

Questions and Answers on FY 2015 ICDBG NOFA on Mold Remediation and Prevention

Application Questions

Q.1. The NOFA states that applicants have a grace period of 24 hours beyond the application deadline to submit their applications through grants.gov. Is it 24 hours beyond the application deadline or is it within 24 hours of the exact time stamp of the rejection notice?

A.1. *Twenty-four hours beyond the application deadline means “24 hours beyond the application deadline,” irrespective of when the first application was rejected. Applications that qualify for the grace period must be received by Grants.gov by 11:59:59 pm on the day following the submission deadline.*

Q.2. If our tribe applies for the mold NOFA, can it also apply for the regular NOFA?

A.2. *Yes applicants can apply for ICDBG funds under both NOFAs in FY 2015.*

Q.3. Would the section 184 loan guarantee homes be eligible for the mold funds?

A.3. *In the Section 184 program HUD provides a guarantee on a loan made by a private lending institution. A guarantee does not meet the definition of “tribally-owned or operated housing” in the NOFA. However, if the tribe is the 184 borrower, the units would be eligible.*

Q.4. If a third party verification letter states a unit is unfit for habitation and should not be saved, can the maximum per unit “Rehabilitation Cost Limit” be used towards demolition and replacement, providing the rebuild is part of a strategy to permanently address the source of the moisture and follows all other rules and regulation of the ICDBG program?

A.4. *No. The NOFA does not permit the demolition and replacement of homes. Funds may be used only for the rehabilitation of units, not the complete renovation. Applicants interested in doing new construction can apply for the “regular” ICDBG program pursuant to the second ICDBG NOFA that will be published later this year.*

Q.5. Can anyone email supporting materials with an application or must only the Authorized Organizational Representative (AOR) do so?

A.5. *Anyone can send supporting information about the application to the email address listed in the General Section (ApplicationSupport@hud.gov) as long as they follow the instructions regarding the subject line and address. If the email contains a document requiring a signature, then the document would have to be signed by the proper person.*

Applicants in FY 2015 can still use the facsimile form which is included with the application download to send supporting documents with the application (form HUD-96011). If third parties will submit supporting documents, applicants must provide them with a copy of the form that came with the application so the information can be matched with the rest of the application submitted electronically.

Q.6. Can the applicant be the entity that conducts the citizen participation requirements or does it have to be the tribe?

A.6. *The NOFA states that the applicant must include a tribal resolution that says that the tribe has met the citizen participation requirements. The applicant may be the entity that consults with tribal members through traditional means of residential involvement but the tribe must state in the resolution that this has been done.*

Q.7. Can the resolution language just state that the tribe has met the citizen participation requirements of 24 CFR 1003.604 or does it also have to specifically state “comments were obtained and considered” to be acceptable?

A.7. *The resolution should indicate that the tribe has met the citizen participation requirements of 24 CFR 1003.604. By doing so the tribe states that it has considered comments and made modifications which is required in 1003.604(b).*

Third Party Verification of Evidence of Mold

Q.8. Does the person evaluating the presence of mold in the units have to be certified?

A.8. *No, the evaluator does not have to be certified but he/she should be qualified to determine if mold exists. The NOFA does not define the word “qualified” so HUD will rely on the tribe/applicant to determine if the person has the skills to make such a determination.*

Q.9. Since evidence MUST be provided by a person who is qualified to make such a determination, does the applicant need to make a statement or provide any information regarding “qualifications” of the person?

A.9. *Yes. The applicant must submit a statement indicating that it has made this determination and include information on the standard used.*

Q.10. The NOFA says that documentation must be prepared by a third party who is qualified to make such an assessment. If we have photos of a person’s house with visible signs of mold could we apply? We cover the Interior region of Alaska where it is expensive to fly some third party out to a remote village to an assessment, could pictures of mold and an email from their Tribal Administrator serve as a 3rd party?

Q.10. *Any tribe or eligible tribal organization may apply for the mold remediation funds. Pictures of mold and an email from a tribal administrator would not on their own result in the maximum of 8 points for this subfactor. The NOFA states that the more concrete evidence you provide of larger amounts of mold in your units, the more points you will receive in this subfactor. The applicant must state that it has made a determination that the person making the assessment is qualified to do so as explained in A.9 above.*

Q.11. If an applicant does not have access to any 3rd party or otherwise qualified person, is the survey documentation, homeowner information, photos, workorders, etc. sufficient?

A.11. *The NOFA states that the applicant must provide third party evidence of the mold in its tribally owned or operated units. All of the information listed in the above question will help to provide evidence of the presence of mold but there must be a qualified person involved in the determination.*

Q.12. Do applicants need to provide a specific explanation on why 3rd party isn’t used?

A.12. *Applicants must provide evidence of mold and the evidence must be provided by person qualified to make such a determination as explained in other answers in this document.*

Q.13. On the May 5, 2015, webcast on the mold NOFA, ONAP staff said that applicants do not have to survey every unit for mold, but how else would applicants be able to come up with a percentage of how many of the units in their inventory contain mold? Can it just be a sample survey?

Q.13. *Applicants do not have to inspect each and every unit in their inventories to determine the level of mold in the units but should survey all residents to determine if there is mold in the units. If mold is present, and if possible, residents should include photos of the mold in their units with their responses to the survey.*

Q.14. We know that a particular laboratory (and probably others like them) can and do provide 3rd party verification for mold issues remotely. Customers send in photos and other evidence for the industrial hygienist or other lab professional to review and the lab can provide a written third party verification that could accompany a grant application. Would this kind of 3rd party verification meet the requirements of the NOFA?

A.14. *Yes, as long as the applicant has determined that the lab is qualified and the lab says that there is mold in the units.*

Q.15. Does the applicant need third party evidence always; in addition to what the paragraph two (on page 17) states may be submitted, or is paragraph two type information sufficient for “providing evidence” as stated in points breakdown area?

A.15. *The applicant needs to provide third party evidence always as stated in the Q&As above. In other words, the applicant must indicate that the person making the determination about the existence of mold in the unit is qualified to make such determination and what qualified means to the tribe/applicant.*

Rating Factor Questions

Q.16. It is not clear where and how the HUD policy priorities on Promote Economic Development/Economic Resilience & Increasing Energy Efficiency and the Health and Safety of Home fit under the content of this NOFA. How should applicants address these?

A.16. *Applicants should review the description of these policy priorities as described in the HUD General Section which is available with the ICDBG application download. Not all priorities are applicable to mold remediation projects and therefore applicants will not qualify for the points. If an application for mold remediation and prevention however CAN address any or all of the three types of economic development/economic resilience activities listed in subfactor 3.a. of Rating*

Factor 3, a point will be provided. Similarly if the applicant commits to pursue an industry-wide building standard and certification for green building or certifies that the proposed project will incorporate renewable energy technologies, it will receive a point.

Q.17. The Section 3 language of the NOFA under section 1 of Rating Factor 3 is confusing. Are grantees required to create new jobs with their projects to get full points? Is this only IF you are creating jobs for which you will provide training and only IF you are contracting some of the work? Or must applicants specifically create jobs for which Section 3 residents can be trained and you must contract with Section 3 businesses?

In my tribe we have the Section 3 clause in our contracts and connect tribal members to the contractor for open jobs, but we are not ourselves training or hiring anyone and the contractor may not create any new positions either. Do we automatically lose these points?

In my ONAP region we lost these points if we did not train and employ Section 3 residents and contract with Section 3 businesses – all three. If not all three then no points were given. Is this the intent? Could you please provide some clarification?

A.17. No, grantees are not required to create jobs with these grants. If they do, they will receive the HUD policy point for promoting economic development and economic resiliency. Applicants are also not required to train, employ residents and contract with Section 3 business if doing so would be inconsistent with the preference for Indians under Section 7(b) of the Indian Self-Determination and Education Assistance Act as stated in the NOFA on page 18. Applicants could receive the maximum 8 points in Rating Factor 3, subfactor 1, if their use of Indian preference precludes the tribe from following Section 3 (and if all other components in the 8 point category have been addressed in the application).

Q.18. Looking at 24 CFR 135.30 it appears that there is a quota for including Section 3 residents in new hires – 10%, but does not seem to require that a project actually create new hires – just that for whatever new hires there are, at least 10% have to be Section 3 residents. So it seems that if a project is not creating jobs it doesn't mean that they aren't in compliance with Section 3?

A. 18. If an applicant is not going to be creating jobs with these funds it will simply not receive the policy priority point for job creation. It does not mean that the applicant is not in compliance with Section 3.

Q.19. The summary of rating factors on page 12 states in Rating Factor 2, subfactor 3 (Unfunded Applications) that a new applicant is eligible for 3 points. However in the description of the subfactor on page 17, the NOFA does not make a distinction between new and current applicants. It says that “Applicants who did not receive wither a mold remediation and prevention grant or a regular ICDBG within the last NOFA application cycle will receive 3 points.” It goes onto say “Applicants who did not receive a mold grant last year will receive two points.” This is confusing. What about current applicants?

A.19. Subfactor 3 applies only to new applicants. If an applicant applying for these funds in FY 2015 did not receive either a Category One grant (regular ICDBG grant) or a Category 2 (mold remediation and prevention grant) in FY 2014, that applicant would receive 3 points in this NOFA. If an applicant received either a mold remediation or prevention or regular ICDBG in FY 2014 it will not receive any points in this subfactor because it is not a new applicant.

Q.20. Are the mold applicants required to demonstrate 100% of the beneficiaries are low- and moderate income (LMI) for single family housings units and 51% LMI for multifamily housing units?

A.20. All units assisted with the funds provided through this NOFA must be occupied by persons/families of LMI.

Q.21. Does the NOFA require the applicant to provide the income by household size in the application for each beneficiary or is a statement sufficient?

A.21. A statement indicating that all units will be occupied by persons/households of LMI when complete would be sufficient.

Q.22. Do the outputs and outcomes have to be quantified? For example: Reduction in the number of families living in substandard housing “by 2% (or 3 families)” or can the applicant just say the outcome will be “A reduction in the number of families living in substandard housing”?

A.22. To get full 8 points in this rating subfactor both the outputs and outcomes must be quantifiable.

Q.23. The bonus points appear to be a duplicate of the NOFA priorities? How does an applicant receive points for either designation?

Q.23. *An applicant will not be eligible for bonus points unless it receives at least 70 points overall. To receive Preferred Sustainability Status Communities Bonus Points, applicants must submit form HUD2995, Certification of Consistency with Sustainable Communities Planning and Implementation, signed by the Preferred Sustainability Status Community point of contact. To receive Promise Zone Bonus Points, applicants must submit form HUD50153, Certification of Consistency with Promise Zone Goals and Implementation, signed by the Promise Zone official authorized to certify. In no case will award more than two bonus points in total for these activities.*