

Request for Approval under the Generic Solution for Solicitation for Competitive Discretionary Funding Opportunity Announcements

Funding Opportunity Announcement Title: PDR: Eviction Protection Grant Program

HUD Program Office/Agency: [Select One](#)

Other: Policy Development and Research

HUD Office/Agency Point of Contact:

[John Leggitt](#)

Alignment with Information Collection Package: (Check one)

- Funding Opportunity for Existing Program.
 Funding Opportunity for New Program.

Purpose

Briefly describe the program. Include specific statutes and regulations. Explain the information to be collected to clearly describe to OMB the requirements and burden on the respondents. The description must align with and provided detail on the information included in the parent supporting statement. For example, if the respondent burden table below shows 50 burden hours for project summary, provide additional detail elaborating on what the respondents are required to provide to meet that requirement. For existing programs, the information included here may resemble the information you would have submitted in question number 1 in your existing/previously approved ICR. Also, include and clearly label any exceptions to the activities described in the parent supporting statement. If revising an approved collection, highlight key changes to the collection.

The Office of Policy and Development and Research (PDR) administers the Department's Eviction Protection Grant Program (EPGP). The EPGP was initiated in 2021 per the Consolidated Appropriations Act, Div. L, Title II - HUD Appropriations Act, 2021 (<https://www.congress.gov/116/plaws/publ260/PLAW-116publ260.pdf>), provision of \$20 million for competitive grants to nonprofit or governmental entities to provide legal assistance (including assistance related to pretrial activities, trial activities, post-trial activities and alternative dispute resolution) at no cost to eligible low-income tenants at risk of or subject to eviction. The program has received additional funding each year. This NOFO covers FY 23 and FY 24, for which the EPGP received funding through the Consolidated Appropriations Act, 2023 (Public Law 117-328, approved December 29, 2022) (<https://www.congress.gov/117/plaws/publ328/PLAW-117publ328.pdf>) and the Consolidated Appropriations Act, 2024 (Public Law 118-42, approved March 9, 2024) (<https://www.congress.gov/118/bills/hr4366/BILLS-118hr4366enr.pdf>). HUD will continue to use this IC for future NOFOs provided Congress authorizes and appropriates funding for the program.

While eviction laws and housing market dynamics are highly local, HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. In the absence of tenant access to legal assistance, many eviction practices threaten equitable housing stability and challenge HUD's broader efforts to protect consumers, use housing as a platform for improving quality of life, and build inclusive and sustainable communities free from discrimination. With the EPGP, HUD is taking action to help ensure that tenants, including those in federally-assisted housing, have access to legal assistance necessary to ensure fair processes and enforce tenant rights and fair housing laws.

The collection of information in association with the Notice of Funding Opportunity (NOFO) will be used by PDR to evaluate the NOFO applicant and determine eligibility to receive award funds. The collection of information will also enable HUD to ensure program requirements are met, including ensuring that eligible tenants living in rural areas are served. The House of Representatives Explanatory Statement of the Consolidated Appropriations Act, 2021 Congressional Record 166, no. 218, book IV, at H8828, December 21, 2020, further emphasized the importance of implementing and overseeing this grant as a “demonstration program.” Accordingly, the collection of information will enable HUD to meet its research and demonstration obligations for this program under the Housing and Urban Development Act of 1970, section 501 (12 U.S.C. § 1701z-1) ([https://uscode.house.gov/view.xhtml?req=\(title:12%20section:1701z-1%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:12%20section:1701z-1%20edition:prelim))).

Refer to tables below for frequency of information collection and HUD’s associated burden.

Application

HUD’s first EPGP NOFO received approximately 100 eligible applications from non-profit or governmental entities. HUD anticipates receiving 120 applications from non-profit or governmental entities under this NOFO. Applicants for EPGP grants will respond to the NOFO published in the Federal Register to receive an award. They must, prior to award, complete the following submissions:

Electronic Submission

Applicants submit their applications electronically through [Grants.gov](https://www.grants.gov), unless they receive a waiver. No waiver request was made under the prior EPGP NOFO. Electronic submission eliminates the burden on applicants to print, organize and ship multiple copies of their application. Additionally, [Grants.gov](https://www.grants.gov) automatically populates common elements of many forms, so that standard information about the applicant that appears on several forms only needs to be entered once. To use [Grants.gov](https://www.grants.gov), applicants are required to submit organization information, certifications, and assurances via sam.gov. HUD uses the interface between [Grants.gov](https://www.grants.gov) and [GrantSolutions](https://www.grantsolutions.com) to retrieve applications. Review is conducted using [GrantSolutions](https://www.grantsolutions.com). Any application materials that have the potential to include PII (the SF-424) remain in [GrantSolutions](https://www.grantsolutions.com).

HUD stores the information collected via applicants’ narrative responses, including the *Activities, Measures, and Expected Outcomes Chart* and the *Quarterly Project Timeline* completed under Rating Factor 2, Sound Project Plan, in its own HUD Sharepoint site on its HUD servers and takes all necessary steps to safeguard the information while complying with federal mandates, guidance and HUD security policies and procedures.

Pre-Award Data Collection – Application Forms

PDR anticipates 120 grant applications for this NOFO. Applicants must be nonprofit or governmental agencies. Each applicant submits a detailed proposal addressing the particular requirements of the NOFO. The information is used by HUD PDR staff to evaluate NOFO applicants and determine eligibility to receive award funds. The HUD NOFO team leads develop scoring criteria and train HUD staff on how to conduct scoring of applications. Applicants are scored by teams using a process that ensures fairness and confidentiality. The main component of this analysis is the Narrative Response, described below. Additional materials are submitted in support of the content of the Narrative Response.

1. Narrative Response to Rating Factors: A Narrative Response of no more than 25 pages, addressing all Rating Factors. An optional Narrative Response Template is provided to reduce the applicant burden. The narratives are scored using the following four rating factors:
 - Rating Factor 1: Need and Extent of Problem
 - Rating Factor 2: Sound Project Plan, which is similar to the HUD standard factor “Soundness of Approach”
 - Rating Factor 3: Capacity and Experience

- Rating Factor 4: Budget
2. Project Summary: A one-page summary of the proposed project that includes
 - A brief description of the proposed project, including its purpose, primary legal assistance activities, expected outcomes, any subrecipients, and total funds requested.
 - The geographic service area of the project.
 - Whether the project will serve tenants in rural areas.
 - The number of years of experience your organization has providing legal assistance to low-income individuals.
 - Whether you are an existing EPGP awardee or subrecipient.

HUD will use portions of the Project Summary for *Threshold Eligibility Review* (NOFO Section III.D.) and *Adjustments to Merit Review* (NOFO, Section V.B.3.). An optional Project Summary template is provided to reduce the applicant burden.

3. Required Supporting Materials to support the applicant’s narrative response, which do not count toward the 25-page limit:
 - *Activities, Measures, and Expected Outcomes Chart* describing proposed project activities and corresponding responsible organization(s), measures, and expected outcomes corresponding to Rating Factor 2.a. An optional Activities, Measures, and Expected Outcomes Chart template is provided.
 - *Quarterly Project Timeline* supporting the Project Plan, corresponding to Rating Factor 2.a. An optional Benchmarks Plan and Report form is provided. This form has been developed as part of a larger post-award information collection.

NOTE: The Benchmarks Plan and Report form, HUD Form 52699, that grantees are required to submit post-award will include the following notice: “The person entering data into this form, as well as the person submitting this form to HUD, certify under penalty of perjury that the information provided herein is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).” That form is part of the post-award PRA package.

 - *Letter of Support* from one project collaborator, corresponding to Rating Factor 2.c.
 - *Resumes* (limited to 3 pages each) for up to 5 key personnel from the applicant organization, corresponding to Rating Factor 3.c., and resumes for up to 3 key personnel of subrecipients.
 - *Grant Application Detailed Budget Worksheet (HUD-424-CBW)* for each applicant and proposed subrecipient displaying all anticipated costs during the 2-year performance period, including an indirect cost rate, corresponding to Rating Factor 4.b.
4. Documentation of Minority Serving Institution (MSI) or Historically Black College or University (HBCU) Status and Letter of Commitment, if seeking preference points for applicant designed as an MSI or HBCU or applicant partnering with an MSI or HBCU.

Standard Application Forms

Form SF-424, Application for Federal Assistance. (OMB Approval No. 4040-0004). Expiration Date: 11/3/2025. Once a year submission for agencies requesting grant funding

Form SF-424B, Assurances for Non-Construction Programs (OMB Approval No. 4040-0007). Expiration Date: 02/28/2025. This form is required when applying for Federal financial assistance under non-construction grant programs.

Form SF-LLL, Disclosure of Lobbying Activities (OMB Approval No. 4040-0044). Expiration Date: 11/30/2025. Once a year submission for agencies requesting grant funding and updated as needed during the pre-award phase.

Form HUD-2880, Applicant/Recipient Disclosure Update Report. (OMB Approval No. 2501-0044). Expiration Date: 2/28/2027. Once a year submission for agencies requesting grant funding and updated as needed during the pre-award phase.

Form HUD-424B, Assurances. (OMB Approval No. 2501-0044). Expiration Date: 2/28/2027. All recipients and subrecipients of the award are required to submit assurances of compliance with federal civil rights requirements. Once a year submission for agencies requesting grant funding and updated as needed during the pre-award phase.

Form HUD 424-CBW, Grant Application Detailed Budget Worksheet. (OMB Approval No. 2501-0044). Expiration Date: 2/28/2027. Once a year submission for agencies requesting grant funding and updated as needed during the pre-award phase.

Certification Regarding Lobbying Activities, (OMB Approval No. 4040-0013). Expiration Date: 2/28/2025. Once a year submission for agencies requesting grant funding and updated as needed during the pre-award phase. All applicants except Federally recognized Indian tribes must submit this certification with their application.

Code of Conduct. Award recipient and all subrecipients must have a code of conduct (or written standards of conduct) that complies with the requirements included in the “Conducting Business in Accordance with Ethical Standards” section of the Administrative, National and Department Policy Requirements and Terms for HUD Financial Assistance Awards—2024. HUD maintains a list of organizations that have previously submitted written standards of conduct on its Code of Conduct for HUD Grant Programs webpage (https://www.hud.gov/program_offices/spm/gmomgmt/grantsinfo/conductgrants). The awardee has responsibility to ensure that the standards are compliant with the noted requirements and that HUD has the latest version of the written standards. Updated written standards should be submitted with the application. Any updates to your written standards, after the application period, should be submitted as directed by the HUD program contact for this NOFO.

Curables

The Program lead conducts a preliminary review using the Threshold Review Checklist to determine if an applicant is compliant with the Eligibility Threshold requirements. The Program lead completes the TechReview Curable Deficiency Letter template, which identifies any curable deficiency and includes instructions on how to cure the deficiency, and emails it to the applicant POC. Response or acknowledgement is received within one day, the chairperson will follow up via email. The instructions ask the response to be emailed to applicantsupport@hud.gov and EvictionProtectionGrant@hud.gov. If no response is received within five days, the application is considered ineligible.

Negotiation

Included with this child template is a sample email template and award package. During negotiation, applicants are given an opportunity to make technical updates to their application before signing the grant agreement.

Changes Since Previous Approval

Optional templates are being provided to ease the applicant burden. There are no other significant changes since OMB’s approval of EPGP’s NOFO ICR 2528-0331.

Announcement Dates (Start and End Dates for Applications): Publication is expected June 2024, applications will be due 60 days later. We anticipate issuing a NOFO every 2 years.

Type of Collection (Federal Award Instrument): (Check all that apply)

Grant

- Cooperative agreement
 Other:

How will information collected be submitted to the HUD Office/Agency? (Check all that apply)

- Grants.gov
 esnaps.hud.gov
 Other:

Does the HUD Office/Agency need to collect information beyond the scope of the supporting statement for the generic ICR? Yes No

If yes, will the HUD Office/Agency submit a regular ICR package?

- Yes No

How does this collection minimize the burden on small businesses/entities, if applicable?

For existing programs, the information included here may resemble the information in question 5 in your existing/previously approved ICR.

The information collection is the same for all entities, regardless of size, but is considered to be the minimal information needed for HUD to effectively administer this program. The electronic grant application process eliminates the burden on all applicants to print, organize, and mail multiple copies of their application. [Grants.gov](https://www.grants.gov) automatically populates common elements of many forms, so that standard information about the applicant that appears on several forms only needs to be entered once.

If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Consult your Privacy Act Officer before responding to this item. The information included here may resemble the information in question 10 in your existing/previously approved ICR.

A SORN is not required because records are not retrievable by individual identifier. A PIA is not required because records are not retrievable by individual identifier.

Sensitive Information:

Is the agency asking any questions of a sensitive nature? If yes, provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. Include the reasons justifying why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Consult your Privacy Act Officer and the FHEO before responding to this item. For existing programs, the information included here may resemble the information in question 11 in your existing/previously approved ICR.

There are no questions of a sensitive nature.

- Yes No

If yes, additional information:

Certification:

I certify the information contained in this document to be true and accurate:

Yes No

Respondent Burden Hours, Formats, and Reporting

Include in the table the collection items and burden amounts associated with responding to a notice of funding opportunity (NOFO) and other pre-award activities. The burden included in this chart must align with the parent supporting statement. If preparing a new form, indicate “new” under the Form Number column. Existing forms number can remain unchanged, but the actual forms need to be updated with the OMB approval number for this generic collection. Also include the burden associated with responding to the rating factors and completing other narratives requested via the NOFO or other pre-award activities.

For existing programs, the information added here may resemble the information you would have submitted in question number 12 in your existing/previously approved ICR. All forms must accompany this Template for submission to OMB for approval. Do not list the required standard forms from the generic support statement; however, please list optional standard forms from the parent supporting statement. For the optional standard forms, do not include burden information, unless the burden is unique to the program.

EPGP NOFO

To collect sufficient information to determine eligibility threshold and meaningfully rate and rank applicants, a significant amount of information is requested through the NOFO. However, the NOFO has been significantly improved this year, with clearer instructions and prompts and with optional templates. Additionally, applicants can use a table rather than a narrative in response to specific questions about their proposed activities. Consequently, we believe that the 40 hours estimated in the table below is conservative, and that the actual amount, which varies by applicant, could be significantly lower.

Each Narrative and Attachments submission is expected to be prepared by a business and financial operations professional at the cost of \$41.50 per hour (which includes the wage rate multiplier), based on the Department of Labor Bureau of Labor Statistics’ most recent data (May 2022) on the State and local government workers by occupational and industry group (https://www.bls.gov/oes/2022/may/oes_nat.htm), for 13-0000 Business and Financial Operations Occupations, professional series (average hourly rate of \$41.39 rounded to \$41.50). The applicant burden cost is set forth in the following table:

	Number of Respondents	Average Burden Hours	Cost per Hour	Total Cost
Applicants	120	40	\$41.50	\$199,200
Awardees	25	4	\$41.50	\$4,150
Total				\$203,350

Brief description of information being collected (project summary, charts, narrative response)	Forms number	Number of Respondents	Number of Responses per Respondent	Total Annual Responses	Burden Hours per Response
NOFO Narrative Response, Project Summary, Supporting Materials, and MSI or HBCU documentation, if applicable.	Not applicable	120	1	120	40
Application for Federal Assistance (4040-0026)	SF-424	120	1	120	N/A
Disclosure of Lobbying Activities	SF-LLL	120	1	120	N/A

(4040-0013)					
Assurances for Non-construction Programs (4040-0007)	SF-4242B	120	1	120	N/A
HUD Applicant and Recipient Assurances and Certifications (2501-0044)	HUD-424B	120	1	120	N/A
Grants.gov Lobbying Form (4040-0013)		120	1	120	N/A
Grant Application Detailed Budget Worksheet (2501-0044)	HUD-424CB	120	1	120	N/A
Applicant Disclosure Report Form (2501-0044)	HUD-2880	120	1	120	N/A
Curing Deficiencies		10	1	10	1
Submissions related to Negotiations		25	1	25	4
TOTAL				155	

Federal Burden Hours, Formats, and Reporting

Include in the table the collection items and burden amounts associated with HUD’s review of the collected item for NOFOs and other pre-award activities. Include burden associated with reviewing eligibility as well as rating factors. For existing programs, the information added here may resemble the information you would have submitted in question number 14 in your existing/previously approved ICR.

	Number of Respondents	Average Burden Hours	Cost per Hour	Total Cost
Eligibility Threshold Review	120	0.5	\$88.50	\$5,310
NOFO Application Review	90	24	\$88.50	\$191,160
Negotiations	25	4	\$88.50	\$8,850
Total				\$205,320

GS 13, Step 3 employee, 2024 OMB Salary Table \$125,827 x 1.46 (wage rate multiplier) (\$183,707; \$88.32 per hour rounded to \$88.50)

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/DCB.asp>

Brief description of information being collected (project summary, charts, narrative responses, etc.)	Form number	Number of Respondents	Number of Responses per Respondent	Total Annual Responses	Burden Hours per Response
Eligibility Threshold Review		120	1	120	0.5
NOFO Application Review, consisting of NOFO Narrative Response, Project Summary, Supporting Materials, and MSI or HBCU documentation, if applicable		90	1	90	24
Negotiations		25	1	25	4
TOTAL				235	