



Housing Contract Administration

KENTUCKY BALANCE OF STATE

Housing Opportunities for Persons With AIDS (HOPWA)

2021

FORMULA COMPETITIVE APPLICATION GUIDELINES

NOTE: This competitive application round is for HOPWA Program Years 2021, 2022, and 2023. Projects awarded funding through this current funding opportunity will be eligible for renewal in 2022 & 2023 as long as the project meets minimum threshold requirements and funds are available. The next competitive application round is anticipated to occur in 2024.

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SECTION I HOPWA GRANT PROGRAM DESCRIPTION

Introduction

Kentucky Housing Corporation is accepting applications for the 2021 HOPWA Formula grant funding. This competitive application round is for HOPWA Program Years 2021, 2022, and 2023. Projects awarded funding through this current funding opportunity will be eligible for renewal in 2022 & 2023 so long as the project meets minimum threshold requirements and funds are available. The next competitive application round is anticipated to occur in 2024. KHC reserves the right to suspend or reallocate a renewal within the three-year period if an agency is underperforming or has a compliance monitoring with significant findings.

HOPWA Program Requirements

The Housing Opportunities for Persons with AIDS (HOPWA) Grant Program is funded by the U.S. Department of Housing and Urban Development (HUD) and provides assistance to low-income individuals diagnosed with HIV/AIDS and their family members living with them. All activities must comply with applicable HOPWA regulations, which are found in [24 CFR 574](#).

HOPWA funding provides housing assistance and related supportive services as part of HUD's Consolidated Planning initiative that works in partnership with communities and neighborhoods in managing federal funds appropriated to HIV/AIDS programs. This focus on providing housing assistance and related support services for HOPWA-eligible clients serves to reduce the risks of homelessness for this population and increase access to appropriate healthcare and other support.

NEW THIS YEAR:

All HOPWA projects funded through the 2021 competitive application round will be required to participate and enter client level data, including services, into the Kentucky Homelessness Management Information System (KYHMIS). KHC staff will work with all non-participating agencies to ensure project set up in KYHMIS prior to project start date. KHC staff will provide necessary training and technical assistance to projects.

HOPWA Eligibility and Activities

There are two basic elements of HOPWA eligibility:

- Household has at least one person who has Acquired Immunodeficiency Syndrome (AIDS) or related diseases (Human Immunodeficiency Virus, that is, HIV infection). This includes households where the only eligible person is a minor. Medical verification of status is required.

- The household must be at or below 80 percent of Area Median Income (AMI). Income limits are available on HUD's web site at: <https://www.huduser.gov/portal/datasets/il.html>.

Project sponsors must document and date the determination of income eligibility. This documentation including all required source documentation as well as documentation of the participant's diagnosis of HIV/AIDS must be included in the program participant file.

There are a number of HOPWA-eligible activities to help meet the housing needs of low-income persons with HIV/AIDS and their families. See [24 CFR 574](#) for complete information.

Facility Based and Construction

HOPWA funds can be used for the construction, rehabilitation, repair or conversion of real estate property for use by HOPWA-eligible households.

Tenant-Based Rental Assistance (TBRA)

TBRA is a rental subsidy used to help participants obtain permanent housing in the private rental housing market that meets housing quality standards and is rent reasonable. Eligible costs include rent (not mortgage payments) and utility costs. HOPWA tenant-based assistance pays the difference between the Fair Market Rent or "reasonable rent" and the tenant's portion of the rent. With TBRA, the HOPWA project sponsor makes rental payments directly to property owners. The HOPWA subsidy covers a portion of the full rent; the tenant also pays a portion based on their adjusted income or gross income. The HOPWA TBRA program subsidy payment is the difference between the contract rent charged for an approved unit and the tenant rent payment.

Housing Quality Standards (HQS) – inspections are required for each unit subsidized with HOPWA assistance. Each unit must pass a housing quality inspection to ensure the housing is safe and sanitary and in compliance with local and state housing codes, licensing standards and any other jurisdictional requirements. Housing quality inspections are made at initial move-in and annually during the term of the rental assistance. Prior to occupancy by the HOPWA-funded tenant, the unit must be inspected and approved by the project sponsor. The staff member performing the inspection does not need to be HQS certified in order to complete the inspection.

Short-Term Rent, Mortgage and Utility Assistance (STRMU)

STRMU is time-limited housing assistance designed to prevent homelessness and increase housing stability for program participants with an emergency need. Used in connection with other HOPWA activities and other local, state and federal resources, STRMU can lead to long-term solutions to housing problems for participants receiving this time-limited housing assistance.

Project sponsors may provide assistance for a period of up to 21 weeks in any 52-week program year period (for example: not exceeding 21 weeks in the period of July 1, 2020-June 30, 2021). The amount of assistance varies per program participant depending on funds available, tenant need and program guidelines. STRMU is intended for program participants with an emergency need and not intended to provide regular monthly relief to households in situations that are not financially manageable under normal circumstances. If a household is living in a unit that is not normally affordable for them, then access to long-term rental assistance (HOPWA or other) would be a better solution than STRMU assistance.

Habitability Inspections – Upon initial program participant assessment, if the participant indicates any part of the unit may have a deficiency, as outlined in [24 CFR 574.310\(b\)](#), then a habitability inspection is required. Otherwise, units do not require inspection unless assistance is provided for the same unit more than once.

Supportive Services

Supportive services are important tools in helping program participants stabilize their living situations and help address care needs of persons living with HIV infection.

The following are eligible expenses under HOPWA Supportive Services and need to be reported in HOPWA year-end performance reports:

- Adult day care and personal assistance
- Alcohol and drug abuse services
- Case management/advocacy/coordination of benefits
- Child care
- Education
- Employment assistance and training for persons with HIV/AIDS
- Health and medical services (with restrictions listed below)
- Legal services
- Life skills management
- Nutritional services (including meals)
- Mental health services
- Outreach
- Transportation
- Other activities for supportive housing services (with prior HUD approval)

However, despite this flexibility of services, HUD has limitations on what is considered to be eligible services. Project sponsors will need to adequately track supportive service activities, document related expenditures and adhere to these limitations. In general, HOPWA-funded supportive services can be provided to income-eligible persons with HIV and AIDS and their family members. However, as noted in the HOPWA regulations,

health services may only be provided to “individuals with acquired immunodeficiency syndrome or related diseases and not to family members” [\(24 CFR 574.300b\(7\)\)](#).

Resource Identification

Resource identification includes costs to develop housing assistance resources, outreach and relationship-building with landlords, costs involved in creating brochures, web resources and time to locate and identify affordable housing vacancies.

Housing Information

Housing information includes, but is not limited to, counseling, information and referral services to assist an eligible person to locate, acquire, finance and maintain housing. This may also include fair housing counseling for eligible persons who may encounter discrimination on the basis of race, color, religion, sex, age, national origin, familial status, or handicap.

Permanent Housing Placement (PHP)

PHP may be used to help eligible persons establish a new residence where ongoing occupancy is expected to continue. It may be used to complement other forms of HOPWA housing assistance.

Permanent housing placements costs can include:

- Application fees
- Credit checks
- Security deposits

Note: All payments must be made to a third party, not paid directly to program participant.

Housing Quality Standards (HQS) – inspections are required for each unit subsidized with HOPWA assistance. Each unit must pass a housing quality inspection to ensure the housing is safe and sanitary and in compliance with local and state housing codes, licensing standards and any other jurisdictional requirements. For PHP assistance, housing quality inspections are made at initial move-in and prior to occupancy by the HOPWA-funded tenant. The staff member performing the inspection does not need to be HQS certified in order to complete the inspection.

Administrative Fees

Administrative costs are those costs or functions that support operations in general, such as bookkeeping and the compilation and reporting of data (not to exceed 7% of the awarded grant amount).

It is important to follow the regulations that govern administrative funds. As with all billed expenditures, billing for administrative costs should be based on actual costs incurred during a particular period. As with personnel costs, basing administrative

charges on a straight pro-rated amount of the total grant (e.g., seven percent of the total amount awarded to the sponsor divided into constant monthly increments) may be helpful for budgeting but is not adequate. Rather, administrative charges should be based on the actual monthly program costs, which should vary each month.

Note: costs do NOT include costs directly related to carrying out eligible activities since those costs are eligible as part of the direct service.

Ineligible HOPWA Activities

A number of limitations are placed on activities in the HOPWA regulations. While this is not an all-inclusive list, it is an example of ineligibility.

- Short-term rent, mortgage, and utility assistance to prevent homelessness may not be used to make deposits and pay first month's rent and utilities for homeless persons. (However, Permanent Housing Placement funds may be used for costs not to exceed two months' rent.)
- Short-term rent, mortgage, and utility assistance may not be provided for costs accruing for a period of more than 21 weeks in any 52-week period.
- HOPWA funds may not be used to provide rental or utility assistance that exceeds HUD's Fair Market Rent guidelines.

Other Requirements affecting all Projects

Housing Assessment

HUD's main objective for the HOPWA program is that participants achieve great housing stability by receiving HOPWA assistance. Regulation [24 CFR 574.500\(b\)\(2\)](#) states that the grantee (KHC) will ensure that each project agrees to "conduct an ongoing assessment of the housing assistance and supportive services required by the participants in the program". The housing assessment process includes gathering participant information about current finances, past rental history, behavioral history and other service needs. The housing assessment is the foundation for the development of individualized housing and service plans. The project sponsor should assess housing and supportive service needs at the point of intake or application and create plans for housing stability. The project sponsor should update these plans at least annually.

All program participant files must contain an individualized housing assessment and housing and service plan with evidence of annual updates and ongoing progress.

Examples of Housing Assessments and Program Participant Housing Plans may be found at:

<https://www.hudexchange.info/resource/1025/hopwa-program-administration-toolkit/>

Confidentiality Policy

Confidentiality compliance requires that grantees and sponsors protect the privacy of program participants of HOPWA funds. This regulation, [24 CFR 574.440](#), states: “all grantees and project sponsors shall agree to ensure the confidentiality of the name of any individual assisted under this part and any other information regarding individuals receiving assistance.”

The sponsor’s confidentiality policy should, at a minimum, address:

- How staff will gather, record, and store confidential information;
- The consent process for the release of confidential information;
- Protocols for responding to breaches of confidentiality;
- Standards contained in relevant state and federal laws, including HIPAA compliance (if applicable) and HIV confidentiality statutes; and,
- Privacy standards related to data collection and use of participant information for program reporting, such as HMIS.

It is also important that the organization not use any identifying information that could compromise a participant’s confidentiality regarding the HOPWA program. For example, checks to property owners, envelopes, letterhead and other printed material should not contain any language that might indirectly disclose a participant’s HIV status.

Participant Termination Policy

As described in [24 CFR 574.310\(e\)](#), HOPWA regulations require agencies to create a formal process for handling the termination of participants from HOPWA assistance. This includes policies for handling surviving family members in the event of a death of a HOPWA-eligible person.

Termination Procedures should include the following elements:

- Written notice to the participant contacting a clear statement of the reasons for termination;
- Opportunity for a participant to receive a review of the decision, allowing the participant to confront opposing witnesses, present written objection, and be represented by individual counsel or representation, before a person other than the person (or a subordinate of that person), who made or approved the termination decision;
- Provide prompt written notification of the final decision to the participant; and
- Written policy for handling surviving family members, in the event of a death of a HOPWA-eligible person that establishes a reasonable grace period of continued assistance to surviving family members, not to exceed one year, measured from the date of death of the participant.

Conflict of Interest

According to [24 CFR 574.625](#), organizations should have policies in place that identify and handle potential conflicts of interest on the part of board members, staff persons

and other representatives of the organization, such as volunteers. Conflict of interest policies are often part of an organizations “code of conduct” for board, staff and volunteers. HUD regulations require that sponsors and grantees have adequate codes governing conflict of interest in place.

Faith-based Organizations

A primarily religious organization must provide all eligible HOPWA activities in a manner free from religious influence and in accordance with principles outlined in [24 CFR 574.300\(c\)](#).

Fair Housing and Equal Opportunity

HOPWA project sponsors and their activities must comply with all federal laws, executive orders and regulations pertaining to fair housing and equal opportunity, and must take measures to ensure non-discriminatory treatment, outreach and access to program resources (see pg. 70 of the HOPWA Oversight Guide for specifics on how this relates to the HOPWA program: <https://www.hudexchange.info/resource/1003/hopwa-grantee-oversight-resource-guide/>).

Lead-Based Paint and Fire Safety Requirements

Housing units subsidized with HOPWA funds must be in compliance with federal regulations concerning lead-based paint and fire safety as set forth in the Lead-Based Paint Poisoning Prevention Act of 1973 and the Fire Administration Authorization Act of 1992. Rental assistance documentation should include proof of compliance with these regulations. The HQS checklist should include sections on lead-based paint and smoke detectors that incorporate the provisions of these Federal regulations; in the case of the fire protection act, the participant can self-verify that the unit complies with the regulation.

- HUD’s lead-based paint rules apply to all housing assisted through TBRA, PHP or STRMU
- Specifically, lead-based paint rules apply when:
 1. Housing to be assisted was constructed before 1978; and
 2. Residents will include a pregnant woman or a child 6 years of age or younger.
- All housing meeting the above criteria must receive a lead-based paint visual assessment before assistance may be provided.
- Staff must complete an online training course before performing assessments. This training can be found at:
<http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm>.

Kentucky Homeless Management Information System (KYHMIS)

Applicants must utilize the KYHMIS data system or comparable system approved by KHC for data reporting.

Audits

Project sponsors receiving a total of \$750,000 or more in federal and/or state funds are required to have annual audits conducted in compliance with Single Audit Act (31 USC § 7501 et seq.). Those project sponsors with less than \$750,000 in federal and state funds should complete annual financial statements. Annual audits and financial statements, whichever is appropriate, must be within six months following the end of the project sponsor's fiscal year.

Reporting

The Annual Progress Report (APR) is due to HUD after each grant year during the three-year period. Project sponsors are required to collect and report all necessary HOPWA data elements on the HOPWA APR and submit by the designated deadline. Use of KYHMIS reports to validate data will be required. HOPWA Program Representatives will announce APR due dates via e-mail notification.

Bi-monthly data quality framework reports will be required to be submitted to the kyhmisdataquality@kyhousing.org based on the data quality schedule.

The [HOPWA Financial Report tool](#) is to be submitted quarterly. HOPWA Program Representatives will announce the financial report tool due dates via HCA Helpdesk.

Monitoring guide

This resource discusses in more detail HOPWA requirements, eligibility and monitoring requirements. It also has useful tools and forms that may assist in running the HOPWA program. Please note: Not all activities described in the monitoring guide are part of the KHC HOPWA program.

<https://www.hudexchange.info/resource/1003/hopwa-grantee-oversight-resource-guide/>

HOPWA Program Administration Toolkit

The resources located here are designed to help project sponsors that receive HOPWA funding comply with applicable laws and regulations and administer programs more efficiently and effectively. Some of the forms that may be useful are HOPWA Habitability Standards checklist, STRMU Tracking sheet, Housing application and Assessment, Program participant Files checklist, etc. *Please note that use of the specific tools is not required.*

<https://www.hudexchange.info/resource/1025/hopwa-program-administration-toolkit/>

Promise Zones

KHC supports the intent of the federal Promise Zone designation awarded to eight distressed counties in Southeastern Kentucky: Bell, Clay, Harlan, Knox, Leslie, Letcher, Perry and Part of Whitey. KHC will work collaboratively with any non-profits and local governments in these counties to address the needs of homeless persons.

SECTION II APPLICATION SELECTION PROCESS

Universal Funding Application System

Applicants are required to complete and submit the application using KHC's [Universal Funding Application](#) (UFA) system. Applicants needing assistance should refer to the [FAQ](#) section within the UFA or contact the Housing Contract Administration (HCA) [Help Desk](#).

The title of the application to be completed within the UFA is **HOPWA – Formula Competitive 2021**

Deadlines

The application deadline is 5:00 p.m. on Wednesday, June 8, 2022.

KHC Capacity Scorecard

In an effort to create consistency and equity, KHC uses a "Capacity Scorecard" for all program areas that have competitive applications or formula grant allocation process. The scorecard is used to determine the overall capacity of the Entity or Development Team member(s) that will administer the proposed project and/or program they are applying for. The scorecard is divided into three (3) sections:

1. Capacity Scorecard Threshold Requirement

The first section of the scorecard consists of minimum thresholds that must be achieved. If the Entity or Development Team member(s) answers "yes" to any of the Capacity Scorecard Threshold Requirements, the application may not be eligible for submission. All "yes" answers are required to provide an explanation as to circumstances of the infraction. KHC will review the response when determining whether or not the applicant may apply through this funding round.

Capacity Scorecard Threshold Requirements will be verified at both the submission of the application and reviewed again prior to funding award announcement. If the status of a Capacity Scorecard Threshold Requirement changes prior to announcement of funding, the application may be disqualified. Depending on the circumstances, an Entity may be asked to correct the outstanding issue prior to a funding award.

2. Capacity Scorecard Self-Certification

The Capacity Scorecard Self-Certification section of the scorecard is a series of statements to which the applicant preparer must certify. This is a non-scoring section, but will be used by KHC review staff to ensure there are no outstanding issues that could prevent the project from being awarded funds. There is a response

section in the self-certification section that can be used to provide additional information to any of the self-certification questions. KHC review staff may request additional information for clarification purposes.

The Entity will need to complete the certification acknowledgement that states the responses to the self-certification statements are true and accurate, to the best of their knowledge. Falsification of these statements could result in a recapture of funds or suspensions/disbarment from KHC.

3. Capacity Scorecard Overall Performance

The Capacity Scorecard Overall Performance section is the part of the scorecard where KHC staff will indicate if a capacity deduction will be applied. Guidance on the type of infractions that KHC will consider for possible capacity deductions are listed in this section of the scorecard. Please note, the list is not all inclusive, but provides guidance as to what criteria is used to determine a potential capacity deduction. A capacity deduction can be determined at any time throughout the administration of a project/program and through the affordability/compliance period. The capacity deduction can apply to the Entity or any member of the Development Team.

Please note, it is not KHC's intention to issue capacity deductions on minor occurrences. A capacity deduction can occur if the Entity has repeated administrative issues or unresolved compliance finding for which corrections have been requested and not received. At the time, a capacity deduction is issued, the agency or organization will receive a written notice from KHC explaining the reason for the capacity deduction and the amount of time the deduction will be applicable. KHC typically looks back 3 years, from the date of application submission, to determine capacity related issues.

KHC Capacity Scorecard deductions will be applied to the overall score for the Agency Experience and Capacity Section. For example, if the Agency Experience and Capacity Section of the application is worth a total of 25 points and a capacity deduction of -2 was determined, then the application will be docked 2 points and will receive 23 out of a total 25 possible points.

Once submitted, KHC staff will review the capacity scorecard, respond with any questions and determine a total capacity deduction, if applicable. While KHC is reviewing the scorecard, applicants may proceed to the rest of the application sections, but should be aware that responses on the scorecard may result in the applicant not being allowed to ultimately submit the application or be awarded funding if the application has already been submitted.

Analysis of Impediment to Fair Housing

Impediments to fair housing are outlined in [the 2020-2024 Commonwealth of Kentucky Analysis of Impediments to Fair Housing](#). Applicants must identify which of those impediments to fair housing their HOPWA project will address. In addition, applicants must address how the HOPWA project will reduce or eliminate impediments to fair housing.

If the HOPWA application does not identify which impediments to fair housing will be addressed and explain how the HOPWA project will reduce or eliminate these impediments, your application will not be reviewed.

Instructions for utilizing the HIV/AIDS Surveillance Report

In Section III of the 2021 HOPWA Formula Competitive Application, Question 4 references the HIV/AIDS Surveillance Report located on [KHC's website](#) under Programs, [HOPWA](#). In addition, a link to an excel spreadsheet, is also provided, and utilizes the column labeled "Total Living with HIV Disease," from the [2019 HIV/AIDS Surveillance Report](#).

An applicant will find the number of individuals for each county your agency is serving in the column titled "Total Living with HIV Disease." This information is shown under the Area Development District tab on the excel spreadsheet. Use this data in your response for reference in Section III, Question 4 of the application.

For example:

Red Ribbon Agency serves Estill and Powell County. Estill County has 4 total persons living with AIDS and Powell County has 8. The total number of reported cases for their service area is 12. The answer for Question 4 will help you determine the need for funds in that area and be able to answer the next part of the question.

Development Team

Your agency development team shall be defined as the executive director, board members, finance director, and any staff member involved in administering the HOPWA Program.

Application Review and Selection Process

It is the applicant's responsibility to submit all required documentation to adequately support its Application. Any material deficiency in the Application or omission from the mandatory submissions may result in an immediate rejection of the application. In addition, the Application must meet all eligibility requirements set forth in the guidelines. Any application which does not contain sufficient information to be reviewed will be rejected.

When writing narrative responses, do not assume that the KHC application reviewer already knows your program based on previous knowledge or responses to questions

earlier in the application, the requirements of [24 CFR 574](#) and other related policies and regulations. Make sure to write responses to each response as if the reviewer does not know anything about your program or your processes.

Although KHC intends to award funds to the highest scoring projects, KHC will make every effort possible to ensure that funds are geographically distributed across the state. KHC reserves the right to allocate funds to lower scoring applications to ensure equitable allocation of resources in each congressional district throughout the state.

KHC may, at its discretion, request information from applicants to address and resolve issues identified during application review. The application will be reviewed and scored as submitted. In the event of a scoring tie, the applicant with the highest total number of reported cases of people living with HIV/AIDS (based off the 2019 HIV/AIDS Surveillance Report) will be ranked higher than the other project. KHC reserves the right to consider other relevant factors besides an applicant score, such as the 2019 HIV/AIDS Surveillance Report, when making funding decisions.

Application Scoring Response Period

Once all applications have been fully reviewed and scored, and prior to submission to the KHC Credit Committee, KHC will make the preliminary project score sheet available to the appropriate contact for each application. Applicants will not be made aware how other applications have scored. KHC will establish a time by which applicants can review their initial scores and offer a written response if they disagree with their preliminary score. This is not a cure period; therefore, applicants will not be able to submit any additional or revised documentation. The purpose of the scoring response period is to allow the applicant the opportunity to address any oversights or calculation errors by KHC staff.

Reconsideration Processes

The processes described in this section are the exclusive means by which an applicant may request reconsideration of a decision by KHC regarding disqualification, scoring, or the award of KHC resources. Information submitted to KHC outside of these processes, whether in writing or otherwise, will not be considered.

Disqualification Decisions Review Request

If KHC identifies a deficiency in an application during its review that results in the disqualification of an application, KHC will issue a preliminary decision letter to the applicant identifying the grounds for the disqualification. The applicant may then provide a written response specifically identifying the reasons why the applicant believes the application should not be. Written responses must be delivered via electronic mail, by hand delivery, or overnight mail, to the attention of the managing director of Housing Contract Administration.

Only the application and documents already existing in KHC's file will be considered when reviewing the applicant's written response. No additional documentation will be

accepted unless such documentation only serves to explain previously submitted documentation. The burden is on the applicant to demonstrate why the application should not be disqualified or the amount of KHC resources should not be reduced.

The managing director of Housing Contract Administration will forward the review request, along with the applicant's response, to KHC staff involved with the initial scoring of the application and to KHC's Credit Committee for review and decision. The Credit Committee shall review the request and KHC's staff's response and issue a final determination. The Credit Committee may, in its sole discretion, request additional information or documentation or conduct a meeting or conference with the applicant and KHC staff.

The Credit Committee's decision on the review request will be final, and KHC will provide a copy of the written decision to the applicant. The Credit Committee shall consist of members of KHC's Executive Staff or as appointed by KHC's Executive Director.

Applicants may request a meeting with KHC's Credit committee or its representatives within five (5) business days of the final written decision. The applicant may offer additional explanations; however, the Credit Committee will only consider the information that is in the project file at the time of the review. The Credit Committee may modify or affirm its final decision based on information presented at the meeting.

Scoring Decision Reconsideration Request

Any applicant wishing to request a reconsideration of a preliminary scoring decision by KHC or a reduction in funding may do so in writing to the managing director of Housing Contract Administration. Applicants may **only** request reconsideration for applications in which they have an ownership interest. Requests must be sent via electronic mail, hand delivery or overnight mail.

Reconsideration requests must specifically identify the basis for the reconsideration request. The burden is on the applicant to demonstrate any alleged errors in the review and/or scoring process.

KHC will review the applicant's written responses and, if KHC concurs with the applicant, appropriate scoring corrections will be made. KHC's final scoring decision will be shared in writing with the applicant.

The final scoring decision will be shared with the KHC Credit Committee at the same time funding recommendations are made to the Committee for its review and approval.

If, during the scoring review process, applicants dispute their preliminary scoring and KHC does not concur, the applicant's written request along with KHC staff's written determination will be shared with the Credit Committee for their information and review as part of their consideration of the funding recommendations.

The Credit Committee may, in its sole discretion, request additional information or documentation or conduct a meeting or conference with the applicant and KHC staff.

The Credit Committee's decision regarding the reconsideration request will be final and will be provided in writing to the applicant. The Credit Committee shall consist of members of KHC's Executive Staff or as appointed by KHC's Executive Director.

Applicants may request a meeting with KHC's Credit Committee or its representatives within five (5) business days of the final written decision. The applicant may offer additional explanations; however, the Credit Committee will only consider the information that is in the project file at the time of the review. The Credit Committee may modify or affirm its final decision based on information presented at the meeting.

Communications with Credit Committee Members

Applicants, members of applicants' Development Teams, or other persons operating on behalf of Development Teams are expressly prohibited from having ex parte communications with KHC's Credit Committee regarding any reconsideration or review requests or any related topic, from the issuance of the preliminary scoring decision until KHC renders its final determination. Any violation of this prohibition may result in disqualification of the pending application and suspension from participation in the next competitive funding cycle for the applicant and all of its Development Team members, regardless of which team member initiated the prohibited contact.

Grant Award and Implementation Process

As soon as projects are approved, KHC will contact agencies by email and letter to announce awards. Agencies approved for funding will be required to submit mandatory grant documentation and sign an agreement with KHC in order to ensure compliance with HOPWA regulations. HOPWA funds may not be obligated until the agreement has been signed and executed by the appropriate signatories.

Funding is disbursed on a reimbursement basis. Costs which will be allowable for reimbursement must be incurred during the HOPWA grant term of July 1, 2021 through June 30, 2024 and may only include items of expenditures allowed by [24 CFR Part 574](#).

Other Important Information

Applications from a HOPWA Entitlement area **will not be eligible** to apply for Balance of State HOPWA funding through Kentucky Housing Corporation (KHC).

KHC reserves the right to use any information reported to the Corporation for the purpose of identifying eligibility for scoring.

Public Information and Open Records Act Requests

Applicants are advised that materials contained in applications for Emergency Solutions Grant are subject to the requirements of the Kentucky Open Records laws at KRS 61.870-61.884, and the application materials may be viewed and copied by any member

of the public. Applicants seeking to claim a statutory exemption to disclosure from open records requests must place all documents viewed as confidential in a sealed envelope marked "Confidential." If an open records request is made for any of the application materials, KHC will make an independent determination of confidentiality and may or may not agree with the applicant's determination regarding the confidentiality of the materials. KHC will publish via the eGram an announcement of all awarded applications for the current application round. The list will be made available within sixty days of the current application deadline.

For questions about the HOPWA Program, please submit questions about the HOPWA program and this competitive funding round to the Housing Contract Administration (HCA) [Help Desk](#).