

Native Claims Settlement Act, and that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self Determination and Education Act of 1975.

Intermediary Resident Organizations means Jurisdiction-Wide Resident Organizations, City-Wide Resident Organizations, State-Wide Resident Organizations, Regional Resident Organizations, and National Resident Organizations.

Match. All applicants are required to have in place a 25% match in cash or in-kind donations. The match is a threshold requirement. Applicants who do not demonstrate the minimum 25% match will fail the threshold requirement and will not receive further consideration for funding. If you are applying for more than one ROSS grant, you must use different sources of match donations for each grant application. Match donations must be firmly committed. "Firmly committed" means that the amount of match resources and their dedication to ROSS-funded activities must be explicit, in writing and signed by a person authorized to make the commitment. Letters of commitment, Memoranda of Understanding (MOU) or tribal resolution must be on organization letterhead, and signed by a person authorized to make the stated commitment whether it be in cash or in-kind services. The letters of commitment/MOUs/tribal resolution must indicate the annual level and/or amount of commitment, be dated within two months of the application deadline, and indicate how the commitment will relate to the proposed program. If volunteer time is being committed it should be calculated using the number of hours to be committed and multiplied by either the normal professional rate for the local area or the national minimum wage rate of \$5.15/hour. The commitment should be in place at time of award and should be for the duration of the grant. If you, the applicant, propose to use your own, non-ROSS grant funds to meet the match requirement in whole or in part, you must also include a letter of support indicating the type of match (cash or in-kind) and how the match will be used. For tribal and TDHE applicants, you must submit a letter of support and/or tribal resolution committing to the 25% match. Applicant staff time is not an eligible cash or in-kind match. Applicants shall annotate the HUD-424-CB to list the sources and amount of each match for the duration of the grant term. Grant awards shall be

contingent upon letters of commitment being submitted with your application.

NAHASDA-assisted resident means a resident of an Indian tribe (as defined above) who has been assisted by the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996.

National Resident Organization (NRO) means an incorporated nonprofit organization or association for public housing that meets each of the following requirements:

- (1) It is national (*i.e.*, conducts activities or provides services in at least two HUD Areas or two states);
- (2) It has the capacity to provide start-up and capacity-building training to residents and resident organizations; and
- (3) Public housing residents representing different geographical locations in the country are members of the board of directors.

Nonprofit organization. A nonprofit organization is an organization that is exempt from federal taxation. A nonprofit can be organized for the following purposes: Charitable, religious, educational, scientific, literary and others. In order to qualify, an organization must be a corporation, community chest, fund or foundation. An individual or partnership will not qualify. To obtain nonprofit status, qualified organizations must file an application with the Internal Revenue Service (IRS) and receive designation as such by the IRS. For more information, go to www.irs.gov. Applicants who are in the process of applying for nonprofit status, but have not yet received nonprofit designation from the IRS, will not be considered nonprofit organizations.

National nonprofit organizations means organizations that work on a national basis and have the capacity to mobilize resources on both a national and local level.

Past Performance is a threshold requirement. HUD's field offices will evaluate applicants for past performance to determine whether an applicant has the capacity to manage the grant for which they are applying. The DPONAP will review past performance for tribal/TDHE submissions. Using Rating Factor 1, the field office will evaluate applicants' past performance. Applicants should carefully review Rating Factor 1 to ensure their application addresses each of the criteria requested therein. If applicants fail to address what is requested in Rating Factor 1, their application will fail threshold and will not receive further consideration. If applicants pass threshold, they will go on to be scored

for Rating Factor 1 during the technical review process.

Person with disabilities means a person who:

- (1) Has a condition defined as a disability in section 223 of the Social Security Act;
- (2) Has a developmental disability as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act; or
- (3) Is determined to have a physical, mental, or emotional impairment which:
 - (a) Is expected to be of long-continued and indefinite duration;
 - (b) Substantially impedes his or her ability to live independently; and
 - (c) Is of such a nature that such ability could be improved by more suitable housing conditions.

The term "person with disabilities" does not exclude persons who have acquired immunodeficiency syndrome (HIV/AIDS) or any conditions arising from the etiologic agent for AIDS. In addition, no individual shall be considered a person with disabilities, for purposes of eligibility for low-income housing, solely on the basis of any drug or alcohol dependence.

The definition provided above for persons with disabilities is the proper definition for determining program qualifications. However, the definition of a person with disabilities contained in section 504 of the Rehabilitation Act of 1973 and its implementing regulations must be used for purposes of reasonable accommodations.

Project Coordinator is a person who is responsible for coordinating the proposed activities to ensure that their accomplishment will assist in achieving the overall grant goals and objectives.

Project is the same as "low-income housing project" as defined in section 3(b)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437 *et seq.*) (1937 Act).

Resident Association (RA) means any or all of the forms of resident organizations as they are defined elsewhere in this Definitions section and includes Resident Councils (RC), Resident Management Corporations (RMC), Regional Resident Organizations (RRO), Statewide Resident Organizations (SRO), Jurisdiction-Wide Resident Organizations, and National Resident Organizations (NRO).

Resident Council (RC) means (as provided in 24 CFR 964.115) an incorporated or unincorporated nonprofit organization or association that shall consist of persons residing in public housing and must meet each of the following requirements in order to receive official recognition from the PHA/HUD, and be eligible to receive