PRICE NOFO. The alternative requirements provide guidance regarding the use of program income received before and after grant closeout and address revolving loan funds.

(a). *Definition of program income.*

For the purposes of this subpart, “program income” is defined as gross income generated from the use of PRICE funds and received by a state, local government, tribe, or other recipient of PRICE funds, or a subrecipient of a state, local government, tribe, or other recipient of PRICE funds, unless excluded from the definition as described in paragraph 17.a. ii. and paragraph 17.d. below. When income is generated by an activity that is only partially assisted with PRICE funds, the program income to the PRICE grant shall be prorated to reflect the percentage of PRICE funds used (e.g., a single loan supported by PRICE funds and other funds; a single parcel of land purchased with PRICE funds and other funds).

Program income includes, but is not limited to, the following:

- (i). Proceeds from the disposition by sale or long-term lease of real property purchased or improved with PRICE funds;
- (ii). Proceeds from the disposition of equipment purchased with PRICE funds;
- (iii). Gross income from the use or rental of real or personal property acquired with PRICE funds by a state, local government, tribe, or other recipient of PRICE funds, or subrecipient of a state, local government, tribe or other recipient of PRICE funds, less costs incidental to generation of the income (i.e., net income);
- (iv). Net income from the use or rental of real property owned by a state, local government, or tribe or subrecipient of a state, local government, or tribe, that was constructed or improved with PRICE funds;
- (v). Payments of principal and interest on loans made using PRICE funds;
- (vi). Proceeds from the sale of loans made with PRICE funds;
- (vii). Proceeds from the sale of obligations secured by loans made with PRICE funds;
- (viii). Interest earned on program income pending disposition of the income, but excluding interest earned on funds held in a revolving fund account; funds collected through special assessments made against properties owned and occupied by households not of low- and moderate-income, where the special assessments are used to recover all or part of the PRICE portion of a public improvement; and
- (ix). Gross income paid to a state, local government, tribe, or other recipient of PRICE funds, or paid to a subrecipient thereof from the ownership interest in a for-profit entity in which the income is in return for the provision of PRICE assistance.

“Program income” does not include the following:

- (i) The total amount of funds which is less than \$25,000 received in a single year and retained by a state, local government, tribe, or retained by a subrecipient thereof;
  - (ii) Amounts generated by activities both eligible and carried out by an entity under the authority of Section 105(a)(15) of the HCD Act, which shall be considered to further extend to non-profit entities whose primary mission is the preservation and revitalization of MHCs;
- (b). *Retention of program income.* Per 24 CFR 570.504(c), a local government receiving a direct award under this PRICE NOFO may permit a subrecipient to retain program income. Furthermore, pass-through entities, including state grantees as applicable, may permit a local government, tribe, or subrecipient, which receives or will receive program income, to retain the program income, but are not required to do so.
- (c). *Program income – use, closeout, and transfer.*
- (i) Program income received (and retained, if applicable) before or after closeout of the grant that generated the program income, and used to continue activities, is treated as additional PRICE grant funds subject to the requirements of this PRICE NOFO and must be used in accordance with the grantee’s PRICE Action Plan. To the maximum extent feasible, program income shall be used or distributed before additional withdrawals from the

U.S. Treasury are made, except as provided in subparagraph d of this paragraph.

(ii) In addition to the regulations dealing with program income found at 24 CFR 570.489(e) and 570.504, except as modified by this section, the following rules apply: A grantee may transfer program income before closeout of the PRICE grant that generated the program income to its annual CDBG program. In addition, a state grantee may transfer program income before closeout to any annual CDBG-funded activities carried out by a local government or Indian tribe within the state, including a local government that is an Entitlement CDBG grantee if that Entitlement grantee received PRICE funding from the state or from HUD.

Program income received by a grantee, or received and retained by a subgrantee, after closeout of the grant that generated the program income, may also be transferred to a grantee's annual CDBG award. In all cases, any program income received, and not used to continue PRICE activities, will not be subject to the waivers and alternative requirements of this PRICE NOFO. Rather, those funds will be subject to the grantee's formula CDBG program rules.

(d). *Revolving loan funds.* Any grantee may establish revolving funds to carry out specific, identified activities. A revolving fund, for this purpose, is a separate fund (with a set of accounts that are independent of other program accounts) established to carry out specific activities. These activities generate payments, which will be used to support similar activities going forward. These payments to the revolving fund are program income and must be substantially disbursed from the revolving fund before additional grant funds are drawn from the U.S. Treasury for payments which could be funded from the revolving fund. Such program income is not required to be disbursed for non-revolving fund activities.

State grantees may also establish a revolving fund to distribute funds to local governments or tribes to carry out specific, identified activities. The same requirements, outlined above, apply to this type of revolving loan fund. Last, note that no revolving fund, established per this PRICE NOFO, shall be directly funded, or capitalized with an advance of PRICE grant funds.

xviii. *Reimbursement of expenses.* The provisions of 24 CFR 570.489(b) are applied to permit a state to reimburse itself for otherwise allowable application-related costs incurred by itself or its subrecipients on or after the date of publication of the NOFO. An entitlement grantee is subject to the provisions of 24 CFR 570.200(h) but may reimburse itself or its subrecipients for otherwise allowable costs incurred on or after the publication date of this NOFO. 24 CFR 570.200(h)(1)(i) will not apply to the extent that it requires pre-agreement activities to be included in a consolidated plan. The Department expects all grantees to include all pre-agreement activities in their applications. The provisions at 24 CFR 570.200(h) and 570.489(b) apply to grantees reimbursing costs incurred by themselves or its recipients or subrecipients prior to the execution of a grant agreement with HUD.

xix. *Environmental requirements.*

(a). Clarifying note on the process for environmental release of funds when a state carries out activities directly. In the CDBG program, a state distributes CDBG funds to local governments and takes on HUD's role in receiving environmental certifications from the

grant recipients and approving releases of funds. For state grantees under this PRICE NOFO, HUD allows the state to carry out activities directly, in addition to distributing funds to subrecipients and/or subgrantees. Thus, per 24 CFR 58.4, when a state carries out activities directly, the state must submit the certification and request for release of funds to HUD for approval.

(b). Historic preservation reviews. To facilitate expedited historic preservation reviews under Section 106 of the of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), HUD strongly encourages grantees to allocate general administration funds to support the capacity of the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO) to review PRICE projects. Specifically, and when appropriate, funding might provide dedicated staffing within a SHPO/THPO office to review Section 106 submissions by the agency and make recommendations to SHPO staff on responding to them.

xx. *Procurement.*

(a). State grantees. Per 24 CFR 570.489(d), a state must have fiscal and administrative requirements for expending and accounting for all funds. Furthermore, per 570.489(g), a state shall establish requirements for procurement policies and procedures for local governments based on full and open competition. All local governments receiving funds from a state through a method of distribution (also called state recipients, subgrantees, or local governments) are subject to the procurement policies and procedures required by the state.

A state may meet the above requirements by electing to follow 2 CFR part 200, as may be amended. If a state has adopted part 200 in full, it must follow the same policies and procedures it uses when procuring property and services with its non-Federal funds. However, the state must ensure that every purchase order or other contract includes any clauses required by Federal statutes and executive orders and their implementing regulations per 2 CFR 200.317.

(b). Direct grants to local governments. Local governments receiving a direct grant from HUD will be subject to the procurement requirements of 2 CFR 200.318 through 200.327, as may be amended.

xxi. *Public website.* A grantee shall maintain a public website that is accessible, and which provides information accounting for how all grant funds are used and managed/administered, including details of all contracts and ongoing procurement policies. To meet this requirement, each grantee must make the PRICE Action Plan (including all amendments) and each APR (as created using the DRGR system) available on its website(s).

xxii. *Timely distribution of funds.* The provisions at 24 CFR 570.494 and 24 CFR 570.902 regarding timely distribution of funds are waived under this NOFO. HUD expects each grantee to expeditiously obligate and expend all funds, including any recaptured funds or program income, and to carry out activities in a timely manner.

To track grantees' progress, HUD will evaluate timeliness in relation to each grantee's established expenditure plan. The Department will, absent substantial evidence to the contrary, deem a grantee to be carrying out its programs and activities in a timely manner if the schedule for carrying out its activities is substantially met. In determining the appropriate corrective action pursuant to this section, HUD will consider the extent to which unexpended funds have been obligated by the grantee and its subrecipients for specific activities at the time the finding is made and other relevant information.

xxiii. *Review of continuing capacity to carry out CDBG-funded activities in a timely manner.* If HUD determines at any time that the grantee has not carried out its PRICE activities and certifications in accordance with the requirements and criteria described in this NOFO, HUD will undertake a further review to determine whether the grantee has the continuing capacity to carry out its activities in a timely manner. In making the determination, the Department will consider the following alternative requirements to provisions under 42 U.S.C. 5304(e): the nature and extent of the grantee's performance deficiencies, types of corrective actions the grantee has undertaken, and the success or likely success of such actions.

xxiv. *Corrective and remedial actions.* To ensure compliance with the requirements of the Appropriations Acts and to effectively administer the PRICE program, HUD is waiving 42 U.S.C. 5304(e) of the HCD Act to the extent necessary to impose the following alternative requirement: HUD may undertake corrective and remedial actions for states in accordance with the authorities applicable to entitlement grantees in subpart O (including corrective and remedial actions in 24 CFR 570.910, 570.911, and 570.913) or under subpart I of the CDBG regulations at 24 CFR part 570. Before determining appropriate corrective actions, HUD will notify the grantee of the procedures applicable to its review. As in the annual CDBG program, in accordance with 24 CFR 570.300, the policies and procedures set forth in subpart O will apply to local governments receiving direct grants from HUD.

xxv. *Reduction, withdrawal, or adjustment of a grant or other appropriate action.* Prior to a reduction, withdrawal, or adjustment of a grant or other appropriate action taken pursuant to this section, the recipient shall be notified of such proposed action and given an opportunity within a prescribed time period for an informal consultation. Consistent with the procedures described in this PRICE NOFO, the Secretary may adjust, reduce, or withdraw the grant or take other actions as appropriate, except that funds already expended on eligible approved activities shall not be recaptured.

xxvi. *Use of CDBG as Match.* As provided by the HCD Act, PRICE funds may be used as a matching requirement, share, or contribution for any other Federal program when used to carry out an eligible PRICE activity.

xxvii. *Affordability Restrictions.* HUD is instituting an alternative requirement that all housing units receiving PRICE assistance be maintained as affordable for a set period. In its PRICE Action Plan, a grantee must define "affordable rents" and the affordability standards and enforcement mechanisms that will apply to affordable rental housing. The minimum affordability standards acceptable for compliance are the HOME Investment Partnerships Program (HOME) requirements at 24 CFR 92.252(a), (e), and (f) (rental housing) and 24 CFR 92.254(a)(1)-(4) (homeownership). HOME Investment Partnerships Program (HOME) requirements at 24 CFR 92.252 (e) and (f) (rental housing) will apply to Homesite Renters, who will pay no more than 30 percent of gross income on housing costs, including site rental and utilities. If a grantee applies other standards, the standards must meet or exceed rent limitations and the periods of affordability in the applicable HOME requirements. Tribal Applicants may follow the same affordability standards as set out in the relevant Indian tribe's latest Indian Housing Plan under the Indian Housing Block Grant program. HUD requires any affordability standards to be enforceable and imposed by recorded use restrictions, covenants, deed restrictions, or other mechanisms to ensure that the rental housing remains affordable for the required period of time.

xxviii. *Demolition.* Where demolition is part of a PRICE-funded activity, compliance with the HCDA Section 104(d) (42 U.S.C. 5304(d)) is required. Demolition may include the removal and disposal of manufactured housing units, as well as pre-1976 mobile homes, trailers, and

recreational vehicles serving as permanent residences. This includes requirements pertaining to displaced lower income tenants and 1-for-1 replacement of lower income dwelling units.

**b. Certifications and Collection of Information.**

i. *Certifications waiver and alternative requirement.* Sections 91.325 and 91.225 of title 24 of the Code of Federal Regulations are waived. Applicants for an award under this PRICE NOFO must make the applicable certifications required by Appendix B and submit the certifications with its application.

ii. *Information collection approval note.* OMB has granted emergency approval in lieu of an overly abbreviated comment period. A 60-day notice is forthcoming shortly.

Comments on the 60-day notice should be directed to [regulations.gov](https://www.regulations.gov). The information collection requirements contained in this document were approved by the OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB Control Number [Paperwork Reduction Act Number 2506-0221]. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number. The public reporting burden for the collection of information is estimated to average 35.59 hours for applications per annum per respondent for the application and grant administration. This includes the time for collecting, reviewing, and reporting the data for the application, quarterly reports, and final reports. The information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required to receive the benefits to be derived.

**6. Duration of Funding**

The Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022) requires that HUD obligate all funds on or before September 30, 2027. The Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024) requires that HUD obligate all funds on or before September 30, 2028. This NOFO establishes that a grantee must expend funds in a manner that meets all PRICE program requirements by the end of the period of the performance of the PRICE grant or September 20, 2032, whichever is earlier.

**7. Catalog of Federal Domestic Assistance**

The primary Catalog of Federal Domestic Assistance (CFDA) number for the grants under this NOFO is 14.024. Additional supporting CFDA's are: 14.218; 14.228.

**VII. AGENCY CONTACT(S)**

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

Name:  
Robert Peterson

Phone:  
202-708-3587

Email:  
PRICE@hud.gov

Individuals who are deaf or hard of hearing, or who have speech and other communication disabilities may use a relay service to reach the agency contact. To learn more about how to

make an accessible telephone call, visit the webpage for the [Federal Communications Commission](#). Note that HUD staff cannot assist applicants in preparing their applications.

## VIII. OTHER INFORMATION

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

A Finding of No Significant Impact (FONSI) with respect to the environment has been made for this NOFO in accordance with HUD regulations at 24 CFR part 50, which implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)). The FONSI is available for inspection at HUD's Funding Opportunities web page.

### 2. Web Resources.

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

### 3. Program Relevant Web Resources

- [Climate and Economic Justice Screening Tool](#)
- [FEMA Community Disaster Resilience Zone Platform Tool](#)
- [FEMA HAZUS Program](#)
- [FEMA National Risk Index](#)
- [FEMA Recovery and Resilience Resource Library](#)
- [FEMA Resilience Analysis and Planning Tool](#)
- [HUD Community Resilience Toolkit](#)

## APPENDIX

### Appendix A: Waiver Requests

#### Introduction

This Appendix provides instructions for seeking waivers of the program requirements applicable to funds under Public Laws 117-328 and 118-42, and described in the Notice of Funding Opportunity (NOFO) for HUD’s Community Development Block Grant Preservation and Reinvestment Initiative for Community Enhancement (PRICE) competition.

Waiver requests necessary to carry out an activity described in an application must be submitted with that application. When submitting an application, applicants should submit requests for any waivers anticipated to be necessary at the time of submission for any activity referenced in the application. However, HUD understands that actions needed to preserve and revitalize manufactured housing and eligible manufactured housing communities can be addressed through more than one CDBG eligible activity. Changes to a project’s funding structure or design may require a change in the proposed CDBG-eligible activity or a modification to a waiver or alternative requirement previously requested. Therefore, applicants may submit waiver requests, and if necessary, requests to modify previous waiver requests.

HUD may, during review of an application or during the post-review negotiation process, determine that the Applicant would require an additional waiver for the proposed project, or find that additional information is needed to decide regarding a submitted waiver request. In these cases, HUD may contact any Applicant at any time prior to award announcement to explain the issue and request that the Applicant submit a waiver request for consideration or additional information to support a previous request.

#### Waiver and Alternative Requirement Categories

Public Laws 117-328 and 118-42 authorize the Secretary of HUD to “waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of [PRICE funds] (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding that such waiver or alternative requirement is necessary to facilitate the use” of PRICE funds.

Grantees are cautioned that all waiver requests may not be approved, and that HUD may impose additional alternative requirements when granting a waiver. Additional instructions for submitting waivers are included below. Waivers requests shall be submitted to HUD at the following e-mail address: PRICE@hud.gov, with Waiver Request on the subject line of the email.

## **Eligibility and Administrative Waivers**

All applicants must demonstrate that PRICE funds will be used for a CDBG-eligible activity (for states, the activities described at 42 U.S.C. § 5305(a); for entitlement CDBG grantees, non-states, and non-Tribal Applicants, the activities described in 24 CFR part 570, subpart C), for Tribal Applicants, the activities described in 42 U.S.C. § 5305(a), or an activity eligible under a waiver and alternative requirement. When necessary to facilitate the use of the funds, the Secretary may grant waivers to add a new eligible activity or to modify existing eligible activities. Waivers to add new eligible activities are rare, generally because the list of existing eligible activities is extensive and able to accommodate the purposes of the PRICE funds.

Grantees may also request a waiver of other regulations that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for statutory requirements related to fair housing, nondiscrimination, labor standards, and the environment). For example, a grantee may request a modification of the definition of subrecipient.

To request a waiver of eligibility or administrative requirements, applicants must submit a written request that includes: the requirement to be waived, and if applicable, alternative requirement to be added (meaning how the current requirement should be altered); a detailed statement of how the request is necessary to preserve and revitalize manufactured housing and eligible manufactured housing communities; the demographics of the population to be assisted; and a statement of alternative approaches considered to eliminate the need for a waiver.

## **Appendix B: Certifications**

Applicants to the PRICE program must use the applicable forms in this Appendix to certify their compliance with various requirements. Each applicant type has a required specific certification form. Applicants should complete the certifications relevant to them and submit them with their application. Please note that all applicants must complete the lobbying certification.

- Appendix B.I Entitlement Local Government
- Appendix B.II State
- Appendix B.III Multi-Jurisdictional Entity
- Appendix B.IV Community Development Financial, Institution, Cooperative, Manufactured Housing Community, Metropolitan Planning Organization (MPO), Non-Entitlement Units of General Local Government, and Non-Profit
- Appendix B.V Tribal Applicants
- Appendix B.VI Optional Urgent Need Certification
- Appendix B.VII Lobbying Certification for All Applicants

### **Appendix B.I Entitlement Local Government**

#### **PRICE CERTIFICATIONS FOR ENTITLEMENT LOCAL GOVERNMENT APPLICANTS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing.

**The Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA), and Residential Anti-displacement and Relocation Assistance Plan (RARAP)** -- It will comply with the acquisition and relocation requirements of the URA (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR part 24. It has in effect and is following a RARAP as required under 24 CFR part 42 in connection with any activity assisted with funding under either the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** -- The submission of the PRICE application is authorized under state and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** --The housing activities to be undertaken with PRICE funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** -- It will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.

**Build America, Buy America (BABA)** – It will comply with Title IX, subpart A of the Infrastructure Investment and Jobs Act of 2021 (41 U.S.C. 8301 et seq.).

**Public Participation** – It is in full compliance with the PRICE streamlined public participation requirements found in Section VI.E of the PRICE NOFO.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with PRICE funds, it has developed its proposal to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The proposal may also include activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional PRICE Certification).
2. Overall Benefit. The aggregate use of PRICE funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons.
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with PRICE funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if PRICE funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with PRICE funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than PRICE funds. In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than PRICE funds if the jurisdiction certifies that it lacks PRICE funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K and R; and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

**Compliance with RFRA** -- The grant will be conducted and administered in conformity with the requirements of the Religious Freedom Restoration Act (42 U.S.C. 2000bb) and 24 CFR 5.109, allowing the full and fair participation of faith-based entities.

**Environmental Review** -- It will comply with environmental review procedures and requirements at 24 CFR part 58.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_ Signature of Authorized Official

\_\_\_\_\_ Date

\_\_\_\_\_ Title

**Appendix B.II State**

**PRICE CERTIFICATIONS FOR STATE APPLICANTS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the State certifies that:

**Affirmatively Further Fair Housing** -- The State will affirmatively further fair housing.

**The Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA), and Residential Anti-displacement and Relocation Assistance Plan (RARAP)** -- It will comply with the acquisition and relocation requirements of the URA (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR part 24. It has in effect and is following a RARAP as required under 24 CFR part 42 in connection with any activity assisted with funding under either the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the State's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of State** -- The submission of the PRICE application is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** -- The housing activities to be undertaken PRICE funds are consistent with the strategic plan in the State's consolidated plan.

**Section 3** -- It will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.

**Build America, Buy America (BABA)** – It will comply with Title IX, subpart A of the Infrastructure Investment and Jobs Act of 2021 (41 U.S.C. 8301 et seq.)

**Public Participation** -- It is in full compliance with the PRICE streamlined public participation requirements found in Section VI.E of the PRICE NOFO and each unit of general local government that receives assistance from the State is in full compliance with the same.

**Consultation with Local Governments** --

1. It has consulted with affected units of local government in the non-entitlement area of the State in determining the method of distribution of funding, if applicable;
2. It engages in or will engage in planning for community development activities;
3. It provides or will provide technical assistance to units of local government in connection with community development programs; and
4. It will not refuse to distribute funds to any unit of general local government based on the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding based on the activities selected.

**Local Needs Identification** – It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR parts 91 and 570.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with PRICE funds, it has developed its proposal to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The proposal may also include activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional PRICE Certification).

2. Overall Benefit. The aggregate use of PRICE funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons.
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with PRICE funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if PRICE funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with PRICE funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than PRICE funds. In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than PRICE funds if the jurisdiction certifies that it lacks PRICE funds to cover the assessment.

**Excessive Force** -- It will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K and R; and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

**Compliance with RFRA** -- The grant will be conducted and administered in conformity with the requirements of the Religious Freedom Restoration Act (42 U.S.C. 2000bb) and 24 CFR 5.109, allowing the full and fair participation of faith-based entities.

**Environmental Review** -- It will comply with environmental review procedures and requirements at 24 CFR part 58.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_ Signature of Authorized Official

\_\_\_\_\_ Date

**Appendix B.III Multi-Jurisdictional Entity**

**PRICE CERTIFICATIONS MULTI-JURISDICTIONAL ENTITY APPLICANTS**

The multijurisdictional entity certifies that:

**Affirmatively Further Fair Housing** – The jurisdiction(s) will affirmatively further fair housing.

**The Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA), and Residential Anti-displacement and Relocation Assistance Plan (RARAP)** -- It will comply with the acquisition and relocation requirements of the URA (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR part 24. As applicable, it has in effect and is following a RARAP as required under 24 CFR part 42 in connection with any activity assisted with funding under either the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdictions' knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Applicant** – The submission of the PRICE application is authorized under State and local law (as applicable) and the jurisdiction(s) possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Section 3** – It will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.

**Build America, Buy America (BABA)** – It will comply with Title IX, subpart A of the Infrastructure Investment and Jobs Act of 2021 (41 U.S.C. 8301 et seq.).

**Public Participation** – It is in full compliance with the PRICE streamlined public participation requirements found in Section VI.E of the PRICE NOFO.

**Community Development Plan** – If any member(s) of the multijurisdictional entity applicant is a recipient of funding under Title I of the Housing and Community Development Act of 1974, the entity certifies that its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR parts 91 and 570.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with PRICE funds, it has developed its PRICE proposal to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The PRICE proposal may also include PRICE-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional PRICE Certification).
2. Overall Benefit. PRICE funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons.
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with PRICE funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if PRICE funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with PRICE funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than PRICE funds. In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than PRICE funds if the jurisdiction certifies that it lacks PRICE funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing, as applicable:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K and R; and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

**Compliance with RFRA**-- The grant will be conducted and administered in conformity with the requirements of the Religious Freedom Restoration Act (42 U.S.C. 2000bb) and 24 CFR 5.109, allowing the full and fair participation of faith-based entities.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_ Signature of Authorized Official

\_\_\_\_\_ Date

\_\_\_\_\_ Title

**Appendix B.IV Community Development Financial, Institution, Cooperative, Manufactured Housing Community, Metropolitan Planning Organization (MPO), Non-Entitlement Units of General Local Government, and Non-Profit**

**PRICE CERTIFICATIONS FOR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION, COOPERATIVE, MANUFACTURED HOUSING COMMUNITY, METROPOLITAN PLANNING ORGANIZATION (MPO), NON-ENTITLEMENT UNITS OF GENERAL LOCAL GOVERNMENT, AND NON-PROFIT APPLICANTS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the applicant certifies that:

**Affirmatively Further Fair Housing** -- It will affirmatively further fair housing.

**The Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA), and Residential Anti-displacement and Relocation Assistance Plan (RARAP)** -- It will comply with the acquisition and relocation requirements of the URA (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR part 24. It has in effect and is following a RARAP as required under 24 CFR part 42 in connection with any activity assisted with funding under either the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the applicant's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Applicant** – The submission of the PRICE application is authorized under State and local law (as applicable) and the applicant possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Section 3** -- It will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 75.

**Build America, Buy America (BABA)** – It will comply with Title IX, subpart A of the Infrastructure Investment and Jobs Act of 2021 (41 U.S.C. 8301 et seq.).

**Public Participation** -- It is in full compliance with the PRICE streamlined public participation requirements found in Section VI.E of the PRICE NOFO.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with PRICE funds, it has developed its PRICE proposal to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The PRICE proposal may also include PRICE-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional PRICE Certification).
2. Overall Benefit. PRICE funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons.
3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with PRICE funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if PRICE funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with PRICE funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than PRICE funds. In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than PRICE funds if the jurisdiction certifies that it lacks PRICE funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing, as applicable:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K and R; and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

**Compliance with RFRA**-- The grant will be conducted and administered in conformity with the requirements of the Religious Freedom Restoration Act (42 U.S.C. 2000bb) and 24 CFR 5.109, allowing the full and fair participation of faith-based entities.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_ Signature of Authorized Official

\_\_\_\_\_ Date

\_\_\_\_\_ Title

### **Appendix B.V Tribal Applicants**

#### **PRICE CERTIFICATIONS FOR TRIBAL APPLICANTS**

In accordance with applicable statutes and regulations, Tribal Applicants applying for PRICE grants certify to the following, as applicable:

**The Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (URA), and Residential Anti-displacement and Relocation Assistance Plan (RARAP)** -- It will comply with the acquisition and relocation requirements of the URA (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR part 24.

**Anti-Lobbying** (*Applicable only to State-recognized Tribes and their instrumentalities*) --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal

grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Tribal Applicant** -- The submission of the PRICE application is authorized under Tribal law, and the Tribal applicant possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Indian Preference** -- In accordance with 24 CFR 1003.510, it will comply with the Indian preference requirements of Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307) and ensure that to the greatest extent feasible-(1) preferences and opportunities for training and employment in connection with the PRICE grant will be given to Indians; and (2) preference in the award of subcontracts and subgrants in connection with the PRICE grant will be given to Indian organizations and to Indian-owned economic enterprises.

**Public Participation** – It is in full compliance with the applicable PRICE streamlined public participation requirements found in Section VI.E of the PRICE NOFO.

**Use of Funds** -- It has complied with the following criteria:

1. Overall Benefit. The aggregate use of PRICE funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons.

2. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with PRICE funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if PRICE funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with PRICE funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than PRICE funds. In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than PRICE funds if the Tribal applicant certifies that it lacks PRICE funds to cover the assessment.

**Compliance with Anti-discrimination laws** – Pursuant to 24 CFR 1003.601, the PRICE grant will be conducted and administered in conformity with the Indian Civil Rights Act (25 U.S.C. 1301-1304)

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K and R; and EPA's lead-based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

**Faith-Based Organizations** -- Pursuant to 24 CFR 1003.600, the grant will be conducted and administered in conformity with the requirements of 24 CFR 5.109, including allowing the full and fair participation of faith-based entities.

**Environmental Review** -- It will comply with environmental review procedures and requirements at 24 CFR part 58.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_ Signature of Authorized Official  
\_\_\_\_\_ Date  
\_\_\_\_\_ Title

**Appendix B.VI Optional Urgent Need Certification**

**OPTIONAL PRICE URGENT NEED CERTIFICATION**

Submit the following certification only when one or more of the activities in the PRICE proposal are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the PRICE proposal includes one or more specifically identified PRICE-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_ Signature of Authorized Official  
\_\_\_\_\_ Date  
\_\_\_\_\_ Title

**Appendix B.VII Lobbying Certification for All Applicants**

**LOBBYING CERTIFICATION FOR ALL APPLICANTS**

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

**Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\_\_\_\_\_ Signature of Authorized Official

\_\_\_\_\_ Date

\_\_\_\_\_ Title