

**Off-FLH Repair Loans and Grants NOSA Workshop**  
**Questions and Answers**  
**April 3, 2024**

**Question 1:**

Who can apply for the funds, individuals, organizations?

**Answer 1:**

To be eligible to receive a subsequent section 514 loan for Off-FLH, the applicant must meet the requirements of 7 CFR 3560.555(a) and (1) be a broad-based nonprofit organization, a nonprofit organization of farmworkers, a federally recognized Indian tribe, a community organization, or an agency or political subdivision of State or local government, and must meet the requirements of § 3560.55, excluding § 3560.55(a)(6), or (2) be a limited partnership with a non-profit general partner which meets the requirements of § 3560.55(d). A broad-based nonprofit organization is a nonprofit organization that has a membership that reflects a variety of interests in the area where the housing will be located.

To be eligible to receive a subsequent section 516 grant for Off-FLH, the applicant must meet the requirements of 7 CFR 3560.555(b) and (1) be a broad-based nonprofit organization, a nonprofit organization of farmworkers, a federally recognized Indian tribe, a community organization, or an agency or political subdivision of State or local government, and must meet the requirements of § 3560.55, excluding § 3560.55(a)(6), and (2) be able to contribute at least one-tenth of the total farm labor housing development cost from its own or other 514 loans; however, they are not eligible for section 516 grants.

**Question 2:**

So, this is not funding for farmers to update migrant housing for seasonal workers?

**Answer 2:**

Farmers are not eligible to apply for these funds. The existing owner(s) of the existing property is eligible.

**Question 3:**

For clarity, a non-profit MUST be involved in some way?

**Answer 3:**

Yes, a nonprofit as outlined in the applicant eligibility section of the NOSA.

**Question 4:**

Can funds be awarded to multiple properties? The owner owns two RD portfolio properties in different locations in the same city that each have 32 units. Can we ask for funds to cover the repairs for both properties as part of the same application? The purpose for this would be so we can have the same architect and GC do the work on both of them all at once.

**Answer 4:**

Separate application submissions are required for each existing property (RD borrower ID and project number).

**Question 5:**

If you are a farmer (not a non-profit or affiliated with a non-profit), and you own the property and house that houses H-2A workers, are those farmers/property owners eligible for this?

**Answer 5:**

Only owners of properties currently assisted with Section 514 FLH loans are eligible to apply for this NOSA.

**Question 6:**

So, we submit Environmental Review (ER) data with ER form and USDA signs off?

**Answer 6:**

Primarily, depending on the scope of work being performed at the project, we anticipate most will be a categorical exclusion unless funds will be used to disturb any new ground. If you're unsure about the level of environmental requirements, we recommend that you request a concept meeting with the Agency to discuss.

**Question 7:**

Is the intergovernmental review necessary if the property is in a state that does not have a clearinghouse?

**Answer 7:**

Please refer to the resource website provided in the slides. It will walk you through a series of questions about your project and advise if there is a state clearing house. If it indicates no further action is needed, the applicant should print that screen from the website and provide it as part of your application submission.

**Question 8:**

Where do we find a list of eligible 514 loans/properties so we could potentially partner?

**Answer 8:**

<https://www.sc.egov.usda.gov/data/MFH.html>

**Question 9:**

In case I missed this...you must have a RD FLH loan on your property in order to apply for the funding?

**Answer 9:**

Correct.

**Question 10:**

Since the complete construction package is not required to be submitted with the application, what level of Scope of Work is required to be part of the submission?

**Answer 10:**

We are looking for some type of preliminary plans and specs. As part of your initial development package, you should have a capital needs assessment that shows the health and safety and accessibility issues that need to be taken care of. We are looking for the plan that you may have in addressing those items. We are not requiring the full, and final, package. We would like you to start that and get them going because we will be asking for that before we can approve the application. Preliminary plans and specs that you are currently developing would be helpful. It's not a requirement in the initial application package; however, it is needed as part of your transaction.

**Question 11:**

Is there additional literature regarding the grant funding?

**Answer 11:**

In addition to the NOSA, information about the Off-Farm Labor Housing Section 516 program can be found on our website: <https://www.rd.usda.gov/programs-services/multifamily-housing-programs/farm-labor-housing-direct-loans-grants>

**Question 12:**

Does the govdelivery.com send you to https://granicus.com?

**Answer 12:**

The correct link for GovDelivery registration is:  
<https://public.govdelivery.com/accounts/USDARD/signup/10420>

**Question 13:**

Can we apply for this grant and if awarded, can we also apply for the MPR grant?

**Answer 13:**

Application for this funding opportunity and award does not restrict an eligible borrower from applying for funds in our MPR NOSA.

**Question 14:**

Attorney must submit letter verifying citizenship-of who?

**Answer 14:**

The individuals that make up the entity. That could be a series of different entities that makeup the applicant and will vary from applicant to applicant. This is a something that your attorney will determine by looking at the organizational structure and providing a certification that those entities and individuals within the structure meet the citizenship requirements.

**Question 15:**

If keeping the same ownership structure, is attorney certification needed?

**Answer 15:**

Yes. The applicant's attorney must review all applicable evidence to verify U.S. citizenship and/or qualified alien status, must certify that the Agency's U.S. citizenship and/or qualified alien status eligibility requirements are met by all applicants, and must submit the certification for Agency review.

**Question 16:**

If project is existing LIHTC, can owner apply?

**Answer 16:**

Yes. The eligibility criteria discussed related to potential applications that would also need to apply for LIHTC and transfer ownership as part of the transaction, which is not eligible under this NOSA.

**Question 17:**

Is a credit report required on each nonprofit or housing authority board member, as they are not truly principles?

**Answer 17:**

We do not need credit reports on every single board member. Only the Executive Director or the individual(s) that have the authority to act on behalf of the entity.

**Question 18:**

Is a public housing authority able to apply for this funding?

**Answer 18:**

Current owners of properties currently assisted with Section 514 FLH funds are able to apply for funds under this NOSA.

**Question 19:**

Can we schedule one concept meeting for more than one property rather than request 4 separate appointments?

**Answer 19:**

Yes, but please make us aware of the intended scope of the meeting so we can be sure to allocate sufficient time to discuss multiple applications.

**Question 20:**

We are a non-profit that is the educational arm of a farm. The non-profit owns the unit but lease the land the unit is on from the farm. Does not owning the land, but only the unit, negate our eligibility to apply?

**Answer 20:**

Current owners of properties currently assisted with Section 514 FLH funds are able to apply for funds under this NOSA.

**Question 21:**

We have 289 units, one property. Can we address the needs for a portion of the units with this NOSA?

**Answer 21:**

Yes, based on the CNA, applicants should address the most immediate needs their funding source will allow.