



**HOME Investment Partnerships Program (HOME)
CFDA# 14.239**

**2022 HOME Investment Partnerships Program Single Family Persons with Disabilities
Set-Aside Notice of Funding Availability**

1. Summary.

- a. The Texas Department of Housing and Community Affairs (the Department) announces a NOFA of approximately \$1,792,947 in HOME funds for single-family housing programs under the Persons with Disabilities (PWD) set-aside under a Reservation System. These funds will be made available to HOME Reservation System Participants with a current Reservation System Participation (RSP) Agreement.
 - b. The availability and use of these funds are subject to the HOME rules including, but not limited to the following Texas Administrative Code (TAC) rules in effect at the time of contract execution: Title 10, Part 1, Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, the Single Family Programs Umbrella Rule; Chapter 21, the Minimum Energy Efficiency Requirements for Single Family Construction Activities; Chapter 23, the Single Family HOME Program (State HOME Rules), and Tex. Gov't Code Chapter 2306. Other federal and state regulations include but are not limited to: 24 CFR Part 58 for environmental requirements, 24 CFR Part 200 for Uniform Administrative Requirements (including the amendments effective July 30, 2021), 24 CFR §135.38 for Section 3 requirements, 24 CFR Part 5, Subpart A for fair housing, (Federal HOME Rules), and for units of government, the Uniform Grant and Contract Management requirements as outlined in Chapter 783 in the Texas Local Government (UGMS or TxGMS, as applicable). Applicants must familiarize themselves with all of the applicable state and federal rules that govern the HOME Program.
 - c. Capitalized terms in this NOFA have the meanings defined herein or as defined in State HOME Rules and the Federal HOME Rules.
 - d. If changes to the RSP are required during the RSP term due to required changes in Federal or State law, the Department may initiate an amendment process to ensure compliance.
- 2. Source of Funds.** Funds totaling \$1,792,947 are made available for single-family activities through the Department's 2021 annual HOME allocation from the U.S. Department of Housing and Urban Development (HUD). In accordance with Tex. Gov't Code §2306.111(d), these set-asides satisfy a legislatively mandated set-aside, and therefore are not subject to the Regional Allocation Formula. The Department, in its sole discretion, may also release unallocated HOME funds, deobligated funds, Program Income, and funds reallocated from undersubscribed set-asides, as allowable and available, under this NOFA. The Department, in its sole discretion, also reserves the right to cancel or modify the amount available in this NOFA.

3. Eligible Activities. The following activity types are eligible uses of HOME funds awarded under this NOFA:

- a. **Homeowner Reconstruction Assistance (HRA).** HRA provides funds for the rehabilitation, reconstruction, or new construction of a single-family residence owned and occupied by eligible low-income Households. Specific program guidelines can be found at 10 TAC Chapter 23, Single Family HOME Program, Subchapter C, Homeowner Reconstruction Assistance Program, §§23.30 - 23.32.
- b. **Tenant-Based Rental Assistance (TBRA).** TBRA provides rental subsidies to eligible low-income Households. Assistance may include rental, security, and utility deposits. Specific program guidelines can be found at 10 TAC Chapter 23, Single Family HOME Program, Subchapter F, Tenant-Based Rental Assistance Program, §§23.50 - 23.52.

4. Prohibited Activities. Prohibited activities include those prohibited in 24 CFR §92.214 and in the State HOME Rules.

5. Allocation of Funds

- a. Approximately \$1,792,947 in funds is available through the Reservation System for single-family HRA and TBRA activities under the Persons with Disabilities (PWD) set-aside beginning **Tuesday, November 2, 2021**. The funds will be set aside in the manner described until **January 10, 2022**, after which any remaining funds in any of the set asides described below may be reprogrammed in a manner that is consistent with the 2021 One-Year Action Plan (OYAP) approved by HUD.
- b. The balances that are available in the Reservation System from any prior year funds for PWD set-aside activities will be incorporated into the PWD Set-Aside for TBRA under this NOFA and combined with the funds specified in this NOFA to assist eligible Households. Funds may be reserved for individual households for the following activities:
 - i. **HRA.** Approximately \$448,237 in set-aside funding will be available **beginning Tuesday, November 2, 2021, at 10:00 a.m. Austin local time** for HRA activities until **Monday, January 10, 2022, at 5:00 p.m. Austin local time**.
 - ii. **TBRA.** Approximately \$1,344,710 in set-aside funding will be available **beginning Tuesday, November 2, 2021, at 10:00 a.m. Austin local time** for HRA activities until **Monday, January 10, 2022, at 5:00 p.m. Austin local time**.
- c. On **Tuesday, January 11, 2022, at 10:00 a.m. Austin local time**, any funds which have not been requested under 5(b) of this NOFA will be made available in the Reservation System for any PWD Set-Aside Activity in any Uniform State Service Region. Funds not reserved at or before 5:00 p.m. on **Monday, April 4, 2022**, may be reprogrammed for use to other HOME activities.
- d. Except as limited in this NOFA or by statute, the Department may reprogram funds at any time to the Reservation System, or to administer directly.
- e. An alternative timeline and method of releasing funds may be implemented, at the Department's sole discretion. Subsequent changes to the timeline or method of release will

be published on the Department's website. However, failure to do so will not invalidate reservations that are otherwise made in accordance with this NOFA.

- f. Updated balances for the Reservation System may be accessed online at www.tdhca.state.tx.us/home-division/home-reservation-summary.htm. Reservations of funds may be submitted at any time during the term of a RSP Agreement, as long as funds are available in the Reservation System. Participation in the Reservation System is not a guarantee of funding availability.

6. Application Selection Process.

- a. Funding under this NOFA will be made available through the Reservation System to HOME Administrators with active RSP Agreements. Applications to request a RSP Agreement are accepted on an on-going basis. Applicants requesting a RSP Agreement must submit a completed application, required documentation, and associated application materials as detailed in the Application Submission Procedures Manual (ASPM).
- b. All Application materials including manuals, program guidelines, and applicable HOME rules, are available on the Department's website at www.tdhca.state.tx.us/home-division/applications.htm.
- c. Applications for an RSP Agreement will be required to adhere to the HOME Rule and threshold requirements in effect at the time of the Application submission. Applications must be on forms provided by the Department, cannot be altered or modified, and must be in final form before submitting them to the Department.
- d. Reservations of funds may be submitted at any time during the term of a RSP Agreement, as long as funds are available in the Reservation System. Updated balances for the Reservation System may be accessed online at www.tdhca.state.tx.us/home-division/home-reservation-summary.htm.
- e. Administrative deficiencies noted during the review of an RSP Application shall be subject to the administrative deficiency process outlined in 10 TAC §23.24(c).
- f. All Applicants will be subject to a Previous Participation Review by the Department as outlined in 10 TAC Chapter 1, Subchapter C

7. Audit Requirements. All Applicants are subject to the requirements of 10 TAC §1.403 concerning Single Audits.

8. Eligible and Ineligible Applicants

- a. Eligible Applicants include Units of General Local Government, nonprofit organizations, Public Housing Authorities, Local Mental Health Authorities, and Councils of Government.
- b. Applicants are required to familiarize themselves with the Department's certification and debarment policies prior to application submission.

9. Application Submission.

- a. The Department will accept applications for the Reservation System on an on-going basis. Applications for the Reservation System are to be submitted as an upload to the Department's FTP server in the format requirements detailed in the RSP ASPM.

- b. Applicants must submit a completed Application, required documentation, and associated application materials, as described in this NOFA and as detailed in the RSP ASPM. All scanned copies must be scanned in accordance with the guidance provided in the RSP ASPM.
- c. All Application materials including manuals, this NOFA, program guidelines, and applicable HOME rules are available on the Department's website at <http://www.tdhca.state.tx.us/home-division/applications.htm>. Applications will be required to adhere to the HOME Rule and threshold requirements in effect at the time of the Application submission. Applications must be on Application forms published online at the above reference site provided by the Department which cannot be altered or modified, and must be in final form before they are submitted to the Department.
- d. This NOFA does not include text of the various applicable regulatory provisions that may be important to the HOME Program. For proper completion of the application, the Department strongly encourages potential Applicants to review the State and Federal regulations, and contact the HOME and Homelessness Programs Division for guidance and assistance.

10. Dispute Resolution/Appeal.

- a. The Department encourages the use of alternative dispute resolution in accordance with Tex. Gov't Code §2306.082, and as described more fully in 10 TAC §1.17.
- b. An Applicant may appeal decisions made by staff in accordance with 10 TAC §1.7.

For questions regarding this NOFA, please contact Charles "T.C." Day, HOME Production Coordinator for the Single Family and Homeless Programs Division, at (512) 475-2975 or via email at HOME@tdhca.state.tx.us.