



HUD CoC Competition: Local Applications Process for Appeals

The Balance of State Continuum of Care (BoS CoC), with leadership and support from the HUD CoC Application and Evaluation Committee membership, is responsible for developing the process by which applicants seeking funding (both renewal and new) are evaluated and ranked in a priority listing for funding.

The following policy is supported by the BoS CoC as of June 13, 2019, and will be reviewed annually.

Evaluation and Ranking

All HUD CoC funded projects seeking renewal funding in the HUD CoC Competition will be reviewed and scored by the HUD CoC Application and Evaluation Committee membership on multiple components which may include – but are not limited to – project performance, HMIS data, and CoC participation. The details of the scoring components, and the values of those components, will be specified yearly in the Renewal Application Score Card.

New, Bonus, and Infrastructure applications will be reviewed and scored by the HUD CoC Application and Evaluation Committee membership on multiple components which may include – but are not limited to – identified need, project scope, and applicant capacity. The details of the scoring components, and the values of those components, will be specified yearly in the New, Bonus, and Infrastructure Application Score Cards, respectively.

All projects must meet HUD's threshold for eligible recipients in order to be considered for ranking. All projects will be placed on the project priority list in accordance with ranking policies and application scores.

Types of Appeals

For the purposes of the FY19 HUD CoC Competition, local application scores can only be appealed based on calculations, as detailed below.

Calculations Appeal

An applicant may appeal the score if it can demonstrate that an error was made in calculating the score on any of the evaluation components. When appealing a calculation error, the applicant must demonstrate that a calculation error was made and produce evidence of what the correct calculation should be. Proposed corrections must be based on the data originally submitted with the application. Applicants may not change or correct data after the initial submission.

For the purposes of this policy, a "calculation error" is defined as an error made in addition, subtraction, division, multiplication, or other mathematical operation.



HUD CoC Competition: Local Applications Process for Appeals

Content of Appeals

The source of data for evaluating projects for continued HUD CoC funding is the data submitted in the project's APR, other HMIS data, or other records. The sources of data used to evaluate projects is given in the application and Detailed Instructions for each application type (Renewal, New, Bonus, Infrastructure). It is expected that applications have reviewed this data prior to submission. Therefore, applicants that submit an appeal may not appeal on the basis of having initially submitted incomplete or inaccurate data. Any appeal that is submitted in which the only rationale or evidence given is based on corrected data will be rejected and the project's original score will stand.

Appeals must be submitted electronically to the BoS CoC Coordinator within the specified timeframe, as detailed in the "Timeline for HUD CoC Program Local Application Process".

Appealing Placement on Project Priority List

Projects will be placed on the project priority list in accordance with the ranking policies and the final calculated application score. The final score will be either the score initially calculated or the re-calculated score based on any appeal made, if needed. Placement on the project priority list, however, does not guarantee funding, as the ultimate funding decision is made by HUD.

Applicants may not appeal the placement on the project priority list, whether the project is placed in Tier 1 or Tier 2. All project rankings are final and cannot be appealed.

Review of Appeals

The HUD CoC Application and Evaluation Committee will review all submitted appeals. Following the review, the Committee will decide whether or not to change the application score. This change is not a recommendation or decision as to where the project will be ranked, as the placement of projects on the project priority list is determined also by ranking policies.

For calculation appeals, the Committee will carry out the following activities:

- Review appeals material submitted by the applicant.
- Determine if a calculation error was made in the calculating the application score, and if so, present the corrected score.

If the Committee agrees that a calculation error occurred, then the decision can be made to grant the application the corrected score. The project will then be ranked according to the corrected score.



HUD CoC Competition: Local Applications Process for Appeals

If the Committee agrees that the initial score was correctly calculated, and that the applicant was not able to substantiate the need for a corrected calculation, then the decision can be made to rank the project according to the initial score.

Notification of Appeals Decision

Applicants will be informed of the decision from the HUD CoC Application and Evaluation Committee, and any additional instructions, in writing through email within 5 business days of the decision.

Conflict of Interest

All members of the HUD CoC Application and Evaluation committee will be required to sign a Conflict of Interest Disclosure statement. In the case that the BoS CoC Coordinator receives information of a real or potential conflict of interest, such information will be investigated and appropriate action taken.

Notification of Appeals Process and Submission of Appeals

The BoS CoC Coordinator will notify applicants via email of the project's initial score. The notification will also include details on how an applicant may submit an appeal and the timeline in which the appeal is to be submitted. The specifics on submitting the appeals (deadlines, method, contact person, timeline for making decisions) will be specified on a yearly basis. An applicant that does not submit an appeal by the stated deadline will be considered to not be appealing and therefore that project will automatically be ranked according to the initial score received.

HUD Appeal Process

The BoS CoC is responsible for making the decision on which projects are submitted to HUD each year as part of the annual CoC Competition. The ultimate decision in whether a project is funded is made by HUD.

The HEARTH Act, in 24 CFR 578.35, and the annual Notices of Funding Availability (NOFAs), provide information regarding the situations in which an applicant may submit an appeal directly to HUD. Applicants may appeal directly to HUD if they meet the criteria set forth in 24 CFR 578.35. The submission of an appeal to HUD, in accordance with HUD's policies and procedures, is the final recourse that may be taken by an applicant.



HUD CoC Competition: Local Applications Process for Appeals

Exceptions and Changes to Policy

The BoS CoC reserves the right to make an exception to these policy and procedures based on communication from HUD that impacts the CoC's ability to carry out the policy and procedures as described above. The BoS CoC also reserves the right to amend this policy on an annual basis based on any of the following: changes in HUD policy, changes in CoC policy related to the local application and evaluation processes, and/or changes to the project funding priorities.