

## Department of Veterans Affairs

## § 17.710

### § 17.706 Matching requirements.

(a) *General.* The recipient must, from sources other than grant funds received under this part, match the funds provided by VA to cover the percentage of the total cost of the acquisition, rehabilitation, construction or procurement not funded by the grant. This matching share shall constitute at least 35 percent of the total cost.

(b) *Maintenance of effort.* State or local government funds used in the matching contribution are subject to the maintenance of effort requirements described at § 17.707(a) of this part.

### § 17.707 Limitations on use of assistance.

(a) *Maintenance of effort.* No assistance provided under this part may be used to replace Federal, State or local funds previously used, or designated for use, to assist homeless veterans.

(b) *Primarily religious organizations.* VA will provide assistance to a recipient that is a primarily religious organization if the organization agrees to provide housing and supportive services in a manner that is free from religious influences and the organization complies with the following principles:

(1) It will not discriminate against any employee or applicant for employment on the basis of religion and will not limit employment or give preference in employment to persons on the basis of religion;

(2) It will not discriminate against any person applying for housing or supportive services on the basis of religion and will not limit such housing or services or give preference to persons on the basis of religion;

(3) It will provide no religious instruction or counseling, conduct no religious worship or services, engage in no religious proselytizing, and exert no other religious influence in the provision of housing and supportive services.

### § 17.708 Notice of fund availability (NOFA).

When funds are made available for assistance, VA will publish a notice of fund availability in the FEDERAL REGISTER. The notice will:

(a) Give the location for obtaining application packages, which will pro-

vide specific application requirements and guidance;

(b) Specify the date, time, and place for submitting completed applications; and

(c) State the amount and status of funding available under the notice.

### § 17.709 Grant award process.

*General.* The grant award process for assistance under this part consists of the following:

(1) Reviewing applications for eligibility for assistance;

(2) Rating applications (see § 17.711 of this part);

(3) Selecting applications conditionally (see § 17.712 of this part);

(4) Obtaining additional information and awarding grants (see § 17.713 of this part).

### § 17.710 Application requirements.

(a) *General.* Applications for grants must be submitted in the form prescribed by VA in the application package, must meet the requirements of this part, and must be submitted within the time period established by VA in the notice of fund availability under § 17.708 of this part. The application packet includes exhibits to be prepared and submitted as part of the application process, including:

(1) Justification for the project by addressing items listed in § 17.711(c) of this part;

(2) Site description, design, and cost estimates (VA Forms 10-0362G, 10-0362H);

(3) Documentation on eligibility to receive assistance under this part (VA Form 10-0362J);

(4) Documentation on matching funds committed to the projects (VA Forms 10-0362N, 10-0362M);

(5) Documentation on operating budget and cost sharing (VA Form 10-0362P);

(6) Documentation on supportive services committed to the project (VA Form 10-0362o);

(7) Documentation on site control and appropriate zoning, and on the boundaries of the area or community proposed to be served (VA Form 10-0362Q);

§ 17.711

38 CFR Ch. I (7-1-02 Edition)

(8) Applicants who are States must submit any comments or recommendations by appropriate State (and areawide) clearinghouses pursuant to E.O. 12372 (3 CFR, 1982 Comp., p. 197) (Standard Form SF 424); and

(9) Reasonable assurances with respect to receipt of assistance under this part that (VA Form 10-0362K):

(i) The project will be used principally to furnish to veterans the level of care for which such application is made; that not more than 25 percent of participants at any one time will be nonveterans; and that such services will meet standards prescribed by VA;

(ii) Title to such site or van will vest solely in the applicant;

(iii) Each recipient will keep those records and submit those reports as VA may reasonably require, within the time frames required; and give VA, upon demand, access to the records upon which such information is based; and

(iv) Adequate financial support will be available for the purchase of the van or completion of the project, and for its maintenance, repair and operation.

(b) *Pre-award expenditures.* Costs incurred for a project after the date VA notifies an applicant that the project is feasible for VA participation are allowable costs if the application is approved and the grant is awarded. These pre-award expenditures include architectural and engineering fees. Such notification occurs when VA requests information for the second submission portion of the application.

(Paperwork requirements were approved by the Office of Management and Budget under control number 2900-0554.)

(Authority: 38 U.S.C. 501, 7721, note)

[62 FR 6121, Feb. 11, 1997]

**§ 17.711 Rating criteria for applications.**

(a) *General.* Applications will be assigned a rating score and placed in ranked order, based upon the criteria listed in paragraphs (b) through (d) of this section.

(b) *Threshold review.* Applicants will undergo a threshold review prior to rating and ranking, to ensure they meet the following:

(1) *Forms, time, and adequacy.* Applications must be filed in the form prescribed by VA in the application process and within the time established in the Notice of Funding Availability (NOFA).

(2) *Application eligibility.* The applicant and project sponsor, if relevant, must be eligible to apply for the specific program.

(3) *Eligible population to be served.* The population proposed to be served must be homeless veterans and meet other eligibility requirements of the specific program.

(4) *Eligible activities.* The activities for which assistance is requested must be eligible for funding under this part (e.g., new programs or new components of existing programs).

(5) *Outstanding audit findings.* No organization that receives assistance may have an outstanding obligation to VA that is in arrears or for which a payment schedule has not been agreed to, or whose response to an audit is overdue or unsatisfactory.

(c) *Rating and ranking of first submission.* Applicants that pass the threshold review will then be rated using the eight selection criteria listed in paragraphs (c)(1) through (c)(8) of this section. Applicants must receive at least 600 points (out of a possible 1,200) and must receive points under criteria 1, 2, 3, 4, and 8. Applicants that are applying as an innovative supportive housing project must achieve points under the *innovative quality of the proposal* criterion.

(1) Quality of the project—300 points (VA Forms 10-0362A, 10-0362D);

(2) Targeting to persons on streets and in shelters—150 points (VA Form 10-0362C);

(3) Ability of the applicants to develop and operate a project—200 points (VA Form 10-0362E);

(4) Need for the type of project proposed in the area to be served—150 points (VA Form 10-0362B);

(5) Innovative quality of the proposal—50 points (VA Forms 10-0362A, 10-0362D);

(6) Leveraging—50 points (VA Form 10-0362F);

(7) Cost-effectiveness—100 points (VA Form 10-0362A); and