

you are not eligible for any additional Points described below.

(2) You will receive 4 Points if you:

(a) Provide a certification that all of the residents of the targeted severely distressed public housing project have been relocated but you were unable to track all residents, as of the HOPE VI Revitalization application due date. You must describe the efforts undertaken to track residents and reasons why all residents were not tracked; or

(b) Describe in your application:

(i) An effective plan to track residents who have been or will be relocated from the targeted project; and

(ii) A comprehensive plan that will provide mobility counseling and direct assistance in locating housing to residents who choose Housing Choice Voucher assistance that will help them to fully understand the full range of housing opportunities available to them in neighborhoods throughout the jurisdiction and to find housing in non-poverty areas. You must provide a list of available units to persons with disabilities as required under 24 CFR 8.28(a)(3).

(3) You will receive 2 Points if you meet only one of the factors described in Section (2)(b) above.

(4) You will receive 0 Points if your application does not meet either of the factors described in Section (2)(b) above, or if there is inadequate information in the application to rate this factor.

#### *X. Fair Housing and Equal Opportunity*

##### **(A) Housing and Services for Persons With Disabilities**

(1) **Accessibility Requirements.** HOPE VI developments are subject to the accessibility requirements contained in several Federal laws. All applicable laws must be read together and followed. PIH Notice 2002-1, available at <http://www.hud.gov/offices/pih/publications/notices/02/pih2002-1.pdf>, and subsequent updates, provides an overview of all pertinent laws and implementing regulations pertaining to HOPE VI. All HOPE VI multifamily housing projects, whether they involve new construction and/or rehabilitation, are subject to the section 504 accessibility requirements described in 24 CFR part 8. See in particular, 24 CFR 8.20-8.24. In addition, under the Fair Housing Act, all new construction of covered multifamily buildings must contain certain features of accessible and adaptable design. Units covered are all those in elevator buildings with four or more units and all ground floor units in buildings without elevators. The relevant accessibility requirements are provided in HUD's FHEO Web site at [www.hud.gov/groups/fairhousing.cfm](http://www.hud.gov/groups/fairhousing.cfm).

(2) **Specific Fair Housing requirements are:**

(a) The Fair Housing Act (42 U.S.C. 3601-19) and regulations at 24 CFR part 100.

(b) The prohibitions against discrimination on the basis of disability, including requirements that multifamily housing projects comply with the Uniform Federal Accessibility Standards, and that you make reasonable accommodations to individuals with disabilities under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations at 24 CFR part 8.

(c) Title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*) and its implementing regulations at 28 CFR part 35.

(d) The Architectural Barriers Act of 1968 (42 U.S.C. 4151) and the regulations at 24 CFR part 40.

##### **(B) Rating Factor: FHEO Disability Issues 4 Points Total**

(1) **Accessibility—2 Points.**

(a) Over and above the accessibility requirements listed above, you will receive 2 Points if you describe a detailed plan to:

(i) Provide accessibility in homeownership units (e.g., setting a goal of constructing a percentage of the homeownership units as accessible units for persons with mobility impairments; promising to work with prospective disabled buyers on modifications to be carried out at a buyer's request; exploring design alternatives that result in townhouses that are accessible to persons with disabilities);

(ii) Provide one-bedroom accessible rental units for single individuals with disabilities;

(iii) Provide for accessibility modifications, where necessary, to Housing Choice Voucher-assisted units of residents who relocate from the targeted project to private or other public housing due to revitalization activities. The Department has determined that the costs of such modifications are eligible costs under the HOPE VI program;

(iv) Where playgrounds are planned, propose ways to make them accessible to children with disabilities, over and above statutory and regulatory requirements; and

(v) Where possible, design units with accessible front entrances.

(b) You will receive 1 Point if your application describes a detailed plan to implement some of the accessibility priorities stated above, explaining why and how you will implement the identified accessibility priorities. (c)

You will receive 0 Points if you fail to provide a description that meets the specifications above, or if there is inadequate information in your application to rate this factor.

(2) **Universal Design—2 Points.**

(a) You will receive 2 Points if you specifically describe:

(i) A plan to meet the adaptability standards adopted by HUD at 24 CFR 8.3 that apply to those units not otherwise covered by the accessibility requirements. Adaptability is the ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars, to be added to, raised, lowered, or otherwise altered, to accommodate the needs of persons with or without disabilities, or to accommodate the needs of persons with different types or degrees of disability. For example, the wiring for visible emergency alarms may be installed so that a unit can be made ready for occupancy by a hearing-impaired person (For information on adaptability, see [www.hud.gov/offices/pih/programs/ph/hope6/pubs/glossary.pdf](http://www.hud.gov/offices/pih/programs/ph/hope6/pubs/glossary.pdf)); and

(ii) A plan to meet the visitability standards recommended by HUD that apply to units not otherwise covered by the accessibility requirements. Visitability standards allow a person with mobility impairments access into the home, but do not require that all features be made accessible. A visitable home also serves persons without disabilities, such as a mother pushing a stroller or a person delivering a large appliance. See [www.hud.gov/offices/pih/programs/ph/hope6/pubs/glossary.pdf](http://www.hud.gov/offices/pih/programs/ph/hope6/pubs/glossary.pdf) for information on visitability. The two standards of visitability are:

(i) At least one entrance at grade (no steps), approached by a sidewalk; and

(ii) The entrance door and all interior passage doors are at least 2 feet 10 inches wide, allowing 32 inches of clear passage space.

(b) You will receive 0 Points if your application does not adequately describe plans for (i) and (ii) as specified above, or if there is inadequate information in your application to rate this factor.

##### **(C) Fair Housing and Civil Rights Compliance**

(1) **Threshold:** Compliance with Fair Housing and Civil Rights Laws. HUD will not consider your application for funding unless it complies with the threshold requirement described in Section V(A) of the General Section of this NOFA.

(2) **Threshold:** Desegregation Orders. HUD will not consider your application for funding unless it complies with the