

# HOME-ARP Allocation Plan: Deadline and FAQs

## OCCD Winter Quarterly

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JANUARY 26, 2023

# Background

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- The American Rescue Plan (ARP) provided \$5 billion of supplemental HOME funds for assistance to homeless and other vulnerable populations, facilitating:
  - Investment in permanent housing
  - Upgrade available shelter
  - Rental assistance and supportive services
- Funds were appropriated under Title II of Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA) – HOME Program statute

# CPD Notices

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- Requirements for HOME-ARP, including the HOME-ARP Allocation Plan, established in [Notice CPD-21-10: Requirements for the Use of Funds in the HOME-ARP Program](#).
- [Notice CPD-22-13: Revisions to HOME-ARP Allocation Plan Requirements and Final Submission Deadline for all HOME-ARP Allocation Plans](#), published October 31, 2022:
  - Establishes a **final deadline of March 31, 2023** for the submission of all HOME-ARP allocation plans; and
  - requires the reallocation of HOME-ARP funds when a PJ fails to submit a HOME-ARP allocation plan on or before the final deadline.
  - [HOME-ARP Allocation Plan Submission Requirement FAQs](#)

# Technical Assistance

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- HUD recently hosted HOME-ARP Allocation Plan In-Person Problem Solving Clinics in Cleveland and Columbus:
  - [Slides](#)
  - [Handout - HOME-ARP: Preferences, Methods of Prioritization, and Limitations](#)
  - [Handout - HOME-ARP: Public Participation Requirements](#)
  - [Handout - HOME-ARP: Consultation](#)
- PJs may contact the Columbus Field Office to request direct technical assistance
- Continue to visit the [HUD Exchange](#) for guidance and resources

# Allocation Plan Basics

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- The [HOME-ARP Allocation Plan Template](#) is available to assist you
- Allocation plans must include the following required elements:
  - Consultation
  - Public participation
  - Needs assessment and gaps analysis
  - Eligible activities
  - Production housing goals
  - Preferences, limitations, and methods of prioritization
  - Refinancing guidelines, if applicable
- The final allocation plan is a road map for spending and program implementation

# HOME-ARP Allocation Plan Template with Guidance

**Instructions:** All guidance in this template, including questions and tables, reflect requirements for the HOME-ARP allocation plan, as described in Notice CPD-21-10: *Requirements of the Use of Funds in the HOME-American Rescue Plan Program*, unless noted as optional. As the requirements highlighted in this template are not exhaustive, please refer to the Notice for a full description of the allocation plan requirements as well as instructions for submitting the plan, the SF-424, SF-424B, SF-424D, and the certifications.

References to “the ARP” mean the HOME-ARP statute at section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2).

## Consultation

In accordance with Section V.A of the Notice (page 13), before developing its HOME-ARP allocation plan, at a minimum, a PJ must consult with:

- CoC(s) serving the jurisdiction’s geographic area,
- homeless service providers,
- domestic violence service providers,
- veterans’ groups,
- public housing agencies (PHAs),
- public agencies that address the needs of the qualifying populations, and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

State PJs are not required to consult with every PHA or CoC within the state’s boundaries; however, local PJs must consult with all PHAs (including statewide or regional PHAs) and CoCs serving the jurisdiction.

**Tip:** Failure to consult with any of the required organizations in this list constitutes a plan that is substantially incomplete.

**Tip:** For required public agency consultations, “the qualifying populations” (QPs) means all of the qualifying populations. The PJ must consult with at least one public agency that addresses the needs of each QP defined in Section IV.A. of the Notice (pages 3-8).

**Tip:** These consultations are an opportunity to obtain the needs and inventory data required for the plan. For example, domestic violence providers or groups that assist persons fleeing human trafficking will have data on the number of individuals in those QPs and existing resources available to serve their needs.

## Template:

*Describe the consultation process including methods used and dates of consultation:*

Enter narrative response here.

*List the organizations consulted:*

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Agency Name.	Type of Agency/Org.	Method of Consultation.	Feedback.
Agency Name.	Type of Agency/Org.	Method of Consultation.	Feedback.

**Tip:** If using this table, the PJ should identify the required organization type listed in the Notice in Section V.A. in the “type of agency/org” column. When an agency or organization provides multiple services or roles (e.g., a homeless service provider that also provides domestic victim services), note each organization type for that agency or organization under the “type of agency/org” as it will demonstrate compliance with the consultation requirements. When identifying public agencies that address the needs of qualifying populations, list the qualifying population served or specify if the public agency addresses the needs of all QPs. A PJ may add as many rows as necessary to this table to demonstrate that it has met the consultation requirements.

*Summarize feedback received and results of upfront consultation with these entities:*

Enter narrative response here.

**Tip:** Describe how the feedback received affected the PJ’s approach to allocating HOME-ARP funds among eligible activities. An optional best practice is to also explain how feedback led to any preferences, methods of prioritization, or limitations on eligibility of QPs for a HOME-ARP activity, as well as the use of any referral processes such as coordinated entry for any of the eligible activities.

# Consultation

## Content

- A summary of the consultation process and results of consultation
- Must consult:
  - CoC(s) serving the jurisdiction's geographic area,
  - homeless service providers,
  - domestic violence service providers,
  - veterans' groups,
  - public housing agencies (PHAs),
  - public agencies that address the needs of the qualifying populations, and
  - public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

## Key Guidance

- Describe consultation process and summarize feedback
- Failure to consult with any of the required organizations in this list constitutes a plan that is substantially incomplete.
- For required public agency consultations, “the qualifying populations” (QPs) means all of the qualifying populations. The PJ must consult with at least one public agency that addresses the needs of each QP.
- See [Consultation Handout](#)

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Agency Name.	Type of Agency/Org.	Method of Consultation.	Feedback.
Agency Name.	Type of Agency/Org.	Method of Consultation.	Feedback.

- CoC(s) serving the jurisdiction’s geographic area,
- homeless service providers,
- domestic violence service providers,
- veterans’ groups,
- public housing agencies (PHAs),
- public agencies that address the needs of the qualifying populations, and
- public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.



# Public Participation

## Content

- A summary of comments received through the public participation process and a summary of any comments or recommendations not accepted and the reasons why.
- Process includes:
  - At least one public hearing
  - Public comment period of at least **15 days**

## Key Guidance

- The public notice must make clear how the public can request reasonable accommodations and meaningful access to the plan.
- A best practice is to post the draft plan for public comment.
- Include a copy of the public notice announcing the public comment period, the public hearing date, and where the plan is available.
- See [Public Participation Handout](#)

# Needs Assessment and Gaps Analysis

## Content

- A description of HOME-ARP qualifying populations within the jurisdiction
- An assessment of unmet needs of each qualifying population
- An assessment of gaps in housing and shelter inventory, homeless assistance and services, and homelessness prevention service delivery system

## Key Guidance

- Carefully review the definitions of the QPs
- Describe all four QPs within the jurisdiction.
- Describe the unmet housing and service needs of all four qualifying populations.
- Identify the PJ's priority needs for all four qualifying populations.

# HOME-ARP Activities

## Content

- A summary of the planned use of HOME-ARP funds for eligible activities based on the unmet needs of the qualifying populations.

## Key Guidance

- All projects must be eligible under the Notice
- Projects that limit eligibility based on a protected class are ineligible
- Each QP must be eligible for at least one project or activity
- Describe how Needs Assessment/Gaps Analysis provide a rationale for the plan to fund eligible activities

# HOME-ARP Production Housing Goals

## Content

- An estimate of the number of housing units for qualifying populations the PJ will produce or preserve with its HOME-ARP allocation.

## Key Guidance

- Must include a narrative about the specific affordable rental housing production goal that the PJ hopes to achieve and describe how it will address the PJ's priority needs.

# Preferences

## Content

- A description of any preferences for individuals and families in a particular QP or a segment of a QP for any eligible activity or project (and how the use of a preference will address an unmet need or gap in services)

## Key Guidance

- Preferences must be identified in allocation plan
- If a PJ does not identify preferences in its allocation plan, its HOME-ARP program will serve individuals and families from all QPs in all of its projects or activities and will use project- or activity-specific waiting lists.
- PJ must complete a substantial amendment to add a preference after plan acceptance

# Preferences

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- Preferences are used to **establish the order** in which eligible applicants are admitted to HOME-ARP projects/activities
- PJs must:
  - Be specific in their plan about their intention to give preference to a QP or a subpopulation within a QP and to establish a method(s) of prioritization
  - Explain how the use of a preference and method of prioritization will address an unmet need or gap in benefits identified in the plan (i.e., provide rationale)
  - **Identify how PJ will address needs of QPs not included in the preference\***
- See [Policy Brief](#) and [Handout](#) for additional guidance

# Preferences *(Referral Methods)*

## Content

- Optional description of the referral methods that the PJ intends to use for its HOME-ARP projects and activities.

## Key Guidance

- Existing Coordinated Entry (CE) may not include all four QPs
- Existing CE may have inherent preferences and methods of prioritization
- Any preference/method of prioritization must be described in Allocation Plan

# Preferences *(Limitations)*

## Content

- A description of whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population

## Key Guidance

- Projects that limit eligibility based on a protected class are ineligible
- A PJ may not design its overall HOME-ARP program to exclude any of the four QPs
- HUD strongly recommends that a PJ not impose a limitation if implementing a preference would accomplish the PJ's goal of serving a specific QP or subpopulation of a QP



# HOME-ARP Refinancing Guidelines

## Content

- A description of whether the PJ intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds

## Key Guidance

- Remove if not applicable

# Allocation Plan Submission

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- *The HOME-ARP Allocation Plan must be submitted as an amendment to the FY21 Consolidated Plan/Annual Action Plan.*
- IDIS - AD-25 ConPlan and AD-26 Annual Action Plan screens are enhanced to allow an attachment upload for HOME-ARP Allocation Plans.
- The plan is considered “submitted” when the Allocation Plan, SF-424, SF-424B (new), SF-424D and **certifications**\* have been submitted in the eCon Planning Suite. This starts the 45-day HUD review clock.

# Allocation Planning Timeline

**Work backwards from the week of March 20, 2023.**

- Conduct internal review and adoption process for your community.
- Get SF-424s and certifications signed by the designated authorized certifying official.
- Finalize the allocation plan to include a summary of comments received, describe any comments or views not accepted and why, and responses to public comments.
- Hold a public hearing during the development of the allocation plan.
- Post the draft and publish notice(s) to provide for the 15-day public comment period and to announce the public hearing.
- Draft the allocation plan.
- Review unmet needs, identify gaps in services, consider project/activity selection, consider preferences/limitations/methods of prioritization needed and calculate housing production goals
- Conduct consultation with all required agencies and organizations.
- Gather and analyze data for Needs Assessment and Gaps Analysis.

# HUD Review of HOME-ARP Allocation Plan

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Using the [HOME-ARP Allocation Plan Checklist](#), HUD will review a PJ's HOME-ARP allocation plan to determine that it is:

- Substantially complete, and
- Consistent with the purposes of ARP

# Disapproval Criteria

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Inconsistent with the purposes of ARP:

- Plan includes an ineligible project
- Plan imposes limitations that exclude qualifying populations from a PJ's overall HOME-ARP program
- Plan includes a project or activity that violates fair housing and civil rights requirements

# Disapproval Criteria

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Substantially incomplete:

- PJ does not complete the required public participation or consultation or fails to describe those efforts in the plan
- PJ fails to include the required elements outlined in the Notice, including the amount of HOME-ARP funds for each eligible HOME-ARP activity type
- The PJ fails to identify and describe the responsibilities of the subrecipient or contractor administering all of its HOME-ARP award, if applicable
- HUD rejects the PJ's HOME-ARP certification as inaccurate

# Resource Links

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## Direct Technical Assistance

- HOME-ARP Allocation Plan questions: email Tim Allen ([timothy.m.allen@hud.gov](mailto:timothy.m.allen@hud.gov)) in Columbus Field Office
- HOME-ARP policy or program implementation questions: email the HOME-ARP Team ([HOMEARP@hud.gov](mailto:HOMEARP@hud.gov))

***Please CC your CPD Representative on any direct technical assistance correspondence!***

## Technical Assistance Resources

- [Notice CPD-21-10](#)
- [Notice CPD-22-13](#)
- [HOME-ARP Allocation Plan Submission Requirement FAQs](#)
- [Understanding HOME-ARP Preferences, Referral Methods, and Allocation Plan Requirements Webinar](#)
- [HOME-ARP Policy Brief: Preferences, Methods of Prioritization, and Limitations](#)

<https://www.hudexchange.info/programs/home-arp/>