IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

STATE OF WASHINGTON, *et al*.,

Plaintiffs,
v.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *et al*.,

Defendants.

AND

NATIONAL ALLIANCE TO END HOMELESSNESS, *et al*.,

Plaintiffs,
v.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *et al*.,

Defendants.

Case Nos. 25-cv-626
25-cv-636

District Judge Mary S. McElroy
Magistrate Judge Amy E. Moses

NOTICE OF WITHDRAWAL OF THE CHALLENGED 2025 NOTICE OF FUNDING OPPORTUNITY

Defendants respectfully advise the Court that the Department of Housing and Urban Development (HUD) has withdrawn the challenged November 2025 HUD Continuum of Care Notice of Funding Opportunity (2025 NOFO). *See* Exhibit A; *see also* 2025 NOFO Withdrawal Notice, Exhibit B. HUD has withdrawn the 2025 NOFO in order to assess the issues raised by Plaintiffs in their suits and to fashion a revised NOFO.

Because the December and January deadlines set by the 2025 NOFO are no longer operative, Plaintiffs' request for emergency, expedited relief via a Temporary Restraining

Order is now moot. *See, e.g., State of Washington v. HUD*, 25-cv-626, ECF No. 11 at 2 ("Plaintiff States seek expedited relief by December 12, 2025, in light of the January 14, 2026, NOFO application deadline and consequent local CoC application deadlines as early as Sunday, December 14, 2025."). Indeed, in light of HUD's withdrawal of the 2025 NOFO, Plaintiffs' pending requests for injunctive relief generally are now moot. *See Harris v. Univ. of Mass. Lowell*, 43 F.4th 187, 192 (1st Cir. 2022) ("Where, as here, challenged measures no longer adversely affect any plaintiff's primary conduct, injunctive relief is unavailable and the attendant claims become moot." (cleaned up)). At a minimum, Defendants maintain that the need for further relief—if any—should be briefed on a more orderly schedule.

DATE: December 8, 2025

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

YAAKOV M. ROTH
Principal Deputy Assistant Attorney General
Civil Division

JOSEPH E. BORSON
Assistant Branch Director

PETER R. GOLDSTONE
Trial Attorney

/s/ Pardis Gheibi
PARDIS GHEIBI (D.C. Bar No. 90004767)
Trial Attorney, U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, D.C. 20005
Tel.: (202) 305-3246
Email: pardis.gheibi@usdoj.gov
Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on December 8, 2025, the above document was filed with the CM/ECF filing system.

/s/ *Pardis Gheibi*

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U.S. Department of Housing and Urban Development

Continuum of Care Program

FY 25 COC NOFO Update

The Department has withdrawn a Notice of Funding Opportunity (NOFO) with respect to the Continuum of Care (CoC) grant program. This withdrawal will allow the Department to make appropriate revisions to the NOFO, and the Department intends to do so. In the previous FY 24-25 NOFO, the Department reserved the right to make changes to the NOFO instead of processing renewals for a variety of reasons, including to accommodate a new CoC or Youth Homelessness Demonstration Program (YHDP) priority or new funding source. The Department still intends to exercise this discretion and make changes to the previously issued CoC NOFO to account for new priorities. HUD anticipates reissuing a modified NOFO well in advance of the deadline for obligation of available Fiscal Year 2025 funds.

Overview

The Continuum of Care (CoC) Program (24 CFR part 578) (https://www.ecfr.gov/current/title-24/subtitle-B/chapter-V/subchapter-C/part-578) is designed to promote a community-wide commitment to the goal of ending homelessness; to provide funding for efforts by nonprofit providers, states, Indian Tribes or tribally designated housing entities (as defined in section 4 of the Native American Housing Assistance

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and Self-Determination Act of 1996 (25 U.S.C. 4103) (TDHEs)), and local governments to quickly rehouse homeless individuals, families, persons fleeing domestic violence, dating violence, sexual assault, and stalking, and youth while minimizing the trauma and dislocation caused by homelessness; to promote access to and effective utilization of mainstream programs by homeless individuals and families, and to optimize self-sufficiency among those experiencing homelessness.

I Want To Review

- Electronic Special Needs Assistance Program System (e-snaps) Login Portal (https://esnaps.hud.gov/grantium/frontOffice.jsf)
- FY2024 CoC Program Competition Award Announcement
- FY2024 CoC Program Competition Debrief (/sites/dfiles/CPD/documents/CoC/CoC-2024-Program-Competition-Debrief.pdf)
- FY2024 CoC Program Competition and Funding Report - Updated March 26th for additional awards
- FY 2025 Continuum of Care Competition
- FY2025 Continuum of Care (CoC) Builds Notice of Funding Opportunity (NOFO)

Resources

- CoC (https://www.hudexchange.info/programs/coc/)
  - McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381-11389) (https://www.govinfo.gov/content/pkg/USCODE-2011-title42/pdf/USCODE-2011-title42-chap119-subchapIV-partC.pdf)
  - Program Requirements (https://www.hudexchange.info/programs/coc/coc-program-eligibility-requirements/)
  - CoC Programs Toolkit (https://www.hudexchange.info/programs/coc/toolkit/)
  - Planning & Reporting (https://www.hudexchange.info/programs/coc/coc-

program-reports-program-data-and-program-rents/)

- Homeless Management Information System (HMIS) (https://www.hudexchange.info/programs/hmis/)
- News & Announcements (https://www.hudexchange.info/news/?ct=%5B%22News%22%5D&tt=&topic=%5B%22CoC%3A+Continuum+of+Care+Progr
- Snaps Office Hours - Slides (/sites/dfiles/CPD/documents/CoC/SNAPS_Office_Hours_Slide_Deck.pdf) | Transcript (/sites/dfiles/CPD/documents/CoC/SNAPs_Office_Hours_Transcript.pdf)

U.S. Department of Housing and Urban Development

451 7th Street, S.W., Washington, DC 20410

T: (202) 402-3815

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