

2024 Tribal Homekey+ NOFA Questions & Answers (Q&A)

The following Q&As are a summary of questions received by email and during the NOFA workshops. They will be updated as feasible.

Questions	Answers
1. When will applications be accepted? Applications will be accepted starting at the end of January.	The proposed date is 1/23/25.
2. Would a local jurisdiction be a city or county, and they don't have to be tribal (as co-applicant)?	Yes, a city or county is considered a "local jurisdiction". Per NOFA Section 200, Tribes and Tribal Entities may apply individually or jointly with a Local Public Entity [local jurisdiction] or a nonprofit or for-profit corporation, a limited liability company (LLC), and/or a limited partnership (LP) as a Co-Applicant.
3. Are Tribes eligible to forgo developer fees if it helps balance the project costs?	Eligible Applicants are not required to charge Developer Fees; however, because the NOFA is over-the-counter and not competitive, there is no incentive to waive the Developer Fee, unless it is to ensure project feasibility.
4. What documentation is needed for a behavioral health challenge (by HCD)?	HCD does not require documentation for a Behavioral Health Challenge. Applicants will certify that the project will serve populations with a Behavioral Health Challenge, as defined in the NOFA, Article VII, paragraph F: "Behavioral Health Challenge" has the same meaning as defined within the California Welfare and Institutions Code to include but not limited to mean a serious mental illness, as described in subdivision (c) or (d) of Section 14184.402, or a substance use disorder, as described in Section 5891.5."
5. What is the statute of limitations regarding the definition of behavioral health?	There is no statute of limitations on populations with a Behavioral Health Challenge.
6. What happens when an individual feels they no longer have behavioral health challenges? Are they still allowed to reside in housing?	Maintaining or having a continued diagnosis of a Behavioral Health Challenge is not a requirement for permanent occupancy.
7. Can we use low-income tax credits along with HK+ funds?	Yes, Eligible Applicants applying for Tax Credits may also apply for Tribal HK+.
8. We have 40 percent of Tribal enrollment living	Yes, the NOFA does allow for a Scattered Sites option; however, there are limitations in the distance between the

	locally and other members living in other areas. Can Tribes build in local areas outside of Tribal lands, say in another community (Susanville/Lassen Tribes building in Marysville or other communities)?	units in the project. For more information on the Scattered Sites option, please see the NOFA, Section 203, Eligible Projects.
9.	Would shared housing be like a dorm? Or a group home? Is it permanent housing?	Shared housing is permanent, affordable rental housing and may be similar to Single Room Occupancy units. For more information on Shared Housing, please see the NOFA, Section 203, paragraph E.
10.	Would new construction include yurts?	Eligible Projects are identified in Section 203 of the NOFA. A constructed yurt may be eligible; however, the end project must be permanent, affordable housing and must adhere to the NOFA requirements.
11.	Is there a deduction of points if housing is not located near services?	The Tribal Homekey+ NOFA is over-the-counter and not competitive; therefore, there are no points given or deducted as part of the application review process.
12.	When do the construction deadlines begin? Is it from the point of the conditional award or from Standard Agreement execution?	The deadlines identified in the NOFA are 60 days from the date the Conditional Award is made. The 60-day timeline is to allow processing and approval of the Standard Agreement.
13.	What is the definition of a remote location?	The NOFA does not contain a definition of “remote location”; however, this is typically applicable to Rural Areas and Tribal lands, as described in Article VII, paragraph LL.
14.	If we have issues with the Limited Waiver of Sovereign Immunity (LWSI), can it be negotiated?	Eligible Applicants may submit an AB 1010 waiver to address specific concerns related to the LWSI and language therein.
15.	Are Tribal owned properties subject to Phase I and II?	Phase I is not required on Tribal Trust land, and projects located on Tribal Trust land are excluded from the California Environmental Quality Act (CEQA); however, Eligible Applicants are highly encouraged to obtain a Phase I, Environmental Report, to confirm that there are no environmental concerns that could impact the project and its potential residents. A Phase II is only required if the Phase I indicates that is required.
16.	Can Tribes request drug tests as part of their	Per NOFA Section 300, Eligible Applicants must provide service plans that reflect how residents will maintain housing

	Supportive Services Plan (SSP)/occupancy?	stability. Projects that are considering housing conditioned upon sobriety should be discussed during the pre-application meetings to verify that the overall goals of the NOFA are carried out.
17.	Is there an age requirement for an individual living with a Behavioral Health Challenge?	No, there is no age requirement for an individual living with a Behavioral Health Challenge.
18.	Are there income limits?	Yes, income limits are 60 percent Average Median Income (AMI) or lower. Affordable rent is a defined term in Health and Safety Code 50675.2. California Code, HSC 50675.2. Please note that the indicate that a tax credit project may include units up to 80% of AMI as long as the project's average does not exceed 60% AMI. the project's average does not exceed 60% AMI.
19.	Are there required services to be included in SSP?	At a minimum, the services identified in the NOFA, Section 301 are required. The Eligible Applicant may provide additional services to meet the needs of the population.
20.	Can individuals be serviced at Tribal Health Centers?	Per NOFA Section 301, paragraph E, 7., services may be offered at a different location from the project; however, transportation must be made available if the services are more than one half-mile distance from the project location.
21.	Will applications be accepted on a first-come, first-served basis beginning in January 2025 until all funding is expended, with no deadlines?	Correct. The Department will accept applications on a continuous, over-the-counter basis beginning late January 2025, and remain open-ended until all funds are awarded.
22.	Must construction and/or rehabilitation projects be completed within 24 months? I ask because the solicitation lists both 12 months and 24 months as the completion deadline for rehabilitation projects.	Although the NOFA Table 1: Program Timeline (p.5) mentions both development types to be completed in 24 months, the actual construction period is indicated on Table 2: Program Deadlines and Section 102, C.2 (p.6) which states: <ul style="list-style-type: none"> Acquisition and/or Rehabilitation must be completed in 12 months. New construction and gap financing projects must be completed in 24 months.
23.	The solicitation for this program states that a completed "request form" must be emailed to HK Tribal@hcd.ca.gov ,	The pre-application "Request Form/Pre-application Survey" is available on the Tribal Homekey webpage. Prior to submitting an application, all applicants will be required to have a pre-application meeting that includes all

	<p>along with a request itself, for the required technical assistance meeting, but I couldn't find such a form listed anywhere. Is there a required request form, or must applicants simply email that address to request a technical assistance meeting?</p>	<p>parties to the proposed application. Applicants may request a pre-application meeting on the Homekey+ webpage. Pre-application meetings will begin in early January. Applications submitted without a pre-application meeting will be returned and will lose their place in line for funding. Applicants with program questions may email homekey@hcd.ca.gov or hktribal@hcd.ca.gov for Tribal program questions at any time.</p>
24.	<p>The program solicitation mentions applicants for certain projects must submit a racial demographic data worksheet, found here. Just to confirm, is that the correct worksheet? I ask because it is part of a list of files labeled for 2023.</p>	<p>Please hold-off until the Racial Demographic Data Worksheet template is accessible the Homekey + Program when the webpage is available in early January.</p> <p>Section 300. Threshold Requirements, G. 14: For projects proposed outside of Indian Country, for the benefit of the general community population (i.e., occupied by non-Tribal members), applications must include a completed Racial Demographic Data Worksheet, which reports Continuum of Care (CoC) outcomes by race and ethnicity.</p>
25.	<p>Just to confirm, is the information contained in Section 208 of the solicitation for this program regarding the required affordability terms, correct?</p>	<p>Correct. See Section 208, Affordability Terms for details:</p> <ul style="list-style-type: none"> • (A) Rental Housing Projects located outside Indian Country with a 30-year Affordability Covenant • (B) Rental Housing Projects located on Tribal trust land shall have an initial term of 25 years Affordability Covenant • (C) Rental Housing Projects located within Indian Country shall be duly encumbered with a 25-year Affordability Covenant
26.	<p>I would like to clarify whether the program is available for individual residents of California or if it is exclusively targeted at specific communities and tribal organizations. Understanding this distinction will greatly assist those of us who may be interested in applying or participating in the initiative.</p>	<p>Eligible Applicants are identified in Section 200 of the NOFA:</p> <p>A. Tribes and Tribal Entities, as defined in Article VII of this NOFA, located in California, that demonstrate sufficient experience and capacity to develop, own and operate affordable housing.</p> <p>B. Tribes and Tribal Entities may apply individually or jointly with a Local Public Entity or a nonprofit or for-profit corporation, a limited liability company (LLC), and/or a limited partnership (LP) as a Co-Applicant.</p>

27.	Can funds be used to acquire bare land and build a project?	Yes, per the THK+ NOFA Section 201, eligible uses include acquisition.
28.	What lien and deed restrictions are needed to transfer into trust? The deed is a barrier to transfer to trust.	HCD, Tribal Legal Affairs, is in current talks with BIA regarding fee to trust land transactions. More information will be provided when available.
29.	Are manager units included?	Yes. The NOFA does not specify manager unit; however, per Section 201. Eligible Uses include new construction of dwelling units. This includes manager units.
30.	Will the portal (“HCD Connect”) allow for addition of co-applicants or collaborators, like consultants?	Yes, the portal will allow for addition of co-applicants/consultants, but they must be added and granted access by the (main) Applicant. Consultants will create their own account on the portal. HCD Connect Help California Department of Housing and Community Development
31.	Will staff be doing actual case management under the Supportive Services Plan (SSP)? Can that be covered with these funds?	Costs for case management services and all costs related to the supportive services may be paid out of the supportive services budget and can be paid with the Tribal Homekey+ operating subsidy.
32.	Is the market analysis the same as the last round?	Market Analysis is applicable to projects located within the boundaries of Indian Country. Market Study is applicable to projects located outside the boundaries of Indian Country.
33.	Is there a way around getting letters of intent with a potential purchase option because it seems like there is an undercurrent of discrimination against Tribes?	Per Threshold Section 300, paragraph, G(15)(h), other forms of site control that give the Department assurance that the project will be completed in accordance with the program requirements, are acceptable.
34.	Would hiring a third party be an eligible cost to help with procedures (SSP)?	Yes, per Section 202 of the NOFA, third party costs, including consultant costs are eligible.

35.	Who sets ratios, and how do they apply to Indian Country (SSP)?	The ratios were carried over from the Homekey General requirements. The ratios identified in the NOFA are not applicable to projects operated by Federally Recognized Tribes or projects located within the boundaries of Indian Country; however, the supportive services plans for projects operated by Federally Recognized Tribes should identify staffing and ratios specific to their respective project.
36.	How do we break down ratios/percentages for household to staff ratios (SSP)?	Please see response to #35, above.
37.	Can HHAP be used as a source in the budget for THK+?	Yes.
38.	What is maximum dollar amount for an application?	\$10 million Capital Grant, and Applicants may request up to \$2M for Extraordinary Costs. If requested, Tribal Homekey+ Operating Subsidy funds are in addition to and separate of the \$10 million Capital Grant.
39.	Is a Tribal agency able to apply as a 501-C3 nonprofit Urban Indian Organization?	Urban Indian Organizations are eligible Co-applicants and must apply with an Eligible Tribal Entity, as defined in the NOFA, Article VII. Definitions, paragraph PP.
40.	Is funding available for the purchase of property or land?	Yes – Predevelopment Cost. THK NOFA Section 202. Eligible Cost. Par. D1 & Section 201. Eligible Uses. Par. B
41.	For scattered site applications, are THK+ funds only for a supplemental funding source? Meaning you already need to have funding for the housing subsidy?	Per the NOFA, Section 203, scattered site housing is an eligible project type. Tribal Homekey+ may provide Capital funds and cost operating subsidies for all eligible project types, including scattered sites.
42.	Is it best to have the nonprofit service provider and property manager identified before application submission? Or is it okay to inform that there will be an RFP (request for	This NOFA is an over-the-counter application process; therefore, it is not competitive and there are no points as part of the evaluation process.

	proposal) process to identify best candidates? Will there be points lost if the service provider and property manager are not specifically identified at the point of the application submission? Will there be points lost if the service provider and property manager are not specifically identified at the point of application submission?	
43.	The first-come, first-reviewed date stamp is from when the application is submitted, even if after the 45-day review there are additional documents, etc. needed to complete the application?	Yes. We will work with applicant if additional documents/info is required.
44.	For new construction, groundbreaking within 6 months was listed. If a project includes other site work and infrastructure, does vertical construction have to start in 6 months or just the overall project, and then be complete in 24 months?	Yes, per Section 102 of the NOFA, groundbreaking would be required to commence within 6 months and 60 days, following the conditional award.
45.		
46.		