



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

SPECIAL ATTENTION OF:
Administrators, Offices of Native American
Programs; and Tribes, Tribally Designated
Housing Entities

Notice PIH-2023-11

Issued: May 5, 2023

Expires: This Notice remains
in effect until amended,
superseded, or rescinded.

Cross Reference(s):
83 FR 23710; 81 FR 10880;
2 CFR Part 200

SUBJECT: Procedural Guidance for Tribal Housing and Urban Development-Veterans Affairs Supportive Housing (Tribal HUD-VASH) FY 2023 Renewal Grant Application

1. **PURPOSE:** This notice announces renewal requirements for the original 26 Tribal HUD-VASH recipients awarded in 2015, and 8 Tribal HUD-VASH Expansion recipients awarded in 2021 and 2022. Pursuant to the authority provided by the Consolidated Appropriations Act, 2018, P.L. 115-141, the Consolidated Appropriations Act, 2019 P. L. 116-6, the Consolidated Appropriations Act, 2020, P.L. 116-94, the Consolidated Appropriations Act, 2021, P. L. 116-260, the Consolidated Appropriations Act, 2022 (P.L. 117-103), and the Consolidated Appropriations Act, 2023 P. L. 117-328 (the “Appropriations Acts”), the U.S. Department of Housing and Urban Development (HUD) will renew rental assistance and associated administrative fees to all eligible Tribal HUD-VASH recipients, provided they meet applicable program requirements.
2. **ELIGIBILITY:** Tribal HUD-VASH recipients eligible for renewal funding are:
 - A. Indian tribes and tribally designated housing entities (TDHEs) awarded assistance under the rental assistance and supportive housing demonstration program for Native American Veterans (Federal Register Notice, [“Tribal HUD-VA Supportive Housing Program Awards, Fiscal Year 2015”](#) (81 FR 10880)); and
 - B. Indian tribes and tribally designated housing entities (TDHEs) awarded assistance under the expansion of the Tribal HUD-VASH demonstration program (Federal Register Notice, [“Tribal HUD VASH Expansion”](#) (FR-6400-N-73)).

3. AWARD INFORMATION AND OVERVIEW: HUD intends to award renewal funds in one round during calendar year 2023. The period of performance is October 1, 2023, to September 30, 2024. To receive a FY 2023 renewal grant, Tribal HUD-VASH recipients must submit a renewal package as outlined in this notice.

A. Rental Assistance: HUD will fund each eligible recipient a maximum award amount of rental assistance. The maximum amount will be determined as follows:

Total units allocated (original, reduced and/or expansion, as applicable) x Maximum FMR served x Twelve (12) months (period of performance)

If the total number of Veterans you serve as a Tribal HUD-VASH recipient has been reduced from total allocated in the initial grant funding, due to a request by you under Section IX of this Notice or a determination by HUD, the total units allocated will reflect that reduced number.

B. Administrative Fee: HUD will fund each eligible recipient a maximum award amount of administrative fees. The Administrative Fee will be calculated as follows:

Total units allocated (original, reduced and/or expansion, as applicable) x \$106 x Twelve (12) months (period of performance)

For more information on eligible administrative and planning expenses, see Section VI.M. of Federal Register Notice, Implementation of the Tribal HUD-VA Supportive Housing Program ([Consolidation Notice](#)), FR 6091-N-01, published Tuesday, May 22, 2018.

The Rental Assistance and Administrative Fee amounts will be combined to calculate the FY 2023 Renewal award.

Expansion recipients may not receive an award amount that includes Expansion units if the period of performance for their Expansion grant coincides with the period of performance listed in this renewal notice (October 1, 2023 to September 30, 2024).

Expansion recipients must ensure that Expansion funds are appropriately expended. Given that the period of performance for the Expansion grant may coincide with the period of performance for the FY 2023 Tribal HUD-VASH renewal, Expansion recipients will need to carefully ensure that Tribal HUD-VASH Expansion funds are expended before utilizing renewal funding for Expansion units.

4. RENEWAL PACKAGE SUBMISSION:

A. Receipt Deadline. You must submit the renewal information outlined in this notice electronically to TribalHUDVASH@hud.gov. The application window for renewal packages will be from May 5, 2023, to June 30, 2023. Electronic packages must be received no later than 11:59:59 p.m. Eastern Standard Time on June 30, 2023.

B. Renewal Package Content. You must submit the following information in your renewal package:

1. **Cover Letter:** A one-page letter on your letterhead that includes the following information:
 - a. **Contact Information:** Provide your current Tribal HUD-VASH point of contact information, including mailing address, telephone number, and email address.
 - b. **Tribal Resolution (if applicable):** Provide a statement whether the original tribal resolution for participation in the Tribal HUD-VASH program is still applicable. If the original tribal resolution is no longer applicable, then you should submit a new resolution.
 - c. **Authorized Representative signature:** The cover letter should be signed by the person authorized to submit the renewal package on your behalf.

2. **Program Update and Overview:** Provide a report on your Tribal HUD-VASH program’s progress as outlined in Section VII.A of this notice. The report must also include the Leasing Performance Report. The report must reflect actual data from the period of April 1, 2022, to March 31, 2023.

Also provide information on the number of bedrooms you anticipate serving in the upcoming renewal period in a table like the one shown below. HUD will use the information to increase the “Max FMR Served” portion of the allocation calculation discussed at Section 3A, above, if the table indicates that larger number of bedrooms are being served compared to what was anticipated in your original, reduced and/or expansion allocations.

Efficiency	1br	2br	3br	4br

3. **Federal Financial Report (SF-425):** Provide a copy of the latest Federal Financial Report (Standard Form-425). If applicable, report any program income used towards meeting Tribal HUD-VASH program objectives.
5. **CORRECTIONS TO DEFICIENT RENEWAL PACKAGE SUBMISSIONS:** If HUD identifies any deficiency in the renewal package, HUD will email your point of contact included in the cover letter, describe the deficiency, and request a cure. You must carefully review the request for cure and provide the response in accordance with the instructions contained in the deficiency notification. Deficiency clarifications or corrections must be received by HUD within the time limits specified in the deficiency notification. If a response to the deficiency is not received or not in accordance with the instructions contained in the deficiency notification, you will not be considered for renewal funding.

6. **REVIEW AND AWARD PROCESS:** HUD staff from Headquarters and Area Offices will review each renewal package to confirm that recipients have met the criteria for renewal under this notice. HUD will look at factors including:
- A. Renewal package content: Confirmation that a complete renewal package was submitted.
 - B. Indian Housing Plan (IHP) and Annual Performance Report (APR): Confirmation that the recipient's IHP and APR have been updated annually to include current Tribal HUD-VASH information.
 - C. System for Award Management (SAM) registration: Confirmation that the recipient's registration is current in SAM.

HUD staff will review the renewal package and will respond to you within 60 days of receipt. At HUD's sole discretion, HUD may contact you to clarify items in the submission and establish deadline(s) for response(s).

Upon HUD's approval of the renewal package, HUD will issue a grant agreement to be signed by you and will disburse funds through the HUD Line of Credit Control System (LOCCS). All documents will be provided in electronic format and must be returned in electronic format. Documents such as the grant agreement can be signed, scanned, and sent back to ONAP electronically. You should maintain all documents with wet signatures in your records.

7. **PROGRAM UPDATE AND OVERVIEW:** You must report on the execution and progress of your Tribal HUD-VASH program. The data collected will assist HUD in oversight of the program, and the renewal process. The renewal funding data must cover the leasing period of April 1, 2022 – March 31, 2023.
- A. Narrative Update and Overview. You must report how you have utilized your current funding to administer the Tribal HUD-VASH program. You must address:
 - 1. Progress toward meeting the program's goals,
 - 2. Current and projected program enrollment,
 - 3. Challenges faced,
 - 4. Measures taken to address issues,
 - 5. Affirm that annual reexaminations are being conducted,
 - 6. Progress of training and technical assistance efforts received to date and ongoing needs,
 - 7. The recipient's community involvement strategies (two-page maximum).

B. Utilization of Assistance Update. You must submit the [Leasing Performance Report](#) with your renewal application. HUD will review the data reported by you in the *Leasing Performance Report* to evaluate and ensure proper program execution, and to inform the renewal award described at Section 3 above. HUD will review the following:

1. Lease Period: The start and end dates for each Veteran's lease. A Veteran may be under two separate leases during the leasing period.
2. Total Unit Months Leased: The number of months a unit was under lease during the leasing period.
3. Monthly Rental Assistance Payment: Your monthly rental assistance payment under the Tribal HUD-VASH program (the total rent for a unit minus any Veteran contribution and any non-HUD funds used to pay rent).
4. Fair Market Rent (FMR) review: Section VI.H. of the Consolidation Notice requires that for both housing units owned or operated by the tribe/TDHE, and privately-owned units, rents may not exceed 110 percent of FMR. Based on this, HUD will review the Leasing Performance Report to ensure compliance with FMR limits.

If you have deemed it necessary to charge more than 110 percent of FMR (or to place a veteran in a privately-owned unit with a rent that exceeds 110 percent of FMR), you must have obtained HUD's prior approval to do so. While HUD will review its records of prior approval, you are encouraged to submit a copy of HUD's prior approval with the renewal application to facilitate the review process.

If you have not sought HUD's prior approval to charge more than 110 percent of FMR, then you may include a request and justification in your renewal application. If you do not request prior approval or if HUD denies the request to exceed FMR, then HUD will base the renewal amount at the 110 percent of FMR.

You must ensure the accuracy of the renewal data. HUD will validate the data and reserves the right to determine the final renewal amounts based on data validation and the availability of funds. Funding renewal may be denied for lack of verifiable program data.

8. **RISK EVALUATION:** In accordance with 2 CFR §200.206, HUD will continue to consider risk and administrative capacity before making awards. HUD will examine a range of capacity indicators, including program performance, compliance with reporting requirements, outstanding financial audits, unresolved HUD monitoring findings, Office of Inspector General findings or audit findings, unresolved outstanding civil rights violations,

high unexpended grant balances, compliance with mitigation plans, and overall administrative capacity to administer the Tribal HUD-VASH program.

HUD may deny a renewal grant if it determines that a Tribal HUD-VASH recipient does not have adequate administrative capacity to administer the grant. HUD will follow the process outlined in Section VI.T of the Consolidation Notice before making a final determination not to fund a renewal grant due to concerns regarding administrative capacity, notwithstanding the criteria in Section 4 of this notice.

HUD may also impose new or revised mitigation plan requirements or special terms and conditions in accordance with 2 CFR §200.208 if any substantial administrative or programmatic concerns are identified in the review process.

- 9. FUNDING REDUCTION AND REALLOCATION:** While some recipients have been able to provide housing assistance to the total number of Veterans for whom they initially received grant funding, and, in turn, expend their funding from prior Tribal HUD-VASH grants, others have experienced barriers to doing so for a variety of reasons. HUD recognizes that for some recipients, delays in implementation were caused by initial difficulties in recruiting and hiring VA case managers that could be assigned to a specific recipient.

You should contact HUD immediately at TribalHUDVASH@hud.gov to discuss a voluntary grant reduction if you:

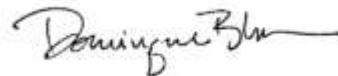
- A. Have unexpended funding remaining from prior Tribal HUD-VASH grants;
- B. Have been unable to assist the total number of Veterans for whom you initially were awarded funding; or
- C. Will not be able to house additional Veterans in the funding period of October 1, 2023 - September 30, 2024.

The unexpended grant funds may be returned to HUD and awarded to other Tribal HUD-VASH recipients that have available housing, need, and administrative capacity. You are reminded that, in accordance with Section VI.T of the Consolidation Notice, HUD may terminate, reduce, or limit the availability of a grant for poor performance or substantial noncompliance with program requirements. Poor performance may include actions outside of the recipient's responsibility, such as lack of adequate referrals, poor quality of supportive services provided by a contracted case management entity, or other reasons. Poor performance also includes an inadequate voucher utilization rate by the recipient.

- 10. ELIGIBLE ACTIVITIES:** Renewal funding awarded under the terms of this notice will be limited to current Tribal HUD-VASH program activities outlined in the Consolidation Notice.

11. **REPORTING:** Recipients of renewal funding awards will be subject to the reporting requirements in Section VI.O of the Consolidation Notice and the terms and conditions of the grant award.
12. **GENERAL TRIBAL HUD-VASH RESOURCES:**
- A. Office of Native American Programs-Headquarters Office of Grants Management *website:* https://www.hud.gov/program_offices/public_indian_housing/ih/tribalhudvash.
 - B. 2 CFR part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”: <https://www.ecfr.gov/current/title-2/part-200>.
 - C. Fair Market Rents can be found at [Fair Market Rents \(40th PERCENTILE RENTS\) | HUD USER](#).
13. **PAPERWORK REDUCTION ACT:** The information collection requirements contained in this notice is approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.). In accordance with the PRA, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number. The active information collections contained in this notice are approved under the PRA OMB Control Number 2577-0169.

If you have questions about the Tribal HUD-VASH grant renewal process, please contact the Tribal HUD-VASH program at TribalHUDVASH@hud.gov.



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for Public and Indian Housing