

Juvenile Reentry Assistance Program FY 2015 Notice of Funding Availability (NOFA) Questions & Answers (Q&A)

In accordance with the HUD Reform Act, HUD cannot provide a determination to questions that ask about a specific situation (e.g. whether something would be eligible or how it would be rated) outside of reviewing a submitted grant application during its formal review process.

This Q&A is meant to provide general clarification to the NOFA language.

Applicant Eligibility

Q1. Is it possible for three regional housing authorities to partner with Legal Aid in a single application?

A. The NOFA does not prohibit a partnership of multiple PHAs. However, only a single PHA may serve as the Applicant, and, if selected, the grant funds may only be awarded to a single PHA. Under the Application Review Criteria in Section V.A. of the NOFA, only the single Applicant PHA's capacity/experience will be considered during the rating process.

Q2. Can a PHA submit more than one grant application?

A. The NOFA does not prohibit an Applicant from submitting more than one grant application. A single Applicant, however, may only receive up to \$100,000 in total funding under this NOFA (see Section IV.F.6. for Funding Restrictions). HUD will make adjustments to funding as necessary per Section VI.A. of the NOFA.

Partnerships

Q3. Our organization would like to work with the Housing Authority to participate in the Juvenile Reentry Assistance Program. Can you suggest whom we should contact or how we can initiate such a partnership?

A. Please reach out to the PHA using the contact information listed on the PHA's website. You may find your local PHA using this site:
http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/pha/contacts

Q4. Are we able to have two legal partners?

A. While the NOFA does not prohibit a PHA from partnering or working with two legal service organizations, the PHA may have only one MOU-partner (see Section I.A.3.f.vii). The MOU-partner is the legal service organization that must meet the partnership requirements in Section III.C.4.a-b. of the NOFA and will be evaluated as part of the Review Criteria in Section V.A. Also, the MOU-partner must receive from the PHA at least 93% of the grant award according to the Program Requirements in

Section III.C.5.iii. Note that it is an eligible optional program activity for the MOU-partner to sub-contract necessary services (see Section III.6.b.i.N.6.)

Q5. Can the partnership include a municipal (i.e., County-level) agency – either solely or in a collaborative. Our County has a Community Corrections department that has an important role in adult and youth re-integration.

- A. Section III.C.4 of the NOFA describes the MOU partnership requirements necessary for applicant eligibility, and reads, in part, “in order to be an eligible applicant, PHAs must have established a partnership with a legal aid organization, university legal center, public defender’s office, or other legal service organization that has experience providing legal services to juveniles.” Additionally, the MOU-partner agency must be a nonprofit. Under the NOFA, nonprofit status may be demonstrated by providing documentation of an IRS determination letter of 501(c) status **or** a letter from your state government proving nonprofit status. The intent of the partnership is to bring together the PHA, which has the population in need of the JRAP, and the legal service organization, which has the expertise and capacity to provide/coordinate expunging/related services.

In addition to the above, eligible applicants may choose to enter into additional partnerships to support eligible program activities. However, the PHA may have only one MOU-partner. The MOU-partner is the legal service organization that must meet the partnership requirements in Section III.C.4.a-b. of the NOFA and will be evaluated as part of the Review Criteria in Section V.A. Also, the MOU-partner must receive from the PHA at least 93% of the grant award according to the Program Requirements in Section III.C.5.iii. Note that it is an eligible optional activity for the MOU-partner to sub-contract necessary services.

Q6. Our public defender’s office is a nonprofit but is an office within our county government. Are we an eligible nonprofit MOU-partner?

- A. As indicated by the NOFA, the MOU-partner may be a public defender’s office but such office must be a nonprofit (see Section III.C.4.a-b.) Per the NOFA at Section III.C.4.b. you must provide nonprofit status documentation. You may evidence your nonprofit status by providing either an IRS determination letter to prove 501(c) status **OR** a letter from your state government to prove nonprofit status (emphasis added).

Target Youth (Who May Be Served)

Q7. May Housing Choice Voucher (section 8) youth residents be considered target youth under JRAP?

- A. Generally, no, Housing Choice Voucher recipients or household members are not considered target youth under this NOFA. Per the NOFA, target youth are defined as current *public housing resident* youth up to 24 years old who have a criminal record and/or 2) *former household members* (who are youth up to 24 years old) *of current public housing residents* who, but for their criminal record, would be living in public housing (see Section I.A.3.xi.) For the purposes of this NOFA, public housing means low-income housing assisted under the United States Housing Act of 1937 (42 USC1437 *et seq*) other than under Section 8; public housing includes dwelling units in a mixed finance project that are assisted by a PHA with capital or operating assistance (see [24 CFR §5.100](#) for definition).

If the youth meets prong 2) of the definition above (i.e., is a former household member of a current public housing resident who, but for their record, would be living in public housing) and is a Housing Choice Voucher recipient, then the youth may be considered a target youth under the NOFA.

Q8. Are PHAs that don't have public housing eligible to apply for these funds?

- A. It is a program requirement that a PHA's JRAP benefit target youth, i.e., current *public housing resident* youth up to 24 years old who have a criminal record and/or 2) *former household members* (who are youth up to 24 years old) *of current public housing residents* who, but for their criminal record, would be living in public housing (see Section III.C.5.i.) If a PHA does not own or operate public housing as defined in [24 CFR §5.100](#) and serve the intended beneficiaries of the JRAP, the PHA would not meet the Eligibility Requirements in Section III.C.5 of the NOFA.

Q9. Is it necessary that all clients who are provided services are either current or previous public housing residents? If so, what does HUD need to identify the clients?

- A. For this program, the target youth to be served are current public housing resident youth up to 24 years old who have a juvenile or criminal record and/or 2) former household members (who are youth up to 24 years old) of current public housing residents who, but for their juvenile or criminal record, would be living in public housing. (see Section III.C.5.i) However, some of the optional program activities may be relevant to others in addition to the target youth (e.g., "disseminating information to youth, *their parents, and guardians, schools, and other stakeholders...*").

HUD has not requested and will not collect information identifying individuals served under this program. The Grantee will report to HUD only numbers according to the required data listed in Section V.A.1.e.

Q10. We have a Jobs Plus site and would like a legal service organization that also provides workforce services to provide services onsite at the Jobs Plus targeted housing. In addition, we are interested in partnering with our local Legal Aid organization to provide services to the JRAP target population related to the balance of potential participants residing or formerly residing in our other units. Please clarify who may benefit from JRAP.

A. The focus of the JRAP is on expunging/sealing/correcting juvenile and criminal records for *target youth* and providing other assistance to help *target youth* mitigate/prevent collateral consequences. Per the NOFA in Sections I.A.1 (Program Purpose), I.A.3 (Definitions), and III.C.5 (Program Requirements), the *target youth* of this program are current public housing resident youth up to 24 years old who have a criminal record and/or 2) former household members (who are youth up to 24 years old) of current public housing residents who, but for their criminal record, would be living in public housing. Your JRAP must include the required activities listed in Section III.C.6.a. for the target youth for this program. In summary, those required activities are: expunging, sealing or correcting criminal records or securing certificates of rehabilitation, dependent on state jurisdiction; monitoring the provision of services where appropriate; tracking and reporting to HUD on the program and performance measures; evaluating the overall program; and salaries and benefits of PHA staff and/or MOU partner staff to perform the above activities. In addition to the required activities, your JRAP may include optional program activities listed in III.C.6.b.

You may use match funds to pay for activities designed to assist target youth in pursuing education, finding work, and securing affordable housing not otherwise addressed by the eligible activities listed in Section III.C.6.

Eligible Program Activities

Q11. Would the following be considered an eligible activity for grant funds: assist former residents with the payment of past debts due to the PHA in order to regain eligibility for public housing?

A. Payment of past debts due to the PHA in order to regain eligibility for public housing would not be an eligible activity for which grant funds may be used per the Eligible Activities identified in Section III.C.6.

You may use match funds to pay for activities designed to assist target youth in pursuing education, finding work, and securing affordable housing not otherwise addressed by the eligible activities listed in Section III.C.6.

Q12. Under Section (III)(C)(6)(b)(i)(D), which describes optional program activities, there is an option for helping with improper eviction proceedings. Since the grant would be awarded to a Public Housing Authority directly, I just am hoping for some clarification, as many

individuals are evicted by PHAs themselves. Did HUD intend this to mean evictions only from private landlords?

- A. As noted, Section III.C.6.b.i.D of the NOFA allows grantees the option of including the following activity as part of its program, "Helping with improper eviction proceedings and fair housing complaints." Since this is an optional activity, the PHA and its MOU-partner would determine whether and to what extent to include the activity as part of the JRAP Project Plan.

Q13. This collaborative project could have great implications for youth living in PHA as well as those who perhaps have been separated from their families because a criminal matter forced them from the household. However, it might be necessary to focus initially on the optional legal services to engage youth and to allow for sufficient time for expungement to even be possible. If services are disproportionately focused on legal services other than expungement or sealing, would this substantially decrease the likelihood of accessing JRAP funds?

- A. In accordance with the HUD Reform Act, HUD cannot provide a determination to questions that ask about a specific situation outside of reviewing a submitted grant application during its formal review process. All applications eligible to be rated will scored based on responses to the rating factors according to the criteria listed in the NOFA in Section V.A.

Q14. Can you discuss how broad the collateral services part of the grant may be? If a client is not eligible for an expungement, are they still eligible for a grant funded collateral service? Can collateral services be provided independent of an expungement activity or are activities restricted to an expungement client? The example provided was the client was not eligible for expungement but who had fines /costs that could be reduced.

- A. Your JRAP should be responsive to the needs of your potential target youth. The Project Plan, including eligible program activities, that you propose will depend on the state laws and problem (needs) you identify and connecting those to the overarching goals of the program as stated in the NOFA (see also Section V.A.1.d.iii. for the JRAP Project Plan subfactor in the Soundness of Approach Rating Factor). The NOFA does not restrict the number of activities through which you may engage target youth. The NOFA only requires that certain activities be part of your JRAP (see Section III.C.6). Required and optional eligible program activities may be provided independent of one another. For example, if you screen a client and determine s/he is not eligible for expungement, that client may be assisted through another eligible program activity which is part of your JRAP Project Plan, e.g., modifying or resolving conflicting financial obligations from the criminal justice system (see Section III.C.6.b.i.C.).

Q15. The process of expungement has numerous steps leading to filing the mandatory application forms. Sometimes the clients decide not to proceed further after the legal team has reviewed the RAP sheet to discuss options. What does HUD define as service provided

under grant funding? Does client interviews and assessment of case history qualify as service?

- A. The NOFA does not define “service,” but rather describes the JRAP in terms of Eligible Program Activities and categorizes activities as either required or optional. Grantees must include required program activities, including, for example, expunging, sealing and/or correcting records as well as PHA and/or MOU-partner staff salaries. Such eligible activities (i.e., regarding salaries) are intended to cover the time spent to perform work such as conducting client interviews and assessing case histories necessary to support eligible program activities. Additionally, the Performance Measures/Evaluation data listed in Section V.A.1.e., which includes the number of information sessions, participants screened for eligibility, participants determined to be eligible for expunging/sealing/correcting, petitions filed for expungement, sealing or corrections, etc., further support the completion of activities necessary to implement eligible program activities.

Reporting Requirements

Q16. State law is fairly restrictive in requiring a 5 year period between the completion of a juvenile sentence and seeking expungement and requiring that the youth be age 21 at the time of applying for expungement. There is substantial need for the full range of JRAP services, but there may be few individuals eligible for expungement. The mandatory reporting elements show a strong emphasis on reporting of expungement and sealing. Is there a minimum percentage of cases that must result in expungement or sealing?

- A. Per Section V.A.1.e. of the NOFA, the required Performance Measures/Evaluation data does not include a minimum percentage of cases that must result in expungement or sealing.

Application Submission

Q17. I noticed that the SF-424 is not included in the ZIP or HUD Instructions and Package tabs.

- A. The SF 424, Application for Federal Assistance, is part of the application package download, not the instructions download.