



# United States Department of the Treasury

## Homeowner Assistance Fund Plan

### Introduction and Purpose

Welcome to the U.S. Treasury Department's submission portal for the Homeowner Assistance Fund (HAF) Plan.

In the HAF, an eligible entity (the "Participant") is (1) a state, the District of Columbia, or U.S. territory; (2) the Department of Hawaiian Home Lands; (3) each Indian tribe (or, if applicable, the tribally designated housing entity of an Indian tribe) that was eligible for a grant under Title I of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.) for fiscal year 2020; and (4) any Indian tribe that opted out of receiving a grant allocation under the Native American Housing Block Grants program formula in fiscal year 2020. A HAF Participant must submit its HAF Plan using this portal if it has been allocated \$5 million or more in the HAF. **If a HAF Participant has been allocated less than \$5 million, it should not use this form; a different form has been made available for smaller allocations.**

In the fields below, you will submit your HAF Plan, organized around the following plan elements:

- Homeowner Needs and Community Engagement
- Program Design
- Performance Goals
- Readiness
- Budget

After completing the form, please click on the DocuSign button to sign and submit the HAF Plan.

Once the HAF Plan is submitted, Treasury will review the plan. Treasury may approve a HAF Plan in whole or in part. If Treasury identifies weaknesses in any elements of your HAF Plan, the Participant will be provided an opportunity to revise and resubmit those elements. Upon Treasury's approval of the HAF Plan, Treasury will initiate steps to transmit the requested allocation amount. Treasury will evaluate HAF Plans as described in the HAF guidance, available at <https://home.treasury.gov/system/files/136/HAF-Guidance.pdf>. Please refer to the HAF guidance for definitions of terms used in this portal and additional information regarding the HAF.

### Homeowner Needs and Community Engagement

#### What Quantitative Data Has Informed the Participant's Planning?

*Treasury will assess the extent to which a Participant has, in the course of its HAF planning process, relied on quantitative data, including from community-based organizations or organizations that serve potentially eligible homeowners.*

In its HAF planning process, has the Participant obtained quantitative data from mortgage servicers, private data providers, government entities, community-based organizations or other sources to inform its planning about how to target and best serve eligible homeowners with mortgage delinquencies, defaults, foreclosures?

☒ Yes

☐ No

If yes, please list and briefly describe each source of quantitative data.

- *Data provided by Treasury contributed by a number of federal agencies, including information on mortgage delinquencies and forbearances, breakdowns by demographic factors, and concentration among mortgage servicers.*
- *Data from Black Knight – The Participant is collaborating with the University of Hawaii Economic Research Organization (UHERO) which contracted with Black Knight to receive high-frequency microdata on mortgage delinquencies and forbearance. This data will guide plans for implementation and subsequent updates to the state's HAF plan.*

In its HAF planning process, has the Participant obtained quantitative data from utility providers or entities charged with assessing and collecting property taxes or relied on quantitative data or studies to inform its planning about how to target and best serve eligible homeowners at risk of displacement due to utility arrearage or tax foreclosure?

Yes

☒ No, not at this time

If yes, please list and briefly describe each source of this type of quantitative data.

In its HAF planning process, has the Participant obtained and reviewed quantitative data or studies regarding which demographic segments in its jurisdiction have historically experienced discrimination in the housing or housing finance market?

☒ Yes

☐ No

If yes, list and briefly describe each study or source of quantitative data.

- *Dept. of Hawaiian Home Lands (2020). Beneficiary Study Results. Summarizes the state of Hawaiian Home Lands including the growing waiting list and other development challenges.*
- *Hawaii Advisory Committee to the US Commission on Civil Rights (2019). Micronesians in Hawaii: Migrant Group Faces Barriers to Equal Opportunity. Summarizes discrimination against Micronesian families in Hawaii.*
- *Jung, M. K. (2006). Reworking race: the making of Hawaii's interracial labor movement. Columbia University Press. Summarizes the immigrant experiences of primarily Asian immigrants to Hawaii.*
- *Kauanui, J. K. (2008). Hawaiian blood. Duke University Press. Summarizes the historical process of colonization and land dispossession from Native Hawaiians.*
- *Osorio, J. K. K. O. (2002). Dismembering Lahui. University of Hawaii Press. Summarizes the historical process of colonization and land dispossession from Native Hawaiians.*
- *Pindus, N., Kingsley, T., Biess, J., Levy, D., Simington, J., & Hayes, C. (2017). Housing needs of American Indians and Alaska Natives in Tribal areas: A report from the assessment of American Indian, Alaska Native, and Native Hawaiian housing needs: Executive summary. US Dept. of Housing and Urban Development. Summarizes housing issues among Native Hawaiian Populations.*
- *Pruitt, A. S., & Barile, J. P. (2020). Unsheltered in Honolulu: Examining Unsheltered Homelessness in Honolulu from 2017-2020. Prepared for the City & County of Honolulu and Partners in Care. Statistics on the disproportionate number of Native Hawaiian and Pacific Islanders experiencing homelessness.*
- *Takaki, R. (1984). Pau Hana: Plantation Life and Labor in Hawaii, 1835â 1920. University of Hawaii Press. Summarizes the immigrant experiences of primarily Asian immigrants to Hawaii.*
- *Turner, M. A. (2003). Discrimination in Metropolitan Housing Markets: Asians and Pacific Islanders. Phase 2. DIANE Publishing. Documents discrimination against AAPI households in a sample including Honolulu.*

In the following text box, please list any source not listed above of quantitative information, including sources of data on the performance of any of the Participant's previously implemented programs, that the Participant used to inform its HAF planning process, briefly describe how the data informed the Participant's planning.

- *Center for NYC Neighborhoods. 11/13/2021, COVID-19 Homeowner Assistance Fund, Learning From the Hardest Hit Fund (HHF) and NYS Mortgage Assistance Program (NYS-MAP) to Maximize the Efficacy of the HEROES Act's Homeowner Assistance Fund. This working paper assesses the strengths and weaknesses of the HHF and makes programmatic recommendations for providing financial assistance under HAF.*
- *National Consumer Law Center and National Reverse Mortgage Lenders Association, April 2021, Using the Homeowner Assistance Fund to Prevent Reverse Mortgage Foreclosures: What Treasury and the States Can Do. This paper provides information on preventing reverse mortgage foreclosures resulting from property charge defaults.*
- *National Council for State Housing Agencies, May 7, 2021, Best Practices for HFA Mortgage Design: Lessons Learned from HHF and CRF Presentation. This presentation summarizes the results of NCSHA's survey of HFAs that administered the HHF program to help inform efforts to develop the HAF program.*
- *NeighborWorks, February 13, 2019, Responding to a Crisis: The National Foreclosure Mitigation Counseling Program, 2008-2018. This capstone evaluation by Urban Institute reports on the lessons learned from the NFMC program and application for similar programs in the future.*
- *HHFDC administered Rounds 2-7 of the NFMC program, as well as the Emergency Homeowners' Loan Program from 2008-2013, as well as the Rent Relief and Housing Assistance Program (RRHAP) which provided payments for rents and mortgages, funded by the CARES Act in 2020. The implementation of these programs helped to inform the HAF planning process.*

Did the Participant communicate with mortgage servicers regarding the development of its program design?

☒ Yes

☐ No

Did the Participant communicate with other HAF participants regarding the development of its program design?

☒ Yes

☐ No

**How Has Community Engagement and Public Participation Informed the Participant's Planning?**

*Treasury will assess the extent to which a Participant's assessment of homeowner needs has been informed by and reflects input from organizations and individuals representing eligible homeowners, including any opportunities for public participation in the development of the Participant's plan. Treasury will pay particular attention to the extent of the Participant's engagement with populations that are the subject of statutory targeting requirements.*

Has the Participant requested and received input on its HAF planning process from providers of housing counseling services or providers of legal assistance to homeowners facing foreclosure or displacement?

☒ Yes

☐ No

If yes, please list such providers, including the providers' address and website. Please indicate by checking the appropriate box below if the provider's primary purpose is to serve low- and moderate-income households or to address the impacts of housing discrimination on one or more demographic groups in the Participant's jurisdiction.

| Provider Name                                       | Provider Address                                        | Provider Website                                                         | Provider Primarily Serves LMI Households | Provider Addresses Impacts of Housing Discrimination |
|-----------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------|------------------------------------------------------|
| <i>Example: ABC Housing Counseling Organization</i> | <i>123 Housing Counseling Way, Town, State Zip Code</i> | <i>www.abccounselingorganization.org</i>                                 | CHECK BOX                                | CHECK BOX                                            |
| Hawaii HomeOwnership Center                         | 1259 Aala St. #201, Honolulu, HI 96817                  | <a href="http://www.hihomeownership.org">www.hihomeownership.org</a>     | <input checked="" type="checkbox"/>      | <input checked="" type="checkbox"/>                  |
| Hawaiian Community Assets                           | 200 N. Vineyard Blvd. #B140, Honolulu, HI 96817         | <a href="http://www.hawaiiancommunity.net">www.hawaiiancommunity.net</a> | <input checked="" type="checkbox"/>      | <input checked="" type="checkbox"/>                  |
| Legal Aid Society of Hawaii                         | 924 Bethel St., Honolulu, HI 96813                      | <a href="http://www.legalaidhawaii.org">www.legalaidhawaii.org</a>       | <input checked="" type="checkbox"/>      | <input checked="" type="checkbox"/>                  |
| Council for Native Hawaiian Advancement             | 91-1270 Kinoaiki St., Kapolei, HI 96707                 | <a href="http://www.hawaiiancouncil.org">www.hawaiiancouncil.org</a>     | <input checked="" type="checkbox"/>      | <input checked="" type="checkbox"/>                  |
| Habitat for Humanity Maui, Inc.                     | 1162 Lower Main St., Wailuku, HI 96793                  | <a href="http://www.habitat-maui.org">www.habitat-maui.org</a>           | <input checked="" type="checkbox"/>      | <input checked="" type="checkbox"/>                  |

|              |                                                |                                                              |   |   |
|--------------|------------------------------------------------|--------------------------------------------------------------|---|---|
| Hale Mahaolu | 95 Mahalani St., #28-<br>2A, Wailuku, HI 96793 | <a href="http://www.halemahaolu.org">www.halemahaolu.org</a> | X | X |
|--------------|------------------------------------------------|--------------------------------------------------------------|---|---|

Has the Participant requested and received input regarding its HAF planning process from community-based organizations or organizations that serve potentially eligible homeowners?

☒ Yes

☐ No

If yes, please list such organizations, including the providers' address and website if available. Please indicate by checking the appropriate box below if the provider's primary purpose is to serve low- and moderate-income households or to address the impacts of housing discrimination on one or more demographic groups in the Participant's jurisdiction.

| Organization Name                           | Organization Address                                 | Organization Website                                                                   | Organization Primarily Serves LMI Households | Provider Addresses Impacts of Housing Discrimination |
|---------------------------------------------|------------------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------|------------------------------------------------------|
| <i>Example: ABC Community Organization,</i> | 123 Community Organization Way, Town, State Zip Code | <a href="http://www.abccommunityorganization.org">www.abccommunityorganization.org</a> | CHECK BOX                                    | CHECK BOX                                            |
| Hawaii Habitat for Humanity Association     | 2051 Young St. #82, Honolulu, HI 96826               | <a href="http://www.hawaiihabitat.org">www.hawaiihabitat.org</a>                       | X                                            | X                                                    |
| Hawaii Community Lending                    | 200 N. Vineyard Blvd. #B140, Honolulu, HI 96817      | <a href="http://www.hawaiiancommunity.net">www.hawaiiancommunity.net</a>               | X                                            | X                                                    |
| Council for Native Hawaiian Advancement     | 91-1270 Kinoiki St., Kapolei, HI 96707               | <a href="http://www.hawaiiancouncil.org">www.hawaiiancouncil.org</a>                   | X                                            | X                                                    |
|                                             |                                                      |                                                                                        |                                              |                                                      |

Has the Participant consulted with localities or tribal governments (cities, counties, or rural communities) in its jurisdiction regarding the needs of eligible homeowners in its jurisdiction?

☒ Yes

☐ No

Has the Participant provided an opportunity for public input regarding its HAF Plan through public hearings or published materials?

☒ Yes

☐ No

If yes, please indicate whether a proposed or draft plan was published, please describe where details about the comment solicitation were posted, for how long, in what languages, and whether any efforts were made to make the posting accessible to persons with disabilities or individuals without reliable internet access.

*In addition to outreach to local housing agencies and community organizations, a virtual public hearing (with phone access) on the draft HAF Plan was held on June 10, 2021. Notices of the hearing and availability of the draft HAF plan, which was published in English, were posted to the State of Hawaii public meeting and HHFDC websites, as well as emailed to members of the public who have requested notification of HHFDC meetings. Auxiliary aid/service or other accommodations due to a disability were available upon request. The draft HAF Plan remained posted on HHFDC's website beyond the public hearing date. Counties and stakeholders attended and offered comments on the draft HAF Plan. Staff follow-ups with commenters were made to flesh out comments.*

*No additional public comments were received since the HAF Plan was submitted to Treasury.*

**How Will the Participant Continue to Assess the Needs of Eligible Homeowners?**

*Treasury anticipates that an ongoing process of assessing the needs of eligible homeowners will help address the needs of potentially eligible homeowners as economic conditions change over time.*

Does the Participant plan to update its assessment of community needs within the next year to determine whether its HAF program design should be updated to address changing needs of potentially eligible homeowners?

☒ Yes

☐ No

What additional data would be helpful to the Participant as it seeks to assess homeowner needs over time?

- UHERO has contracted with Black Knight to receive monthly updates on delinquency and forbearance.
- Monthly data for utility and property tax delinquencies will be pursued.

## Program Design

**What are the Program Design Elements Through Which the Participant Will Deliver HAF Assistance to Eligible Homeowners?**

*A program design element is a specific activity or program, which is consistent with a qualified expense category, under which a Participant will disburse HAF funds in accordance with the HAF Plan. Please note that multiple program design elements may fit under a single qualified expense category; for example, a mortgage assistance program that has different terms for federally backed mortgages and manufactured-home mortgages may constitute two separate program design elements, for which case the Participant provides a separate term sheet or other description for each program design element.*

*HAF participants must have at least one program design element intended to reduce mortgage delinquency among targeted populations. Treasury encourages HAF participants to consider program design elements that address homeownership preservation for targeted populations in areas where there is a sustained trend of increasing property taxes or utility costs, including for households that do not have mortgages.*

Please identify each qualified expense category in which the Participant will offer a program design element by checking the boxes below.

- ☒ mortgage payment assistance;
- ☒ financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing-related costs related to a period of forbearance, delinquency, or default;
- ☒ mortgage principal reduction, including with respect to a second mortgage provided by a nonprofit or government entity; **Principal reduction only**
- ☒ facilitating mortgage interest rate reductions;
- ☒ payment assistance for homeowner's utilities, including electric, gas, home energy, and water;
- ☐ payment assistance for homeowner's internet service, including broadband internet access service, as defined in 47 CFR 8.1(b);
- ☒ payment assistance for homeowner's insurance, flood insurance, and mortgage insurance;
- ☒ payment assistance for homeowner's association fees or liens, condominium association fees, or common charges;
- ☐ payment assistance for down payment assistance loans provided by nonprofit or government entities;



- X payment assistance for delinquent property taxes to prevent homeowner tax foreclosures;
- Y measures to prevent homeowner displacement, such as home repairs to maintain the habitability of a home or assistance to enable households to receive clear title to their properties.

Hawai'i was particularly affected by the COVID-19 pandemic, due to the State's extensive reliance on the visitor and hospitality industry. With all travel shut down, and residents under lock-down orders, employers in the hotel and restaurant industry terminated or furloughed many employees, and unemployment spiked to 21.9% in April 2020. Without income, many individuals were no longer able to meet their mortgage and housing obligations.

Hawai'i utilized local and national studies to determine best practices to assist homeowners abruptly faced with lost income, which could result in loss of residence. The studies listed in the Homeowners Needs Section provided analyses of historical and ongoing housing challenges faced by populations in general, and specifically in Hawai'i by Native Hawaiian and Pacific Islander populations. Key program design elements included in Hawaii's HAF plan incorporated the information in the data sources listed in the "Homeowner Needs" section of the plan. The data sources indicated that these program elements were effective:

- Financial and foreclosure mitigation counseling by qualified counselors. The NFMC program demonstrated that counseling significantly lowered foreclosures and reduced delinquency for clients. It helped clients lower their monthly mortgage payments and reduced the chance that clients would default again, which allowed them to stay in their homes. Moreover, housing counselors emerged as a good liaison between the homeowners and servicers because they were able to translate the requirements between parties and help advocate for solutions that best fit all involved.
- Legal services. The Center for NYC Neighborhoods also spoke to the importance of integrating housing counseling and legal services into a mortgage assistance program. Legal services providers can train and support housing counselors in helping homeowners access programs and provide homeowners with in-court representation.
- Payments for property charges whether or not homeowner has an eligible mortgage. Elderly homeowners with reverse mortgages (many on fixed income) could lose their homes to foreclosure if they default on property charges, including property taxes and homeowner association fees. Payments for overdue property charges and utilities is also an NCSHA best practice (based on a survey of Hardest Hit Fund administrators).
- Mortgage reinstatement. One of the key lessons learned from administration of the Hardest Hit Fund program is the most effective way to help struggling homeowners is to first give them the assistance they need to reinstate their mortgage. If the homeowner requires more assistance, they will be in a better position to work out a loan modification with their servicer.
- Assistance is structured as non-recourse grant. Another lesson learned from HHF is to structure new mortgage assistance as a grant rather than a loan because loans require much more documentation and time to underwrite, process and service.

The plan is for homeowners to engage with HUD-approved housing counseling agencies very early in the process. At the point of application, screening will be conducted by housing counselors to identify immediate threats to housing stability. For example, if a homeowner has been served with a foreclosure complaint or notice of default and intent to foreclose, an immediate referral to legal services will be made.

Hawaii's HAF program will connect homeowners with counselors from HUD-approved housing counseling agencies very early in the process as noted in the response above. Homeowners will work with housing counselors to complete a questionnaire to assess program eligibility and identify immediate threats to housing stability.

Housing counselors will:

- Provide information on the foreclosure process and their rights.
- Refer homeowners to legal services when necessary.
- Determine eligibility for other financial assistance or public benefits.
- Provide counseling services including, but not limited to:
  - Assisting homeowners to create a budget and action plan
  - Foster an understanding of the foreclosure process and alternatives to foreclosure
  - Foster an understanding of loss mitigation options.
- Along with financial counselors from Treasury-certified CDFIs, assist homeowners with workout plans and communication with servicers.

Legal service providers will assist homeowners to better understand their legal options when facing foreclosures or defaults. Services will include:

- Legal representation in wrongful foreclosure actions.
- Pro se motions to set aside default judgements; negotiate stipulated set asides of default judgements with legal counsel of HOAs and servicers.
- Legal counsel and advice regarding a variety of situations including: post-foreclosure writ of ejectment or writ of possession process, real property tax delinquencies, foreclosures, and post-foreclosure rights of redemption, general effect of bankruptcy on mortgage default and foreclosures and timing of filing, responsive pleadings for homeowners in active foreclosure who do not have a defense, and viable exit strategies for those in active foreclosure.
- Reviewing short sale agreements, deeds in lieu of foreclosure agreements, agreements of sale, and leasehold agreements.
- Reviewing homeowner association's declaration of covenants, conditions and restrictions, bylaws and house rules.

For each program design element that the Participant will offer, the Participant is required to upload a term sheet or other description that, at a minimum, provides the following information regarding that program design element. Term sheets for all of Participant's HAF programs may be uploaded together as one document.

The plan will be modified to reflect that homeowners will NOT have to fully exhaust all loss mitigation options prior to qualifying for HAF payment assistance. HAF payments will be incorporated into the waterfall to help homeowners to achieve an appropriate and sustainable outcome.

Homeowners may document their efforts at loss mitigation by providing any of the following information:

- A request to lender for loss mitigation assistance
- The Loss Mitigation program currently enrolled in – forbearance, deferment, repayment plan, trial payment plan, modification
- A copy of the lender's loss mitigation denial letter or a demand letter

Please see the revised Term Sheets.

- **Brief description** – Explain how the funds will be used (e.g., what type of homeowner expense the funds will be used for). If applicable, describe how the funds may be used in combination with other assistance programs (e.g., loan servicer loss-mitigation programs).
- **Maximum amount of assistance per homeowner** - Specify the maximum amount of assistance that each homeowner will be eligible to receive under the program design element.
- **Eligibility criteria and documentation requirements** – Explain all homeowner, mortgage, property, or other eligibility criteria for the program design element (other than the mandatory eligibility requirements set forth in the HAF guidance). In addition, list any documentation that will be required from homeowners to establish such eligibility. Provide a justification for each additional eligibility or documentation requirement beyond those required under the HAF guidance, including an explanation of how the Participant determined that such requirement will not create barriers to participation for eligible households.
- **Form of assistance** – Indicate whether the funds will be provided in the form of grants, forgivable loans, or other assistance. If the funds will be provided through forgivable loans, specify the terms for forgiveness. If the Participant proposes to provide the assistance in a form other than grants or forgivable loans, provide the reasoning for the proposed terms. If the Participant proposes to establish a home repair program, explain all criteria that will be used to determine whether a homeowner is eligible for the program (e.g., contractor licensing, repair contract requirements, zoning).
- **Payment requirements** – Indicate to whom payments will be made (e.g., to homeowners or to a third party) and any additional requirements there may be to complete a payment (e.g., bulk payment requirements for payees, method of determining amount of payment).

A HAF participant may elect to revise its HAF Plan over time to add or subtract program design elements. Does the Participant anticipate adding additional program design elements to this HAF Plan within one year of this submission?

XYes

No

Treasury has provided sample term sheets to assist HAF participants in developing their HAF plans. Participants may use these sample term sheets, in whole or in part, as part of their submission. To the extent the Participant intends

to structure the program differently with respect to significant program terms described in the Sample Term Sheets, Treasury will, in the course of its review of the HAF Plan, request a justification for how the alternate approach will further the objectives of the HAF, including targeting and prioritization requirements. In the chart below, the HAF Participant may provide a justification for significant deviations from the terms described in the sample term sheets upon initial submittal.

(optional for initial submission)

| Program Design Element | Deviation from sample terms                                                                                                                | Justification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Eligibility            | Liquid asset limit of no more than 5 months-worth of total housing expenses (exclusive of retirement, college, or health savings accounts) | <p>The intent of the eligibility criterion placing a cap on liquid assets is to leverage the limited HAF funds allotted to Hawaii and to address an issue raised by local banks and servicers whereby income-eligible borrowers want to hold out for HAF assistance to reinstate their mortgage despite having substantial savings or liquid assets. One of the examples shared with us was a homeowner who had accumulated about a million dollars in savings, but did not want to use his savings to pay the arrearage owed to the bank.</p> <p>Banks and financial experts suggest saving anywhere from 3 to 6 months' worth of salary to prepare for financial emergencies such as job loss, sudden medical challenges, or other unforeseen events. HAF-eligible homeowners who have prepared for such financial emergencies could draw on their emergency savings to address their housing needs. Homeowners are <u>not</u> required to exhaust their savings. Additionally, retirement, college, and health savings accounts will not be considered as liquid assets. This criterion is not intended to create an unnecessary barrier to participation by eligible</p> |

|  |  |                                                                            |
|--|--|----------------------------------------------------------------------------|
|  |  | homeowners. The plan will be revised to provide for reasonable exceptions. |
|  |  |                                                                            |
|  |  |                                                                            |
|  |  |                                                                            |

### **Documentation of Homeowner Income**

*Homeowners are eligible to receive amounts allocated to a HAF participant under the HAF only if they have incomes equal to or less than 150% of the area median income or 100% of the median income for the United States, whichever is greater. In addition, not less than 60% of amounts made available to each HAF participant must be used for qualified expenses that assist homeowners having incomes equal to or less than 100% of the area median income or equal to or less than 100% of the median income for the United States, whichever is greater. The HAF guidance describes permissible ways for HAF participants to determine homeowner income.*

Under the HAF guidance, one permissible approach for determining income is for (1) the household to provide a written attestation as to household income and (2) the HAF participant to use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household's geographic area. Will the Participant allow income to be determined in this way?

☒ Yes

☐ No

If yes, please describe the fact-specific proxy or proxies to be used for the income determination.

The overall goal of the HAF program is to help homeowners sustain homeownership and prevent foreclosure stemming from financial hardships associated with the COVID-19 pandemic. Obtaining income documentation from homeowners is a key piece of assessing loss mitigation options and sustainability.

In 2020, the Hawaii Housing Finance and Development Corporation (HHFDC) administered the Rent Relief and Housing Assistance Program (RRHAP), which provided rental and mortgage payment assistance using funds appropriated under the federal CARES Act. Because the RRHAP accepted various forms of income verification, obtaining documentation from applicants was not a barrier to participation. The Department of Hawaiian Home Lands and counties of Honolulu, Hawaii, Kauai, and Maui have also indicated that obtaining income documentation is not a major problem for their housing assistance programs.

However, to avoid unnecessary barriers to participation by eligible homeowners, the plan will be amended to allow for the use of a fact-specific proxy, such as an applicant's participation in other government programs with similar income eligibility or census tract data on the average incomes in the household's geographic area. A fact-specific proxy may be used in the event homeowners are unable to provide timely income documentation.

Under the HAF guidance, HAF participants may provide waivers or exceptions to this documentation requirement as reasonably necessary to accommodate extenuating circumstances, such as disabilities, practical challenges related to the pandemic, or a lack of technological access by homeowners; in these cases, the HAF participant is still responsible for making the required determination regarding household income and documenting that determination. Will the Participant allow applicants to request such waivers or exceptions?

☒ Yes

☐ No

### ***Eligible Mortgage Types***

Please indicate which of the following mortgage types are eligible to be assisted under one or more of the Participant's program design elements

☒ First Mortgages

☐ Second Mortgages

☐ Reverse Mortgages (Home Equity Conversion Mortgages, Single-Purposes Reverse Mortgages, or Proprietary Reverse Mortgages)

☐ Loans Secured by Manufactured Housing (secured by real estate or a dwelling)

☐ Contracts for Deed or Land Contract (if it is a credit transaction secured by a consensual security interest in the dwelling)

If the Participant excludes any of the forgoing mortgage types from one or more program design elements, explain the exclusion.

Hawaii receives the minimum HAF allocation of \$50 million. With roughly 12,000 homeowners in forbearance and another 5,000 at least 30 days delinquent, funding to assist all homeowners is not available. Therefore, first mortgages are the priority. See additional exclusion rationale below.

- Second mortgages. Should a lender in the second position decide to foreclose on a property, it must fully repay the lender in the first position before recovering the money it is owed. If there is insufficient equity in the property, it is unlikely that the holder of the second mortgage will foreclose. It is also unlikely that government or nonprofit entities, in the business of making second mortgages to assist low income homebuyers with down payment loans, would foreclose without first trying to work with the homeowner.
- Reverse mortgages ~~have been excluded because senior homeowners convert their home equity into cash income with no monthly mortgage payments. However, the~~ The HAF program will assist eligible homeowners with reverse mortgages under the Property Charge Default Resolution program. Eligible homeowners will receive assistance with curing past due housing related expenses (e.g., condominium association maintenance or HOA fees, PUD community association fees, leasehold payments, property taxes, etc.) to the extent that past due amounts may not otherwise be deferred or allowed to be made under a payment plan to reach an “affordable” payment.
- Loans secured by manufactured housing. In Hawaii, manufactured homes with a permanent foundation are essentially treated like traditional “stick built” ones. Hawaii building codes do not allow mobile homes or manufactured housing without a permanent foundation.
- Contracts for deed or land contract. There is insufficient data on contracts for deed, referred to as agreements of sale. However, the HAF program will assist with curing past due housing related expenses (e.g., HOA and PUD fees, leasehold payments, property taxes, etc.) to the extent that past due amounts may not otherwise be deferred or allowed to be made under a payment plan to reach and “affordable” payment.

#### **How Will the Participant Target HAF Resources Consistent with Statutory Requirements?**

The Participant must describe how it will target HAF resources in accordance with the HAF guidance. Targeting strategies are affirmative efforts to inform, encourage the participation of, and facilitate access to resources for targeted households, including by offering multiple intake formats, engaging with nonprofit organizations (e.g., housing counselors or legal services organizations) to provide additional pathways into the program, and providing community outreach, partnerships with housing counseling agencies or legal aid organizations, or other educational services that are aligned with the HAF participant’s program design, in a manner that is culturally and linguistically relevant to the targeted communities.

#### **Defining Socially Disadvantaged Individual**

Please describe the process the Participant will use to determine whether a homeowner is a “socially disadvantaged individual” as defined in the HAF guidance.



The HAF application form will include a field for race and ethnicity. Applicants which self-identify as any of the following categories will be determined to be “socially disadvantaged individuals” – (1) Native Hawaiians; (2) Pacific Islanders, particularly COFA migrants; (3) Asian Americans; (4) multi-ethnic individuals who identify, at least in part, as any of the aforementioned categories; (5) Blacks; and (6) Hispanics.

The HAF program will prioritize homeowners with incomes at or below 100% AMI. According to the needs assessment that was done by the University of Hawaii Economic Research Organization, over 70% of the homeowners in Hawaii qualify as “socially disadvantaged” and Hawaii suffered the largest economic decline of any state in the nation due to the pandemic’s impact on tourism. A significant portion have low to moderate incomes.

The lower income and socially disadvantaged homeowners represent the typical participant currently being served by the housing counselor agencies in Hawaii. Hawaii’s program will be run by a network of these agencies that are adept with dealing with the target population for this HAF program and will have methods in place that will align with Treasury’s priority targets.

#### **Public Communications**

Will the Participant engage in a public communications campaign to raise awareness among targeted populations about the availability of HAF resources, in media such as television, newspapers, online media, or social media?

☒ Yes  
☐ No

If yes, please indicate whether the public communications campaign will include communications that primarily target the following populations:

- ☒ Homeowners earning less than 100% of area median income
- ☒ member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society;
- ☒ resident of a majority-minority Census tract;
- ☒ resident of a U.S. territory, Indian reservation, or Hawaiian Home Land;
- ☒ homeowners that reside in persistent poverty counties;
- ☒ individual with limited English proficiency.

Please indicate in which languages, in addition to English, public communications to targeted populations will be undertaken:

- ☒ Spanish
- ☒ Chinese
- ☐ Vietnamese

☒ Korean

☒ Tagalog

☐ Russian

☐ Arabic

☐ Haitian Creole

☒ Other available through subcontracted language bank providers

### **Outreach**

Will the Participant engage in outreach through partnerships with organizations that focus primarily on serving homeowners earning incomes below 100% of area median income or socially disadvantaged individuals and that have the capacity to engage targeted communities in a culturally and linguistically relevant manner to encourage the submission of applications for HAF resources from targeted populations?

☒ Yes

☐ No

If yes, please indicate whether the community outreach efforts will include partnerships with organizations that primarily target the following populations:

☒ member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society;

☒ resident of a majority-minority Census tract;

☒ resident of a U.S. territory, Indian reservation, or Hawaiian Home Land;

☒ homeowners that reside in persistent poverty counties;

☒ individual with limited English proficiency.

Please indicate in which languages, in addition to English, community outreach efforts to targeted populations will be undertaken:

☒ Spanish

☒ Chinese

☐ Vietnamese

☒ Korean

☒ Tagalog

☐ Russian

☐ Arabic

☐ Haitian Creole

☒ Other available through subcontracted language bank providers

The HAF program will be marketed through a broad range of outreach strategies. Informational material will be translated into different languages, posted to state, county, and community websites, and marketed through trusted community-based organizations that serve persons with limited English proficiency. The state will also join the Department of Hawaiian Home Lands in messaging the HAF program through the Council for Native Hawaiian Advancement and other Hawaiian organizations.

The geographic areas where applications are from will be monitored to assess and, if needed, re-direct outreach strategies.

Applications will be accepted through multiple channels including an online portal, via paper application forms received by mail, email, fax or in person, and, to the extent possible, through in-person events while maintaining social distancing protocols.

***Housing Counseling and Legal Services***

Will the Participant facilitate access for eligible households to housing counseling or legal services?

☒ Yes

☐ No

If yes, please identify below the providers of housing counseling or legal services that have indicated to the Participant that they are willing and able to support homeowners receiving assistance under the Participant's HAF programs.

| Provider<br>Name | Provider<br>Address | Provider Website | Provider Primarily<br>Serves LMI<br>Households | Provider<br>Addresses<br>Impacts of |
|------------------|---------------------|------------------|------------------------------------------------|-------------------------------------|
|------------------|---------------------|------------------|------------------------------------------------|-------------------------------------|

|                                                     |                                                  |                                                                                          |           | <b>Housing Discrimination</b> |
|-----------------------------------------------------|--------------------------------------------------|------------------------------------------------------------------------------------------|-----------|-------------------------------|
| <i>Example: ABC Housing Counseling Organization</i> | 123 Housing Counseling Way, Town, State Zip Code | <a href="http://www.abccounselingorganization.org">www.abccounselingorganization.org</a> | CHECK BOX | CHECK BOX                     |
| Hawaii HomeOwnership Center                         | 1259 Aala St. #201, Honolulu, HI 96817           | <a href="http://www.hihomeownership.org">www.hihomeownership.org</a>                     | X         | X                             |
| Hawaiian Community Assets                           | 200 N. Vineyard Blvd. #B140, Honolulu, HI 96817  | <a href="http://www.hawaiiancommunity.net">www.hawaiiancommunity.net</a>                 | X         | X                             |
| Legal Aid Society of Hawaii                         | 924 Bethel St., Honolulu, HI 96813               | <a href="http://www.legalaidhawaii.org">www.legalaidhawaii.org</a>                       | X         | X                             |
| Council for Native Hawaiian Advancement             | 91-1270 Kinoiki St., Kapolei, HI 96707           | <a href="http://www.hawaiiancouncil.org">www.hawaiiancouncil.org</a>                     | X         | X                             |
| Habitat for Humanity Maui, Inc.                     | 1162 Lower Main St., Wailuku, HI 96793           | <a href="http://www.habitat-maui.org">www.habitat-maui.org</a>                           | X         | X                             |
| Hale Mahaolu                                        | 95 Mahalani St., #28-2A, Wailuku, HI 96793       | <a href="http://www.halemahaolu.org">www.halemahaolu.org</a>                             | X         | X                             |

### **Targeting specific groups of homeowners**

Will the Participant conduct outreach specifically tailored to target potentially eligible households that:

Y Have mortgages or mortgage assistance contracts held or backed by the Participant?

Y Have mortgages backed by any of the following agencies: Federal Housing Administration; Department of Veterans Affairs; U.S. Department of Agriculture?

Y Have privately held mortgages?

### **What Efforts will be Made to Address Barriers to HAF Program Participation for Potentially Eligible Homeowners, Including Those with Limited English Proficiency or Who are Disabled?**

*Targeted outreach may be needed to reach homeowners who are likely to experience barriers to access, including persons with limited English proficiency and those with disabilities.*

Indicate all of the languages, in addition to English, in which the Participant's HAF application and other program documents will be made available:

Y Spanish

Y Chinese

Y Vietnamese

Y Korean

Y Tagalog

Y Russian

Y Arabic

Y Haitian Creole

X other interpreters will assist homeowners with limited English proficiency in completing applications

Will the Participant's HAF applications and other program documents be provided in forms that are accessible to persons with disabilities?

Yes In addition to an online portal, homeowners may apply for assistance via paper application forms received by mail, email, fax, or to the extent possible, through in-person events hosted by subcontractors

No

## Performance Goals

*Treasury will consider the goals and benchmarks the Participant proposes to use to measure the effectiveness of its programs, including whether those goals address the homeowner needs identified by the Participant, the extent to which the goals are disaggregated by key homeowner characteristics as appropriate for the jurisdiction, and whether they include a goal focused on reducing mortgage delinquency.*

Please describe Participant's goals and benchmarks for each of its programs with the following program design elements.

| Program Design Element                                                                                        | Metrics of Success                              | Goal                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mortgage payment assistance                                                                                   | Number of home losses avoided due to HAF funds. | Prevent 1,400-2,500 homeowners from losing their homes thru a combination of mortgage payments assistance; mortgage reinstatements; mortgage principal reduction; and mortgage interest rate reductions. |
| Allow homeowners to reinstate mortgages or pay other housing-related costs                                    | Number of home losses avoided due to HAF funds. | Prevent 1,400-2,500 homeowners from losing their homes thru a combination of mortgage payments assistance; mortgage reinstatements; mortgage principal reduction; and mortgage interest rate reductions. |
| Mortgage principal reduction                                                                                  | Number of home losses avoided due to HAF funds. | Prevent 1,400-2,500 homeowners from losing their homes thru a combination of mortgage payments assistance; mortgage reinstatements; mortgage principal reduction; and mortgage interest rate reductions. |
| Facilitating mortgage interest rate reductions                                                                | Number of home losses avoided due to HAF funds. | Prevent 1,400-2,500 homeowners from losing their homes thru a combination of mortgage payments assistance; mortgage reinstatements; mortgage principal reduction; and mortgage interest rate reductions. |
| Payment assistance for homeowner's utilities (e.g., electric, gas, home energy, and water)                    | Number of home losses avoided due to HAF funds. | Prevent approximately 1,000 homeowners from displacement thru a combination of payments for utilities, insurance, HOA fees, PUD fees, property taxes, lease rent or other housing related expenses.      |
| Payment assistance for homeowner's internet service (e.g., broadband)                                         | Not applicable                                  | N/A                                                                                                                                                                                                      |
| Payment assistance for homeowner's, flood, and mortgage insurance                                             | Number of home losses avoided due to HAF funds. | Prevent approximately 1,000 homeowners from displacement thru a combination of payments for utilities, insurance, HOA fees, PUD fees, property taxes, lease rent or other housing related expenses.      |
| Payment assistance for homeowner's association fees or liens, condominium association fees, or common charges | Number of home losses avoided due to HAF funds. | Prevent approximately 1,000 homeowners from displacement thru a combination of payments for utilities, insurance, HOA fees, PUD                                                                          |

|                                                                                                   |                                                 |                                                                                                                                                                                                     |
|---------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                   |                                                 | fees, property taxes, lease rent or other housing related expenses.                                                                                                                                 |
| Payment assistance for down payment assistance loans provided by nonprofit or government entities | Not applicable                                  | N/A                                                                                                                                                                                                 |
| Payment assistance for delinquent property taxes to prevent homeowner tax foreclosures            | Number of home losses avoided due to HAF funds. | Prevent approximately 1,000 homeowners from displacement thru a combination of payments for utilities, insurance, HOA fees, PUD fees, property taxes, lease rent or other housing related expenses. |
| Measures to prevent homeowner displacement                                                        | Not applicable                                  | N/A                                                                                                                                                                                                 |

*Examples of metrics of success:*

- Number of home losses avoided due to HAF funds.
- Number of tax-related delinquencies paid off.

*Examples of goals:*

- Prevent 500 home losses within 24 months
- Prevent the replacement of 100 homeowners by paying off delinquent property taxes

Dashboards reporting high level program metrics will be posted to the state and county websites. Metrics will include the following, with the top three considered the best indicators of success:

- Number of homeowners assisted (including the number of people in the household)
- Types of assistance provided (payment assistance, housing counseling services, legal service referrals, etc.)
- Geographic areas of homeowners assisted
- Number of applications received, denied, in process, approved, and disbursed
- Disbursement amounts
- Demographic and geographic characteristics of assisted homeowners disaggregated by income group, race, ethnicity, and gender of head of household

## Readiness

### **Staffing, Systems and Contractors**

*Treasury seeks information regarding the Participant's organizational capacity to implement its HAF Plan.*

The counties will administer the HAF program in their respective counties, except for the City and County of Honolulu where HHFDC will be the administrator. HHFDC and the counties have been holding weekly working group meetings to prepare for the launch of the HAF program. The counties of Hawaii and Kauai are furthest along with the impending launch of their pilot programs. HHFDC and the county of Maui will utilize the implementation strategy employed by Hawaii and Kauai. A Contractor will be procured to actually administer the program in the community and oversee the staffing/subcontracting, technology, and overall program delivery.

Pilot programs in Hawaii and Kauai counties are set to launch in November 2021. HAF programs in Honolulu and Maui will be ready to launch within 3-4 months of Treasury's approval.



Does the Participant anticipate needing to hire additional staff to implement this HAF Plan?

☒ Yes

☐ No

Does the Participant anticipate significant information technology system upgrades to implement this HAF Plan?

☒ Yes

☐ No

Does the Participant have policies or procedures that govern the implementation of each HAF program design element described in this HAF Plan?

☐ Yes

☒ No

If no, is a policy and procedure in development for each HAF program design element described in this HAF Plan?

☒ Yes

☐ No

Will the Participant use HAF funds to assist eligible households through a program that was operational before the Participant first received HAF funds?

☐ Yes

☒ No

If yes, has the documentation for that pre-existing program been adapted to HAF requirements (please answer yes if the pre-existing program already complied with HAF program requirements)?

☐ Yes

☐ No

Will the Participant use any third-party contractor or partner to conduct program administration (such as reviewing applications, determining eligibility, processing payments, conducting reporting, and reviewing compliance) for some or all of the Participant's HAF programs?

☒ Yes

☐ No

If yes, has the Participant entered into all necessary arrangements with all of the third-party contractors or partners that will conduct program administration?

☐ Yes

☒ No

#### **Use of Initial Payment**

*If the Participant has already received any HAF funds from Treasury, provide the following information about the use of such funds as of June 30, 2021.*

Hawaii received an initial payment of \$5,000,000. Of that amount, the state entered into a \$100,000 contract with University of Hawaii Economic and Research Organization to gather data and assess and monitor homeowner needs. The state also entered into sub-recipient agreements with the County of Hawaii (for \$3,595,750) and Kauai (for \$1,179,250) to administer pilot programs which will launch in November 2021. The remaining balance of \$125,000 has been budgeted for state administrative expenses.

What amount of the HAF funds that the Participant has received been disbursed to eligible homeowners?

\$0

How much of the HAF funds that the Participant has reviewed been obligated?

\$100,000

Has the Participant begun accepting applications from homeowners for any HAF-funded programs?

☐ Yes

☒ No

If yes:

How many households have applied for HAF assistance?

How many households has the Participant provided with assistance using HAF funds?

How many households has the Participant provided with housing counseling or legal services using HAF funds?

Provide a brief description of how the Participant has used the HAF funds it has received.

*HAF funds were used to contract with the University of Hawaii Economic and Research Organization to provide data and analysis to inform the HAF plan. Funds will also be used to implement pilot programs in the Counties of Hawaii and Kauai.*

## Budget

### Budgeting of HAF Funds by Program Design Element

Specify the amounts of HAF funds that the Participant proposes to allocate to each of the following program design elements, if offered:

Amount (\$0.00)

Mortgage Payment Assistance

31,000,000

Mortgage Reinstatement

Mortgage Principal Reduction

Facilitate Mortgage Interest Rate Reduction

Payment Assistance for Homeowners Utilities

Payment Assistance for Homeowner's Internet Service

Payment Assistance for Homeowner's Insurance

Payment Assistance for HOA fees or liens

Payment Assistance for Down Payment Assist. Loans

**Payment Assistance for Delinquent Property Taxes**

9,000,000

Other measures to prevent homeowner displacement

*Sub-total:*

*(Enter sum of amounts entered)*

40,000,000

**Counseling or Legal Services**

The Participant may allocate up to 5% of its HAF funds for counseling or educational efforts by housing counseling agencies approved by the Department of Housing and Urban Development or a tribal government, or legal services, target to households eligible to be served with funding from the HAF related to foreclosure prevention or displacement.

Specify the Participant's allocations for the following:

**Amount (\$0.00)**

Counseling or Educational Services

2,000,000

Legal Services

500,000

*Sub-total:*

*(Enter sum of amounts entered)*

2,500,000

**Reimbursement of Funds Expended After January 21, 2020**

As described in the HAF guidance, HAF funds may be used for reimbursement of certain expenses between January 21, 2020 and the date when the first HAF funds are disbursed by the HAF participant under the HAF for a qualified expense (with certain limitations, as set forth in the HAF guidance).

If the Participant is seeking reimbursement for any previous expenses, please specify the expenses and amounts below, providing sufficient detail for Treasury to determine whether the expense is within the definition of "qualified expenses" in the HAF guidance:

**Amount (\$0.00)**

Expense Type

*Sub-total:*

*(Enter sum of amounts entered)*

**Allocation of Administrative Expenses**

As described in the HAF guidance, up to 15% of a HAF participant's allocation may be used for administrative expenses. If the participant proposes to use HAF funds for administrative expenses, please specify the proposed expenses and amounts below, providing sufficient detail for Treasury to determine whether the expense is within the definition of "qualified expenses" in the HAF guidance:

| Expense Type         | Amount (\$0.00)      |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> |

**Sub-total:**

(Enter sum of amounts entered)

| Expense Type                             | Amount    |
|------------------------------------------|-----------|
| Community engagement                     | 1,130,000 |
| Needs assessment                         | 100,000   |
| Administrative expenses (incl. Planning) | 6,270,000 |
|                                          | 7,500,000 |

The HAF program budget is as follows:

| Program Design Element                                                                                                                | Amount          |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Direct Assistance including mortgage payments, mortgage reinstatement, mortgage principal reduction, mortgage interest rate reduction | \$31,000,000.00 |
| Payment Assistance for housing related expenses including delinquent utilities, insurance, HOA fees, property taxes                   | 9,000,000.00    |
| Sub-total Payments                                                                                                                    | \$40,000,000.00 |
| Counseling or Educational Services                                                                                                    | 2,000,000.00    |
| Legal Services                                                                                                                        | 500,000.00      |
| Sub-total Services                                                                                                                    | \$ 2,500,000.00 |
| Administrative Expenses                                                                                                               |                 |
| • Community Engagement                                                                                                                | \$ 1,130,000.00 |
| • Needs Assessment*                                                                                                                   | 100,000.00      |
| • Planning & administrative expenses                                                                                                  | 6,270,000.00    |
| Sub-total Administration                                                                                                              | \$ 7,500,000.00 |
| TOTAL BUDGET                                                                                                                          | \$50,000,000.00 |

\*HAF funds were used to contract with the University of Hawaii Economic and Research Organization to provide data and analysis to inform the HAF Plan.

### Points of Contact

Please identify up to three contacts for the Participant- a primary contact, a designated point of contact for reporting, and an additional contact.

#### Primary Contact

Name: Craig K. Hirai  
Agency/Office: Department of Budget and Finance  
E-mail: craig.k.hirai@hawaii.gov  
Phone Number: 808-586-1518

#### Reporting Contact

Name: Mark Anderson  
Agency/Office: Department of Budget and Finance  
E-mail: mark.k.anderson@hawaii.gov  
Phone Number: 808-586-3035

#### Additional Contact

Name: Denise Iseri-Matsubara  
Agency/Office: Hawaii Housing Finance and Development Corporation  
E-mail: denise.iseri-matsubara@hawaii.gov  
Phone Number: 808-587-0641

### Authorized Official Information

Authorized Official Name: Craig K. Hirai

Authorized Official's Email Address: craig.k.hirai@hawaii.gov

Authorized Official's Title: Director of Finance



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