

codes to ensure that such codes meet the Fair Housing Act's accessibility requirements, the Fair Housing Accessibility Guidelines, and the ANSI A117.1 technical standards. (2)

(5) Encouraging jurisdictions to use one of the former three model codes, *i.e.*, the Uniform Building Code, the Standard Building Code, or the BOCA National Building Code to update their codes to address inconsistencies identified in HUD's Final Report on the Review of Model Building Codes, published in the **Federal Register** on March 23, 2000.

There are currently seven documents recognized by HUD as providing a safe harbor for meeting the accessibility requirements of the Fair Housing Act. The seven documents include the following:

1. HUD's March 6, 1991 Fair Housing Accessibility Guidelines (the Guidelines) and the June 28, 1994 Supplemental Notice to Fair Housing Accessibility Guidelines: Questions and Answers about the Guidelines;

2. ANSI A117.1—1986—Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's Regulations, and the Guidelines;

3. CABO/ANSI A117.1—1992—Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's regulations, and the Guidelines;

4. ICC/ANSI A117.1—1998—Accessible and Usable Buildings and Facilities, used in conjunction with the Act, HUD's regulations, and the Guidelines;

5. HUD's Fair Housing Act Design Manual;

6. Code Requirements for Housing Accessibility 2000 (CRHA), approved and published by the International Code Council (ICC), October 2000; and,

7. International Building Code (IBC) 2000 as amended by the IBC 2001 Supplement to the International Building Codes.

It is important to note that the ANSI A117.1 standard contains only technical criteria, whereas the Act, HUD's regulations, and the Guidelines contain both scoping and technical criteria. Therefore, in using any of the ANSI standards, it is necessary to also consult the Act, HUD's regulations, and the Guidelines for the scoping requirements. The CRHA and the IBC contain both scoping and technical criteria and are written in building code language, which make them readily adoptable by state and local jurisdictions.

(3) *Fair Housing Organizations Initiative (FHOI)*. This Initiative provides assistance to projects (sponsoring organizations) that establish

or build the capacity of organizations to become viable fair housing enforcement organizations that conduct fair housing enforcement activities in underserved areas (as defined in Section IV) in rural areas, in the Colonias, and areas with new immigrants (especially racial and ethnic minorities who are not English-speaking or have limited English proficiency). This is accomplished with the assistance of a sponsoring organization. It is the sponsoring organization that submits the application under this Initiative and certifies the sponsored organization's ability to become a QFHO or FHO (**Note:** The sponsoring organization is ineligible if they received a grant under this Initiative in 2001 or 2002.) The sponsored organization whose enforcement capacity is established or enhanced by funding under this Initiative, will be allowed to participate in this Initiative for three years contingent upon annual performance reviews. Funds are allocated under this NOFA for this Initiative for 3 years and distributed to the sponsored organization by the sponsoring organization. The sponsoring organization may expend FHIP funds for administrative costs as described below. HUD has targeted for funding under this Initiative projects that will provide fair housing enforcement services to the Colonias, rural areas, and to underserved areas, and to immigrants (especially racial and ethnic minorities who are not English speaking or have limited English proficiency).

(a) *Eligible Applicants*. Only the sponsoring organization is eligible to apply under this Initiative. The sponsoring organization must be a qualified fair housing enforcement organization (QFHO). You must certify in the Statement of Eligibility that you submit with this application that your organization is a QFHO.

(b) *Eligible Activities*. The proposed activities must build the enforcement capacity of the sponsored organization so that it can undertake all of the following activities by the conclusion of year 3 of the grant cycle:

(i) Complaint intake of allegations of housing discrimination, testing, evaluating testing results or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws;

(ii) Investigations of individual complaints and systemic housing discrimination for further enforcement processing by HUD, through testing and other investigative methods;

(iii) Mediation or other voluntary resolution of allegations of fair housing

discrimination after a complaint has been filed; and

(iv) Litigating fair housing cases including procuring expert witnesses.

(c) *Administrative Costs for the Sponsoring Organization*. The sponsoring organization may use no more than 15 percent of the annually awarded funds to cover its costs to administer the grant.

IV. Program Requirements

(A) *Requirements for All Initiatives*. In addition to the Threshold Requirements in Section V of the General Section of this SuperNOFA, your FHIP-funded program application must also meet the following requirements:

(1) *Protected Basis*. All FHIP-funded projects must address housing discrimination based upon race, color, religion, sex, disability, familial status, or national origin.

(2) *Performance Measures and Products*. For all Initiatives, your application must demonstrate how your project activities will support HUD goals, identify performance measures/outcomes in support of those goals, describe your proposed record-keeping and evaluation systems, and identify current (baseline) conditions and target levels of the performance measures that you plan to achieve. For PEI, your application also must contain a strategy for generating enforcement related project products, with related timelines and milestones. For FHOI, if the sponsoring organization is enhancing an existing organization, then the sponsoring organization must submit a statement outlining: (1) What is expected of the sponsored organization, and (2) that the sponsored organization will be part of the program. If the sponsoring organization is being created, then the sponsored organization must submit a mission statement for the sponsoring organization and a timeline for creation and independence. If selected for funding, your final performance measures will be negotiated between you and HUD as part of your executed grant agreement.

(3) *Reports and Meetings on Performance Measures and Products*. Refer to the mandatory use of the Logic Model provided in the forms appended to the General Section.

(4) *Single Applications*. Except for applicants under FHOI, all applicants may only submit one application under the FHIP. FHOI applicants may apply under FHOI and one other Initiative. Applicants must determine which Initiative/Component to which they want to apply and submit a completed application to only that Initiative/Component. Multiple applications