

At A Glance, the Housing Counseling Agency Eligibility Tool

APPLICANT CHARACTERISTICS AND COMPLIANCE

1. **Organization Type.** Select your organization type.

- Nonprofit Entities
- Government Entities
- For-profit Entities
- Other Entities

Learn More

The [definitions](#) for each entity are available to help explain the differences for each entity. For-profit and other, nonspecified organizations, including individuals, are not eligible to apply as HUD-Approved Housing Counseling Agencies.

2a. **Nonprofit Entity Type.** What type of Nonprofit Entity are you? Please select the most specific type.

- Community Development Corporation (CDC)
- Community Housing Development Organization (CHDO)
- Regional Intermediary
- National Intermediary
- Multi-State Organization (MSO)
- Tribally Designated Housing Entity (TDHE)
- Nonprofit University
- Other Nonprofit Agency

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The [definitions](#) for each entity are available to help explain the differences for each entity.

2b. **Government Entity Type.** What type of Government Entity are you? Please select the most specific type.

- State Housing Finance Agency (SHFA)
- Public Housing Authority (PHA)
- State University
- City Government
- County Government
- State Government
- Lead Entity of HOME Consortium
- Other Government

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The [definitions](#) for each entity are available to help explain the differences for each entity.

3. **State and Local Requirements:** Is your agency in compliance with state and local requirements to do business in the communities served?

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HUD-Approved housing counseling agencies, branches, and affiliates must be in compliance with state and local requirements to do business in the communities served (e.g., a certificate of good standing from a Secretary of State office). They must meet all state and local requirements for their operations as described in the HUD Housing Counseling Program regulations in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

4. **Fair Housing/Civil Rights:** Does your agency have any unresolved fair housing or civil rights violations?

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HUD-Approved housing counseling agencies cannot have unresolved [fair housing or civil rights](#) violations with HUD's Office of Fair Housing and Equal Opportunity as described in the HUD Housing Counseling Program regulations in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

5. **Fair Housing/Civil Rights:** Is your agency engaged in at least one affirmatively furthering fair housing (AFFH) activity?

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HUD-Approved housing counseling agencies must affirmatively further fair housing for classes protected under the Fair Housing Act in [AFFH activities](#) (e.g., Fair Housing newsletters, marketing and outreach to underserved populations and counseling and education). Further information is also available in the [April 2015 Bridge Newsletter: Housing Counseling Promotes Fair Housing & Financial Literacy](#) and as described in the HUD Housing Counseling Program regulations in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

6. **Conflict of Interest (COI):** Can your agency provide Conflict of Interest procedures and explain any conflicts of interest?

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Prospective HUD-Approved housing counseling agencies must disclose any real or apparent conflicts of interest involving a Position of Trust, and describe how these conflicts will be mitigated including any disclosures that will be provided to clients. A person in a Position of Trust includes a director, employee, officer, contractor, volunteer, agent of a participating agency or the spouse, child or business partner of any individual holding these positions. A person in a Position of Trust must avoid any action that might result in, or create the appearance of, administering the housing counseling operation for personal or private gain. It is a conflict of interest for any persons in a Position of Trust to provide preferential treatment to any organization or person, or to undertake any action that might compromise the agency's ability to ensure compliance with the Conflict of Interest requirements and to serve the best interests of the agency's clients. Where conflicts of interest are apparent or questionable, agencies are required to disclose these issues to HUD and in a disclosure for the client.

Further information is available in the [Frequently Asked Questions on Conflict of Interest](#) and as described in the HUD Housing Counseling Program regulations in [24 CFR 214](#), Chapter 2, 2-2 and Chapter 6, 6-1 and 6-2 of [Handbook 7610.1 Rev 5](#), and [Capacity Building Toolkit: Agency Disclosure Forms](#).

7. **Ineligible Participants:** Are HUD-Approved counseling staff working in the housing counseling program, all current agency directors, partners, officers, principals, or employees:

- Suspended or disbarred from participating in Federal programs? or
- Indicted or convicted for a criminal offense that reflects responsibility, integrity or ability of the agency to participate in housing counseling activities? or
- Subject to any unresolved findings in a Federal investigation? Or any government audit or investigation?

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HUD-Approved counseling staff working in the housing counseling program, including all current agency directors, partners, officers, principals, or employees will need to provide assurance that the above instances are not currently occurring for each person, the housing counseling agency, or in the case of board members, their employer as described in the HUD Housing Counseling Program regulations in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

All current agency directors, partners, officers, principals, or employees should not have outstanding Federal or State tax liens or defaulted federal loans. In addition, directors, staff and volunteers cannot be subject to any unsatisfied judgments or foreclosure of an FHA-insured mortgage, unless currently under a repayment plan. Agency hiring practices can include these types of background checks as part of the employment process and board membership. Search external public records such as the local taxing agency (e.g., County Auditor), the [System for Award Management \(SAM\)](#) for excluded/debarred parties from working with the Federal government, and the [Limited Denials of Participation \(LDP\)](#), a list of people and organizations that are not allowed to participate in HUD programs, may be helpful.

8. **Election Law Violations:** Have the following election law violations occurred:

- Your agency, its branches, and/or affiliates has been convicted of a violation under Federal law relating to an election for Federal office, or
- One or more individuals employed by your agency in a permanent or temporary capacity; contracted or retained by your agency; or acting on behalf of, or with the express or apparent authority of, your agency been convicted of a violation under Federal law relating to an election for Federal office?

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HUD-Approved housing counseling agencies must not have been convicted of a violation under Federal law relating to an election for Federal office, or that employs "applicable individuals" who have been convicted of a violation under Federal law relating to an election for Federal office. Applicable individuals means an individual who is employed by the organization in a permanent or temporary capacity; contracted or retained by the organization; or acting on behalf of, or with the express or apparent authority of, the organization; and has been convicted of a violation under Federal law relating to an election for Federal office. Election law violation includes, but is not limited to, a violation of one or more of the following statutory provisions related to Federal election fraud, voter intimidation, and voter suppression.

Intermediaries are required to ensure that the Intermediary or State Housing Finance Agency, their subgrantees and their affiliates, shall not have been convicted of a violation under Federal law relating to an election for Federal office. Further information on violations can be found at the Federal Election Commission (FEC) for election violations and in the [Housing Counseling: New Certification Requirements Final Rule](#).

9. **Housing Counseling Work Plan:** Is your agency able to submit a housing counseling work plan?

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As part of the application, prospective HUD-Approved housing counseling agencies must submit a detailed housing counseling plan consistent with the requirements in [24 CFR 214](#) and in Chapter 3, 3-2 of [Handbook 7610.1 Rev 5](#). These include but are not limited to targeted geographic areas and population, issues and needs of target area/population, services, projected outcomes, fair housing, service fees, and accommodations for those with special needs. Further information is also available in the [Capacity Building Toolkit: Developing a Housing Counseling Work Plan for HUD Approval](#).

EXPERIENCE

10. **Experience:** Has your agency administered a housing counseling program in accordance with HUD requirements for at least one year?

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HUD-Approved housing counseling agencies must have provided housing counseling services for one year in a way that meets HUD requirements (e.g., meets the HUD Housing Counseling Program regulations in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#)). An organization may be working with a HUD-Approved Intermediary or a state housing finance agency offering housing counseling to the public using the same standards as HUD would require.

Intermediaries must demonstrate that they have operated in an intermediary capacity for at least one year through policies and procedures including oversight and monitoring plan, training and technical assistance delivery, Federal financial compliance, etc. For example, an organization may be working with a network of housing counseling agencies over a regional (e.g., multi-state) or national basis. The [HUD-Approved Intermediaries page](#) and the [January 2014 Bridge Newsletter: Intermediaries](#) provide more information.

11. **Community Base:** Has your agency operated a housing counseling program for at least one year in the same geographic area to be proposed in the application?

[Learn More](#)

Prospective HUD-Approved housing counseling agencies must have operated for one year in the geographic area where they plan to provide the services as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

Intermediaries must demonstrate one year of experience in the geographic area in which housing counseling services will be provided either by the intermediary or subgrantees/affiliates. The [January 2014 Bridge Newsletter: Intermediaries](#) provides more information.

12. **Knowledge of Housing Programs and Housing Market:** Is your staff familiar with HUD programs?

[Learn More](#)

HUD-Approved housing counseling agencies must be knowledgeable about the various HUD programs related to the services being provided as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#). For example, local housing partner programs such as the public housing authority, continuum of care, and community development and affordable housing (e.g., the [Consolidated Plan](#), where applicable, includes program information); and Federal Housing Administration (FHA) mortgage products and requirements (the [FHA Resource Center](#) has extensive resources available).

13. **Knowledge of Housing Programs and Housing Market:** Is your staff knowledgeable about the local housing market?

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HUD-Approved housing counseling agencies must be knowledgeable about their clients' housing options, and housing counseling agency staff must be familiar with state and local housing programs and other resources as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#). They should also be familiar with the local [Consolidated Plan](#), and the Assessment of Fair Housing (AFH) Tool. Depending upon the type of counseling being delivered, they should be familiar with local lenders, housing partners (e.g., housing authorities, local and state housing departments, etc.), their programs and products.

RESOURCES

14. **Contracts or Agreements:** Does your agency contract out any of its housing counseling services?

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Unless an agency falls under an exception, HUD-Approved housing counseling agencies must deliver all housing counseling services set forth in their housing counseling work plan as described in [24 CFR 214](#) and in Chapter 2 of [Handbook 7610.1 Rev 5](#). [Frequently Asked Questions on Housing Counseling Delivery](#) provide more specific guidance.

15. **Contracts or Agreements:** If yes, does your agency meet the requirements for contracting out housing counseling services?

[Learn More](#)

HUD allows HUD-Approved housing counseling agencies to contract out for their housing counseling services only if one of three conditions are met:

1. In geographic areas where there is a need for a specific housing counseling service that the agency or its subgrantees cannot provide or is not covered by another HUD-Approved housing counseling agency.
2. State housing finance agencies (SHFAs) and intermediaries may enter into agreements with affiliates to provide housing counseling services.
3. Intermediary agencies may operate a program with a network of affiliated counselors, instead of affiliated agencies, if the arrangement meets a special need identified by HUD.

Chapter 2 of [Handbook 7610.1 Rev 5](#) provides more guidance.

16. **Housing Counseling Resources:** Does your agency have evidence of sufficient funding to cover the cost of housing counseling operations for the next 12 months?

[Learn More](#)

HUD-Approved housing counseling agencies must demonstrate financial commitments to ensure counseling can be provided over a 12 month period as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#). National organizations provide training and resources on topics such as fundraising, sustainability, and succession planning. See [Housing Counseling Training Partners page](#) and [the Housing Counseling Capacity Building Toolkits](#), such as the HCA 101 for more guidance. A number of Federal grant opportunities for agencies are available on [Grants.gov](#).

17. **Housing Counseling Resources:** Do at least one half of your staff have at least 6 months of experience in the housing counseling job they will perform?

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HUD-Approved housing counseling agencies must employ one half of their counselors with at least 6 months of experience providing a similar housing counseling service (e.g., a pre-purchase counselor must have experience in providing housing counseling in pre-purchase for at least a 6-month period) as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

18. **Housing Counseling Resources:** Does your agency have staff with the appropriate language skills for their housing counseling clients or have an adequate referral process for persons with limited English proficiency?

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HUD-Approved housing counseling agencies must have staff with language skills and referral procedures in place to accommodate clients within their housing counseling service area as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#). The Department of Justice defines Limited English Proficiency as follows: If these individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient, or "LEP." For further information, see [Limited English Proficiency \(LEP\) page](#).

19. **Housing Counseling Resources:** Does your agency have alternative formats and reasonable accommodations for those with disabilities?

[Learn More](#)

HUD-Approved housing counseling agencies must have the funding, staff experience, language skills, and alternative formats and reasonable accommodations to implement their proposed housing counseling services. Further information is also available in the [Capacity Building Toolkit: Developing a Housing Counseling Work Plan for HUD Approval](#) and as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#).

20. **Community Resources:** Does your agency have relationships with other service providers that provide services you do not offer?

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HUD-Approved housing counseling agencies must demonstrate that they have established a working relationship with private and public community organizations as described in [24 CFR 214](#) and in Chapter 2, 2-2 of [Handbook 7610.1 Rev 5](#). These organizations can refer clients who need assistance that the agency cannot offer, such as family services, food services, childcare, legal aid, credit counseling, healthcare, etc.

21. **Facilities:** Does your agency have permanent, accessible space dedicated to housing counseling services during normal business hours?

[Learn More](#)

HUD-Approved housing counseling agencies must meet the needs of all potential clients, and must have a clearly identified office, accessibility for persons with disabilities including appropriate signage, and operate during normal business hours with extended hours when necessary. Signage can be ordered through the [HUD Fair Housing and Equal Opportunity \(FHEO\) Office Outreach Tools page](#). For further information, see [24 CFR 214](#), Chapter 2 of [Handbook 7610.1 Rev 5](#), and for offsite facilities, see [Frequently Asked Question on offsite accommodations](#).

22. **Facilities:** Does your agency provide privacy for in-person housing counseling?

[Learn More](#)

HUD-Approved housing counseling agencies must have an established, private place to perform housing counseling. Offsite facilities may also be used. See [Frequently Asked Question on offsite accommodations](#), [24 CFR 214](#), and Chapter 2 of [Handbook 7610.1 Rev 5](#) for more information.

23. **Facilities:** Does your agency provide security for electronic and paper client records?

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HUD-Approved housing counseling agencies must have an established system and a set of written procedures on how electronic and paper records are secured to protect sensitive personal information (e.g., social security numbers, credit reports, etc.). The agency must ensure the confidentiality of all client level and agency profile information.

HUD-Approved housing counseling agencies must also ensure client files, electronic and paper, are accessible only to authorized personnel. Hard copies must be kept in locked file cabinets and electronic files must be kept secure, which should be codified in the agency's written policies and procedures.

Housing counseling agencies must also use a client management system (CMS) which has taken all the standard and required security protections, including assurances that this data will not be shared with any entities other than HUD and the housing counseling agency, unless explicitly instructed to do so by the client themselves, and in the case of agency information, the housing counseling agency. For further information, see Chapters 2, 3-5 and A.5 of [Handbook 7610.1 Rev 5](#), [24 CFR 214](#), [Frequently Asked Questions on personal identifiable information \(PII\)](#) and [PII webinar materials](#).

SYSTEMS

24. **Record Keeping and Reporting:** Does your agency have written processes and procedures for reporting and recordkeeping?

[Learn More](#)

HUD-Approved housing counseling agencies must have an established system of recordkeeping adequate to meet HUD reporting requirements that includes written procedures on how files are managed, stored, and/or archived. Further information is available in the [Frequently Asked Questions on Recordkeeping](#), [24 CFR 214](#), Chapters 2 and 5 of [Handbook 7610.1 Rev 5](#), and the [Housing Counseling Capacity Building Toolkits](#).

25. **Client Management System:** Does your agency have a Client Management System (CMS)?

[Learn More](#)

HUD-Approved housing counseling agencies must use an automated, housing counseling client management system (CMS) for the collection and reporting of client-level information. If the agency does not have such a system, it is permissible to provide a statement that the agency intends to acquire a compliant client management system upon acceptance to the program. For further information, please see the [CMS page](#), and Chapters 2 and 5 of [Handbook 7610.1 Rev 5](#).

26. **Client Management System:** Does your Client Management System interface with HUD's Housing Counseling System (HCS)?

[Learn More](#)

HUD-Approved housing counseling agencies should have a CMS that interfaces with HUD's Housing Counseling System (HCS) to ensure proper reporting to HUD. For more information, please see the [HCS page](#) and multiple chapters of [Handbook 7610.1 Rev 5](#). During the application process, the agency will be required to submit a [Form HUD 9902](#) for past activities of the last year.

APPROVAL AGENCY

If City, County, State, or Other Government is selected as organization type, then user sees this question.

27. What type of HUD-Approved Agency are you planning to become?

- Local Housing Counseling Agency
- Regional Intermediary
- Don't Know

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Some governmental entities have a choice on whether they are either HUD-approved as a Local Housing Counseling Agency or as a Regional Intermediary. Local housing counseling agencies directly deliver housing counseling services and may have a main office and one or more branch offices, in no more than two contiguous states. Regional Intermediaries provide housing counseling services indirectly through its branches or affiliates in a generally recognized region within the United States and provides administrative and supportive services to its network of affiliates or branches.

If any of the following options are selected as the user's organization type: Other Nonprofit Agency, Community Development Corporation (CDC), Community Housing Development Organization (CHDO), Nonprofit University, Public Housing Authority (PHA), Tribally Designated Housing Entity (TDHE), State University OR Local Housing Counseling Agency is selected as the type of HUD-Approved Agency, then user sees this question.

28. If you are planning to become a Local Housing Counseling Agency, you have the option of obtaining HUD-Approval from either HUD or through a HUD-Approved Intermediary or State Housing Finance Agency (SHFA). At this time please indicate which you plan to do if you successfully complete this tool:

- HUD
- HUD-Approved Intermediary or State Housing Finance Agencies
- Don't Know

Learn More

Local housing counseling agencies have the choice of applying to HUD or working through a HUD-Approved Intermediary or State Housing Finance Agency. The process is explained in the [HUD-Approval Flow Chart](#). More information about these organizations is included on the [Housing Counseling HUD-Approved Intermediaries and State Housing Finance Agencies page](#).