



HUD Office of Housing Counseling

Network Agency Eligibility and Evaluation for
Intermediary Organizations, State Housing Finance Agencies, and
Multi State Organizations

Oversight of Networks Webinar Series

October 21, 2015

Welcome

- Lorraine Griscavage-Frisbee, Deputy Director, Office of Outreach and Capacity Building, U.S. Department of Housing and Urban Development (HUD)

Presenters and Q&A Format

- Moderator
 - **Shawna LaRue Moraille**, ICF International
- Presenters
 - **Aisha Williams**, ADW & Associates LLC, subcontractor to ICF International
 - **Javon Blye**, Housing Program Specialist, Office of Outreach and Capacity Building
 - **Rhonda Rivera**, Division Director, Office of Outreach and Capacity Building
 - **Ruth Roman**, Senior Policy Advisor, Office of the Deputy Assistant Secretary
- Questions – supported by **Chantel Key**, ICF International
 - **Written Questions Box:** You may enter your question into the question box at any time during the presentation. The questions will be read aloud at the end of each section
 - **Audible Questions:** If listening to the presentation over the phone, make sure to press in your audio pin provided (#xx#). Please raise your hand and we will unmute your line to ask your question.

Webinar Series Overview

1. Agency Roles and Responsibilities (10/15/14)
 - <http://www.youtube.com/watch?v=Rk4rgDRpdXs&feature=youtu.be>
2. Network Monitoring (12/19/14 and 2/27/15)
 - <https://www.youtube.com/embed/ILNodMKrwiY?rel=0>
3. Grant Administration (6/25/15)
 - https://youtu.be/6ytopnTNR_A
4. Network Agency Eligibility and Evaluation (today)

Webinar Series Overview

- 5. Right-Sizing Your Network (coming soon)
 - Information for all webinars can also be accessed on OHC Training Archive Site
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/sfh/hcc/OHC_TRAINARC

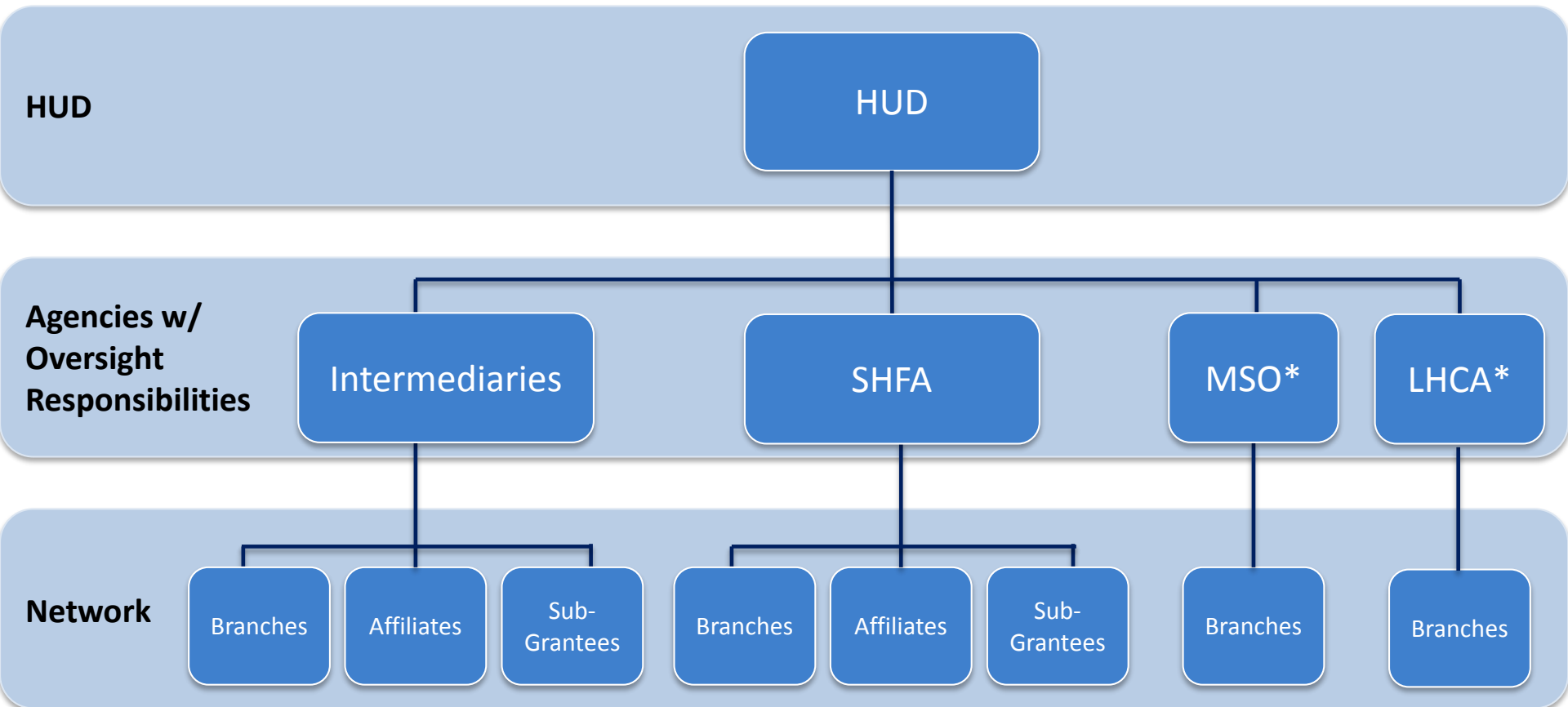
Webinar Agenda

- Review key concepts from webinar #1 and #2
- Process, roles and responsibilities
- Eligibility requirements, documentation, and evaluation
- Additional considerations
- Q & A

Webinar #1 and #2

Review of Key Concepts

HUD-Oversight Agency-Network Relationship Diagram

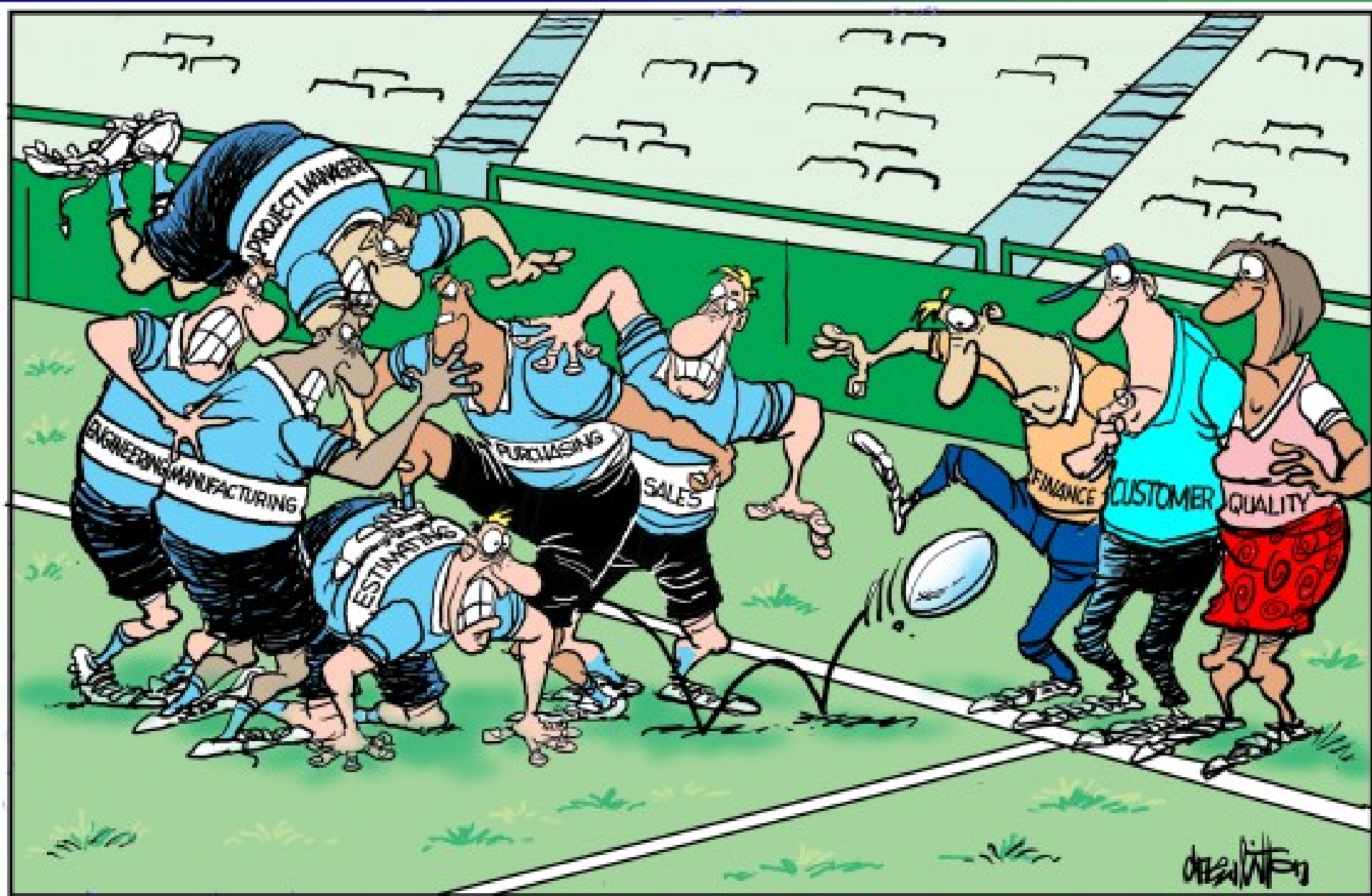


New Agency Eligibility

Review of Webinar #1 and #2 Key Points

- HUD eligibility requirements
 - HUD Handbook 7610.1 Revision 5, Section 2.2
 - 15 required criteria
- Network agency evaluation process
 - 6 recommended steps
- Eligibility evaluation roles and responsibilities
 - HUD, oversight agency, and network agency

Network Agency Eligibility Evaluation Process, Roles, and Responsibilities



Adding an HCA to Your HUD Housing Counseling Network

Step 1: HCA applies for membership in OA Network



No

OA completes vetting process, which includes assessing HUD eligibility requirements

Step 2: IS
HCA HUD
Approved?

Yes

- HCA provides HUD certification and documentation substantiating approval
- OA completes vetting process, which includes assessing HUD eligibility requirements



Rejection

- OA notifies HUD POC (HUD criteria only)
- OA may provide limited TA or refer HCA to HUD
- HCA may update application with OA or try another avenue for program participation

Step 3: Does
OA approve
or reject the
application?

Approval

- OA notifies HUD POC
- HUD updates HCS
- HCA may participate in OA NOFA application and receive funding
- OA becomes accountable for monitoring and oversight, ensuring HCA compliance with program requirements

New Agencies - Evaluation Process

1

Application Solicitation

2

Application Review and Evaluation

3

Research and Verification

4

Agency Interviews

5

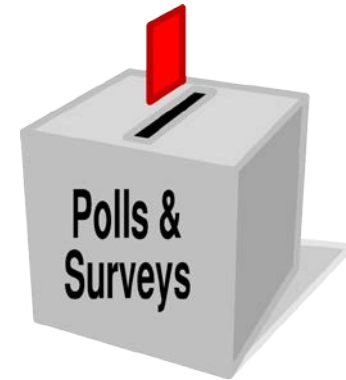
2nd Application Review (if applicable)

6

Site Visit or Remote Review



Poll Question



- Do you have an eligibility evaluation process in place that includes the steps outlined on the previous slide?
 - Yes, our process has all of the steps
 - Yes, our process includes some of the steps
 - Other process, does not include the steps
 - We have no process

Roles and Responsibilities cont. (previously covered)

- HUD Roles/Responsibilities
 - Provide Technical Assistance
 - Monitor performance
 - Grants authorization to conduct program activities
- Oversight Agency Roles/Responsibilities
 - Accountability for all network agencies (i.e. funded and unfunded affiliates)
 - Partner and coordinate with HUD
 - Act on behalf of HUD
 - Assure program compliance throughout participation in the network
 - Provide training

Roles and Responsibilities cont. (previously covered)

- Network Agency Roles/Responsibilities
 - Program Implementation and compliance
 - Self monitoring, oversight and quality control
 - Training and continuing education
 - Communication and coordination with oversight agency
 - Subject to HUD and oversight agency authority

HUD Criteria: Guidance, Documentation and Evaluation

Criterion 1: Nonprofit and Tax Exempt Status

Guidance

New Affiliate:

Only private or public nonprofit organizations or a unit of local, county, or State government are eligible

Existing Affiliate:

Eligible corporate status must be maintained

Documentation

Nonprofit:

IRS letter granting 501(c) status

Government:

1. Statutory document(s) authorizing operation.
2. Document(s) officially signed and notarized.
3. Form HUD-9900 completed and submitted electronically

Evaluation Strategies

Approval requires documents in hand or electronically

Request documents as needed during performance review or upon expiration

Special Case: State Housing Finance Agencies

Documentation

No HUD approval application

Must submit grant application
for NOFA or

Written request to participate
in Housing counseling
program, including:

- List of affiliates
- Assurance that affiliates meet requirements
- Form HUD-9900 sections A, B
Part 1 item 7, C
- Statutory document(s)
authorizing operation and
counseling



Criterion 2: Experience

Guidance

New Affiliate: Must have provided housing counseling 1 year in accordance with HUD requirements

Existing Affiliate: Must maintain program in accordance with HUD requirements

Must provide an updated work plan when expanding services

Documentation

Required counseling process: Client files

Required forms: Disclosures, client personal information forms, client data release forms, client-counselor agreements

Proof of registration with a HUD compatible CMS

Proof of signage, file cabinets, and private counseling rooms

Evaluation Strategies

Remotely review client files or review client files in person

Sit in on a counseling session
Interview staff

Take pictures of signage, counseling rooms, etc. or have agency upload photos

Criterion 3: Fair Housing and Civil Rights Compliance

Guidance

New or Existing Affiliate:

No unresolved fair housing or civil rights violations

Continued engagement in AFFH activities

Documentation

Existing lawsuits, findings, or documented charges

Marketing materials, counseling and education files

Agency self certification

Evaluation Strategies

Review client or education files remotely or in person

Review and collect marketing materials or self-certifications

Review and collect HUD letter that previous violations are addressed (if applicable)

Criterion 4: Ineligible Participants

Guidance

New or Existing Affiliate: No board members, managers, staff or volunteers with:

- Criminal offenses*
- Outstanding tax liens
- Defaulted loans
- Unsatisfied judgments or foreclosure of FHA-insured mortgage



Documentation

Existing lawsuits, findings, or documented charges

Ethics disclosure form signed by board, managers and staff

Agency self certification

Federal Elections Commission Website



Evaluation Strategies

Conduct a limited public records search

AND

Review and collect ethics materials or self-certifications

Review and collect evidence of concerns related to a decision to not offer membership

Criterion 5: Community Base

Guidance

New Affiliate: Must have functioned for a year in any geographic area added to its work plan

Existing Affiliate: Must maintain ability to function/operate in the geographic area. Must maintain a caseload of at least 30 clients



Documentation

Articles of incorporation

Authorization to do business

Certificate of good standing

Updated work plan including the market need

Evidence that at least 30 persons served in community (previously approved agencies)



Evaluation Strategies

Remote review of documentation

Poll Question



- For which of the following criteria would you like additional guidance?
 - Criterion 1: Nonprofit and Tax Exempt Status
 - Criterion 2: Experience
 - Criterion 3: Fair housing and Civil Rights Compliance
 - Criterion 4: Ineligible Participants
 - Criterion 5: Community Base

Criterion 6: Recordkeeping and Reporting

Guidance

New or Existing Affiliate: Client files must be kept confidential and locked (electronically or physically)

Must be able to produce a 9902

Documentation

Pictures of locked file cabinets

Written description of system for keeping physical and/or electronic files secure

Most recent 9902

Evaluation Strategies

Remotely review pictures and other materials or conduct a site visit (strongly recommended prior to sub granting to them)

Criterion 7: Client Management System

Guidance

New or Existing Affiliate: Housing counseling agencies must use a CMS that interfaces with HUD's Housing Counseling System

Documentation

Signed statement indicating the CMS an agency uses

Bill or registration associated with CMS

Evaluation Strategies

Verification of data in HCS

Onsite verification that counseling and education data is in CMS

Remote review using a platform such as "Join Me"

Special Case: Self Developed CMSs and CMSs with Pending Approval

Documentation

Proof on HUD's website indicating that the system is compliant and connected to HCS

Document from a CMS vendor stating commitment to provide CMS access upon approval



Criterion 8: Counseling Resources

Guidance

New or Existing Affiliate:

Agency must have the following:

- Funding to serve 30 clients over 12 months
- Trained counselors with 6 months experience
- Counselors fluent in clients' language(s), interpreter, or list of referral agencies
- Ability to provide documents and information to persons with disabilities

Documentation

Budget and recent financial audit

Letters of commitment, contracts, and agreements

Counselor roster, resume, and training certifications

Written statement concerning client language(s), counselors language(s), and/or LEP referral agreements

Evaluation Strategies

Remote review of documentation

Ongoing monitoring during reporting

Ensure materials match work plan

Leverage accounting expertise in reviewing budgets.

Criterion 9: Knowledge of HUD Programs and Market

Guidance

New or Existing Affiliate: Prior to approval and at all times after certification, counselors on staff must have knowledge of HUD's program and the local housing market

Documentation

Staff training certificates and resumes

Housing counseling work plan

Quarterly reports

Evaluation Strategies

Staff interviews

Remote review of staff training certificates and resumes

Review work plan for description of local housing market

Ongoing monitoring

Criterion 10: Services Contracts and Agreements

Guidance

New or Existing Affiliate:

An agency must directly provide the services in its work plan; it cannot subcontract to another entity. Exceptions are:

- Oversight agency-affiliate subcontract
- HUD letter of approval for subcontracted counseling services in an area with no housing counseling agency

Documentation

Authorization letter from HUD

Tax documents

MOUs or other contracts with outside entities

Evaluation Strategies

Remotely review materials

Poll Question



- For which of the following criteria would you like additional guidance?
 - Criterion 6: Recordkeeping and Reporting
 - Criterion 7: Client Management System
 - Criterion 8: Counseling Resources
 - Criterion 9: Knowledge of HUD Programs and Market
 - Criterion 10: Services Contracts and Agreements

Criterion 11: Community Resources

Guidance

New or Existing Affiliate: Must have working relationships with agencies to which to refer clients as needed

Documentation

Documented description of agency relationships and partnerships

Written partnership or referral agreements; MOUs

Evaluation Strategies

Remote review of documentation

Criterion 12: State and Local Requirements

Guidance

New or Existing Affiliate: Agency must be in compliance with state and local requirements to do business in the communities served



Documentation

Authorization to do business

Certificate of good standing

Agency certification that it meets all state and local requirements



Evaluation Strategies

Remote review of documentation

Site visit

Check with state's Secretary of State or Corporation Commission

Criterion 13: Facilities

Guidance

New or Existing Affiliate:
Counseling facility must:

- Be clearly identifiable with permanent, conspicuous signage
- Have space for 1-1 private counseling
- Be accessible or accommodate persons with disabilities
- Be open during normal business hours; extended hours as necessary



Documentation

Photographs

Agency self-certification or written description



Evaluation Strategies

Remote review of documentation

Onsite review/verification

Criterion 14: Housing Counseling Work Plan

Guidance

New or Existing Affiliate:

A current written plan must be maintained and outline:

- Target geographic areas and population
- Issues and needs of target area/population
- Services (incl. AFFH activities and follow up) to address issues/needs
- Activity outcomes
- Alternative settings/formats
- Service fees
- LEP accommodations



Documentation

Documented work plan with:

- Reliable data
- HUD approved counseling and education services
- Specific strategies where appropriate
- Outcomes for each strategy/activity
- Clear policies



Evaluation Strategies

Remote review of work plan

Comparison of work plan to other application components for consistency and feasibility

Criterion 15: Conflicts of Interest and Disclosure Requirements

Guidance

New or Existing

Affiliate: An agency must disclose to HUD all real and potential conflicts of interest



Documentation

Documented disclosure to HUD and HUD response

Agency self-certification that no conflicts of interest exist

Conflict of interest policy and documents to support the policy, incl. employee policy statement



Evaluation Strategies

Remotely review documentation

Follow up with HUD POC as necessary

Important Highlight: Conflicts of Interest

Types of COI (Handbook 7610.1 Rev 5, Section 6-2)

A Person in a Position of Trust

- Real or apparent conflictual behavior or preferential treatment

Direct Interest

- Dual employment with entity for which housing counseling services provide personal or private gain

Referrals

- Referrals to entities in which there is a financial interest



Important Highlight: Conflicts of Interest cont.

Additionally Required COI Strategies

No Steering

- Discussion of alternatives well-documented in files
- Alternatives provided when recommending a specific program or product

Verification that HCA disclosures meet HUD requirements

- HUD's Model Agency Disclosure form strongly recommended



Poll Question



- For which of the following criteria would you like additional guidance?
 - Criterion 11: Community Resources
 - Criterion 12: State and Local Requirements
 - Criterion 13: Facilities
 - Criterion 14: Housing Counseling Work Plan
 - Criterion 15: Conflicts of Interest and Disclosure Requirements

Additional Resources

- **Establishing a nonprofit entity: A step-by-step guide**
 - http://portal.hud.gov/hudportal/documents/huddoc?id=ohc_enp080112.pdf
- **HUD 101: Orientation Guide for new HCAs**
 - http://portal.hud.gov/hudportal/documents/huddoc?id=ohc_hud101070212.pdf
- **Application for approval as a housing counseling agency**
 - <http://portal.hud.gov/hudportal/documents/huddoc?id=9900.pdf>
- **Developing a Housing Counseling Workplan for HUD Approval**
 - http://portal.hud.gov/hudportal/documents/huddoc?id=OHC_WP030415.pdf

Additional Resources cont.

- **FAQs for How to Become a HUD Approved Housing Counseling Agency**
 - http://portal.hud.gov/hudportal/documents/huddoc?id=ohc_hud101070212.pdf
- **Housing Counseling Handbook 7610.1**
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/hsggh/7610.1
- **Fair Housing Enforcement Activity**
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/enforcement
- **Agency Disclosure Forms – Capacity Building Toolkit**
 - http://portal.hud.gov/hudportal/documents/huddoc?id=ohc_adf062512.pdf

Wrap Up and Final Q and A

- Evaluations on this webinar
 - <https://www.surveymonkey.com/r/9CWWR6L>
- Questions?
 - Email: housing.counseling@hud.gov