

RD AN No. 4771 (1944-N)
July 30, 2014

TO: State Directors
Rural Development

FROM: Tony J. Hernandez /s/ *Tony Hernandez*
Administrator
Housing and Community Facilities Programs

SUBJECT: Processing Section 533 Housing Preservation Grant Program
Requests for Fiscal Year 2014

Purpose/Intended Outcome:

This Administrative Notice (AN) and the attached information provide guidance on processing Section 533 grant requests in accordance with RD Instruction 1944-N, the Notice of Funds Availability (Notice) that was published in the Federal Register on June 11, 2014.

Comparison With Previous AN:

This AN replaces RD AN No. 4724 (1944-N) dated June 24, 2013, which will expire on June 30, 2014. The language that previously provided guidance on the processing issues is hereby amended.

Implementation Responsibilities:

Section 533 Housing Preservation Grant (HPG) requests must be processed in accordance with RD Instruction 1944-N and the Notice entitled "Notice of Funds Availability for the Section 533 Housing Preservation Grants for Fiscal Year (FY) 2014," published in the Federal Register on June 11, 2014.

National Office reserve funds will be retained and allocated on a project-by-project basis. Upon closing of the 45-day application period, applications should be processed to the point of approval. The priority scoring information and a narrative addressing each of the criteria listed should be submitted to the National Office, Multi-Family Housing Preservation and Direct Loan Division, Attention: Bonnie Edwards-Jackson, STOP 0781 by August 18, 2014.

EXPIRATION DATE:
July 31, 2015

FILING INSTRUCTIONS:
Preceding RD Instruction 1944-N

However, States that submit an application for a project for funds from the Rural Economic Area Partnership (REAP) set-asides must submit these applications no later than July 28, 2014, to the National Office to allow sufficient time for processing. Due to limited dollars this Fiscal Year, submit the highest two priority scored projects for funding as it is our goal to fund at least one set-aside REAP project and one non set-aside project for each State. In the event any additional amount of funding is available, the National Office will allocate these funds to as many remaining highly scored project applicants as feasible. **All requests must be submitted using Exhibit G to RD Instruction 1944-N, which State Offices should have on file.**

REAP applications for HPG assistance will be selected on a competitive basis using the criteria in RD Instruction 1944-N, 7 C.F.R part 1944, subpart N, and the Notice.

Depending upon the funding available in reserves this FY, the National Office reserve funds may be used for States that have been allocated less than \$100,000 and choose to return their funds to the National Office pool in order to receive one grant for no more than \$50,000, provided only one eligible application was received.

Also, depending upon funding available in reserves this FY, the States that received an allocation under \$100,000 may have the option of, (a) using their allocation to make two grants so that no one grantee receives more than 50 percent of the State allocation, or, (b) returning their allocation to the National Office pool. Once the State returns their allocation to the National Office, they may request one grant of no more than \$50,000 from the National Office pool, provided only one eligible application was received.

Section 533 (c) of the Housing Act of 1949, as amended (42 U.S.C. §1490m (c)) gives RD the discretion to transfer unobligated HPG funds to the Section 504 Rural Housing Grant program. For FY 2014, State Directors will have the flexibility to transfer budget authority that is unobligated from the Section 533 HPG program to the Section 504 Rural Housing Grant program. Because of the way the accounting system is currently configured, the National Office will have to make these transfers.

The RHAG transfers cannot be referred to the National Office until after the last day for receipt of HPG pre-applications in order to allow time to determine if funds are available for transfer. The transfer of funds should be requested only when there is no demand for the funds in the HPG program. Requests for transfer of funds should be submitted to the National Office between July 28 and September 23, 2014, to ensure adequate processing time.

Attachment A to this AN contains additional information for processing FY 2014 pre-applications. Attachment B, "Critical Dates - FY 2014," contains a list of critical dates necessary for the timely administration of the program. **Please indicate on Exhibit G the anticipated leveraging for each proposal. Additionally, for tracking purposes, please indicate on Exhibit G if the applicant is a faith-based or community non-profit organization.**

Please review this material carefully. If you have any questions, please contact Bonnie Edwards-Jackson, Multi-Family Housing Preservation and Direct Loan Division, (202) 690-0759.

Attachments

ADDITIONAL INFORMATION

Current Activities

The Section 533 Housing Preservation Grant (HPG) program funds are provided to grantees to conduct housing preservation programs benefitting very-low and low income rural residents. Non-profit organizations, (which include but are not limited to, faith-based and neighborhood partnerships), public bodies, and Native American tribes receive grants to repair these properties, improve the living conditions, remove or correct health or safety hazards and bring them up to code. Financial assistance for repairs and rehabilitation include loans, grants, and/or interest reduction payments, or other applicable assistance.

Pre-application Notice

The State Office should notify all field offices and publish a Notice about the HPG program in the local media. The Notice should include the field offices where a pre-application package may be obtained and submitted, questions answered, and the open dates that pre-applications may be received. States that will be using their State allocation should be aware that the 50 percent rule is (holding that the State Director or approval official may not approve more than 50 percent of the State's allocation to a single entity) mandated by 7 CFR Section 1944.680. You should note that only a certain dollar amount was allocated to your State. Depending upon the funding available in reserves this FY, States that intend to return their allocation to the National Office and would like to request funds from the National Office pool must indicate this information in their notice, so that applicants are aware of the amount of grant they may request. The notice should also state that the pre-application must be either to assist individual homeowners or rental properties or cooperative housing projects. Any combination pre-application will not be accepted. However, an applicant may submit more than one type of pre-application. State offices are required to submit Exhibit G to RD Instruction 1944-N to the National Office.

Application and Submission Information

The applicants must announce the availability of their statement of activities for review in a newspaper of general circulation in the project area and allow at least 15 calendar days for public comment. The start of this 15-day period must occur no later than 16 days prior to the last day for acceptance of pre-applications by the Agency. Applicants cannot pre-select how their funds will be used because they must make their statement of activities available to the public for comment. Making their statement of activities available for review provides an opportunity for the public to respond and apply for the HPG funds.

Additional Grants

Information about the status of prior grants should be made available to State Office approving officials when applications for additional grants are made. Pursuant to 7 CFR 1944.686, an additional grant may be made to a grantee when it has achieved or nearly achieved the goals established for the previous or existing grant. Grantees who have submitted incomplete or untimely reports will likely be deemed high risk and subject to more Agency requirements. Grantees who have failed to properly monitor their own programs, or lack the ability to run their own programs would not qualify for additional grants. Documentation is essential in order to deny continuation under this provision.

Administrative Costs Budgeted or Charged as Program Costs

The HPG program is somewhat unique in that administrative costs must not exceed 20 percent of the HPG funds awarded to the grantee pursuant to 7 CFR Section 1944.666. The indirect cost ratio applies to the total cost of the project. Therefore, HPG administrative costs cannot be more than 20 percent of the total HPG funds.

National Office Reserve

Depending upon the funding available in reserves this FY, reserve funds may be used so that States with an allocation under \$100,000 that choose to return their funds to the National Office may be able to receive one grant from the National Office pool for not more than \$50,000. The National Office reserve will also be used for natural disasters and targeted areas. Priority use will be for natural disasters. However, States may nominate one targeted area for use of reserve funds, which may not exceed \$50,000. Such proposals may be part of a housing strategy in a targeted area. The State Director must select the proposal that will best serve the community that is in the greatest need of the HPG program. The applicant must provide sufficient documentation in the proposal that indicates there is a great need.

Please list any proposal that is nominated for National Office reserve funds along with the pre-applications in Exhibit G. State Directors may request reserve funds by including sufficient documentation to support the reasons why it is in the Government's best interest to consider the request.

After the National Office selects HPG applicants to receive funds for their requests based on the States recommendation of the highest scoring HPG applicants for funding, an additional amount of HPG funding may remain available. To spend the HPG funds, the National Office will then continue to review each of the State Office Listing of HPG Pre-applications using the Exhibit G, to determine how to further allocate the remaining HPG funding to the HPG applicants who were recommended following the highest scoring HPG applicants who would be able to utilize the funds. These HPG applicants will be selected to receive funding.

Applications for reserve funds for housing preservation in areas that have experienced a natural disaster may be accepted during the fiscal year prior to September 23, 2014, which is the HPG pooling date. Applications for a natural disaster are subject to the same requirements under our review and evaluation procedures as other pre-applications; however, they do not need to be ranked.

Pre-applications for reserve funds other than natural disaster assistance must be received during the announced HPG application period that ends July 28, 2014. Applications nominated for the reserve funds must be submitted along with other information requested on Exhibit G by August 18, 2014, along with a short justification for the nomination. The amount of funding remaining in the reserve for these nominated HPG proposals will not be known until after the September 23, 2014, pooling.

CRITICAL DATES - FISCAL YEAR 2014

June 11, 2014	Notice of Funds Availability published in the <u>Federal Register</u> .
July 14, 2014	Last day for publication of the 15-day public comment process.
July 28, 2014	Closing date for receipt of pre-applications
July 28, 2014	Last day for receipt by National Office of REAP pre-applications with the priority scoring information. REAP set-aside funds must be obligated by August 15, 2014 .
July 28, 2014	National Office notification to State Office for issuance of AD-622 to REAP applicants selected for funding.
August 15, 2014	REAP set-aside funds must be obligated by this date.
August 4, 2014	Deadline for Area Office/State Office review of pre-applications. Issuance of AD-622's, "Notice of Pre-application Review Action," to rejected or incomplete pre-applications.
August 18, 2014	Last day for receipt by National Office of Exhibit G listing all pre-applications received, reviewed, ranked, amount applied for, number proposed units, and amount recommended by the State Office. Must include nominations for reserve funds.
September 16, 2014	National Office selection of pre-applications to be funded. Notification to State Office for issuance of AD-622's.
September 23, 2014	Issuance of AD-622's to selected and non selected applicants.
September 23, 2014	Last day for requests for transfer of funds from Section 533 and Section 504.
September 23, 2014	Pooling date of all unobligated funds and authorization of funds for proposals.
September 24, 2014	Last day for obligation of HPG funds and notifications per RD Instruction 2015-C. (Copy sent to MFHPDLDD).