

in the past please submit the most recent SF 269. In addition, FHOI and PEI applicants must submit the Internal Revenue Service's, Letter of Determination declaring your Section 501(c)(3) status as a tax-exempt organization. Failure to submit your IRS Letter of Determination with your original application is a technical deficiency.

(D) *Additional Requirements For Education and Outreach Initiative. Complaint Referral Process.* EOI activities do not end with the delivery of outreach and educational activities. Its purpose is to ensure that persons are informed of their fair housing rights and to provide enforcement assistance to persons who believe they have experienced housing discrimination by providing immediate and accurate referral information to persons contacting them for assistance. EOI applicants must develop a process for referring fair housing complaints to HUD or Fair Housing Assistance Program agencies. The referral process must be described in the application.

(E) *Additional Requirements For Fair Housing Organizations Initiative Sponsored and sponsoring organization's viability and fair housing enforcement capacity.* Over the duration of the grant, the sponsored organization with the help of the sponsoring organization must demonstrate its capacity to become a viable, fair housing enforcement organization that conducts fair housing-related enforcement activities and leverages non-FHIP resources. These are the performance measures that, if not met, may result in termination of the grant, and your description of how you will achieve these measures will be considered when HUD evaluates your application. We will look for this description in your response to Rating Factor 3: Soundness of Approach. Specifically, the application must address:

(1) Fair Housing-related enforcement activities. The sponsored organization must be able to independently conduct enforcement-related activities by the conclusion of year 3 of the grant including: complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims. Your application must identify which activities the sponsored organization will conduct at the end of the grant year 1, 2 and 3. A pro-forma budget must be submitted for the sponsored organization showing how funds will be allocated and accounted for in each of the grant years. Your performance measures will be based upon this description, and failure to meet them

may result in termination of your grant or cooperative agreement.

(2) Organizational resources. The sponsored organization must not rely exclusively on FHIP funding. At the conclusion of each grant year, the sponsored organization must show increasing support from sources other than what is awarded under this program. Specifically, at the conclusion of year 1, no less than 5% of the funds supporting the sponsored organization's fair housing enforcement-related activities must be funded from non-FHIP funds; at the conclusion of year 2, no less than 10% of the funds supporting the sponsored organization's fair housing enforcement-related activities must be from non-FHIP funds; and at the conclusion of year 3, no less than 20% of the funds supporting the sponsored organization's fair housing enforcement-related activities must be from non-FHIP funds. Your application and budget must state how you will meet these requirements. Your performance measures will be based upon these requirements, and failure to meet them may result in termination of the grant.

In addition, the sponsoring organization must demonstrate its capacity to maintain itself as a viable, fair housing enforcement organization that has the ability to sustain itself over the course of the grant.

V. Application Selection Process

(A) *Rating and Ranking.* Although all rating factors are organized the same way for all FHIP initiatives, there are differences in application requirements and rating criteria, which are indicated throughout the Rating Factor instructions. Your application for funding will be evaluated competitively against all other applications submitted under one of the following initiatives or components:

- (1) Private Enforcement Initiative (PEI);
- (2) Education and Outreach Initiative (EOI);
- (a) Regional/Local/Community-Based Program:
 - (i) General Component (EOI-GC);
 - (ii) Disability Component (EOI-DC);
 - (iii) Hispanic Fair Housing Awareness Component (EOI-HA);
 - (iv) Fair Housing and Minority Homeownership Component (EOI-HC);
- (b) National Program:
 - (i) Model Codes Component;
 - (3) Fair Housing Organizations Initiative (FHOI)

All eligible applications will be reviewed and points awarded based upon: (1) Your narrative responses to the Factors for Award and

accompanying materials (e.g., resumes) and (2) bonus points, if entitled. Ineligible applications will not be ranked. The maximum number of points to be awarded for the Rating Factors is 100. See Section VI (C) of the General Section for discussion on Bonus Points. Applications with a score of seventy-five (75) points or more will be considered of sufficient quality for funding. The Selecting Official will not select for award any application with a score below seventy-five (75) points. Generally, applications of sufficient quality for funding will be selected in rank order under each initiative or component. HUD reserves the right to select applicants out of rank order to achieve greater geographic distribution of awards under each initiative or component, as described in Section V (C) below. Selections under each initiative or component will continue to be made until either all allocated funds have been obligated or until no applications of sufficient quality remain.

(B) *Tie Breaking.* When two or more applications have the same total overall score, the application with the higher score under Rating Factor 3: Soundness of Approach will be ranked higher. If this does not break the tie, the application with the higher score under Rating Factor 1: Capacity of the Applicant and Relevant Organizational Experience will be ranked higher. If this does not break the tie, the application requesting the lower amount of FHIP funding will be ranked higher. Finally, if this does not break the tie, the application with the higher score under Rating Factor 2 will be rated higher.

(C) *Achieving Geographic Diversity of Awards.* (1) *PEI and EOI.* HUD reserves the right to select applications out of rank order under geographic diversity, to ensure that, to the extent possible, applications from more states for each initiative or component are selected for funding. If the Selecting Official exercises this discretion, there will be two determinants used: (a) Geography and (b) score. Geographic diversity shall be applied to all qualified applications (applications of sufficient quality for funding—applications that received a score of 75 or more points) in each Initiative or Component in which the Selecting Official applies geographic diversity. The geographic diversity provision will be applied as follows: when there are two or more applications of sufficient quality from the same state, the application(s) with the lower score(s) will be moved to the end of the qualified queue. The applications moved to the end of the qualified queue will retain their geographic rank order.