



## **EMERGENCY SOLUTIONS GRANT (ESG) for Program Year 2019 Instructions and Application**

Thank you for your interest in the Guam's 2019 Emergency Solutions Grant (ESG). The ESG program is designed to promote community-wide commitment to the goal of ending homelessness on Guam. The types of ESG projects include Homeless Prevention (HP) and Rapid Re-Housing (RRH).

GHURA does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require special assistance should make a request at least 48 hours in advance to GHURA's ADA Coordinator at 477-1322. Persons with limited English proficiency may request assistance by calling GHURA at 477-1322.

### **APPLICATION PROCESS**

**Application Period:** February 1, 2019 through April 5, 2019  
**Deadline is 4PM, April 5, 2019**

#### **SUBMIT ONE ORIGINAL APPLICATION and ONE DIGITAL FILE ON THUMB DRIVE TO:**

Guam Housing and Urban Renewal Authority  
ATTN: Katherine E. Taitano – Chief Planner  
117 Bien Venida Avenue, Sinajana, Guam 96910

For more information, contact Katherine E. Taitano at (671) 475-1322 or by e-mail at [katherine@ghura.org](mailto:katherine@ghura.org). Program information and a PDF version of this application form is available on GHURA's website at: [www.ghura.org](http://www.ghura.org). Upon request, the application form will be provided in Word format. GHURA will reject applications that are 1) received after the deadline; 2) not signed by authorized individuals; 3) incomplete. PLEASE NOTE: Subrecipient Registration Requirements: Organizations receiving ESG funding (Subrecipients) must obtain a Dun and Bradstreet Data Universal Numbering System (DUNS) number.

#### **NATIONAL OBJECTIVES**

All funded projects must meet one of the three National Objectives:

- Benefit low to moderate income individuals or families
- Eliminate slum or blight
- Urgent Need (such as disaster recovery)

#### **GUAM CONSOLIDATED PLAN 2015-2019 PRIORITIES**

All funded projects must also meet one of the following project objectives.

<b>DECENT HOUSING</b>	Make Decent Housing Available and Accessible; Make Decent Housing Affordable; Sustain the Stock of Decent Housing
<b>SUITABLE LIVING ENVIRONMENT</b>	Make Suitable Living Environments Available and Accessible; Sustain Access to Suitable Living Environments Serving LMI and Special Needs Populations
<b>ECONOMIC OPPORTUNITY</b>	Make Economic Opportunities Available and Accessible; Support the Sustainability of Ongoing Economic Opportunities

## APPLICATION CALENDAR AND CITIZEN PARTICIPATION

GHURA values the input of its citizens and offers several opportunities to participate in the preparation of the Annual Action Plan (AAP). The 2019 program calendar includes:

- Application Workshop **Feb. 20<sup>th</sup> at 10 a.m.** – Sinajana Mayor’s Office
- Application Deadline **April 5<sup>th</sup> at 4 p.m.** – GHURA
- PY2019 Project Award Announcement **June 8<sup>th</sup> at 10 a.m.** – GHURA
- AAP Public Hearing for Citizen Comments **July 9<sup>th</sup> at 10 a.m.** – Sinajana Mayor’s Office

## FUNDING AWARDS

GHURA will review completed applications and will evaluate proposals based on several criteria. This includes eligibility and alignment with Guam’s Consolidated Plan. GHURA will also assess the actual, allowable, and reasonable costs of the proposed project, and sustainability of the project beyond ESG funding.

## FUND AVAILABILITY

Funds awarded for the 2019 program year become available after October 1, 2019. The organization’s Subrecipient Agreement with GHURA must be fully executed prior to the expenditure or commitment of program funds. The appropriate level of environmental review must be completed by GHURA staff before any funds are expended or obligated. Environmental reviews for construction projects typically take 45 to 60 days to complete. Other projects that are not likely to have a physical impact on the environment usually take about 15 days. **No reimbursement will be possible for goods purchased or contracts executed prior to these requirements being met.**

## ORGANIZATION ELIGIBILITY REQUIREMENTS

- Organizations applying for ESG funding must be a public or private non-profit agency, a public housing authority, a Government of Guam agency, or other government entity.
- Non-profit agencies must be established, operating agencies as evidenced through documentation required in the application. Exhibits to show tax exempt status are required.
- Faith Based Agencies are eligible to apply on the same basis as other non-profit organizations. However, ESG funds cannot be used to support worship, proselytizing, or religious instruction. Religious activities must be offered separately, in time or location, from the ESG supported activity. Participation in the religious activity must be voluntary for the beneficiaries of the ESG-funded program. Programs operated by faith-based agencies must be available to all community members and not restricted to the organization’s membership or congregation.

## NON-DISCRIMINATION AND ACCESSIBILITY

Each subrecipient of the ESG program is required to assure that it will conduct its business in compliance with the non-discrimination requirements of the local and Federal governments as applicable. Equal Opportunity in Employment policies is required.

## FAIR HOUSING

Subrecipients engaged in housing activities must take appropriate actions to further fair housing. This includes analyzing patterns and causes for housing disparities and identifying specific actions they will undertake to address such issues. In addition, subrecipients must also agree to comply with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063 as amended by Executive Order 12259, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086.

## FINANCIAL CAPACITY/AUDITING REQUIREMENTS

The *Uniform Grant Guidance 2 CFR 200* issued by the federal Office of Management & Budget (OMB) requires that any

organization that expends \$750,000 or more in federal financial assistance in a fiscal year must secure an annual audited financial statement.

GHURA has established the following financial statement requirements for organizations assisted with ESG program funds which are based on the total assets of the applicant. The term “total assets” is defined to mean the total amount of liquid assets that is documented to be available to the Subrecipient at the time the funding is approved.

- A. CPA preparation of financial records is not required if the Subrecipient has total assets of \$15,000 or less in value;
- B. A compiled financial statement is required if Subrecipient has total assets greater than \$15,000 and less than or equal to \$100,000 in value.
- C. A reviewed financial statement is required if Subrecipient has total assets greater than \$100,000 and less than or equal to \$200,000 in value.
- D. An audited financial statement is required if Subrecipient has total assets of more than \$200,000 in value.

Organizations receiving ESG funds must submit the required financial statement which has been prepared by a Certified Public Accountant to GHURA within nine months from the organization’s fiscal year end and not more than 30 days after the organization’s receipt of the statement.

### **INSURANCE AND BONDING**

Agencies receiving ESG funding must provide Workers’ Compensation Insurance coverage for all of its employees involved in the performance of the funded program. At the time of contract signing, funded agencies must provide evidence of insurance including, but not limited to worker’s compensation, automobile liability, and other coverage as deemed necessary by GHURA.

### **PROJECT IMPLEMENTATION SCHEDULE AND PERFORMANCE MEASUREMENT GOALS**

GHURA analyzes and evaluates the overall effectiveness of projects through performance measurements. Applicants are required to provide measurable outcomes of their projects including the number of participants who will benefit from the project and the method data will be collected and tracked.

GHURA also monitors subrecipients to ensure it meets its expenditures of program funds in a timely manner. Applicants must submit a Project Implementation Schedule that forecasts the time required to complete their proposed projects. Once awarded, GHURA will work closely with subrecipients to ensure compliance with federally mandated timeliness ratios.

### **PERFORMANCE MONITORING**

Guam will monitor the performance of Subrecipients against the goals and performance measurements established by this document. Substandard performance as determined by GHURA will constitute noncompliance with the Subrecipient Agreement. Noncompliance may result in contract suspension or termination.

### **DEFINITION OF HOMELESSNESS**

Definition of Homelessness (SEC. 103. [42 USC 11302])

- (1)** An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - i. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - ii. An individual or family living in a supervised publicly or privately-operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals; or
  - iii. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
  
- (2)** An individual or family who will imminently lose their primary nighttime residence, provided that:

i. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; ii. No subsequent residence has been identified; and iii. The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

**(3)** Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition but who:

i. Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7

U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

ii. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

iii. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and iv. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

**(4)** Any individual or family who:

i. Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

ii. Has no other residence; and Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

### **Eligible ESG Activities**

1. Homeless Prevention Funds can be used to prevent an individual or family from becoming homeless or to help an individual or family regain stability in current housing or other permanent housing.

Eligible activities include:

- Housing relocation and stabilization services (search, mediation or outreach to landlords, case management, legal services, credit repair, moving and storage costs and other eligible activities that are effective at either stabilizing individuals or households in their current housing or quickly moving such individuals or families to other permanent housing).
- Short and medium-term rental assistance in tenant based or project-based housing (Maximum of 24 months in a 3-year period) for those who are at risk of becoming homeless.
- Rental Arrears for a maximum of 6 months
- Security Deposits
- Utility Deposits and Payments – including arrears for a maximum of 6 months.

2. Rapid Re-housing Funds can be used for individuals or families defined as homeless.

Eligible activities include:

- Housing relocation and stabilization services (search, mediation or outreach to landlords, case management, legal services, credit repair, moving and storage costs).
- Short and medium-term rental assistance in tenant based or project-based housing. (Maximum of 24 months in a 3-year period).
- Security Deposits
- Utility Deposits and Payments.

**Application/Review Checklist Community  
Development Block Grant Program  
Due Date: 4PM, April 5, 2019**

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**Supplemental Information – Submit one copy of the following items as they may apply:**

**Required:**

- \_\_\_\_\_ **Board of Directors list** including position/title on board. Provide a contact number for board Chair/President and Treasurer
- \_\_\_\_\_ **Resolution or Board Minutes** showing approval to submit an application and designation of person who will sign documents on behalf of the organization
- \_\_\_\_\_ **Organization Chart** of relevant program staff
- \_\_\_\_\_ Description of **employees, board members, volunteers** who will work with the project
- \_\_\_\_\_ **Tax Exempt Determination Letter** (for non-profit organizations)
- \_\_\_\_\_ **Financial Documents**  
Organization's Current Budget (2018-2019) Approved by Board of Directors
- \_\_\_\_\_ Most recent **Balance Sheet and Financial Statement**
- \_\_\_\_\_ **Most Recent audit** or CPA prepared review.
- \_\_\_\_\_ **Non-discrimination Policy Statement**
- \_\_\_\_\_ **Board Certification of Committed Funds**
- \_\_\_\_\_ **Budget Narrative**
- \_\_\_\_\_ **Letters of Support**
- \_\_\_\_\_ **Intake Form**

# Guam Housing and Urban Renewal Authority

## 2019 EMERGENCY SOLUTIONS GRANT APPLICATION

**Due Date: April 5, 2019**

### I. APPLICANT CONTACT INFORMATION

Applicant Organization: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Physical Address, if different from mailing address: \_\_\_\_\_

Contact E-Mail Address: \_\_\_\_\_ Web Address: \_\_\_\_\_

Who is authorized to execute program documents?  
(Name and Title) \_\_\_\_\_

### II. APPLICATION SUMMARY INFORMATION

Project Name: \_\_\_\_\_

Total Amount of ESG Funds Requested: \$ \_\_\_\_\_

Proposed Use of ESG Funds: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Project Location: \_\_\_\_\_

Will your project be completed (all ESG funds expended) within the program year? \_\_\_\_\_ Yes \_\_\_\_\_ No

If "No", what percent is expected to be completed by that date? \_\_\_\_\_





c. Describe the outreach you will conduct in your service area.

**5. NEEDS/OUTCOMES.** a. Describe the unmet needs in your proposed service area. b. Identify your expected project outcomes. c. Explain how outcomes will be measured.

**6. WORK PLAN.**

a. Describe your Plan of Action for achieving the program's proposed output, including type of supportive service and frequency. Complete the timeline for the activities. Provide separate activities for Homeless Prevention and Rapid Re-Housing programs.

b. How will your organization coordinate intake and referrals with other agencies?

c. How does your program assist participants increase their income to improve their ability to rent independently?  
Describe any employment and financial literacy assistance offered.

d. Describe how your agency will use the Homeless Management Information System in your program.

e. Explain how your agency will participate in the coordinated entry system.

### **TIMELINE OF ACTIVITIES**

Describe the proposed activities, timeline for activities, and person responsible. Use additional sheets as needed.

<b>TASK/ACTIVITY</b>	<b>PERSON RESPONSIBLE</b>	<b>OUTPUT</b>	<b>COMPLETION DATE</b>


**IV. ORGANIZATIONAL CAPACITY**

7. a. Describe your organization's experience in managing federal grants. Include special accomplishments and capacity for success.

b. Describe the financial management system of your organization, including fiscal management structure, fiscal staffing and approval authority, and internal control procedures.

**8. SUPPLEMENTAL DOCUMENTS.**

Please attach the following supplemental documents in the Appendices section with your application:

- A. Board of Directors List with position or title and contact information for Board President and Treasurer
- B. Resolution or board minutes showing approval of designated person to sign documents on behalf of organization
- C. Organizational Chart of relevant project staff
- D. List of key staff and employees who will work directly with the proposed program, their primary job duties, and description of the supervisory structure.
- E. Proof of Tax-Exempt status for non-profit organizations
- F. Current year budget and most recent balance sheet approved by Board of Directors
- G. Most recent audit
- H. Non-Discrimination Policy
- I. Board Certification of Committed Funds
- J. Budget Narrative
- K. Letters of Support
- L. Intake Form

**V. BUDGET AND FINANCIAL MANAGEMENT**

*The ESG program requires that a project be completed and serve beneficiaries within a reasonable time. Subrecipients must demonstrate that they have secured any additional funds needed to complete their projects.*

- 1. Estimated total project cost: \$ \_\_\_\_\_ . ESG Funds requested: \$ \_\_\_\_\_
- 2. Funds from all other sources that will be available on or before October 1<sup>st</sup>: \$ \_\_\_\_\_
- 3. How will budget shortfalls be addressed? \_\_\_\_\_  
\_\_\_\_\_

- 4. Are any additional funds for this project being requested from GHURA?  
 No  Yes. If "yes", please describe type and amount requested: \$ \_\_\_\_\_  
Type of funds requested: \_\_\_\_\_

5. Annual Organizational Budget: \$ \_\_\_\_\_

**Funding History**

- 6. Has your organization received ESG funding in the past 2 years?  Yes  No
- 7. If yes, how were the funds used? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 8. Is the project complete?  Yes  No

If no, status and expected completion date:  
\_\_\_\_\_  
\_\_\_\_\_

**Financial Management**

9. Briefly describe your internal controls to minimize opportunities for fraud, waste and abuse.

**VI. PROJECT BUDGET FOR ESG GRANT**

Use the following format to present your proposed budget. Leveraged funds are funds on-hand, pledged, or awarded. A Budget Narrative must be submitted as an appendix. ESG funds cannot be spent or obligated until final environmental clearance for the project has been obtained. HUD has interpreted “obligated” to mean that we cannot execute contracts or take bids as that will “obligate” funds. The environmental review is prepared by the GHURA staff.

**BUDGET SUMMARY**

<b>Services</b>	<b>Homelessness Prevention</b>	<b>Rapid Re-Housing</b>	<b>Total Amount Budgeted</b>
<b>Total</b>			



**STAFF/SALARY BREAKDOWN**

Please show all staff positions related to the proposed activity regardless of funding source. If multiple staff members have the same position/title, list them separately. You must submit job descriptions with your application for each position title identified below.

POSITION/ TITLE	POSITION CURRENT OR PROPOSED?	ANNUAL SALARY	ANNUAL FRINGE BENEFITS	TOTAL SALARY	X	% TIME SPENT ON PROJECT	=	TOTAL POSITION COST REQUESTED
<i>Example: Program Assistant</i>	<i>Proposed</i>	<i>\$26,000</i>	<i>\$2500</i>	<i>\$28500</i>	<i>x</i>	<i>50%</i>	<i>=</i>	<i>\$14,250</i>
					x		=	
					x		=	
					x		=	
					x		=	

1. List additional sources of funding that will sustain the operations of the service. This includes utilities, personnel, maintenance, insurance and other expenses.

2. Identify sources of leveraged funds listed above. Attach copies of funding commitment letters or other evidence of funding support.

## VII. ORGANIZATION INFORMATION

### BACKGROUND INFORMATION

Organization Type:

501(c) Non-Profit Corporation       Public Corporation       Government Entity

Other: \_\_\_\_\_

1. Date of Incorporation: \_\_\_\_\_
2. Organization's Taxpayer Identification Number (EIN): \_\_\_\_\_
3. Organization's Dun and Bradstreet Number (DUNS): \_\_\_\_\_

### BOARD OF DIRECTORS / FINANCIAL INFORMATION

1. Name and title of Board of Directors chair or president: \_\_\_\_\_
2. What is the date of your fiscal year end? \_\_\_\_\_
3. Does your organization have a purchasing policy?       No       Yes
4. Does your organization currently or within the past five years have any litigation that is pending or has been resolved?       No       Yes.  
*If "Yes", please attach a summary of the litigation and its status; including any outstanding judgments.*
5. Has your organization filed a petition for bankruptcy or has a petition for bankruptcy been filed against your organization?       No       Yes  
*If "Yes", please attach an explanation that includes the current status.*
6. During the last fiscal year did your organization spend \$750,000 or more in Federal financial assistance?       No       Yes
7. What level of financial review does your organization obtain from an independent source? Select from the following options:  
 Single Audit       Audited Financial Statement  
 Reviewed Financial Statement       Compiled Financial Statement  
 No independent review       Other (describe): \_\_\_\_\_
8. What period was covered by your most recent financial review/audit? \_\_\_\_\_

### PERSONNEL/STAFF CAPACITY/POLICIES

1. Name and Title of your chief administrator \_\_\_\_\_  
Number of years in this position? \_\_\_\_\_
2. Total number of current employees at all locations. \_\_\_\_\_
3. Total number of current employees who will be involved in this project? \_\_\_\_\_
4. Total number of new employees expected to be hired for the project? \_\_\_\_\_



5. Does your organization have a personnel policy manual? Yes No
- Does it include a procedure for filing grievances? Yes No
- Does it include a non-discrimination clause? Yes No

6. Does your organization maintain a written code or standards of conduct that governs the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds? Yes No

7. Separation of duties for financial transactions regarding this project (respond with job title) :
- a. Who will approve payment of incurred expenses? \_\_\_\_\_
  - b. Who will actually prepare the payment check? \_\_\_\_\_
  - c. Who will sign checks paying project expenses? \_\_\_\_\_
  - d. Who posts the transaction to your financial records? \_\_\_\_\_
  - e. Who reconciles monthly bank statements? \_\_\_\_\_

**Accessibility to Programs/Services**

1. Are all facilities to be served by the program ADA Accessible? Yes No
2. Do you have a Section 504 (ADA) Self-Evaluation on file? Yes No
3. How will you provide services to persons with Limited English proficiency?

**INSURANCE/BONDING/WORKER'S COMPENSATION**

1. Does your organization have liability insurance coverage?  Yes  No
2. If yes, in what amount?
3. Does your organization pay worker's compensation in accordance with Federal and state laws?  
 Yes  No  N/A
4. Does your organization have fidelity bond coverage for principal staff members who handle the organization's accounts?  
 Yes  No
5. Will vehicles owned by the organization be used in conjunction with the proposed project?  
 Yes  No
6. If yes, what level of liability insurance is maintained on the vehicles?

### Applicant Assurances and Certifications

<p><b>Certification of Ability to Manage Federal Funds.</b> I certify that the organization responsible for carrying out the project activities under this proposal has a financial management system that satisfies the following requirements for managing federal funds (<u>sign or initial each box</u>):</p>	
<input type="checkbox"/>	<p>1. The financial management system in place is able to:</p> <ul style="list-style-type: none"> <li>a. Properly account for federal funds spent,</li> <li>b. Ensure requests are for the correct amount of federal funds,</li> <li>c. Ensure funds are used for project-related purposes,</li> <li>d. Ensure funds are deposited in the proper account, and</li> <li>e. Maintain necessary documentation for all costs incurred.</li> </ul>
<input type="checkbox"/>	<p>2. Internal Controls in place include:</p> <ul style="list-style-type: none"> <li>a. A written set of policies and procedures that define staff qualifications and duties, lines of authority, separation of functions, and access to assets and sensitive documents;</li> <li>b. Written accounting procedures for approving and recording transactions; and</li> <li>c. A period comparison of financial records to actual assets and liabilities to check for completeness and accuracy.</li> </ul>
<input type="checkbox"/>	<p>3. An adequate financial accounting system is maintained including:</p> <ul style="list-style-type: none"> <li>a. A chart of accounts,</li> <li>b. A general ledger,</li> <li>c. Cash receipts journal,</li> <li>d. Cash disbursements journal, and</li> <li>e. A payroll journal.</li> </ul>
<input type="checkbox"/>	<p>4. The standards and procedures for determining the reasonableness, allowability and allocability are clearly defined and are consistent with the basic Federal rules (OMB Circular A-87 or A-122).</p>
<input type="checkbox"/>	<p>5. Files of original source documentation (receipts, invoices, canceled checks, etc.) for all financial transactions, including those involving obligations incurred and the use of program income are maintained and up-to-date.</p>
<input type="checkbox"/>	<p>6. The approved budget is up-to-date for all funded activities. Comparisons of the budget with actual expenditures for each budget category are performed.</p>
<input type="checkbox"/>	<p>7. Regular procedures are in place for accurately projecting the cash needs of the organization, and for minimizing the time between the receipt of funds and their actual disbursement. All program income is used for permitted activities, and such program income is used before further requests for payments are made for the same activity.</p>
<input type="checkbox"/>	<p>8. The applicant is able to provide accurate, current and complete disclosure of the financial results of each Federally-sponsored project or program in accordance with the reporting requirements of HUD.</p>
<input type="checkbox"/>	<p>9. Annual audits of the applicant are conducted in accordance with the Federal requirements (OMB Circular A-133).</p>

## **Certification of Fair Housing laws and Presidential Executive Orders**

### The Fair Housing Laws

Fair Housing Act: Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability).

Title VI of the Civil Rights Act of 1964: Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973: Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of Title I of the Housing and Community Development Act of 1974: Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

Title II of the Americans with Disabilities Act of 1990: Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

Architectural Barriers Act of 1968: The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 must be accessible to and useable by handicapped persons.

Age Discrimination Act of 1975: The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972: Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.

Fair Housing-Related Presidential Executive Orders:

Executive Order 11063: Executive Order 11063 prohibits discrimination in the sale, leasing, rental, or other disposition of properties and facilities owned or operated by the federal government or provided with federal funds.

Executive Order 11246: Executive Order 11246, as amended, bars discrimination in federal employment because of race, color, religion, sex, or national origin.

Executive Order 12892: Executive Order 12892, as amended, requires federal agencies to affirmatively further fair housing in their programs and activities, and provides that the Secretary of HUD will be responsible for coordinating the effort. The Order also establishes the President's Fair Housing Council, which will be chaired by the Secretary of HUD.

Executive Order 12898: Executive Order 12898 requires that each federal agency conduct its program, policies, and activities that substantially affect human health or the environment in a manner that does not exclude persons based on race, color, or national origin.

Executive Order 13166: Executive Order 13166 eliminates, to the extent possible, limited English proficiency as a barrier to full and meaningful participation by beneficiaries in all federally-assisted and federally conducted programs and activities.

Executive Order 13217: Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

### **General Certification**

I certify that:

1. To the best of my knowledge and belief, the information in this application is true and correct.
2. I have reviewed and accept the instructions for submission of this application for review and evaluation.
3. The organization responsible for carrying out the project activities under this proposal will comply with all applicable local and Federal laws and regulations.
4. The organization will take actions to affirmatively further fair housing and implement ESG activities in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968.
5. The organization will verify that no person who is an employee, agent, consultant, officer, or recipients which are receiving ESG funding may obtain a financial interest or benefit, have an interest in or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to ESG activities, with the exception of administrative or personnel costs.
6. The organization will provide in a timely manner for citizen participation, public hearings, and access to information with respect to the proposed project/program.

Certified By:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

Printed Name and Title: \_\_\_\_\_

Organization Name: \_\_\_\_\_



## APPLICANT CERTIFICATION

<b>Organization (Project Sponsor):</b>
<b>Project Name:</b>
<b>ESG Program Funding Request:</b>  \$ _____
<p>By submitting these documents, I am responsible for the contents and understand that the information contained in such documents are intentional and accurate representations. _____ (INITIAL HERE)</p> <p><b>WARNING</b> Title 18, Section 1001 of the United States Code states that a person is GUILTY OF A FELONY FOR KNOWINGLY AND WILLINGLY MAKING FALSE OR FRAUDULENT STATEMENTS to any department or agency of the United States.</p> <p>MAKING FALSE STATEMENTS IS ALSO A FELONY UNDER GUAM LAWS.</p> <p>I do hereby certify under the penalty of perjury that all of the information contained in these documents, as well as any additional information and/or documentation provided in support of it, is true and correct. I understand and acknowledge that making false statements is a crime under Federal and Guam law.</p>
<b>Organization's Authorized Representative (Print Name):</b>
<b>Title:</b>
<b>Signature:</b>
<b>Date:</b>