



2020-2021 Notice of Funding Availability Fair Housing

Overview, Requirements, and Application
Process

August 20, 2020

Introductions

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Agenda

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Planning & Program Overview

Housing and Urban Development Consolidated Plan Programs

- The City of Fresno is an entitlement jurisdiction
- Four formula grants from the U.S. Department of Housing and Urban Development (HUD)
- Funding to Benefit low- and moderate-income persons through affordable housing and community development
- The City operates programs and implements projects to meet the program objectives
- The City also issues a Notice of Funding Availability (NOFA) requesting applications from eligible organizations to meet program objectives

Community Development Block Grant (CDBG)

- Projects, programs, or services to benefit low- and moderate-income persons
- Largest list of eligible activities of the four programs which the City prioritizes through citizen participation during the planning process
- City uses for infrastructure and facilities improvements in low- and moderate-income neighborhoods, housing rehabilitation for eligible individuals, and to operate after school and senior programs
- Additional funds are made available for eligible organizations to apply for (must meet plan priorities to be discussed later in this presentation)

Planning Process

The 2020-2024 Consolidated Plan was approved by City Council for submission to HUD on 5/21

As a 5-Year Plan Year, the 2020 NOFA was not available until the 5-year strategies were adopted by City Council



2020-2021 NOFA Process & the 5-Year Consolidated Plan

- Program Year 2020-2021 is a 5-Year Plan Year
 - Applications are being requested to meet the priorities of the City's newly-adopted 2020-2024 Consolidated Plan
- Projects have been approved by Council (May 21) prior to NOFA
- Applications for specific activities (applicant programs) for approved projects are being requested
 - Multiple applications may be approved for funding for each project

Approved Projects & Funding Levels

Action Plan #	Project Name	Project Description	HUD Program	Funding Available
16	Fair Housing	CDBG funds will be used to support fair housing outreach and education to ensure fair housing opportunities	CDBG	50,000

Consolidated Plan Priorities

Provide services to residents and housing providers to advance fair housing

- Fair housing education services to help residents, community organizations, and housing providers understand fair housing rights and responsibilities
- Legal assistance in the prevention of eviction

Analysis of Impediments Recommended Activities

- The City adopted the 2020-2024 Analysis of Impediments to Fair Housing Choice on May 21, 2020
- This study includes a list of barriers to fair housing choice, and recommended actions to address those barriers
- The activities being requested for this NOFA are directly aligned to the Analysis of Impediments recommended activities and fall into three categories:
 - Fair Housing Complaint and Referral Services
 - Public Fair Housing Education and Outreach
 - Fair Housing Education and Outreach to Housing Industry Professionals

Analysis of Impediments Recommended Activities

- **Fair Housing Complaint and Referral Services**

- Accept fair housing calls and investigate complaints in multiple languages.
- Provide accessible means of contact for members of the public with fair housing complaints or concerns, to include at minimum telephone, email, and TTY.
- Investigate complaints and refer complainants to appropriate services and organizations.
- Provide for support in multiple languages, to include Spanish and Hmong.
- Track number of complaints by zip code, gender, and race/ethnicity.
- Track complaint outcomes to include cases referred to legal services, code enforcement, DFEH, HUD, or other outcome types.

Analysis of Impediments Recommended Activities

- **Public Fair Housing Education and Outreach**

- Public Fair Housing Education Program
- Create and distribute materials to promote fair housing rights to the public
- Distribute fair housing resources through local agencies
- Collaborate with local agencies serving immigrants, refugees, and populations with limited English proficiency on fair housing education
- Publicize new state requirements regarding accepting Section 8 vouchers to public and voucher holders
- Increase awareness of subsidies and resources in low-income neighborhoods
- Annual update to Public Fair Housing Education and Outreach Program

Analysis of Impediments

Recommended Activities

- **Fair Housing Education and Outreach to Housing Industry Professionals**
 - Provide resources communicating stakeholder responsibilities
 - Publicize new state requirements regarding accepting Section 8 vouchers to landlords and property owners
 - Create and lead workshops with local lenders to improve mortgage lending outcomes for applicants of color
 - Annually convene housing industry professionals to learn about fair housing rights and responsibilities

Eligibility, Threshold, & Federal Requirements

Threshold Requirements

- Agencies must meet the threshold criteria below. If an agency cannot provide documentation to demonstrate that it meets all criteria below, the application may not be considered for funding.
 - Eligible Entity
 - 2020 – 2021 NOFA Application Part A & Part B (single application for Fair Housing)
 - Consistency with Consolidated Plan Priorities/Annual Action Plan Projects/Analysis of Impediments
 - Eligible Activity
 - Eligible Expenses
 - Financial and Management Systems

Eligible Entity

- A unit of local government serving program beneficiaries residing in the City of Fresno, or;
- A nonprofit corporation that:
 - 1) is incorporated in California or incorporated with a State of the United States, the District of Columbia or a United States Territory and also properly registered as a “Foreign Corporation” with the California Secretary of State; and
 - 2) possesses a 501(C)(3) determination of exempt status. The City will accept an advance determination ruling from the IRS

Eligible Activities

- CDBG funds may be used for activities which include, but are not limited to:
 - Fair housing activities, including the provision of fair housing services designed to further the fair housing objectives of the Fair Housing Act (42 U.S.C. 3601-20) by making all persons, without regard to race, color, religion, sex, national origin, familial status or handicap, aware of the range of housing opportunities available to them; other fair housing enforcement, education, and outreach activities; and other activities designed to further the housing objective of avoiding undue concentrations of assisted persons in areas containing a high proportion of low and moderate income persons.

Ineligible Activities

- Generally, the following types of activities are ineligible:
 - Acquisition, construction, or reconstruction of buildings for the general conduct of government
 - Political activities
 - Certain income payments
 - Construction of new housing (with some exceptions)

Eligibility Resources

- <https://www.hudexchange.info/onecpd/assets/File/CDBG-National-Objectives-Eligible-Activities-Chapter-3.pdf>
- <https://www.hudexchange.info/onecpd/assets/File/CDBG-State-National-Objectives-Eligible-Activities-Chapter-2.pdf>

Federal Requirements

- Written Policies and Procedures
- Environmental Review / Lead Paint Requirements
- Procurement
- Property/Asset Management
- Audit Requirements
- Recordkeeping

Written Policies and Procedures

- Required under Uniform Administrative Requirements 2 CFR 200
 - Written Policies and Procedures
 - Financial Management Standards
 - Internal Control
 - Procurement
 - Cost Principles
 - Property Standards
 - Recordkeeping
 - Audit Requirements

Written Policies and Procedures

- Program Policies
 - Applicant Intake and Eligibility Determination
 - Equal Opportunity & Nondiscrimination
 - Faith-Based Requirements, if applicable
 - Conflict of Interest
 - address disciplinary actions
 - address organization conflict with parent organization, if applicable
 - Must notify City of any conflict

Environmental Review and Lead-Based Paint Requirements

- Environmental Review
 - Responsibility of City
 - Awards can be revoked if “choice-limiting” action is taking before completion of review

Procurement

- Prevailing Wage Rules
 - All capital projects involving laborers or mechanics
- Minority and Women Owned Business Outreach
 - Document outreach and other efforts
- Section 3
 - Maximum Extent Feasible
- Debarment/Suspension
 - Simple check on website

Property / Asset Management

- Real Property and Equipment must be insured
- CDBG Use of Real Property – 5 years
- Equipment
 - tangible personal property
 - useful life of more than one year
 - per-unit acquisition cost > \$5,000
- Proper control includes inventory controls to prevent against loss, theft, and policies to ensure property and equipment is used for its designated purposes.

Audit Requirements

- Threshold for audit
 - > \$750,000 of federal expenses in fiscal year
 - Need methodology to determine if threshold is met
- Audit Requirements
 - Auditor Selection
 - Audit Standards
 - Submission of Audit
 - Audit Follow Up

Recordkeeping - General

- Safeguards to ensure limited access to files and computer systems to only designated staff
- Retain for four years after closeout except
 - Property purchase/improvement
 - Outstanding monitoring/litigation
 - Access to Records

Documentation Requirements & Monitoring

Monitoring

- All programs funded will be monitored by the City for compliance with City and HUD requirements and regulations.
- Program requirements including performance, accomplishments, eligibility, and expenditures will be included in desk review/remote monitoring and on-site monitoring reviews.
- The City will provide technical assistance as needed or requested to assist the grantees to track program progress and success of efforts.
- If the agency is not following the program requirements, and the Federal or State regulations, funding may be terminated and funding reimbursement is required.

Quarterly Performance Report

- Within thirty (30) days from the end of each quarter grantees shall submit quarterly reports for all funded activities.
- Data to be collected includes:
 - racial and ethnic data
 - income data (if not presumed benefit)
 - homeless status
 - Assessment of performance
- The reports must report the number of “unduplicated” households/persons assisted
- The report format will be e-mailed to all grantees at agreement signing

Program Policies & Procedures

- Must be Written
- Applicant Intake and Eligibility Determination
 - Verification and Eligibility Determination
 - Approval and Notification
- Procurement of Services and Supplies
- Conflict of Interest
- Equal Opportunity & Nondiscrimination

Financial Policies & Procedures

- Must be written
- Internal Controls
- Determination of Allowability
- Payment Process
- Audit Requirements
 - If total of all Federal funds EXPENDED in contract year is > \$750,000, then Audit is required
 - Otherwise, Agency is exempt from audit
 - HUD recommends signed certification from subrecipient to determine applicability

Financial Procedures

- Are all costs allowable?
 - Stick to budget
- Are all costs reasonable?
 - What a prudent person would pay
 - Good procurement records will support this
- Are all costs allocable?
 - Expenditures must directly relate to funded program
 - For costs split between programs, indicate split and rationale for split (basis)

Reimbursement Process

Reimbursement Process: Overview

- Reimbursement process entails a transfer of grant funds to the subrecipient, based on actual expenditures by the subrecipient, before the request for funds.
- The request is reviewed by grantee staff who will then determine if documentation (receipts, invoices, cancelled checks, etc.) is sufficient or additional documentation is needed.
- Reimbursements are processed within 30 days of receiving a complete reimbursement package.

Financial Management

- Establishing and maintaining a financial system both that serves your agencies needs and meets Federal requirements is essential to avoid overspent budgets or serious audit findings
- Below are required elements of financial systems for managing federal funds:
 - Internal Controls
 - Accounting Records
 - Allowable Costs
 - Source Documentation
 - Budget Controls & Cash management
 - Financial Reporting
- Details of each element can be found here:
 - <https://www.hudexchange.info/onecpd/assets/File/Playing-by-the-Rules-Handbook-CDBG-Subrecipients-Administrative-Systems-Chapter-2.pdf>

Application Process

How to Apply

Application process is presented in detail in the 2020-2021 Fair Housing NOFA Handbook

<http://www.fresno.gov/housing>

The NOFA handbook and all application materials are available here.

The screenshot shows a website interface with a navigation menu on the left and a main content area on the right. The navigation menu includes the following items: Programs, Notice of Funding Available (circled in orange), Plans and Reports, Affordable Housing Programs, Grant Management Resources, Current Annual Action Plan Schedule, Opportunities for Bidders, 5-Year Consolidated Plan, and Enhanced. The main content area is titled 'Notice of Funding Available' and contains the following text: 'The City announces various Notice of Funding Availability (NOFA) opportunities throughout the year. Additional details regarding the application process, submission instructions, technical assistance, and selection notification are provided in the NOFA document. As available, current NOFA opportunities are listed on the Notice of Funding Availability webpage.' Below this text is a bulleted list: '• 2020-2021 Fair Housing NOFA (Due September 4, 2020)', '• NOFA Handbook and Application', '◦ 2020-2021 Fair Housing NOFA Handbook (circled in orange)', '◦ 2020-2021 Fair Housing NOFA Application', '• Frequently Asked Questions', '◦ A FAQ will be posted here and updated on Tuesdays and Thursdays during the application period.', '• Advisories and Notices', '◦ August 12, 2020 – Fair Housing NOFA Scheduled for August 14, 2020 Release', and '• Webinars and Presentations', '◦ A webinar regarding the application will be held on August 20, 2020, from 1:00-2:30 PM. To register, email HCDD@fresno.gov.'

How to Apply

All applicants must submit a NOFA Application Part A (Organization Information) including all required attachments.

- 501(c)(3) IRS determination of exemption letter
- Articles of incorporation
- Bylaws
- Statement and designation by foreign corporation (required of out-of-state corporations only)
- List of Directors and Officers
- Most recent audited financial statements
- Cost allocation plan (if applicant seeks to charge an indirect cost rate greater than 10 percent of modified total direct costs)
- Resolution of Board of Directors authorizing the application and naming the person or persons authorized to sign the application (required by September 21, 2020)

How to Apply

Specific programs submitted on NOFA Application Part B.

- An organization may submit one or more Part B Applications
- Each Application Part B should include only one program
- Required Attachments:
 - Program-Level Operating Budget Summary
 - Prior-Year Program-Level Financial Statements (required for existing programs)
 - Service Area Map (unless adequately described in Part B Application narrative)
- Optional Attachments:
 - Funding commitment letters (for other sources of funding of specific program)
 - Maximum 2 letters of support

Application Timeline

(dates subject to change)

Tentative Dates	Activity
May 21, 2020	Adoption of 5-year strategic priorities through the 2020-2024 Consolidated Plan, and; Adoption of 2020-2021 Annual Action Plan including funding levels by project, and; Adoption of 2020 Analysis of Impediments to Fair Housing Choice, including recommended actions
Early August, 2020	Consolidated Plan & Annual Action Plan Approved by HUD (estimated)
August 14, 2020	Release of Fair Housing NOFA
August 20, 2020 1:00 – 2:30 PM	NOFA Webinar: Application Process; Eligibility, Threshold, and Federal Requirements Email HCDD@fresno.gov to register for webinars
September 4, 2020 4:00 PM	Fair Housing NOFA Applications Due to City
September 21, 2020 4:00 PM	Resolutions authorizing application submission due to City
September 24, 2020	City Council Consideration of Subrecipient Agreements
October 2, 2020	Subrecipient Agreements Executed

Application Submission

Applications Due September 4, 2020 by 4:00 PM

Submit ONE signed digital copy

Digital submission options:

1. Email HCDD@fresno.gov (attachments must be under 40 MB)
2. City FTP upload tool (instructions in handbook appendix)

We recommend you contact the Program Manager for your application upon submission, and contact HCDD@fresno.gov or 559-621-8300 if you do not receive email confirmation of your digital submission within one business day of submission.

Additional Support

The Housing & Community Development Division is available to answer your questions. Please contact the individual below to schedule one-on-one application support between August 21, 2020 and August 28, 2020.

- **Fair Housing**

Edward Chinevere, Senior Management Analyst,
Edward.Chinevere@fresno.gov

- **General Inquiries**

HCDD@fresno.gov

Additional Support

- Bookmark <http://www.fresno.gov/housing/#tab-02> and check often for updates
- Email HCDD@fresno.gov to request to be added to the HCD distribution list to receive updates on planning activities

Questions?

Email HCDD@fresno.gov

Questions and answers will be posted as an FAQ at fresno.gov/housing located under the 'Notice of Funding Availability' tab.



Housing and Community Development Division