

applying to more than one, except FHOI, Initiative/Component will be treated as a technical deficiency and the applicant will be asked to identify which application they want reviewed.

(5) *Independence of Awards.* HUD will review each application separately and without reference to other applications submitted by you or others. However, the application you submit must be independent and capable of being implemented without reliance on the selection of other applications submitted by you or other applicants.

(6) *Project Starting Period.* For planning purposes, assume a start date no later than March 1, 2004.

(7) *Page Limitation and Formatting Requirements.* The maximum narrative page requirement is ten (10) pages per factor. All pages in your application must be numbered consecutively from beginning to end. The narrative pages must be double-spaced (no more than three lines per vertical inch). This includes all narrative text, titles and headings. (However, you may single space footnotes, quotations, references, captions, charts, forms, tables, figures and graphs). You are required to use 12 point typesize. A page is 8.5" x 11", on one side only, with 1" margins top, bottom, right and left. You must respond fully to each factor to obtain maximum points. Failure to provide narrative responses to all factors or omitting requested information will result in less than the maximum points available for the given rating factor or sub-factors. Failure to provide double spaced, 12 point typesize narrative responses will result in five points being deducted from your overall score (one point per factor). Failure to consecutively number pages within your application will result in one point being deducted from your overall score.

(8) *Training funds.* Your proposed budget must set-aside funds to participate in HUD mandatory sponsored or approved training \$3000 for 12–18 month projects (EOI and PEI); and \$6000 annually for 36 month projects (FHOI). For FHOI, there must be attendance from the sponsoring and sponsored organization.

Requests to attend HUD-approved training must be submitted to the GTR for approval in advance of the requested training. Do not include amounts over the \$3000 or \$6000 (as appropriate) for the training set-aside in this category. If applicants do not include these funds in the budget and you are selected for an award, HUD may modify your budget, reallocating the appropriate amount for training. If awardee's key personnel do not attend mandatory HUD-approved or HUD-sponsored training, training funds

must be returned to HUD and it will be reflected on your performance assessment.

(9) *Payment Contingent on Completion.* Payment of FHIP funds is made on a reimbursement basis. Payments are contingent on the satisfactory and timely completion of your project activities and products as reflected in your grant or cooperative agreement. Requests for funds must be accompanied by financial and progress reports.

(10) *Accessibility Requirements.* All activities, facilities, and materials funded by this Program must be accessible to persons with disabilities (24 CFR 8.2, 8.4, 8.6, and 8.54).

(11) *Copyright Materials.* You may copyright any work that is eligible for copyright protection subject to HUD's right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as required in 24 CFR 84.36.

(12) *Complaints Against Awardees.* Each FHIP award is overseen by a HUD Grant Officer (See Appendix B for list of Grant Officers per region). Complaints from the public against FHIP grantees should be forwarded to the Grant Officer. The Grant Officer's name and contact information is provided in the grant agreement. If, after notice and consideration of relevant information, the Grant Officer concludes that there has been inappropriate conduct, such as a violation of FHIP program requirements, terms or conditions of the grant, or any other applicable statute, regulation or other requirement, HUD will take appropriate action in accordance with 24 CFR 84.62. Such action may include: written reprimand; consideration of past performance in awarding future FHIP applications; repayment to HUD of funds received under the grant; or temporary or permanent denial of participation in the FHIP in accordance with 24 CFR part 24.

(13) *Double Payments.* If you are awarded funds under this NOFA, you (and any subcontractor or consultant) may not charge or claim credit for the activities performed under this project under any other Federal project.

(14) *Award Instrument.* The type of funding instrument HUD may offer a successful applicant which sets forth the relationship between HUD and the grantee will be a grant or cooperative agreement, where the principal purpose is the transfer of funds, property, services, or anything of value to the applicant to accomplish a public purpose. The agreement will identify the eligible activities to be undertaken, financial controls, and special

conditions, including sanctions for violations of the agreement. HUD will determine the type of instrument under which your award will be made and monitor your progress to ensure that you have achieved the objectives set out in your agreement. Failure to meet such objectives may be the basis for HUD determining your agreement in default and exercising available sanctions, including suspension, termination, and/or the recapture of your funds. Also HUD may refer violations or suspected violations to enforcement offices within HUD, the Department of Justice, or other enforcement authorities.

(15) *Reallocation of Funds.* If after all applications within funding range have been selected or obligations are completed in an Initiative and funds remain available, the selecting official or designee will have the discretion to reallocate leftover funds in rank order between initiatives as follows:

(a) For EOI, any remaining funds from any component will be reallocated first within the initiative; if after reallocating funds within the initiative left over funds remain, they shall be reallocated to PEI then to FHOI;

(b) For PEI, any remaining funds will be reallocated to EOI then to FHOI;

(c) For FHOI, left over funds will be reallocated to PEI then to EOI.

Reallocated funds will be awarded within initiative as described in Section V of this Program Section of the SuperNOFA.

(16) *Affirmatively Furthering Fair Housing.* A separate AFFH submission is not required for FHIP.

(17) *Name Check Review.* (See General Section).

(18) *Product Information.* Press releases and any other product intended to be disseminated to the public must be submitted to the Government Technical Representative (GTR) 2 weeks before release for approval and acceptance.

(19) *Ensuring the Participation of Small Businesses, Small Disadvantaged Businesses, and Women Owned Businesses.* (See General Section).

(20) *Retainer Fees.* If you are a recipient of FHIP funds, you cannot require any complainant to whom you are providing assistance using FHIP funds, to sign a retainer agreement or other contract for legal fees as part of the filing, commencement, or maintenance of a Fair Housing Act complaint. If the FHIP recipient has a successful settlement or a verdict, then the FHIP is able to include its reasonable fees as a part of the settlement, though the complainant shall be under no obligation to accept such an arrangement. If reasonable legal fees are recovered, the FHIP agency must return