STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

Home Ownership Protection Program Grants
Request for Applications (12-005) for Legal Services

June 18, 2012

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

REQUEST FOR APPLICATION (RFA)

Application Number: 12-005	**Dated:** June 18, 2012
Description Homeowner Protection Program (HOPP)	**Contract Period:** Up to three years
Due Dates and Times (ET): July 18, 2012 by 4 PM	**Location of Service:** Grantee's Premises or Grantee Designated Premise
Designated Contact: Pamela Harrington Purchasing Agent Budget and Fiscal Management Bureau Office of the New York Attorney General State Capitol Albany, New York 12224 E-Mail: pamela.harrington@ag.ny.gov	**Package Contains:** *Grant Application Guidelines *Grant Application Format and Content *Application Certifications *Frequently Asked Questions *Appendix A (Standard Clauses for OAG Grants) *NYS Vendor Responsibility Questionnaire for Not-For-Profit Entity

Submission of Applications:
Applications may be sent electronically or via certified mail, first class mail, or overnight delivery service. The applicant is responsible for ensuring 4:00 PM arrival on the deadline date.

Hand-delivered applications or walk-ins will not be accepted. Faxed submissions will not be accepted. The Office of the Attorney General will not acknowledge receipt of applications delivered by fax or in person.

Applications and attachments may be submitted in PDF format either electronically or in electronic media, including CD Roms and USB flash drive.

Completed applications sent by certified mail, first class mail, or overnight delivery service should be sent to the Designated Contact:

Office of the New York State Attorney General
Budget and Fiscal Management Bureau
State Capitol
Albany, NY 12224-0341

Completed applications sent electronically should be sent to purchase@ag.ny.gov.

The projected date for Notice of Awards is September 1, 2012. The Office of the Attorney General in its discretion may extend the application deadline if it determines that no applicant addressed specific underserved populations or geographic areas. Any such extension will be announced on the OAG website. **The Office of the Attorney General will consider additional applications submitted after July 18, 2012 as needed to target foreclosure prevention services for particular underserved populations or geographic areas.**

By submitting an application with signed cover letter, you indicate full knowledge and acceptance of this Request for Applications ("RFA") including Appendix A (Standard Clauses for New York State OAG Contracts).

Upon submission to the Office of the Attorney General, all applications shall become property of the Office of the Attorney General for use as deemed appropriate.

HOMEOWNER PROTECTION PROGRAM GRANT APPLICATION GUIDELINES

I. STATEMENT OF PURPOSE:

These guidelines govern the distribution of funds awarded to New York as a result of the February 2012 settlement obtained by New York, along with 48 other state Attorneys General and the federal government with five of the nation's largest mortgage servicers concerning improper foreclosure and loan servicing practices.

The housing foreclosure crisis has had a devastating impact not only on families whose homes are subject to foreclosure, but on surrounding communities and the State as a whole. In 2009 the Center for Responsible Lending projected that homeowners living near foreclosed properties, on average, would lose $7,200 in property value, and projected a four year increase in losses to $20,300 per household. These deteriorating, neglected properties and neighboring property values losses create neighborhood blight, diminish critical local tax revenues, and contribute to neighborhood crime.

For these reasons, the New York State Attorney General is dedicating a substantial portion of funds awarded to New York under the National Mortgage Settlement to support the work of direct service providers who specialize in delivery of legal services and housing counseling to at-risk homeowners. This effort will minimize homeowner displacement and foster the stabilization of neighborhoods across the state for the benefit of the public and the State as a whole. These grants are consistent with the intended uses of the direct payments awarded to each state under the terms of the settlement agreement which encouraged "… funding for housing counselors, state and local foreclosure assistance hotlines, state and local foreclosure mediation programs, legal assistance, housing remediation and anti-blight projects, funding for training and staffing of financial fraud or consumer protection enforcement efforts, and civil penalties."

The OAG anticipates awarding, through a competitive process described below, grants of varying amounts to individual New York State not-for-profit organizations that can provide legal services to help at-risk homeowners avoid foreclosure.

Applications should support the goals of preserving home ownership, engaging in loss mitigation and other foreclosure prevention services and stabilizing communities that face high rates of foreclosures. Organizations interested in applying for these funds must complete this application.

II. DESCRIPTION OF THE APPLICATION AND ELIGIBILITY

A. Summary of the Application

The OAG proposes to award individual grants of varying amounts for up to three years for high-quality legal services to help individuals avoid foreclosure or mitigate losses caused by unavoidable foreclosure. Grantees must use funds to provide direct legal services to individuals

in foreclosure or at risk of losing their housing as a result of foreclosure. Such services include, but are not limited to:

- Counseling individuals and/or advocating on their behalf to obtain loan modifications and other appropriate loss mitigation options
- Counseling individuals with respect to mandatory settlement conferences in court
- Representing homeowners in foreclosure actions
- Bringing affirmative litigation to challenge predatory or other improper lending practices
- Assisting tenants residing in properties in or at risk of foreclosure

The OAG is looking to distribute the available funds across the State, targeting those communities that have been hardest hit by the foreclosure crisis and have the greatest need for additional resources. OAG is issuing concurrent Request for Applications (RFA's) for both housing counseling services and legal services. OAG is seeking to ensure that foreclosure prevention services are coordinated throughout the State and has selected and assigned two organizations to act as the OAG's Anchor Partners to provide oversight, technical assistance and support for grantees. The Anchor Partners will serve specific regions of the State (New York City and the rest of New York State) and grantees will be assigned to one of these Anchor Partner support organizations depending on each grantee's service area. The duties of the Anchor Partners include, but are not limited to:

- Overall management, coordination and oversight of grantees on behalf of the OAG
- Provision of housing counseling and legal service training for housing counseling and legal services grantees
- Oversight of the certification process for housing counselors
- Contract management for housing counseling and legal services grantees including program performance evaluation of all grantees
- Coordination of collaboration between housing counseling and legal services grantees including the operation of listservs and coordination of meetings
- Data collection and reporting: Collecting program and financial data from grantees and issuing reports to OAG
- Operation of a statewide foreclosure prevention hotline

B. Organizational Eligibility.

Applicants should be not-for-profit entities, tax-exempt under 501(a) of the Internal Revenue Code, with an active New York State Charities registration number, or an approved exemption, and in good standing that currently provides free or low-cost civil legal services through a local bar association or Legal Services Corporation, Bar Association, or Legal Aid Society program.

Applicants should have demonstrated experience and a proven track record in offering homeowners legal services for the purpose of avoiding or preventing foreclosure or mitigating losses caused by foreclosure. Funds can be used to expand existing foreclosure prevention programs or to continue existing programs where current funding levels are in jeopardy.

A single sponsoring organization may apply for one individual grant. That grant can be used to provide legal services in different counties or geographic areas. Applicants must specify which regions they will serve, in whole or in part, and identify these regions from the guide of New York State regions in attached **Appendix B**. .

An applicant may choose to subcontract out a portion of its services. All services provided by potential subcontractors should be specified in the applicant's application. Subcontractors must have demonstrated prior experience providing legal services for the purpose of avoiding or preventing foreclosure or mitigating losses caused by foreclosure. This experience, including a description of the population served and results of such service, must be detailed in the applicant's proposal. Any fees associated with potential subcontracting should be budgeted into that applicant's proposal. All terms set forth by this RFA as well as any subsequent contracts between grantee and OAG shall apply to any subcontractor hired by grantee to provide programmatic services with OAG grant funds. Subcontracting shall be permitted only with prior approval of the Office of the Attorney General.

III. METHOD OF AWARD AND EVALUATION CRITERIA

OAG will determine a target level of services to be funded within each region of the State and will award funds accordingly. As previously stated, OAG will issue two concurrent RFA's: one for provision of housing counseling services and one for provision of legal services. Applicants should submit a response to the RFA that corresponds to their “primary field of service”. However, applicants are encouraged to include in their proposals information regarding housing counseling and/or legal services that applicants may also provide in addition to the primary field of service. Applicants who feel that both housing counseling and legal services constitute their primary fields of service should submit two separate applications, one under each RFA. In cases where one organization is submitting two proposals, those applications will be reviewed and evaluated separately.

Grant funds may fund housing counseling and/or legal services in different counties or geographic areas. If an applicant plans to use funds in multiple counties, the applicant must specify which regions will be served and identify the regions from the guide of New York State regions in attached **Appendix B**. Within each region, specify which counties the applicant intends to serve and the estimated percentage of funds expected to be expended in each county.

The OAG will have sole discretion to determine the number of awards granted, if any, and the dollar amount of each award, based upon the OAG’s evaluation of the applications submitted.

The evaluation criteria will be divided into six components. The total combined score of the six components will have a maximum value of 100 points.

In selecting recipients of these funds, the OAG will evaluate applications based on the following six criteria, and the final scores given to each application will be based on the points assigned to each criteria, as follows:

1.	Organizational Background and Experience	(10 pts)
2.	Problem and Geographic Area Served	(20 pts)
3.	Goals, Objectives and Strategies	(30 pts)
4.	Organizational Capacity (Application-specific)	(20 pts)
5.	Evaluation	(10 pts)
6.	Financial Soundness	(10 pts)
	TOTAL:	**100 pts**

The Office of the Attorney General may request additional information from applicants with respect to their applications. The Office of the Attorney General reserves the right to interview any applicant and key management of the applicant entity.

IV. TERMS OF THE GRANT

. Successful applicants will be required to enter into a contract governing the grant. Applicants are encouraged to evaluate the need in their proposed service area and estimate the number of homeowners they can assist within the period of service they intend to fulfill (1, 2 or 3 years). The term of the grant will be for one year, renewable for a maximum of three years. Renewal will be contingent upon reviews conducted by the Anchor Partners to ensure that grantees are fulfilling grant requirements and expending funds consistent with the contract.

Applicants are encouraged to request funding that reflects the actual anticipated costs of their proposed programs and that corresponds to the number of homeowners affected within the proposed geographic region they intend to serve. As a guidepost, we expect funding requests to fall within the range of $75,000 to $400,000. However, the OAG will consider requests that fall outside of these parameters assuming there is adequate documentation in the proposal to support the request. The OAG reserves the right to reject and/or modify any funding request made through this Request for Applications process.

Renewal will be contingent upon reviews conducted by the Anchor Partners to ensure that grantees are fulfilling grant requirements and expending funds consistent with the contract. The contract will incorporate by reference the Request for Application and the Successful Applicant's Application. Appendix A (Standard Clauses for New York State OAG Grants), a copy of which is included herein. Successful applicants shall agree to comply with all federal and State laws, rules, and regulations applicable to this grant and shall provide proof of Workers' Compensation and Disability Insurance coverage.

The Office of the Attorney General reserves the right to award grantees less than their full funding request. In the event that the OAG chooses to award less than an applicant

originally requested, the applicant will have the opportunity to revise the scope of their application to appropriately reflect the actual funding allocation.

Grant funds awarded by the Office of the Attorney General are not meant to replace existing or proposed fee-for-service arrangements between applicants and governmental entities, lenders, servicers, or other interested parties.

Grantees must assume full responsibility for providing the services offered in their application for the duration of their agreement with the Office of the Attorney General, including where the grantee has partnered with another organization for a portion of the services described in the application. Subcontracting shall be permitted only with prior approval of the Office of the Attorney General.

All brochures, booklets, flyers, resource materials, programs, posters, advertisements, multi-media presentations, online materials, videos or other printed or electronic materials prepared with funds from this grant shall state that the material was funded from a settlement of claims brought by the Office of the New York State Attorney General and there shall be a disclosure that the views and statements expressed therein do not necessarily reflect the views and opinions of the Attorney General of the State of New York and that the Office of the Attorney General is not responsible for the accuracy of the content of the materials

Additional legal provisions will be included in the Office of the Attorney General's agreement with the grantee (the "Agreement"), as follows, without limitation:

NYS Ethics Compliance

All grantees and their employees must comply with the requirements of Public Officers Law Sections 73 and 74, and other State codes, rules and regulations establishing ethical standards for the conduct of business with New York State.

Public Information

Disclosure of items related to the Agreement shall be permitted consistent with the laws of the State of New York and specifically the Freedom of Information Law (FOIL) contained in Section 87 of the Public Officers Law. The New York Office of the Attorney General shall take reasonable steps to protect from public disclosure any records relating to the grantee or its application that are otherwise exempt from disclosure under that statute. Information constituting trade secrets, for purposes of FOIL, must be clearly marked and identified as such upon submission. If the grantee intends to seek an exemption from disclosure of these materials under FOIL, the grantee shall, at the time of submission, request the exemption in writing and provide an explanation of why the disclosure of the identified information would cause substantial injury to the competitive position of the grantee. Acceptance of the identified information by the New York Office of the Attorney General does not constitute a determination that the information is exempt from disclosure under FOIL. Determinations as to the availability of the identified information will be made in accordance with FOIL at the time a request for such information is received by the New York Office of the Attorney General.

Indemnification

All grantees agree to indemnify and hold harmless the State of New York, the New York Office of the Attorney General, and their officers, agents, and employees, from liability for loss or damage to the extent caused by the negligent acts, misconduct, or omissions of the grantees, their agents, employees or subcontractors.

Independent Contractor

Grantee, in accordance with its status as an independent contractor covenants and agrees that it shall conduct itself consistent with such status, that it shall neither hold itself as, nor claim to be an officer, agent or employee of the State New York or Office of the Attorney General by reason hereof, and that it shall not make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the State, including but not limited to Workers' Compensation coverage, Unemployment Insurance Benefits, Social Security coverage or Retirement membership.

Dispute Resolution Policy (Protests and Appeals)

It is the policy of the Office of the Attorney General, Budget & Fiscal Management Bureau, to provide grantees with an opportunity to administratively resolve disputes, complaints or inquiries related to bid solicitations or contract awards. The Budget & Fiscal Management Bureau encourages grantees to seek resolution of disputes through consultation with OAG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes.

Confidentiality

All the reports, information, data, and other papers and materials in whatever form prepared or assembled by the grantee under this Agreement are confidential, and the grantee shall not discuss them with or make them available to any individual or organization without the prior written approval of the Attorney General or his representative. These provisions do not apply in whatever form to information that is in the public domain nor shall they restrict the grantee from giving notices required by law or complying with an order to provide information or data when such order is issued by a judge. If disclosure of confidential information is required of the grantee by any subpoena or other court process, the grantee agrees to immediately notify the Office of the Attorney General of such process, and to allow the Office of the Attorney General to inspect any such data or information and interpose objections prior to delivery to the court.

Publications, Copyrights, and Software Licenses

The Office of the Attorney General and State of New York expressly reserves the right to a royalty-free, non-exclusive and irrevocable license to reproduce, publish, distribute or otherwise use, in perpetuity, any and all copyrighted or copyrightable material resulting from this

grant contract or activity supported by this grant contract. Grantee shall grant the Office of the Attorney General and the State of New York a non-exclusive, perpetual license to use, execute, reproduce, display, perform, or merge any custom software application created as a result of the grant funds awarded to a grantee under the grant.

VI. AWARDS, PAYMENT AND PERFORMANCE:

The use of the funds will be monitored by the Attorney General's Office and its designees. All grantees will be required to document project expenditures using generally accepted accounting principles (GAAP). Grantees will submit financial reports relative to the provision of their foreclosure prevention services twice a year to the OAG or its designees, and will comply with periodic programmatic and financial audits as requested by the Attorney General or its designees

All grantees will also be required to document project results and cooperate with reasonable requests of the OAG, or its designees, including the Anchor Partners. Grantees will be required to submit regular statistical reports as to the performance of their foreclosure prevention services. Data points as well as method of collection and submission for these statistical reports will be set forth in the grant requirements. Categories for the series of collected data points will include, but not be limited to:

- Client/Demographic Information
- Property Information
- Loan Information
- Services Provided to the Client by Grantee
- Outcome Reached for Client

Documentation of project results will also include grantees submission of narrative reports to their Anchor Partners twice a year. These narrative reports should describe the population served, up-to-date results, and potential strategies for improved services based on the grantees observations and analysis of their services.

All reporting of financial and project data will be submitted to the grantee's Anchor Partner.

In addition to reporting, grantees will be expected to be active participants in their regional network of service providers. Participation includes, but is not limited to, the following:

- Attending trainings
- Actively following program-specific listserv discussions
- Sharing information, strategies and best practices with the regional network
- Taking advantage of program-specific regional programs where possible

Should the grantee fail to comply substantially with the grant requirements, funding may be suspended or terminated, or the grantee may be subjected to other appropriate sanctions.

Grantees will deposit the awards checks in separate interest bearing bank accounts in an FDIC insured institution. All interest earned on the unexpended monthly balances during the term of the grant will be used for achieving the purposes of HOPP.

For the first grant year, the Office of the Attorney General will make funds available in two installments. Fifty percent of the year one grant funds will be made available to the grantee upon initial award of the grant following a fully executed grant agreement approved by the OAG. The remaining year-one funds will be released to the grantee following a six-month performance review administered by the grantee's Anchor Partner and approved by OAG. The grantee must meet the grant requirements to pass this review and receive the second installment of their grant funds for year one. Grant requirements will include, but not be limited to, the successful completion of required reporting, delivery of services, and documentation of the grantee's proper use of grant funds. If a grantee wishes to renew their grant for years two and three, and the OAG authorizes such renewal, similar yearly reviews will be administered by the Anchor Partners and approval will be required by the OAG.

VII. PRE-APPLICATION CONFERENCE:

There will be two Pre-Application Conference Calls to address questions not covered in the FAQ regarding this RFA. Date, time information for these calls is as follows:

Pre-Application Conference Call #1: Friday, June 29, 2012 at 10 AM
Pre-Application Conference Call #2: Tuesday, July 10th, 2012 at 10 AM

These calls will not be active Question and Answer sessions. Questions must be submitted by applicants prior to each call. Only those questions submitted prior to the call will be read and answered by a representative of OAG during the call.

To receive answers to questions during Pre-Application Conference Call #1, applicants must submit their questions to pamela.harrington@ag.ny.gov by 4pm on Thursday June 28, 2012. On June 28th, 2012, call-in information for this call will posted on the OAG website.

To receive answers to questions during Pre-Application Conference Call #2, applicants must submit their questions to the above e-mail address by 4pm on Friday, July 6, 2012. On Monday, July 9, 2012, call-in information for this call will be posted on the OAG website.

All questions must be sent via e-mail to pamela.harrington@ag.ny.gov Questions will be consolidated and responded to by OAG staff during the conference call. Submitted questions that are not responded to during the call will be posted on the OAG website with the answers in addition to those responded to on the call.

Notices about the conference, call-in numbers, transcripts of questions and answers from each call, along with any additional information about the RFA, will be posted on the OAG

website at www.ag.ny.gov/bureaus/budget_fiscal/procurement.html. Consult the OAG website prior to application submission for any amendments to the RFA.

VIII. QUESTIONS AND ANSWERS:

All interested applicants will be afforded the opportunity to e-mail questions regarding this RFA not covered in the FAQ or Pre-Conference Calls. Applicants must e-mail these questions to pamela.harrington@ag.ny.gov . Responses to applicant questions will be posted on the OAG website. **Deadline for receipt of these questions is 4pm June 27, 2012.**

Applicants may not contact anyone other than pamela.harrington@ag.ny.gov in the New York State Attorney General's Office with questions about this RFA. In the event that the OAG identifies the Anchor Partners during the pendency of this RFA, applicants, likewise, are barred from contacting the Anchor Partners with any questions about this RFA.

Check the website of the New York Attorney General's Office, www.ag.ny.gov/bureaus/budget_fiscal/procurement.html and Frequently Asked Questions prior to application submission for any amendments to the RFA.

IX. OTHER CONDITIONS:

The Office of the Attorney General reserves the right to:

- Reject any applications received that do not comply with the rules outlined in this RFA.
- Communicate with an applicant for the purpose of assuring a full understanding of responsiveness to the RFA solicitation
- Modify minor irregularities in applications after notifying the applicant
- Adjust or correct arithmetical errors in applications
- Utilize any and all ideas submitted in the application received unless such ideas are covered by legal copyright, patent, or property rights, and the Office of the Attorney General is notified in the received submission
- Adopt or utilize all or any part of an Applicant's application
- Negotiate with the Applicant on all aspects of the application to serve the best interest of the Office of the Attorney General

GRANT APPLICATION FORMAT AND CONTENT

APPLICANTS ARE TO SUBMIT THEIR APPLICATIONS IN THE ORDER PRESCRIBED BELOW. APPLICANTS MUST INCLUDE A SIGNED COVER LETTER WITH A CONTACT NAME, PHONE NUMBER, E-MAIL ADDRESS, NOTING THE REGION(S) AND COUNTY/COUNTIES BEING SERVED

I. NARRATIVE (maximum of five pages.)

The programmatic narrative should reflect your application for Year One of the grant.

A. Organizational Background:

1. Provide a brief overview of your organization, its mission and history. List the number of legal service providers, and any other attorneys or additional staff dedicated to providing foreclosure-related assistance.

2. Describe your current programs and activities. Describe your organization's experience in the area of foreclosure prevention, loss mitigation and foreclosure litigation during the last three years, the type of services provided and the nature of the population and number of individuals served. Identify projects undertaken by your organization that are similar in scope to the project you are proposing. Describe three recent accomplishments of your organization related to foreclosure prevention.

3. Who is your constituency? How does your constituency benefit from your organization's current foreclosure program?

4. Please provide two to three written references, including governmental references, if any, not associated with your organization that speak to the quality of your organization’s work. Include titles, addresses, and phone contact.

B. Problem and Geographic Area Served

1. Problem statement: Describe, with specificity, how your organization proposes to meet the needs of homeowners facing foreclosure and tenants at risk of losing their home as a result of foreclosure, including a description of the specific services you intend to provide

2. Discuss the geographic area and population(s) you plan to serve, the impact of foreclosures on this area and population, the need for the services you intend to provide and how the population(s) will benefit from those services, including the number of people who will benefit. Identify any underserved communities you expect to target. **PLEASE NOTE: IF APPLICANT PLANS ON SERVING MORE THAN ONE REGION (SEE APPENDIX B FOR LIST OF REGIONS), BE ADVISED THAT YOU MAY ADD AN ADDIITONAL 400 WORDS TO THIS NARRATIVE FOR EACH ADDITIONAL REGION**;

C. Goals, Objectives and Strategies

1. What are the goals, objectives and activities/strategies involved in this request? Describe your specific activities/strategies using a timeline over the course of this request.

2. Provide proposed qualitative and quantitative outcomes for the services you expect to deliver;

3. Describe the features and benefits of your application, including any features that are unusual or innovative or that distinguish the services you intend to provide from those provided by other programs. Include any planned collaborations with providers of foreclosure prevention services as well as information regarding any past collaborations your organization has had with providers of foreclosure prevention services;

4. Discuss the project's potential obstacles and limitations and the strategies you will use to address those obstacles and limitations;

D. Organizational Capacity (Specific to this Application):

1. Discuss proposed staffing and management to deliver the home ownership protection and foreclosure prevention services effectively and efficiently; include the names, titles, relevant experience and resumes of key individuals, if available. List employees' certifications and/or licenses pertinent to the proposed services. Include proposed Full Time Employees (FTE) count that you intend to fund under this grant.

2. Identify the extent to which the proposed funding will allow your agency to retain and/or expand foreclosure related services. Be specific.

3. Identify method for obtaining and responding to intake referrals within one business day of receipt.

4. FOR APPLICATIONS INCLUDING SUBCONTRACTORS. **(Additional 400 words)** Provide information regarding any proposed subcontractors including name, address, phone number, name of principals, planned services, experience in provision of foreclosure prevention and loss mitigation services, and a complete budget including personnel, fringe, travel, equipment, supplies, and occupancy expenses.

E. Evaluation

1. Briefly describe your plan for evaluating the success of the project and your organization's work. Identify the performance indicators you expect to rely on. What questions will be addressed? Who will be involved in evaluating this work—staff, board, constituents, community, consultants? How will the evaluation results be used?

2. Include your current data collection and analysis capability and any programs or databases used to collect data, generally, and specifically in connection with foreclosure-related services. Include data categories referenced in Section VI, above.

II. FINANICAL MANAGEMENT:

The Project Budget should reflect your application for a maximum of three years of grant funding, broken out by year.

A. Project Budget

1. It is required that applicants complete the attached Microsoft Excel worksheet of their Application Budget and provide explanations and dollar amount for each cost. Any category of expense not applicable to your budget should be indicated as such. This is a one-year grant renewable up to three years. If you plan on seeking renewal in order to provide two or three years of service, submit a budget that accounts for years two and three. Provide the same level of detail for years two and three as provided for year one.

No funds will be made available for the following activities and/or expenses:

- Fines and penalties;
- expenses incurred in the development of this Application;
- endowment or capital costs, acquisition or construction of buildings;
- costs associated with any activities that fall outside of the scope of the application described in Section II(A) of the Grant Guidelines; or
- expenses associated with any partisan political activity, or activities that

may influence legislation or the election or defeat of any candidate for public office.

Travel expenses included in the applicants' applications, if any, must be necessary to implement a project and may not exceed the current New York State Schedule of Allowable Reimbursable Travel Expenses

B. Attachments: Label all attachments to correspond with the following numbers and headings.

1. Annual operating budget of organization: Attach organization's operating budget for the most recently completed fiscal year and the current fiscal year. Explain any recent deficits or notable changes in funding. If applicable, discuss contingency plans for expected changes in funding this fiscal year or next.

2. A copy of the organization's most recent IRS 501(c)(3) Determination Letter indicating the organization's tax exempt status or, if not available, an explanation.

3. A copy of the organization's most recent Audited Financial Statement, Federal Form 990 including Schedule A, and the organization's New York State Attorney General's Charities Bureau Registration Number, if appropriate.

4. The organization's most recent Annual Financial Report, if any.

5. No more than three recent articles about, or evaluations of, programs administered by your organization.

III. CERTIFICATIONS:

It is required that applicants complete, sign and notarize the all four (4) attached certifications.

IV. VENDOR RESPONSIBILITY QUESTIONNAIRE

All applicants must complete a New York State Vendor Responsibility Questionnaire for a Not-For-Profit Business Entity. It may be obtained and provided either electronically through the OSC's VendRep System, or in paper format, a copy which has been provided.

The website for electronic filing is: http://www.osc.state.ny.us/vendrep/forms_vendor.htm.

PRIVACY CERTIFICATION

Each organization receiving a grant must have an established privacy policy for protecting the confidentiality of personally identifiable information or "private information."

I hereby certify that _____ maintains a privacy policy that, at a minimum:

- restricts the use and/or disclosure of "private information" to the purpose for which it was obtained;
- requires the person's consent for other uses or disclosures;
- limits access to "private information" to those employees with a need to fulfill the purpose for which it was obtained; and
- provides adequate precautions to ensure administrative and physical security of "private information."

_____ _____

Signature of Authorized Certifying Official Date

_____

Name/Title

Sworn to before me this _____ day of _____, 20____;

_____ Notary Public

CIVIL RIGHTS CERTIFICATION

I hereby certify that _____, the applicant organization:

- will comply with all applicable federal, state, and local laws relating to nondiscrimination in employment;
- will not discriminate against any individual who receives or applies for services on the basis of actual or perceived aged, race, creed, religion, color, national origin, gender, disability, marital status, sexual orientation, alienage, or citizenship; and
- will forward to the Office of the New York State Attorney General a copy of any finding by a court or administrative agency that it has violated any federal, state, or local law relating to nondiscrimination.

_____ _____

Signature of Authorized Certifying Official Date

_____

Name/Title

Sworn to before me this _____ day of _____, 20____;

_____ Notary Public

LABOR CERTIFICATION

I hereby certify that _____, the applicant organization:

- will comply with all applicable federal, state, and local labor and employment laws and regulations, including any applicable schedules or determinations made by the State Labor Department in accordance with the Labor Law; and
- will forward to the Office of the New York State Attorney General a copy of any finding by a court or administrative agency that it has violated any federal, state, or local law relating to labor or employment.

_____ _____
Signature of Authorized Certifying Official Date

_____
Name/Title

Sworn to before me this _____ day of _____, 20____;

_____ Notary Public

DECLARATION

I hereby declare under penalty of perjury that the information contained in this application and attachments thereto are accurate and complete and understand that false statements made herein are punishable as a Class A Misdemeanor pursuant to NY Penal Law Section 210.45.

_____ _____
Signature of Authorized Certifying Official Date

_____
Name/Title

Sworn to before me this _____ day of _____, 20____;

_____ Notary Public

FREQUENTLY ASKED QUESTIONS

Please note that these questions and answers are provided for general guidance and may be updated periodically throughout the application process. For more detailed information, consult the grant guidelines and application, which are posted on the website of the Office of the Attorney General and available at the Attorney General's regional offices throughout the State.

FAQ #1 Should a letter of inquiry or intent be sent prior to an application?

No. An organization must submit a complete application using the Home Ownership Protection Program Grant Application and following the grant guidelines and instructions.

FAQ #2 Who is eligible to apply?

Applicants should be not-for-profit entities, tax-exempt under 501(a) of the Internal Revenue Code, with an active New York State Charities registration number, or an approved exemption, and in good standing that currently provides free legal services.

FAQ #3 How much money may an organization seek in an application?

Applicants are encouraged to request funding that reflects the real anticipated costs of their proposed programs and that corresponds to the number of homeowners affected within the proposed geographic region they intend to serve. As a guidepost, we expect funding requests to fall within the range of $75,000 to $400,000. However, the OAG will consider requests that fall outside of these parameters assuming there is adequate documentation in the proposal to support the request. The OAG reserves the right to reject and/or modify any funding request made through this Request for Applications process.

FAQ #4 Can an organization apply for more than one grant?

OAG will issue two concurrent RFAs: One for provision of housing counseling services and one for provision of legal services. As previously stated, OAG will issue two concurrent RFA's: one for provision of housing counseling services and one for provision of legal services. Applicants should submit a response to the RFA that corresponds to their "primary field of service". However, applicants are encouraged to include in their proposal information regarding housing counseling and/or legal services that your organization may also provide in addition to your primary field of service. Applicants who feel that both housing counseling and legal services constitute their primary fields of service should submit two separate applications, one under each RFA. In cases where one organization is submitting two proposals, those applications will be reviewed and evaluated separately

Grant funds may fund housing counseling and/or legal services in different counties or geographic areas. In the narrative section of the application, applicants should clearly identify

each region they intend to serve, and which counties within the region(s). Applicants should use the prescribed list of regions found in attached **Appendix B**. Applicants will be given higher character limits in the narrative section depending on how many regions they intend to serve.

FAQ #5 Can an applicant use a subcontractor to provide services?

An applicant may choose to subcontract out a portion of its services. Details regarding the subcontractor's organization, capacity, and experience must be included with the applicant's application. Any fees associated with potential subcontracting should be budgeted into that applicant's application. Subcontracting shall be permitted only with prior approval of the Office of the Attorney General.

FAQ #6 What is the time period covered by the grants?

Grants will be provided for one year, renewable for a maximum of three years based on performance reviews, the grantee's ability to meet the terms of the grant agreement, and need for services.

FAQ #7 Will the Office of the Attorney General fund existing projects?

Yes. The funds may be used to sustain or expand an existing project, but we expect applicants to indicate the extent to which the proposed funding will expand existing capacity.

FAQ #8 What is the deadline for submitting the application.

Completed applications must be received by the Office of the Attorney General by 4:00 PM on July 18, 2012. The Office of the Attorney General may consider applications submitted after July 18th depending on the Attorney General's determination of the need for foreclosure prevention services in the proposed service area.

FAQ #9 What methods of delivery are acceptable?

Applications can be sent electronically or as electronic media via certified mail, first class mail, or overnight delivery service. The applicant is responsible for ensuring timely arrival by 4:00 PM on July 18th, 2012. Hand-delivered applications or walk-ins will not be accepted. Faxed submissions will not be accepted. The Office of the Attorney General will not send letters, transmit e-mail messages, or entertain phone calls acknowledging receipt of applications.

Applications and attachments may be submitted in PDF format either electronically or in electronic media including CD Rom or USB flash drive.

FAQ #10 Where should applications be sent?

Completed applications sent by certified mail, first class mail, or overnight delivery service should be sent to:

Office of the New York State Attorney General
Budget and Fiscal Management Bureau
State Capitol
Albany, NY 12224-0341
Attn: Pamela Harrington, Purchasing Agent

Completed applications sent electronically should be sent to purchase@ag.ny.gov.

FAQ #11 Once an organization receives the grant funds, what is expected of that entity?

A grantee is required to use the grant funds for the purpose specified in the approved application. The use of funds will be monitored by the Office of the Attorney General and its agents. All grantees will be required to document project expenditures using generally accepted accounting principles. Grantees will be required to submit regular progress reports. All grantees will also be required to document project results. Grantees will be required to submit regular statistical reports relative to the performance of their foreclosure prevention services.

All reporting of financial and project data will be submitted to one of two Anchor Partners. The Anchor Partners are organizations chosen by the Office of the Attorney General to monitor grantees as well as provide grantees with foreclosure prevention training and technical assistance. Anchor Partners will provide support and monitor grantees in specific regions of the State. Grantees will in general be assigned to the Anchor Partner which operates in the grantee's service area.

Grantees will deposit the awards checks in separate interest bearing bank accounts in an FDIC insured institution. All interest earned on the unexpended monthly balances during the term of the project will be used for achieving the purposes of its projects.

FAQ #12 Will the awards be granted in a lump sum or staged according to the progress of each project?

For the first grant year, the Office of the Attorney General will make funds available in two installments. Fifty percent of the initial grant year's funds will be made available to the grantee upon initial award of the grant. The remaining year-one funds will be released to the grantee following a six-month performance review administered by the grantee's Anchor Partner and approved by OAG. The grantee must meet the grant requirements to pass this review and receive the second installment of their grant funds for year one. Grant requirements will include, but not be limited to the successful completion of required reporting, delivery of services, and proper use of grant funds. If a grantee wishes to renew their grant for years two and three, similar, yearly reviews will be administered by the Anchor Partners.

FAQ #13 Will the grant expenditures be audited?

The Office of the Attorney General reserves the right directly or through designated third parties to conduct financial audits of grant funds to ensure that all funds were properly accounted for

according to generally accepted accounting principles, including, at the discretion of the Office of the Attorney General, interim audit(s) for instances of non-performance.

FAQ #14 Do grantee staff need special certification?

The OAG is requiring that all Housing Counselors funded through this program and who provide direct services to homeowners demonstrate that they have completed, or intend to complete within a reasonable timeframe following a grant award, the Homeownership Counseling certification provided by the Neighbor Works Center for Housing Education and Counseling (NCHEC) program. Housing Counseling organizations who provide these services outside of New York City will be offered this certification at no cost.

For New York City based Housing Counseling Program Only: The OAG encourages you to include a separate budget item specifically designated to cover the costs associated with completing the Housing Counseling certification program for appropriate staff members.

FAQ #15 Where can I learn more about the Homeowner Protection Program Grants?

Visit the website of the Office of the Attorney General at www.ag.ny.gov/bureaus/budget_fiscal/procurement.html for additional information and any updates, or review the grant guidelines and applications.

Appendix B – New York State Regions

Northeast Region	St. Lawrence, Franklin, Clinton, Essex, , Hamilton, Warren, Washington, Saratoga, Fulton, Montgomery, Schenectady, Schoharie, Albany, Greene, Columbia, and Rennsselaer
Western Southern Tier	Monroe, Wayne, Ontario, Livingston, Yates, Seneca, Tompkins, Tioga, Chemung, Schuyler, Steuben, Allegany, Cattaraugus and Chautauqua
Buffalo-Niagara	Genesee, Orleans, Niagara, Seneca, Wyoming, and Erie
Mid Central	Jefferson, Lewis, Oswego, Oneida, Herkimer, Otsego, Delaware, Chenango, Broome, Madison, Cortland, Onondaga, Cayuga
Hudson Valley	Ulster, Dutchess, Putnam, Westchester, Rockland, Orange and Sullivan
Long Island	Nassau and Suffolk
New York City	Bronx, Kings, Manhattan, Queens, and Richmond