

## **Executive Summary**

### **AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)**

#### **1. Introduction**

#### **2. Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

#### **3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

#### **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

#### **6. Summary of comments or views not accepted and the reasons for not accepting them**

#### **7. Summary**

**PR-05 Lead & Responsible Agencies - 91.300(b)**

**1. Agency/entity responsible for preparing/administering the Consolidated Plan**

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	NEW YORK	Housing Trust Fund Corporation
HOPWA Administrator	NEW YORK	Office of Temporary and Disability Assistance
HOME Administrator	NEW YORK	Housing Trust Fund Corporation
ESG Administrator	NEW YORK	Office of Temporary and Disability Assistance
	NEW YORK	NYS Housing Finance Agency

**Table 1 – Responsible Agencies**

**Narrative**

**Consolidated Plan Public Contact Information**

## **AP-10 Consultation - 91.110, 91.300(b); 91.315(l)**

### **1. Introduction**

**Provide a concise summary of the state's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies**

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness**

**Describe consultation with the Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

### **2. Agencies, groups, organizations and others who participated in the process and consultations**

**Table 2 – Agencies, groups, organizations who participated**

**Identify any Agency Types not consulted and provide rationale for not consulting**

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?

**Table 3 - Other local / regional / federal planning efforts**

**Narrative**

**AP-12 Participation - 91.115, 91.300(c)**

- 1. Summary of citizen participation process/Efforts made to broaden citizen participation  
Summarize citizen participation process and how it impacted goal-setting**

**Citizen Participation Outreach**

<b>Sort Order</b>	<b>Mode of Outreach</b>	<b>Target of Outreach</b>	<b>Summary of response/attendance</b>	<b>Summary of comments received</b>	<b>Summary of comments not accepted and reasons</b>	<b>URL (if applicable)</b>

**Table 4 – Citizen Participation Outreach**

## Expected Resources

### **AP-15 Expected Resources – 91.320(c)(1,2)**

#### **Introduction**

New York State will employ a range of federal, state, local and private sector resources to address the housing and community development needs and objectives that have been identified in this Strategic Plan (Consolidated Plan). The following is a list (not necessarily exhaustive) of

programs and agencies that New York State will use.

- HOME
- CDBG
- HTF
- HOPWA
- Low Income Housing Credit Programs (DHCR and HFA)
- NYS Low Income Housing Tax Credit Program
- NYS Housing Trust Fund
- Rural and Urban Community Investment Fund
- Medicaid Redesign Team (Capital Funds)
- Housing Choice Vouchers
- Weatherization Assistance Program
- HUD Housing Counseling
- National Foreclosure Mitigation Counseling
- NYS Affordable Housing Corporation
- State of New York Mortgage Agency
- Program income retained by awardees
- Other HUD Community Development programs

### **Anticipated Resources**

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	50,094,993	0	0	50,094,993	180,000,000	For CDBG funded projects, other leveraged federal, state, or local funds are key components to successful project completion and meeting proposed accomplishments. Homeownership projects, for example, require private financing from low/mod households. Larger public infrastructure/facilities projects that have all funds committed will be rated more favorably than those that are less prepared

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	25,212,197	1,000,000	0	26,212,197	101,000,000	HOME will entertain all program activities allowed and awards will leverage federal and non-federal funding sources so that the minimal amount necessary for project and program viability will be invested.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOPWA	public - federal	Permanent housing in facilities Permanent housing placement Short term or transitional housing facilities STRMU Supportive services TBRA	3,113,962	0	0	3,113,962	12,000,000	The HOPWA Program provides long-term and short-term rental assistance and supportive services for individuals living with HIV/AIDS and their families. Funds are used to assist clients toward housing stability and provide access to care, case management and other supportive services.

ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re- housing (rental assistance) Rental Assistance Services Transitional housing	6,336,053	0	0	6,336,053	25,000,000	ESG/STEHP funding is intended to enhance and support the quality and quantity of facilities and services needed to address the needs of homeless individuals and families, and those households at risk of homelessness in New York State. The goal of STEHP is to assist individuals and families prevent eviction, remain in or obtain permanent housing, and/or assist them with supportive services during their experience of homelessness. OTDA supports comprehensive programs that are designed to: assist individuals living on the street with outreach services; help maintain and improve the quality of emergency shelters, transitional housing and drop-in centers for homeless individuals and families; help meet the costs of operating such programs; provide
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Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
								comprehensive supportive services aimed at housing stabilization; provide rapid re-housing services (obtaining a permanent living situation); and/or provide eviction prevention assistance to individuals and families. OTDA supports programs which are coordinated with Continuum of Care efforts.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HTF	public - federal	Acquisition Admin and Planning Homebuyer assistance Multifamily rental new construction Multifamily rental rehab New construction for ownership	73,383,641	0	22,171,681	95,555,322	41,324,108	The HTF program provides loans to not-for-profit corporations or charitable organizations, a wholly-owned subsidiary of such corporations or organizations, or private for-profit developers seeking to develop projects that contain a component of residential units affordable to households with incomes at 30% or less of AMI, as adjusted for family size. Eligible HTF costs may include development acquisition, hard and related soft costs, operating cost assistance, and operating cost assistance reserves.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Acquisition Admin and Planning Economic Development Homeowner rehab Permanent housing placement Public Improvements Public Services Rental Assistance	4,524,336,116	0	0	4,524,336,116	0	Program Income: \$84,500,000 \$605,922,000 recovery. These allocations total \$4,416,882,000 (Grant # B-13-DS-36-0001). All funds must be expended by September 30, 2022. On June 7, 2016, HUD published FR Notice 5936-N-01 which allocated \$35,800,000 to NYS for the National Disaster Resilience Competition (Grant # B-13-DS-36-0002). All funds must be expended by September 30, 2022.

Table 5 - Expected Resources – Priority Table

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

**HOME Program**

HOME funds typically leverage bond financing, state and federal tax credits, state programs, federal programs, private mortgages, assorted grants and Weatherization funds. Matching funds for the HOME Program may be derived from owner contributions of cash, state programs and donated land and labor.

**Housing Trust Fund-** The New York State Housing Finance Agency (HFA) is the designated State entity responsible for the allocation and administration of HTF funds in New York State. HFA directs and coordinates the affordable housing financing activities of the State and its sister agencies at New York State Homes and Community Renewal (NYSHCR).

The HTF program scoring criteria will include the extent to which an application leverages non-federal and non-HCR funding sources, including third party funds and local funds. Projects seeking HTF funds are expected to leverage other sources such as bond financing, State and federal tax credits, State and federal programs, private mortgages, and/or other private grants and financing.

Points will be awarded to HTF applications based on the amount of the leveraged non-federal and non-HCR funds in the project's budget.

**ESG Match** – Approximately \$10,000,000 in NYS General Funds are allocated to STEHP annually; the ESG and NYS General funds are combined to create the Solutions to End Homelessness (STEHP) Program.

CDBG - CDBG funds are used to leverage other state and federal programs, private mortgages and other municipal project financing. For State Administrative costs in excess of \$100,000, matching funds are derived from the Housing Trust Fund Corporation's corporate resources and other NYS state funding.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

At the time of this writing there are no plans to use State-owned property to address the needs and objectives identified in this Consolidated Plan.

**Discussion**

Low Income Housing Tax Strategy:

The State's strategy will continue to focus on combining the LIHC with available public capital financing sources and/or rental/operating subsidies on the federal, state, and local levels. It is through this combination that most of the low-income rental housing developed by New York attains financial feasibility and viability. A predictable flow of LIHC allocated to New York has enabled the State to accurately forecast the amounts and types of government subsidies that can be leveraged through use of the LIHC. This predictability also allows the State to forecast by way of its goals and priorities, the types of subsidies that will be most effective in meeting the housing needs of the State over the next five years.

Tax credits are allotted to New York State pursuant to a per capita allocation formula are administered by HTFC as lead housing credit agency for the State. Executive Order 11 of 2011, authorizes HTFC to apportion the LIHC to designated State and local housing credit agencies who conduct their own housing programs. All housing credit agencies are required to administer their program, establish parameters and select projects according to a Qualified Allocation Plan (QAP), the rules and regulations which guide administration of the program.

Virtually all of the projects receiving an allocation of LIHC from HTFC have at least one other public subsidy as part of the project financing package. In addition, HTFC uses the LIHC to leverage private equity investment in projects using HOME and/or Housing Trust Fund monies. Depending on the credit equity pay-ins available in the private investment equity market, LIHC may reduce the need for HOME and/or Housing Trust Fund monies in projects, and thereby allow HTFC to more efficiently finance and produce additional affordable housing over and above what would be realized through the sole use of HOME and Housing Trust Fund dollars.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives – 91.320(c)(3)&(e)

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Rehabilitation of Single Family Housing	2021	2025	Affordable Housing Non-Homeless Special Needs	New York State EJ	Rehabilitation of Existing Housing	HOME: \$12,000,000	Homeowner Housing Rehabilitated: 180 Household Housing Unit
2	Homebuyer Assistance	2021	2025	Affordable Housing Non-Homeless Special Needs	New York State EJ		HOME: \$5,450,000	Direct Financial Assistance to Homebuyers: 60 Households Assisted
3	Homebuyer Assistance with Rehabilitation	2021	2025	Affordable Housing Non-Homeless Special Needs	New York State EJ	Rehabilitation of Existing Housing Direct Financial Assistnace to Homebuyers	HOME: \$300,000	Homeowner Housing Rehabilitated: 4 Household Housing Unit
4	Households in Newly Constructed Buildings	2021	2025	Affordable Housing Non-Homeless Special Needs	New York State EJ	Affordable Rental Housing Create New Homeownership Opportunities	HOME: \$600,000	Other: 5 Other
5	Households in Newly Created/rehabilitated Units	2021	2025	Affordable Housing	New York State EJ	Affordable Rental Housing	HOME: \$1,400,000	Rental units rehabilitated: 10 Household Housing Unit

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	Tenant Based Rental Assistance	2021	2025	Affordable Housing	New York State EJ	Affordable Rental Housing Family Homelessness Homeless Veterans Homeless Persons with HIV/AIDS Homeless Mentally Ill Individuals Homeless Victims of Domestic Violence Homeless Youth Rural Homelessness Homeless individuals Persons with HIV/AIDS Homelessness Prevention	HOME: \$450,000	Other: 20 Other
7	PF/PI OT Housing	2021	2025	Non-Housing Community Development	New York State EJ	Non-Housing Community Development Needs	CDBG: \$21,850,000	Public service activities other than Low/Moderate Income Housing Benefit: 100000 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
8	PF/PI for housing	2021	2025	Affordable Housing	New York State EJ	Non-Housing Community Development Needs	CDBG: \$1,150,000	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 50 Households Assisted
9	Rental Unit Rehabilitation	2021	2025	Affordable Housing	New York State EJ	Rehabilitation of Existing Housing	CDBG: \$700,000	Rental units rehabilitated: 40 Household Housing Unit
10	Homeowner Rehab	2021	2025	Affordable Housing	New York State EJ	Rehabilitation of Existing Housing	CDBG: \$11,900,000	Homeowner Housing Rehabilitated: 160 Household Housing Unit
11	Homebuyers	2021	2025	Affordable Housing		Direct Financial Assistnace to Homebuyers Create New Homeownership Opportunities	CDBG: \$1,400,000	Direct Financial Assistance to Homebuyers: 70 Households Assisted
12	Jobs	2021	2025	Non-Housing Community Development		Non-Housing Community Development Needs	CDBG: \$7,089,293	Jobs created/retained: 530 Jobs
13	Microenterprise assistance	2021	2025	Non-Housing Community Development	New York State EJ	Non-Housing Community Development Needs	CDBG: \$2,300,000	Businesses assisted: 48 Businesses Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
14	Imminent Threat	2021	2025	Imminent Threat	New York State EJ	Non-Housing Community Development Needs	CDBG: \$1,001,899	Other: 2 Other
15	Affordable rental housing for ELI households	2021	2025	Affordable Housing	New York State EJ	Affordable Rental Housing Affordable Housing for Extremely Low Income		Rental units constructed: 0 Household Housing Unit

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
16	Recover and Rebuild after Disasters	2021	2025	Affordable Housing Public Housing Non-Homeless Special Needs Non-Housing Community Development Private Housing		Affordable Rental Housing Rehabilitation of Existing Housing Create New Homeownership Opportunities Non-Housing Community Development Needs	CDBG-DR: \$4,608,836,116	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 12180949 Persons Assisted Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 1747 Households Assisted Public service activities other than Low/Moderate Income Housing Benefit: 12180949 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 1747 Households Assisted Facade treatment/business building rehabilitation: 215 Business Rental units constructed: 992 Household Housing Unit Rental units rehabilitated: 836 Household Housing Unit

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
17	Tenant Based Rental Assistance/Rapid Rehousing	2021	2025			Chronic Homelessness Family Homelessness Homeless Veterans Homeless Persons with HIV/AIDS Homeless Mentally Ill Individuals Homeless Victims of Domestic Violence Homeless Youth Rural Homelessness Homeless individuals Persons with HIV/AIDS	ESG: \$3,929,115	Tenant-based rental assistance / Rapid Rehousing: 2800 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
18	Persons Served in Overnight Shelters	2021	2025	Homeless		Chronic Homelessness Family Homelessness Homeless Veterans Homeless Persons with HIV/AIDS Homeless Mentally Ill Individuals Homeless Victims of Domestic Violence Homeless Youth Homeless individuals	ESG: \$2,476,474	Homeless Person Overnight Shelter: 12000 Persons Assisted
19	Homelessness Prevention	2021	2025	Persons at Risk for Homelessness		Affordable Rental Housing Homelessness Prevention	ESG: \$8,209,983	Homelessness Prevention: 10000 Persons Assisted

Table 6 – Goals Summary

**Goal Descriptions**

1	<b>Goal Name</b>	Rehabilitation of Single Family Housing
	<b>Goal Description</b>	Rehabilitation of existing housing (1-4 units), with and without rental units.
2	<b>Goal Name</b>	Homebuyer Assistance
	<b>Goal Description</b>	Acquisition of existing housing (1-4 units), with and without rental units.
3	<b>Goal Name</b>	Homebuyer Assistance with Rehabilitation
	<b>Goal Description</b>	Acquisition of existing housing (1-4 units) to include rehabilitation, with and without rental units.
4	<b>Goal Name</b>	Households in Newly Constructed Buildings
	<b>Goal Description</b>	Households in newly constructed buildings with homeowner and/or rental units. Production of new units.
5	<b>Goal Name</b>	Households in Newly Created/rehabilitated Units
	<b>Goal Description</b>	Rental
6	<b>Goal Name</b>	Tenant Based Rental Assistance
	<b>Goal Description</b>	Affordable rental housing. Rental units assisted with rental subsidies.
7	<b>Goal Name</b>	PF/PI OT Housing
	<b>Goal Description</b>	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit.
8	<b>Goal Name</b>	PF/PI for housing
	<b>Goal Description</b>	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit.

9	<b>Goal Name</b>	Rental Unit Rehabilitation
	<b>Goal Description</b>	Rehabilitatoin of Existing Units.
10	<b>Goal Name</b>	Homeowner Rehab
	<b>Goal Description</b>	Rehabilitation of homeowner housing.
11	<b>Goal Name</b>	Homebuyers
	<b>Goal Description</b>	Direct financial assistance to homebuyers.
12	<b>Goal Name</b>	Jobs
	<b>Goal Description</b>	Creation or retention of employment opportunities.
13	<b>Goal Name</b>	Microenterprise assistance
	<b>Goal Description</b>	Microenterprise businesses assisted.
14	<b>Goal Name</b>	Imminent Threat
	<b>Goal Description</b>	Imminent Threat

15	<b>Goal Name</b>	Affordable rental housing for ELI households
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<p><b>Goal Description</b></p>	<p>Produce rental units affordable to households with incomes at or below 30% of the Area Median Income.</p> <p>Applications for HTF funding will first be evaluated and scored on the criteria listed below, with a maximum score of 100:</p> <ul style="list-style-type: none"> <li>(1) Geographic Diversity (up to 5 points)</li> <li>(2) Readiness (up to 15 points)</li> <li>(3) Developer Team Experience and Capability (up to 15 points)</li> <li>(4) Project-Based Rental Assistance (up to 5 points)</li> <li>(5) Duration of Affordability Period (up to 15 points)</li> <li>(6) Leveraging (up to 10 points)</li> <li>(7) Financial Feasibility and Efficiency (up to 15 points)</li> <li>(8) Priority Housing Needs of the State (up to 20 points)</li> </ul> <p>Regarding (8) Priority Housing Needs of the State, HCR will evaluate the merits of the application in meeting one or more of the following priority housing needs:</p> <ul style="list-style-type: none"> <li>a. Community Renewal and Revitalization Projects: Projects that address a component indicated in the municipality’s most recent comprehensive plan, or other municipal approved plan or coordinated community development plan.</li> <li>b. Intergrated Supportive Housing Projects: Projects that provide permanent supportive housing to a variety of special needs populations in intergrated housing settings.</li> <li>c. Public Housing Restructuring Projects: Projects that address the needs of public housng units outside the City of New York and assist Public Housing Authorities in completing their restructuring plans with a priority for projects participating in HUD's Rental Assistance Demonstration Program (RAD1).</li> <li>d. Housing Opportunity Projects: Projects that propose workforce housing in areas experiencing economic growth and served by high performing school districts.</li> <li>e. Workforce Opportunity Projects: Projects that propose housing within a safe half-mile walk to public transportation.</li> </ul>
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		<p>f. Mitchell-Lama Portfolio Projects: Projects that continue the redevelopment or preservation of Mitchell-Lama Housing units.</p> <p>g. Rural Preservation Projects: Rehabilitation of projects in rural communities.</p> <p>h. Economic Development Projects: Projects specifically endorsed in the Regional Economic Council Strategic Plans.</p> <p>i. Downtown Revitalization Initiative: Projects that complement Downtown Revitalization Initiatives (DRI) and advance DRI-approved investment plans.</p> <p>j. Brownfield Cleanup Projects: Projects resulting in the cleanup/redevelopment of property that has been determined to be eligible to participate in the New York State Brownfield Cleanup Program.</p> <p>k. Empire State Poverty Reduction Initiative Projects: Projects which will be implemented in a neighborhood located in a designated ESPRI locality and coordinated with the ESPRI activities underway.</p>
16	<b>Goal Name</b>	Recover and Rebuild after Disasters
	<b>Goal Description</b>	New York State's efforts to recover and rebuild after federally-declared disasters including Hurricane Irene, Tropical Storm Lee, and Superstorm Sandy.
17	<b>Goal Name</b>	Tenant Based Rental Assistance/Rapid Rehousing
	<b>Goal Description</b>	Assist individuals and households obtain and retain permanent housing through rental assistance and case management.
18	<b>Goal Name</b>	Persons Served in Overnight Shelters
	<b>Goal Description</b>	Persons placed in overnight shelters through the year.

19	<b>Goal Name</b>	Homelessness Prevention
	<b>Goal Description</b>	Preventing eviction of extremely low income households at risk of homelessness.

## **AP-25 Allocation Priorities – 91.320(d)**

### **Introduction:**

Eligible CDBG activities are generally found in Section 105 of the HUD Act of 1974, as amended and 24 CFR Part 570.482, as amended. For the 2021 Program Year, New York State may provide opportunities for the primary categories of funding: housing; public infrastructure/facilities; public service; comprehensive community planning; and economic development. New York State will award funding to priority projects of high need and impact through an annual competitive solicitation, but may, in extraordinary conditions, allocate funds directly to communities based on national or state disaster declarations or in cases of clear and objective local/regional emergency. In addition, the State will continue to offer economic development funds through an open round process to high priority projects.

15% of the State’s annual HOME allocation will be awarded to Community Housing Development Organization (CHDO) projects. The remaining funds can be awarded to programs and projects statewide, based on a demonstrated local market need for the HOME eligible activity proposed. HOME may award funds for programs or projects in areas of other HOME Participating Jurisdictions (PJs), if a local market need is demonstrated for the HOME eligible activity. Because the State allows for local communities to apply for funding based on their specific needs which are an unknown, the State cannot propose specific allocation priorities. All else equal with 2 or more applications for funding the State may use geography to determine an award.

The highest funding priorities for HOPWA are tenant based rental assistance, and short term rental, mortgage and utility assistance. Support services and facility based housing assistance are also priorities for the NYS HOPWA program.

ESG funds are contained in the Solutions to End Homelessness Program (STEHP) administered by OTDA. Along with the \$6,186,118 ESG allocation, OTDA contributes approximately \$10 million in program year 2021. OTDA procured a new round of contracts under a Request for Proposals in 2019 which determined contractors. Contracts are in effect from October 2019 - September 2024. OTDA sets aside roughly 50% of

STEHP funds to serve homeless populations and 50% to serve those at risk of homelessness

### Funding Allocation Priorities

	Rehabilitation of Single Family Housing (%)	Homebuyer Assistance (%)	Homebuyer Assistance with Rehabilitation (%)	Households in Newly Constructed Buildings (%)	Households in Newly Created/rehabilitated Units (%)	Tenant Based Rental Assistance (%)	PF/PI OT Housing (%)	PF/PI for housing (%)	Rental Unit Rehabilitation (%)	Homeowner Rehab (%)	Homeb (%)
CDBG	0	0	0	0	0	0	37	1	1	24	
HOME	0	0	0	0	0	0	0	0	0	0	
HOPWA	0	0	0	0	0	68	0	0	0	0	
ESG	0	0	0	0	0	0	0	0	0	0	
HTF	0	0	0	0	0	0	0	0	0	0	
Other CDBG-DR	0	0	0	0	0	0	0	0	0	0	

Table 7 – Funding Allocation Priorities

### Reason for Allocation Priorities

All funded activities must fulfill one of the CDBG National Objectives; provide a public benefit to low- and moderate-income persons; aid in the prevention or elimination of slums and blight, or meet other urgent community development needs such as imminent threats to the health and safety. A minimum of 70% of the funds will be used to provide a benefit to low- and moderate-income persons. Allocation priorities as assigned in the above table represent first, the attempt by the NYS CDBG program to meet National Objective regulations by primarily serving low- and moderate- income communities, households, and individuals. Second, priorities are assigned largely based on demand and need as demonstrated throughout the year by annual competition and open round review of infrastructure, facility, housing, public service, and economic development projects. The NYS CDBG program provides direct technical assistance and through an established application criteria, assists eligible non-entitlement communities with developing high-impact local initiatives that benefit high needs populations. In addition, Imminent Threat projects will be considered throughout the program year in communities affected by conditions resulting in immediate

considerable threat to public health and safety. The NYS CDBG program may also elect to provide assistance to carry out public service activities as the need arises.

As stated above, HOME regulations require that 15% of the State's annual HOME allocation be awarded to Community Housing Development Organization (CHDO) projects. The remaining funds will be awarded to programs and projects statewide, based on a demonstrated local market need for the HOME eligible activity proposed. Because this is driven by the needs of the community at the time and generally unknown until applications are received, the State does not propose specific allocation priorities. One of the main goals of HOPWA is to make decent housing more affordable for those low income households with HIV/AIDS. Providing rental assistance to those households provides the stabilization needed to remain healthy and therefore avoid homelessness or other unstable housing arrangements.

One of the main goals of HOPWA is to make decent housing more affordable for those low income households with HIV/AIDS. Providing rental assistance to those households provides the stabilization needed to remain healthy and therefore avoid homelessness or other unstable housing arrangements. The goal of STEHP is to assist individuals and families to prevent the eviction process, remain in or obtain permanent housing, and/or assist them with supportive services during their experience of homelessness. OTDA supports comprehensive programs that are designed to assist individuals living on the street with outreach services; to help maintain and improve the quality of emergency and transitional shelters and drop-in centers for homeless individuals and families; to help meet the costs of operating such programs; to provide comprehensive supportive services aimed at housing stabilization; to provide rapid re-housing services by obtaining a permanent living situation; and to provide eviction prevention assistance to individuals and families. OTDA does not offer STEHP funds to acquire or rehabilitate property as NYS dedicates an entire program, the Homeless Housing Assistance Program (HHAP), to support those very activities. The state has committed resources to HHAP since the 1980s. In recent years, the HHAP budget has varied between 30 and 60 million dollars annually.

**How will the proposed distribution of funds will address the priority needs and specific objectives described in the Consolidated Plan?**

CDGB funds are allocated in response to local needs that are identified in Requests for Proposals (RFP), which are solicited throughout the year for all regularly funded program areas. With the award of CDBG funds, communities are able to address those conditions that led to the request of funds to the benefit of low- and moderate-income populations. CDBG funds may be allocated outside of normal funding rounds in response to critical needs or on an emergency basis.

HOME awards funds based on demonstrated local market need and the capacity of the awardee to carry out the State's approved HOME eligible

activity. The residential housing needs of low income homeowners, homebuyers and renters statewide are documented in the Consolidated Plan. HOME has designed and approved eligible activities to be awarded HOME funds, based on these needs.

Thousands of housing units with supportive services are needed for persons living with HIV/AIDS. Most of this need can be met through the provision of rental assistance subsidies coupled with supportive services. For this reason, New York State allocates most of its Housing Opportunities for Persons with AIDS (HOPWA) funding to tenant-based rental assistance and supportive services.

The main ESG/STEHP goals in the Consolidated Plan are to serve those that are homeless in a safe shelter setting, provide tenant-based rental assistance through rapid re-housing programs in order to move homeless persons into permanent housing, and to prevent homelessness from occurring in the first place. 50% of available STEHP funds are being dedicated to preventing homelessness. STEHP estimates serving 10,000 persons in 2021 with homelessness prevention activities including payment of arrears, rental assistance and legal services. 50% of STEHP funds are being dedicated to engaging with homeless persons in order to secure permanent housing through street outreach programs which encourage those living on streets to enter shelters/housing projects and rapid rehousing programs, through shelters which can provide a short-term safe environment while searching for housing, through transitional housing which can provide supports for those in need of longer term engagement, and through rapid re-housing which can obtain permanent community-based housing for those in a homeless situation. STEHP estimates serving 2,000 persons in street outreach, 12,000 in shelter and transitional housing programs and 5,000 persons with rapid re-housing in 2021. 8% of STEHP funding is dedicated to Street Outreach programs which is not accounted for in the chart above.

HTF funds will be distributed throughout the State according to the State's assessment of the priority housing needs within the State, as identified in the State's approved Consolidated Plan. No set-asides of funds for specific geographic areas are anticipated. Except for up to 10 percent of the allocation for reasonable administrative expenses, HTF funds currently shall be used to provide capital subsidies, operating assistance, and/or operating assistance reserves for non-transitional rental housing units targeted to extremely low-income households.

## AP-30 Methods of Distribution – 91.320(d)&(k)

Introduction:

### Distribution Methods

Table 8 - Distribution Methods by State Program

1	<b>State Program Name:</b>	HOME Investments Partnerships Program
	<b>Funding Sources:</b>	HOME

<p><b>Describe the state program addressed by the Method of Distribution.</b></p>	<p>HOME funds are awarded to units of local government, non-profit corporations, public housing authorities, and community housing development organizations (CHDOs), called Local Program Administrators (LPAs) or Private Developer Owners as well as for profit developers. The LPAs administer the awarded HOME funds in their local communities and are awarded funds based in part on local market need for the activity to be performed. If not already allocated for a specific project or purpose, the LPAs distribute the HOME assistance in their local communities to eligible low-income homeowners, homebuyers and renters to rehabilitate, purchase or rent affordable housing. Developers and/or CHDOs may newly construct and/or rehabilitate buildings and/ or units to rent and/or sell. HOME may award funds for Homeowner Housing Rehabilitation, Manufactured Housing Replacement, Homebuyer Purchase Assistance, Homebuyer Development Projects, Rental Rehabilitation and Tenant Based Rental Assistance and multi and single-family rental development or other HOME eligible programs and projects that emerge and demonstrate need and viability. Awards may be based on competitive score and/or demonstrated need and applicant’s capacity to effectively manage the project or program. All else equal, consideration may be given for uniform geographic distribution throughout the State. The State may also choose to fund programs or projects in another Participating Jurisdiction. The State may allow NYS HOME Program funded State recipients, Subrecipients and CHDOs to design eligible HOME program activities that may limit beneficiaries or give preferences to persons in certain occupations, such as police officers, firefighters, or teachers. Any limitation or preference must not violate nondiscrimination requirements in 24 CFR 92.350. Limiting programs or giving preferences to students or a group of all employees is not permitted. The preference or limitation must be approved by the State prior to program execution. The HOME Program also awards performance-based initiatives, multi-year contracts, directly funded activities and other specialty requests for proposals to commit and/or expend de-obligated and/or uncommitted HOME funds and program income. NYS HOME chooses to use the “uncapped income limits” annually approved by HUD for all HOME activities performed in the applicable covered jurisdictions.</p>
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<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>A competitive solicitation is not always exercised. The State may directly fund applications at its discretion. The criterion used to select awardees for HOME funds depend on the activity being proposed and may include but is not limited to: demonstrated need for the activity proposed in the service area, average income level served, persons with special needs targeted, percent below poverty level in the service area, number of persons below poverty level in the service area, age of housing, leveraging, demonstrated staff capacity, homeownership rate in the service area, homeownership affordability index, tenant rent burden, tenant affordability index, experience and prior performance, subsidy layering, underwriting, delivering HOME eligible units and the ability to complete the activities within the contract term. NYS HOME chooses to use the “uncapped income limits” annually approved by HUD for all HOME activities performed in the applicable covered jurisdictions.</p>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>N/A</p>

<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>NA</p>
<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>NA</p>

<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>HCR does not prescribe an apportionment of available HOME funds among the eligible HOME activities/categories described above. HOME regulations require that 15% of the State's annual HOME allocation be awarded to Community Housing Development Organization (CHDO) projects. The remaining funds can be awarded to HOME eligible programs and projects statewide, based on a demonstrated local market need for the HOME eligible activity proposed. HOME may award funds for programs or projects in areas of other HOME Participating Jurisdictions (PJs), if a local market need is demonstrated for the HOME eligible activity.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Applicants for HOME funds must comply with threshold limits and maximum grant amounts as stated in the HOME federal and state regulations, which vary based on each HOME eligible activity. Threshold factors may include but are not limited to: a demonstrated local market need for the HOME eligible activity proposed, serving only the beneficiaries making less than 80% of Area Median Income, HOME assisted units must be permanent housing, HOME assisted units will be owner or renter occupied at project completion and the applicant cannot have outstanding past performance, compliance, monitoring and/or audit issues with OCR/HTFC.</p>

	<b>What are the outcome measures expected as a result of the method of distribution?</b>	The preservation of existing housing and the development of new construction housing that provides low income families a safe, decent, affordable and sustainable housing option.
2	<b>State Program Name:</b>	Housing Opportunities for Persons with AIDS
	<b>Funding Sources:</b>	HOPWA
	<b>Describe the state program addressed by the Method of Distribution.</b>	NYS HOPWA contracts with not-for-profit organizations or public housing agencies who provide housing and related support services to low-income persons with AIDS or HIV-related illnesses and their families.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>The following is a listing of the criteria established for proposal evaluation and selection established under New York State’s HOPWA Program: Demonstration of need within the proposed project area for the type of housing and/or services proposed; the appropriateness and quality of the site, the design and/or support services proposed for the population to be served; evidence of the applicant's ability to develop the proposed project and to operate it over the required contract period; the appropriateness of plans for participant selection to serve the target population and the consistency of these plans with the intent of HOPWA; the reasonableness of the total project cost and the HOPWA amount requested; evidence of the applicant's ability to provide, either directly or through referral, the appropriate support services; evidence that the applicant has approval for its proposed program from the local Department of Social Services; evidence of strong linkages with community-based service providers and health care providers (including home health care, primary care, and emergency medical care); evidence that the focus of the project is on enabling participants to achieve the highest level of self-sufficiency possible; evidence of the financial feasibility of the project over the required operating period; and the appropriateness of the qualifications and backgrounds of the personnel and staff to be assigned to the project.</p>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>NA</p>

<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>Units of local government and nonprofit organizations compete in and are awarded ESH funds based on the STEHP RFP process as described above. STEHP contracts operate on a five-year basis.</p>
<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>OTDA subjects all proposals received in response to an RFP, including a HOPWA RFP, to a rigorous review and selection process.</p> <p>Awards are based on a demonstrated need and best value. Weight is given to the cost effectiveness of each proposal. OTDA staff reviews all proposals, assisted by such other State personnel as deemed appropriate. In addition to a staff review, OTDA reserves the right to conduct site visits and solicit the opinion of other sources of funding agents prior to making a funding decision.</p> <p>Proposals are rated based on the following criteria: completeness of the application; responsiveness of the application to the RFP; clarity of the expected results of the program and the potential for its achievement; applicant’s contractual performance history with OTDA if applicable; evidence that the applicant understands the support services needs of the individuals and/or families to be served, can identify the services needed to help individuals and/or families obtain their maximum degree of independence, and evidence that the applicant has the ability to provide such services successfully; demonstrated fiscal viability of the proposal and fiscal responsibility of the applicant; programmatic feasibility of the proposed program within the time outlined; and willingness of the applicant to adhere to all HUD guidelines and regulations regarding HOPWA.</p>

<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>In general, resources are allocated among the funding categories as follows, 82% for housing assistance (TBRA, STRMU, PHP, FBHA), 14% for support services, 3% for sponsor administrative cost, and 2% for grantee administrative costs.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>So long as other viable proposals have been received, no one applicant is awarded more than 20% of the total available funds in response to the Request for Proposals (RFP).</p>

	<b>What are the outcome measures expected as a result of the method of distribution?</b>	Long-term comprehensive strategies for meeting the housing and social service needs of persons with AIDS and HIV-related illnesses and their families.
3	<b>State Program Name:</b>	Housing Trust Fund
	<b>Funding Sources:</b>	HTF
	<b>Describe the state program addressed by the Method of Distribution.</b>	The HTF Program provides loans to not-for-profit corporations or charitable organizations, a wholly owned subsidiary of such corporations or organizations, or private for-profit developers seeking to develop projects that contain a component of residential units affordable to households with incomes at 30% or less of AMI, as adjusted for family size. Eligible HTF costs may include development acquisition, hard, and related soft costs, operating cost assistance, and operating cost assistance reserves.

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Applications will be based on the following criteria, with a maximum score of 100:</p> <p>Geographic Diversity - 5 points</p> <p>Readiness (the applicant's ability to obligate HTF funds based upon whether all of the necessary components for the financing and development of the project are identified and/or committed) - 15 points</p> <p>Developer Team Experience and Capability (the applicant's ability to undertake eligible activities in a timely manner based upon proven team member experience, capability, and capacity) - 15 points</p> <p>Project-Based Rental Assistance (the extent to which the project has Federal, State, or local project-based rental assistance so rents are affordable to extremely low-income families) - 5 points</p> <p>Duration of Affordability Period - 15 points</p> <p>Priority Housing Needs of the State (merits of the application in meeting the State's priority housing needs as identified in the Consolidated Plan and on the following page; the HTF Allocation Plan) - 20 points</p> <p>Leveraging (extent to which the application makes use of non-Federal funding sources) - 10 points</p> <p>Financial Feasibility and Efficiency (extent to which the project is financially feasible and cost effective) - 15 points</p> <p>The State will not limit beneficiaries and/or give preferences to any segments of the extremely low-income population. However, the State will permit rental housing owners that are eligible recipients of HTF funds to limit tenants or give a preference for housing for seniors age 55 and over, public housing residents, and supportive housing for persons who are homeless and non-homeless households that require supportive services, including but not limited to those with mental, physical, sensory, or developmental disabilities; persons with substance use disorders; and persons diagnosed with HIV/AIDS and related diseases.</p>
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<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>An application kit will be made available that provides specific guidance for the submittal of applications, including detailed descriptions of the assessment criteria that must be addressed for each of the funding categories. Detailed information on the calculation of points will be outlined in the applicable application kits for housing, public infrastructure, microenterprise, community planning, economic development, and public facilities projects.</p>
<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>NA</p>

<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>NA</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>Resources will be allocated based upon specific project underwriting subject to HUD's one-third limit on operating cost assistance and operating cost assistance reserves.</p>

	<b>Describe threshold factors and grant size limits.</b>	Award size limits vary by geography and bedroom size, and are detailed in the HTF Allocation Plan.
	<b>What are the outcome measures expected as a result of the method of distribution?</b>	The creation of safe, decent and affordable rental housing for extremely low-income households.
4	<b>State Program Name:</b>	New York State Community Development Block Grant
	<b>Funding Sources:</b>	CDBG

<p><b>Describe the state program addressed by the Method of Distribution.</b></p>	<p>The CDBG Program will use approximately \$45 Million (less administrative expenses and Section 108 Loan repayments) of NYS CDBG funds to develop decent housing, create suitable living environments, and enhance economic opportunities across the State. Beginning in 2019, the Housing Trust Fund Corporation (HTFC) required all past and present local recipients of the State’s CDBG Program (since the year 2000) to return any uncommitted CDBG program income in their possession on March 31, 2019 or received after that date. Program Income returned to the HTFC in this manner will be incorporated into the annual CDBG allocation and distributed (less administrative expenses) according to CDBG regulations and the methods described above. Recipients may no longer retain NYS CDBG program income for local use.</p>
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<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>The NYS CDBG Program uses three primary criteria to assess competitive funding applications:</p> <p>Assessment Points - Within each category, individual projects will be assessed based on the extent to which they meet the category-specific assessment criteria. In addition to reviewing an applicant’s compliance with the assessment criteria, a review will be undertaken to determine if the applicant has the financial and administrative capacity to complete the project in a timely manner, has completed and/or made appropriate progress with prior HTFC grants, as well as complied with all federal, State, and programmatic rules and regulations. Analysis of the application may include, but is not limited to, the following: a. Project/Program Need b. Feasibility c. Impact to the residents, specifically low- and moderate-income persons or households d. Ability to implement immediately upon award e. Extent to which the activity addresses the identified need f. Degree to which the project supports program and State initiatives g. Degree to which health, welfare, safety issues are addressed h. Extent to which the activity has long term affordability and viability i. Financial impact in reducing the debt burden of the residents j. Reasonableness of the project k. Administrative capacity l. Extent to which the project/ activity supports regional plans and strategies m. Extent to which the applicant has adequately demonstrated its commitment and steps that have been undertaken to affirmatively further fair housing.</p> <p>New York State/HTFC Initiatives and Priorities – NYS initiative and priority points may be awarded to applicants who develop proposals that will effectively meet one of the areas identified as a New York State Community Development Initiative. Examples of such initiatives may include compliance with regional economic development strategies and priorities, NYS Rising Community Plans, fair housing, equal employment opportunity, green building, broadband, smart growth, main street, economic/commercial revitalization, or shared municipal services. Strict adherence to requirements outlined in the grant application is essential in order for an applicant to receive the points.</p>
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<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>An application kit will be made available that provides specific guidance for the submittal of applications, including detailed descriptions of the assessment criteria that must be addressed for each of the funding categories. Detailed information on the calculation of points will be outlined in the applicable application kits for housing, public infrastructure, microenterprise, community planning, economic development and public facilities projects. All application materials are made available on the agency website.</p>
<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>NA</p>

<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>NA</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>For the 2021 Program Year, New York State may provide opportunities for the primary categories of funding: housing; public infrastructure/ facilities; public service; microenterprise; community planning; comprehensive; and economic development. Applications will be rated against other projects of the same category according to the criteria established above, and final funding decisions approved by the Housing Trust Fund Corporation Board.</p>

<p><b>Describe threshold factors and grant size limits.</b></p>	<p>&lt;p style="margin: 5pt 0in 0pt;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Funding Limits may vary depending on local need or in cases where it is found that a project or projects may have a significant impact that may realize a potential for regional or statewide impact. CDBG funds may be awarded up to the following limits:&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Public Infrastructure (Water/Sewer, Drainage, Flood Control)&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt 0.5in;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Counties, Town, Cities, or Villages:&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$1,000,000&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt 0.5in;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;With NYS Co-Funding Initiative:&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$1,500,000&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt 0.5in;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Joint Applicants* with NYS Co-Funding Initiative: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$1,750,000&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Public Facilities: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Counties, Towns, Cities, or Villages: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$300,000&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Housing: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Towns, Cities, or Villages: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$500,000 (\$750,000 for Manufactured Housing only)&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt 0.5in;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt; Counties: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$1,00,000 (\$1,500,000 for Manufactured Housing only)&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Microenterprise: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Counties, Towns, Cities, or Villages: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$300,000&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;p style="margin: 5pt 0in 0pt;"&gt;&lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Planning: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;Counties, Towns, Cities, or Villages: &lt;span style="color: black;"&gt;&lt;font face="Calibri" size="3"&gt;\$50,000&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/font&gt;&lt;/span&gt;&lt;/p&gt;&lt;/p&gt;</p>
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<p><b>What are the outcome measures expected as a result of the method of distribution?</b></p>	<p>The NYS CDBG Program will track program performance using the following outcome measures:</p> <ul style="list-style-type: none"> <li>• Number of people assisted</li> <li>• Number of jobs created/retained</li> <li>• Number of housing units assisted</li> <li>• Number of homebuyers receiving direct financial assistance</li> </ul>
<p><b>5 State Program Name:</b></p>	<p>Solutions to End Homelessness Program</p>
<p><b>Funding Sources:</b></p>	<p>ESG</p>

<p><b>Describe the state program addressed by the Method of Distribution.</b></p>	<p>The goal of STEHP is to assist individuals and families to prevent the eviction process, remain in or obtain permanent housing, and/or assist them with supportive services during their experience of homelessness. OTDA supports comprehensive programs that are designed to assist individuals living on the street with outreach services; to help maintain and improve the quality of emergency and transitional shelters and drop-in centers for homeless individuals and families; to help meet the costs of operating such programs; to provide comprehensive supportive services aimed at housing stabilization; to provide rapid re- housing services by obtaining a permanent living situation; and to provide eviction prevention assistance to individuals and families.</p> <p>Street outreach programs, drop-in centers, emergency shelters and/or transitional housing programs assist individuals and/or families that meet the definition of homeless. Program components include assessments, engagement services, housing stability plans, and the provision of referral to support services. Such projects consider the coordination of community resources to ensure that program participants are linked to any necessary on-going support or assistance.</p> <p>Rapid Re-housing programs assist individuals and/or families in categories 1 and 4 of the homeless definition to move into stable housing. Program components involve identifying a housing location, providing rental and financial assistance, and offering support services. Such projects consider the coordination of community resources to ensure that program participants are linked to any necessary on-going support or assistance, and OTDA prioritizes those that pay particular attention to including employment supports for participants.</p> <p>Prevention programs assist individuals and/or families that have a demonstrated housing crisis and are at risk of losing their permanent housing. Program components include targeting eligible households, conducting a thorough assessment of the needs of each household, providing assistance to households in expanding housing options and resources, providing rental and certain other forms of financial assistance, and providing support services needed for housing stability.</p>
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<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>OTDA solicits STEHP applications through a competitive Request for Proposals (RFP) process. Proposals are judged on the following general criteria: the responsiveness of the proposal to the RFP; evidence of the applicant's understanding of the needs of the homeless population and those at risk of homelessness; the programmatic and fiscal feasibility related to overall management and operation of the project, including the project operating budget, revenue streams and matching funds evidence; the completeness of the "Program Specific Questions", "Budget", "Work Plan" and "Upload Submission" portions of the application; clarity of the measurable and quantifiable expected results and potential for their achievement; the overall cost reasonableness and effectiveness of the proposed project; assurances that the requested funds will be expended in a timely manner once a contract has been executed between OTDA and the applicant; the applicant's contractual performance history with OTDA or other NYS capital funding sources (where applicable); the applicant's standing with NYS (such as compliance with the requirements of the Attorney General's Office, Worker's Compensation, etc.); assurances of the urgency of need for STEHP funds, and that duplication of services will be avoided in the geographic area in which the STEHP program will operate; and the applicant's demonstrated coordination with the local social services district and the Continuum of Care or other relevant planning committees.</p>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>N/A</p>

<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>Units of local government and nonprofit organizations compete in and are awarded ESG funds based on the STEHP RFP process as described above. STEHP contracts operate on a five-year basis.</p>
<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>N/A</p>

<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>Of the STEHP funds awarded in 2021, approximately 30% is dedicated to NYC, 70% is dedicated to contractors outside of NYC; 50% is dedicated to activities serving homeless persons, and 50% to activities serving those at risk of homelessness. Of the funds dedicated to serving homeless persons, approximately 5% funds Street Outreach, 35% funds Shelter, 15% funds Transitional Housing and 45% funds Rapid Re-housing programs.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Competitive STEHP grants are limited to \$300,000 per agency per CoC served.</p>

<b>What are the outcome measures expected as a result of the method of distribution?</b>	In the 2021 Program year, OTDA expects the contractors will serve 14,000 persons in Street Outreach, Shelter and Transitional Housing programs, 5,000 persons with Rapid Rehousing and 10,000 persons with homelessness prevention.
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**Discussion:**

CDBG-DR funds are being utilized for eligible disaster related activities to support housing repair, rebuilding, mitigation, economic revitalization, community planning, and infrastructure repair and improvements (APA8 p. 45). New York State's CDBG-DR allocation priorities are to repair and harden storm-damaged residential units, creating additional affordable housing, reviving businesses, and rebuilding critical infrastructure throughout the State. (APA8 p. 47). The State's use of CDBG-DR funds also prioritize vulnerable populations, innovation in project design, alignment with other resiliency projects and state policy objectives, regional collaboration, and ecosystem restoration. (APA8 p. 64)

The New York State CDBG-DR Action Plan and amendments are available at the website of the New York Governor's Office of Storm Recovery: <https://stormrecovery.ny.gov/funding/action-plans-amendments>.

## AP-35 Projects – (Optional)

Introduction:

#	Project Name

Table 9 – Project Information

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

**AP-38 Project Summary**  
**Project Summary Information**

## **AP-40 Section 108 Loan Guarantee – 91.320(k)(1)(ii)**

**Will the state help non-entitlement units of general local government to apply for Section 108 loan funds?**

Yes

### **Available Grant Amounts**

New York State may elect to assist non-entitlement units of local government by providing opportunities for funding under Section 108 of the Housing and Community Development Act of 1974, as amended. New York State may apply for funding on behalf of non-entitlement units of local government or they may apply directly for guaranteed loans under 24 CFR Part 570, Subpart M (Section 108 Loans). The total amount of loans available statewide to eligible communities is the maximum allowed under HUD regulation 24 CFR 570.705.

### **Acceptance process of applications**

- Any repayment of Section 108 Guaranteed Loan debt obligations made with CDBG grant funds by a community as a result of default may be applied to the community's annual funding limit.
- Repayment of a Section 108 Guaranteed Loan is the responsibility of the local government if the activity funded by the loan is determined to be ineligible or in violation of federal rules or regulations.

HUD must approve all guaranteed loan applications.

Section 108 Loan Guarantee Application Process: The Housing Trust Fund Corporation (HTFC) reviews loan applications and performs required associated underwriting for the Section 108 Loan Guarantee program as required by 24 CFR 570.482(e).

Section 108 Evaluation Criteria: Section 108 loans will be evaluated in accordance with 24 CFR Part 570, the Section 108 Final Rule, along with consideration being given to:

- Section 108 guaranteed loan funds used per permanent job created (cost-effectiveness);
- Actual number of jobs created;
- Documentation/demonstration that the project will have a significant impact on defined

- community needs;
- Consistency with local planning and development strategies; and
- Certifications provided by the local government.

Section 108 Loan Management: Following HUD approval, HTFC will be responsible for approving/monitoring project aspects such as, but not limited to, release of funds, associated financial records and loan documents, compliance with federal requirements, and loan repayments.

**AP-45 Community Revitalization Strategies – 91.320(k)(1)(ii)**

**Will the state allow units of general local government to carry out community revitalization strategies?**

Yes

**State’s Process and Criteria for approving local government revitalization strategies**

During the plan period, the NYS CDBG Program may elect to allow eligible units of local government to carry out a revitalization strategy. In such a case, the CDBG Program will follow the guidance provided in Notice CPD-97-1 to implement an approval process, pending final sign-off by HUD.

## **AP-50 Geographic Distribution – 91.320(f)**

### **Description of the geographic areas of the state (including areas of low-income and minority concentration) where assistance will be directed**

CDBG funds are available to all eligible NYS communities that do not receive funds directly from HUD.

The State is “responsible for distributing HTF funds throughout the State according to the State’s assessment of the priority housing needs within the State, as identified in the State’s approved Consolidated Plan.”

For the current year’s allocation, HUD requires that, except for up to 10 percent of the allocation which may be used for administration, the HTF funds shall be used to provide capital subsidies, operating assistance and/or operating assistance reserves for non-transitional, rental housing units targeted to extremely low-income households with incomes at or below 30% of AMI.

HTF funding will be available statewide, including for projects in areas of low income and minority concentration that meet at least one of the State’s housing priorities. HCR does not anticipate establishing set-asides for HTF funds for specific geographic areas of the State.

While HOME can allow for geographic distribution, generally, HOME cannot predict the geographic distribution of assistance, as funds may be awarded in any part of the State, based on a demonstrated need, feasibility and the ability to commit and expend funds within HUD's expenditure and commitment deadlines. HOME regulations require that 15% of the State's annual HOME allocation be awarded to Community Housing Development Organization (CHDO) projects. The remaining funds can be awarded to programs and projects statewide. HOME may award funds for programs or projects in areas of other HOME Participating Jurisdictions (PJs), if a local market need is demonstrated for the HOME eligible activity.

ESG funds awarded through the STEHP program are distributed statewide through a competitive Request for Proposals process with approximately 30% being dedicated to New York City and 70% to the rest of the state.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
New York State EJ	

**Table 10 - Geographic Distribution**

## **Rationale for the priorities for allocating investments geographically**

The New York State Office of Community Renewal (OCR) administers the State CDBG Program and publishes an annual Request for Proposals (RFP) for applications requesting funds to assist with eligible housing, public infrastructure/facility, and economic development projects. Final allocations are made based on pre-identified selection and rating criteria. Although target area investments are encouraged, these selection criteria do not include a geographic component.

The HOME Program does not have geographic set-asides for specific areas of New York. Since the majority of HOME funds are primarily used in areas that are not HOME participating jurisdictions, this generally results in HOME funds being directed to the smaller, more rural and exurban communities of New York, but does allow for funding in all areas of the State.

While “Geographic Diversity” is a scoring criterion in evaluating applications for HTF funding, as required by the HTF program, the State does not intend to dedicate a specific percentage or amount of HTF funding to particular areas. Funding decisions will be based with an emphasis on other scoring criteria.

OTDA prioritizes Prevention programs in the STEHP program in New York City. This is because there is a known shortage of affordable housing units and those that are inhabited should be retained if possible. If a person becomes homeless, shelter stays are extensive due to lack of available units and long permanent housing wait lists.

## **Discussion**

## Affordable Housing

### AP-55 Affordable Housing – 24 CFR 91.320(g)

**Introduction:**

<b>One Year Goals for the Number of Households to be Supported</b>	
Homeless	2,800
Non-Homeless	4,200
Special-Needs	306
Total	7,306

**Table 11 - One Year Goals for Affordable Housing by Support Requirement**

<b>One Year Goals for the Number of Households Supported Through</b>	
Rental Assistance	7,020
The Production of New Units	205
Rehab of Existing Units	180
Acquisition of Existing Units	64
Total	7,469

**Table 12 - One Year Goals for Affordable Housing by Support Type**

**Discussion:**

The number of households supported with special needs represents the number of households supported with NYS HOPWA with short term rental, mortgage, or utility assistance, tenant based rental assistance and facility based housing assistance in permanent supported housing or leased units. The number of households supported through rental assistance includes 285 households supported with NYS HOPWA through tenant based rental assistance. STEHP funds will support 7,000 households with rental assistance for homeless and at-risk of homelessness households.

HTF program goals include units created or rehabilitated through multifamily rental projects that have received HTF funds for development acquisition, hard, and related softs costs, and operating cost assistance and operating cost assistance reserves.

The HOME Program meets annual goals to provide low income families an affordable and sustainable housing option by funding LPAs to provide: single-family Homeowner Housing Rehabilitation, Manufactured Housing Replacement, Homebuyer Purchase Assistance, Homebuyer Development Projects, Rental Rehabilitation, Tenant Based Rental Assistance and Multi-family and Single-family

## Rental Development.

The State has previously committed \$10 million dollars to assist storm-damaged housing authorities.

In addition to assistance to PHAs, the Multi-Family/Affordable Housing Program supports both the preservation of governmentally-assisted, including HUD-assisted affordable housing and other rental housing developments that were damaged by Hurricane Irene, Tropical Storm Lee or Superstorm Sandy, as well as the development of new affordable housing to address the rental housing shortage created by the storms and to help revitalize hard hit communities. Assistance is limited to projects located in storm damaged counties outside of New York City. The State estimates there are still outstanding needs for affordable rental within the impacted communities, within the Multi-Family/Affordable Housing Fund, it is envisioned that the allocation of CDBG-DR funds dedicated to rental will be leveraged both by tax-exempt private activity bonds (PAB), 4% low income housing tax credits, 9% tax credits, and private financing.

The Multi-Family/Affordable Housing Program offers assistance for the development of new selected affordable housing projects to alleviate the shortage of affordable housing created or exacerbated by Irene, Lee, and/or Sandy. CDBG-DR assistance provided through the Program is generally limited to assisting affordable housing units. However, mixed income developments are eligible for assistance if developers can leverage other funding to support the non-low- and moderate- income units. This initiative works to create new rental housing units through a variety of means, including the substantial repair of uninhabitable rental properties, the conversion of non-residential structures, and new construction. The Program may also “produce” new rental units through the repair of partially occupied properties that have a significant number of vacant, uninhabitable units.

For information about Hurricane Sandy, the State’s response, and CDBG-DR programs, please visit <https://stormrecovery.ny.gov/> to read the current CDBG-DR Action Plan.

## **AP-60 Public Housing - 24 CFR 91.320(j)**

### **Introduction:**

New York State does not directly own or administer federal public housing. Therefore the requirements of this section do not apply to New York State's Consolidated Plan. However, New York State recognizes the additional statutory requirements of Section 105(b)(11) and Section 105(g) of the CHAS statute, as amended by the 1998 Appropriations Act. Although it must be recognized that these additional requirements place considerable and unique burdens on a State with 207 Public Housing Authorities (PHAs), the State of New York is complying with these additional requirements by conducting ongoing consultations with PHAs to determine the needs of the PHAs and to identify ways in which the State can assist in addressing these needs.

### **Actions planned during the next year to address the needs to public housing**

Not Applicable

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

Not Applicable

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not Applicable

### **Discussion:**

## **AP-65 Homeless and Other Special Needs Activities – 91.320(h)**

### **Introduction**

Through the STEHP Program, OTDA makes ESG funds available to local not-for-profits and local social services districts for street outreach, shelter, rapid rehousing and homelessness prevention services. The goal of STEHP is to assist individuals and families to prevent the eviction process, remain in or obtain permanent housing, and/or assist them with supportive services during their experience of homelessness while waiting to obtain permanent housing. Through the Housing Opportunities for Persons with AIDS (HOPWA) program, OTDA makes funds available to not-for-profit organizations and public housing agencies to provide housing and related support services to low-income persons with AIDS or HIV-related illnesses and their families.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

In 2021, STEHP providers estimate serving 14,000 persons in Street Outreach, Shelter and Transitional Housing programs, 5,000 persons with Rapid Rehousing and 10,000 persons with homelessness prevention services. STEHP currently contracts with Street Outreach providers that meet unsheltered persons “where they are” literally and figuratively. Providers address basic physical needs, transportation, emergent health and mental health needs, and most importantly they encourage potential participants to enter local shelters, housing programs and rapid rehousing programs.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

STEHP currently contracts with shelter and/or transitional housing providers which offer a variety of services from day shelter to overnight accommodations linked with case management, the ultimate goal of which is to obtain a permanent place to live. Besides supplying basic needs, shelters may provide essential services, assistance obtaining benefits, education services, employment services, outpatient health services, legal assistance, life-skills training, mental health and substance abuse counseling, transportation and certain child care services in order to assist participants with the goal of obtaining permanent housing.

HOPWA also funds one transitional housing facility to meet the needs in one upstate community to assist individuals with HIV/AIDS who are experiencing homelessness. This facility provides temporary

housing while the individual works toward establishing more permanent housing and supports.

The HOME Program also supports the substantial rehabilitation or new construction of housing for the homeless.

The HTF program may also be used for non-transitional, permanent rental housing units for extremely low-income households with incomes at or below 30% of AMI.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

In its most recent STEHP RFP, OTDA, in recognition of the important role coordinated entry can have on homeless systems, prioritized projects that were fully endorsed by the CoC. Furthermore, OTDA, in recognition of the importance of participant income, awarded priority points to Rapid Rehousing and Transitional Housing projects that demonstrated an increase in income for the individuals they proposed to serve with STEHP funds, whether it be in the form of benefits or earned income. Priority was also given to projects that demonstrated a connection to SOAR case management. OTDA stresses case management which may include benefit/entitlement advocacy, overcoming past barriers to retaining housing, use of legal services and credit repair. STEHP currently contracts with Rapid Rehousing providers whose goal is to assist participants in obtaining affordable permanent housing. In order to promote housing stability, OTDA allows Rapid Rehousing contractors to provide services for the maximum amount of time under current ESG regulations and mandates contractors serve a new participant for at least six months with at least case management if the participant is still willing to engage.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

STEHP contractors provide homelessness prevention services including financial and rental assistance,

utility assistance, security deposits, legal services, credit repair and benefit/entitlement advocacy. OTDA stresses case management which includes housing stability plans and allows contractors to serve participants for the maximum amount of time under current ESG regulations.

The HOPWA Program also helps low income individuals and families to attain and maintain permanent housing with supports as needed. Tenant based rental assistance, short term rental, mortgage and utility assistance, as well as permanent housing placement services are deployed to assist these households in achieving housing stability.

## **Discussion**

**AP-70 HOPWA Goals – 91.320(k)(4)**

<b>One year goals for the number of households to be provided housing through the use of HOPWA for:</b>	
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family	28
Tenant-based rental assistance	285
Units provided in permanent housing facilities developed, leased, or operated with HOPWA funds	8
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds	18
<b>Total</b>	<b>339</b>

## **AP-75 Barriers to affordable housing – 91.320(i)**

### **Introduction:**

NYSHCR has identified the following goals to work towards in order to address barriers to affordable housing. These are a complement to the goals and strategies to affirmatively further fair housing set forth in Question 55 to the Strategic Plan and those that will be set forth in the Assessment of Fair Housing which will be finalized after the public has an opportunity to comment.

### **Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

#### **Promote development of affordable housing in areas where land use and development regulations provide barriers, by:**

- Exploring the creation of a zoning appeals board through legislation.
- Exploring the creation of a model inclusionary housing zoning ordinance.
- Exploring the viability of legalizing and expanding the usage of accessory dwelling units.
- Exploring possibility of implementing fair share legislation to require that affordable housing be built in every locality.
- Creating a tool that will visualize existing affordable and multifamily housing stock with local zoning and land use policies to share with local governments in planning for their communities.
- Working with New York State Education Department to identify and address community opposition to affordable housing based on perceptions of school overcrowding.

#### **Incentivize building of affordable housing to address community needs and offset other barriers, by:**

- Increasing incentives and awareness of incentives for housing providers to develop affordable, multifamily housing in well-resourced areas.
- Exploring modifications to Qualified Allocation Plan (QAP), through which low-income housing tax credits (LIHTCs) are distributed to further stimulate building as part of community redevelopment, in well-resources areas and for those with special needs and disabilities.
- Continuing to temper local approval requirements so that this approval is not a barrier to seeking state funding for the construction of affordable housing.
- Expanding support to Land Bank and Community Land Trust models across New York State to assist local community organizations in purchasing property and creating permanent affordable housing.
- Monitoring and continue to develop programs and opportunities for homeownership, with a particular focus on expanding opportunities for homeownership among protected classes.
- Continuing to identify vulnerable populations and prioritize the development of housing and

supportive services to meet their needs (i.e. housing for individuals coming out of incarceration and LGBT+ individuals)

**Discussion:**

## **AP-85 Other Actions – 91.320(j)**

### **Introduction:**

#### **Actions planned to address obstacles to meeting underserved needs**

New York State will continue to develop new programs and initiatives, improve existing programs and identify additional sources of funding to better serve those in need of affordable housing and related services.

For example, NYS has long recognized the need to assist agricultural producers and farmworkers in financing the construction, replacement or rehabilitation of farmworker housing which meets applicable building and health codes. In fact, HCR administers the Farmworker Housing Program which provides low cost loans to agricultural producers to construct or improve housing for both seasonal and year-round farm employees. Since the program's inception in 1997, HCR has provided 264 loans statewide to agricultural producers (including fruit, vegetable and dairy operations) totaling \$15.7 million without a single default. The program's success has been driven by the ongoing collaborative partnership between HCR, the NYS Department of Health (DOH) and the Farm Credit East lending institution, which originates and services these streamlined loans.

#### **Actions planned to foster and maintain affordable housing**

The HOME Program meets annual goals to provide low income families an affordable and sustainable housing option by funding LPAs to provide: single-family Homeowner Housing Rehabilitation, Manufactured Housing Replacement, Homebuyer Purchase Assistance, Homebuyer Development Projects, Rental Rehabilitation, Tenant Based Rental Assistance and Multi-and single family Rental Development.

For large scale multi-family housing, New York State's strategy will focus on combining the LIHC with available public subsidies on the federal, State, and local level. It is through this combination that most of the affordable rental housing developed by New York will likely attain the financial feasibility and the viability necessary to assure project completion and operation while serving a broad variety of households.

A predictable flow of LIHC accruing to New York will allow the State to continue to accurately forecast the amounts and types of government subsidies that can be leveraged through use of the LIHC. This predictability will also allow the State to forecast, by way of its goals and priorities, the types of

subsidies that will be most effective in meeting the housing needs of the State over the next five years.

Most of the projects receiving an allocation of LIHC from HCR will continue to have at least one other public subsidy as part of the project financing package. HCR will continue to use the LIHC to leverage private investment in projects using CDBG and/or Housing Trust Fund monies.

Additionally, New York State will fund the Mobile and Manufactured Home Replacement Program (MMHR). The program will assist homeowners to replace dilapidated mobile or manufactured homes that are sited on land owned by the homeowner, with a new manufactured, modular or site built home.

The program will provide an existing homeowner of a dilapidated mobile or manufactured home with the replacement of that home with a new manufactured, modular or site built home.

A number of communities in New York State have rent regulation programs known as rent control and rent stabilization. These **Rent Regulation Programs** administered by the Office of Rent Administration (ORA), position ORA as a leader in the preservation of affordable housing. Rent regulation is intended to protect tenants in privately-owned buildings from illegal rent increases and allow owners to maintain their buildings and realize a reasonable profit. Tenants and building owners can access a multitude of resources through ORA and NYS “Rent Connect”.

### **Actions planned to reduce lead-based paint hazards**

NYS’s Childhood Lead Poisoning Primary Prevention Program (CLPPPP) utilizes a housing-based primary prevention approach to identify environmental lead hazards within target areas that have been identified as having the highest risk of childhood lead poisoning. The CLPPPP initiative draws on evidence-based approaches to assess and improve housing conditions by performing inspections, issuing notifications, and facilitating compliance through various enforcement methods. This primary prevention policy represents a proactive and effective approach to preventing lead poisoning. Currently, the NYSDOH has contracts with 15 County Health Departments to provide lead poisoning primary prevention services. The NYS Department of Health also continues to respond to children diagnosed with elevated blood lead levels statewide through the Lead Poisoning Prevention Program (LPPP).

NYSDOH promotes development of a skilled and certified workforce for lead remediation while increasing availability of lead safe work practices training for property owners, contractors, and residents. NYS grantees continue to use various techniques to facilitate training among a diverse population. Most of the trainings are free or offered at a reduced cost and are convenient for participants to attend. In addition, many grantees provide incentive packages containing lead hazard control supplies to participants who complete the training.

CLPPPP grantees work closely with community partners to secure referrals, increase lead hazard

awareness, and deliver lead prevention services and education. Some grantees successfully partner with local code enforcement agencies, Section 8, and local social services. These special partnerships bring out the best in both programs to identify high-risk housing, assess for lead based paint hazards, and facilitate compliance. Local lead poisoning prevention coalitions have proven to be effective at stimulating healthy housing awareness in communities, promoting lead prevention programs, and enhancing funding accessibility for lead hazard control and remediation.

The NYS Healthy Neighborhoods Program (HNP) is a healthy homes initiative that seeks to reduce the burden of housing-related illness and injury. HNP provides in-home assessments and interventions to address home environmental health and safety hazards, including asthma triggers, tobacco use, indoor air quality, lead, fire safety, injury prevention, and other environmental conditions. Currently, 19 local health departments are funded to implement the program in selected high-risk target areas. A surveyor assesses conditions in each home and provides interventions, guidance, and referrals to address identified hazards. A quarter of homes receive a follow-up visit (revisit). In 2017, the Healthy Neighborhoods Program transitioned to a new tablet-based data collection tool and database. NYSDOH will continue to enhance its reporting capabilities to provide accurate and consistent data for evaluation of the program's impact on specific housing conditions related to illness and injury.

### **Actions planned to reduce the number of poverty-level families**

The five programs covered by the Consolidated Plan – CDBG, HOME, HTF, ESG and HOPWA – directly support the overall State anti-poverty strategy by addressing the housing and/or non-housing community development needs of persons at or below the poverty level. This has the cumulative effect of reducing the number of poverty level families.

CDBG supports a variety of non-housing community development activities that are targeted to low and moderate income families. These investments include, but are not limited to:

- Neighborhood water, sewer, and stormwater infrastructure
- Rehabilitating or replacing public facilities such as daycare and senior centers
- Providing economic development assistance to business that will create or retain jobs available to low/moderate income individuals

### **Actions planned to develop institutional structure**

New York State will continue to analyze the delivery system of affordable housing to identify areas of problems and issues. Recommendations will be made on a continual basis to improve the administration of programs across the agency. Closer communication among divisions and offices in the agency will be

pursued to improve program coordination.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

New York State emphasizes coordination with public and assisted housing providers and private and governmental health, mental health, and service agencies.

To that end, the Most Integrated Setting Coordinating Council (MISCC) Housing Committee is comprised of consumers and leaders in not-for-profit organizations, local governments and State agencies to work together to positively impact the lives of people with physical or psychiatric disabilities.

The commissioner of DHCR chairs this Task Force.

It is a priority of HCR to strengthen and expand partnerships in housing and community development. These partnerships include all public and assisted housing providers as well as the private and governmental health, mental health, and service agencies that do business with the State's housing programs. New York State will continue to employ a number of vehicles for communication and coordination which include:

- The National Affordable Housing Act Task Force and Consolidated Plan Partnership Advisory Committee
- The Most Integrated Setting Coordinating Council- The Developmental Disabilities Planning Council
- The Money Follows the Person Housing Workgroup

New York State will continue to participate in conferences and training for housing and service providers and local governments and will continue to provide assistance to ensure coordination among private and governmental health, mental health, and service agencies for State-financed projects housing special needs populations. New York State will also continue to actively coordinate and cooperate with units of general local government in the preparation and implementation of its Consolidated Plan and Annual Action Plans.

Through a new requirement placed on local social service districts, NYS OTDA must receive Homeless Services Plans from each district. In 2019, each local district submitted such a plan that was subsequently accepted by OTDA. Moving forward there will also be a bi-annual reporting requirement for local districts to report on how they are addressing homeless in the County and the results of those efforts. This requirement will allow NYS to better understand homelessness across the state and then be better able to coordinate the development of solutions to addressing stated problems. Additionally,

the new NYS BoS CoC requires participation by each local social service district within each of the five counties covered by the BoS CoC. Working with these districts and the local public and private housing agencies within the geography of the NYS BoS CoC will greatly enhance coordination.

**Discussion:**

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.320(k)(1,2,3)

#### Introduction:

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.320(k)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	900,000
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	78.00%

#### HOME Investment Partnership Program (HOME)

##### Reference 24 CFR 91.320(k)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The NYS HOME Program does allow the refinancing of existing debt for multi-family housing. The use of HOME funds to refinance existing debt secured by multi-family housing is eligible only when HOME funds are loaned to rehabilitate a project, and refinancing is necessary to permit or continue

affordability.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

When HOME funds are used to assist a household in the purchase of a unit, restrictions will be placed on the unit to ensure compliance with the HOME resale and recapture requirements described in 24CFR 92.254(a)(5). All Recapture and Resale mechanisms used to secure the affordability of the HOME assisted unit must be recorded in accordance with the State recordation laws and in compliance with NYS HOME Local Program Resale-Recapture Guidelines. For more information, please see NYS HOME Local Program Resale-Recapture Guidelines in Appendix II.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Under most circumstances, homeownership projects undertaken by the NYS HOME Program will be subject to recapture. The homebuyer assistance will be secured by means of a grant enforcement mortgage given to HTFC by the low-income household being assisted. A template of the HTFC grant enforcement mortgage is provided to Local Program Administrators (LPAs) at contract execution. However, resale restrictions may be used under the following circumstances: 1) When HOME Program funds are used only as a development subsidy for the construction or renovation of homeownership housing, and no homebuyer assistance is provided, resale restrictions must be used to secure the HOME investment. 2). Resale restrictions may also be used at the request of the LPA when HOME Program funds are invested in: a larger homeownership development, a condominium or cooperative project; projects where a substantial per-unit investment of subsidy is provided; local markets with predominately high home sale prices, rapidly appreciating housing costs, or where affordability will not be preserved by unrestricted sales of assisted units. HTFC approval of the conditions warranting the use of a re-sale restriction is required. For more see NYS HOME Local Program Resale- Recapture Guidelines in Appendix II.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that

will be used under 24 CFR 92.206(b), are as follows:

When HOME funds are utilized for this purpose, a minimum of \$6,000 per unit must be invested. The project sponsor must clearly demonstrate that disinvestment in the property has not occurred; the long term needs of the project can be met; and that the targeted population can be served over the extended affordability period. HOME funds will have an affordability period of no less than 15 years or no more than the maximum term of the original contract. Investment of HOME funds will be jurisdiction-wide, and under no circumstances will they be used to refinance multifamily loans made or insured by any federal program, including CDBG.

### **Emergency Solutions Grant (ESG) Reference 91.320(k)(3)**

1. Include written standards for providing ESG assistance (may include as attachment)

New York State allocates 100% of its ESG funds (minus its administrative portion) to subrecipients under the Solutions to End Homelessness Program (STEHP). Furthermore, NYS contributes some of its own resources to the STEHP program. All STEHP contractors are required to follow ESG regulations regardless of whether their individual contracts contain ESG funds. NYS requires all contractors to develop a STEHP program manual describing provision of services and how the program operates. Manuals should include standard policies and procedures for evaluating eligibility consistent with ESG regulations along with procedures for assessment and admission, referral, coordination with other providers, connection to mainstream benefits, length of assistance, levels of assistance, participant contributions (if any), discharge, premature termination and inclusion of homeless persons' participation in agency policy. Manuals are reviewed at monitoring visits.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.
3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

Current contracts are in effect in 2020 as a result of applications submitted under the competitive Solutions to End Homelessness Program (STEHP) Request for Proposals (RFP) in June 2019. Any not-for-profit corporation pre-qualified in the Grants Gateway System, and units of local government and local social services districts are eligible to apply for STEHP funds. Proposals received are

reviewed by staff at OTDA and assigned an overall competitive score. Proposals are judged based on the responsiveness of the proposal to the RFP, evidence of the applicant's understanding of the needs of the homeless population and those at risk of homelessness, and programmatic and fiscal feasibility as outlined in the RFP.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

N/A

5. Describe performance standards for evaluating ESG.

The performance standards set for the STEHP Program intend to encourage sub-grantees to provide long-term stability for their program participants. In the STEHP RFP, priority was given to each applicant **that could demonstrate an 85% positive housing outcome rate. The State considers a positive housing** outcome to have occurred if a program participant is currently residing in or is on the path to securing permanent housing. Additionally, each sub-grantee needs to show annually that their project has achieved at least a 75% positive housing outcome. Should a project not achieve this positive housing outcome standard, OTDA may reallocate their STEHP funds to one or more STEHP sub-grantees.

Projects are monitored by OTDA throughout the term of the contract. Monitoring may include site visits, regular telephone contact, as well as provider meetings. The goal of monitoring is to ensure that the terms of the contract are being met and ESG regulations are being followed. In addition, monitoring enables OTDA to provide technical assistance, where necessary, in order to assist the contractor in meeting the terms of the contract. It is the responsibility of the contractor to monitor any and all sub-contracts. In addition, copies of all applicable federal rules and regulations for the program have been disseminated to sub grantees, along with materials to assist them with the vouchering and reporting process. Periodic conference calls and/or in-person training sessions will be held with sub-grantees to address any questions they have with contract compliance and/or programmatic concerns with which they need assistance.

## HOPWA information

Housing Opportunities for Persons with AIDS Program (HOPWA) Goals:

OTDA issues a HOPWA Request for Proposals (RFP) and selects from applications submitted. Contracts are established for a period of five years.

Projects are selected based on:

- Need for the type of housing proposed.
- Continuity of housing availability for those already being served.
- Appropriateness of the site.
- Appropriateness of the program design and/or support services proposed.
- Reasonableness of total project cost.
- Evidence of strong linkages with community-based providers.

Priority is given to projects that would:

- Continue successful operations previously funded
- Expand housing units and critical support services for persons with HIV/AIDS and their families
- Serve under-served geographic areas
- Fill gaps in housing and support services
- Help create an integrated, comprehensive approach to meet housing needs of persons with HIV/AIDS in a geographic area.
- The following activities were funded:
  - Tenant-based rental assistance
  - Short-term rent, utilities, or mortgage payment to prevent homelessness
  - Support services

HOPWA contracts entered into by OTDA are subject to on-going monitoring throughout the term of the contract. The primary methods of monitoring include:

- Review of narrative and tabular quarterly reports
- Review of final reports
- Periodic site visits, including review of randomly-selected case files
- On-going telephone contact with program staff

**Housing Trust Fund (HTF)  
Reference 24 CFR 91.320(k)(5)**

1. How will the grantee distribute its HTF funds? Select all that apply:

Applications submitted by eligible recipients

2. If distributing HTF funds through grants to subgrantees, describe the method for distributing HTF funds through grants to subgrantees and how those funds will be made available to state agencies and/or units of general local government. If not distributing funds through grants to subgrantees, enter "N/A".

N/A

3. If distributing HTF funds by selecting applications submitted by eligible recipients,

a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

The State, acting through the New York State Housing Finance Agency ("HFA"), will only distribute HTF funds by selecting applications that are submitted by eligible recipients.

To be eligible to apply for HTF funding, an applicant must be a federal or state public housing authority, a not-for-profit corporation or charitable organization, a wholly owned subsidiary of such corporations or organizations, or a private for-profit developer that also submits an application for other HCR multifamily financing.

Furthermore, in order to be eligible a recipient must meet all of the following criteria:

(1) Make acceptable assurances to HCR that it will comply with the requirements of the HTF program during the entire period that begins upon selection of the recipient to receive HTF funds, and ending upon the conclusion of all HTF-funded activities;

(2) Demonstrate the ability and financial capacity to undertake, comply with, and manage the eligible activity;

(3) Demonstrate its familiarity with the requirements of other Federal, State, or local housing programs that may be used in conjunction with HTF funds to ensure compliance with all applicable requirements and regulations of such programs; and

(4) Have demonstrated experience and capacity to conduct an eligible HTF activity as evidenced by its ability to own, construct, manage and operate an affordable multifamily rental housing development.

Eligibility requirement #1 will initially be met through a written certification that an applicant must make at the time of application. HTF program requirements, including but not limited to designation of the number of HTF-assisted units, income limits, and rent limits, will further be memorialized through a grant or assistance agreement and/or a regulatory agreement which will be put in place prior to or at the time of the construction closing of a project which is awarded HTF funds.

Eligibility requirements #2-4 will be assessed through information that will be required to be submitted to HCR as a part of the project's financing application and accompanying application for HTF funding.

b. Describe the grantee's application requirements for eligible recipients to apply for HTF funds. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

HCR will distribute HTF funds by selecting applications that are submitted by eligible recipients. HTF funding will be made available as a source of subsidy for eligible multifamily rental projects financed by HFA tax-exempt bonds, State and federal tax credits, State and federal programs, private mortgages, and/or other private grants.

Applicants for HTF funding will be required to submit an HTF subsidy application, along with the financing and underwriting application, as required under either the Multifamily Open Window or 9% Request for Proposals, as applicable. The application must contain a project narrative and other qualitative, quantitative, and financial information which describes in detail the proposed eligible activities to be conducted with HTF funds, among other requirements as set forth in the Multifamily Open Window or 9% Request for Proposals, and the supporting HTF term sheet and financing guides.

c. Describe the selection criteria that the grantee will use to select applications submitted by eligible recipients. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Applications for HTF funding will first be evaluated and scored by staff on the criteria listed below, with a maximum score of 100. Applicants will be required to address each of these criteria in their

application:

- (1) Geographic Diversity (up to 5 points)
- (2) Readiness (up to 15 points)
- (3) Developer Team Experience and Capability (up to 15 points)
- (4) Project-Based Rental Assistance (up to 5 points)
- (5) Duration of Affordability Period (up to 15 points)
- (6) Leveraging (up to 10 points)
- (7) Financial Feasibility and Efficiency (up to 15 points)
- (8) Priority Housing Needs of the State (up to 20 points)

The financing application will be separately evaluated, and the project underwritten for market, borrower and project feasibility, in conjunction with the HTF funding application.

HCR staff will make an award recommendation after an application has been underwritten and scored. If a project is recommended for HTF funding, it must be reviewed and approved by a Credit Committee, Board of Directors, and/or the Commissioner of HCR prior to the making of an award, as applicable.

d. Describe the grantee's required priority for funding based on geographic diversity (as defined by the grantee in the consolidated plan). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

HCR will accept applications for HTF funding from across the state. In the interest of supporting a balanced and diverse distribution of HTF resources across the state, the extent to which a project serves an area of the state that has not previously been awarded HTF funding will be considered in the

evaluation of an application.

e. Describe the grantee's required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

In order to assess an applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner, HCR will evaluate both project readiness and developer team experience and capability, described as follows:

Readiness (Up to 15 points):

HCR will consider the applicant's ability to commit and expend HTF funds in a timely manner based upon whether all of the necessary components for the financing and development of the project are identified and/or committed (i.e. required resources that are not awarded through HCR, such as private or local governmental funds), and whether all necessary approvals (i.e. zoning, environmental) are in place.

At a minimum, an applicant must demonstrate that construction can reasonably be expected to start within 12 months of the execution date of the legally binding agreement under which HTF assistance will be provided.

An applicant must also demonstrate that funds can be committed within 24 months, and expended within 5 years, of the date of HUD's execution of the HTF grant agreement with HFA.

- and -

Developer Team Experience and Capability (Up to 15 points):

HCR will consider the applicant's ability to undertake eligible activities in a timely manner based upon proven team member experience, capability, and capacity as demonstrated by information provided in the application and demonstrated history with HCR and/or the State, if any. Information that will be evaluated may include but is not limited to the following: experience in successfully completing projects similar to the proposed eligible activity; financial, organizational, and staff capacity; status of other projects in the team's development pipeline; applicant's purpose and mission; and whether the

applicant has the capacity to maintain the rental housing long term.

f. Describe the grantee's required priority for funding based on the extent to which the rental project has Federal, State, or local project-based rental assistance so that rents are affordable to extremely low-income families. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Project Based Rental Assistance (Up to 5 points)

g. Describe the grantee's required priority for funding based on the financial feasibility of the project beyond the required 30-year period. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

The assessment of a project's financial feasibility beyond the required 30-year period consists of two components. First, the project is evaluated and scored based on the financial feasibility of the project for the proposed affordability period, whether 30 years or longer, yielding up to 15 points. Projects that propose a longer affordability period may receive up to 15 additional points based on the duration of the affordability period beyond 30 years, as follows:

Financial Feasibility and Efficiency (Up to 15 points):

HCR will evaluate the extent to which the project is cost effective and financially feasible for the proposed affordability period based upon evaluation of the project budget and funding sources, demonstrated need for such funding and HCR underwriting standards, including evaluation of per unit development costs compared to similar projects in the applicable region previously financed by the State.

- and -

Duration of Affordability Period (Up to 15 points):

HCR will consider the extent to which a project's affordability period exceeds the required 30-year

minimum.

h. Describe the grantee's required priority for funding based on the merits of the application in meeting the priority housing needs of the grantee (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Priority Housing Needs of the State (Up to 20 points): HCR will evaluate the merits of the application in meeting one or more of the following priority housing needs of the State:

(a) Community Renewal and Revitalization Projects: Projects that address a component indicated in the municipality's most recent comprehensive plan, or other municipal approved or coordinated community development plan.

(b) Integrated Supportive Housing Projects: Projects that provide permanent supportive housing to a variety of special needs populations in integrated housing settings.

(c) Public Housing Restructuring Projects: Projects that address the needs of public housing units outside the City of New York and assist Public Housing Authorities in completing their restructuring plans with a priority for projects participating in HUD's Rental Assistance Demonstration Program (RAD1).

d. Housing Opportunity Projects: Projects that propose workforce housing in areas experiencing economic growth and served by high performing school districts.

e. Workforce Opportunity Projects: Projects that propose housing within a safe half-mile walk to public transportation.

f. Mitchell-Lama Portfolio Projects: Projects that continue the redevelopment or preservation of Mitchell-Lama Housing units.

g. Rural Preservation Projects: Rehabilitation of projects in rural communities.

h. Economic Development Projects: Projects specifically endorsed in the Regional Economic Council Strategic Plans.

i. Downtown Revitalization Initiative: Projects that complement Downtown Revitalization Initiatives

(DRI) and advance DRI-approved investment plans.

j. Brownfield Cleanup Projects: Projects resulting in the cleanup/redevelopment of property that has been determined to be eligible to participate in the New York State Brownfield Cleanup Program.

k. Empire State Poverty Reduction Initiative Projects: Projects which will be implemented in a neighborhood located in a designated ESPRI locality and coordinated with the ESPRI activities underway.

i. Describe the grantee's required priority for funding based on the extent to which the application makes use of non-federal funding sources. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Leveraging (Up to 10 points):

HCR will consider the extent to which the project makes use of non-Federal funding sources and leverages significant resources outside of HCR and/or the State, such as third party funds, local funds, and/or local support. HCR will also consider the extent to which the application supplements or advances a coordinated investment by State agencies, federal government and local partners as well as the applicable Regional Economic Development Council strategic plan.

4. Does the grantee's application require the applicant to include a description of the eligible activities to be conducted with HTF funds? If not distributing funds by selecting applications submitted by eligible recipients, select "N/A".

Yes

5. Does the grantee's application require that each eligible recipient certify that housing units assisted with HTF funds will comply with HTF requirements? If not distributing funds by selecting applications submitted by eligible recipients, select "N/A".

Yes

**6. Performance Goals and Benchmarks.** The grantee has met the requirement to provide for performance goals and benchmarks against which the grantee will measure its progress, consistent with the grantee's goals established under 24 CFR 91.315(b)(2), by including HTF in

its housing goals in the housing table on the SP-45 Goals and AP-20 Annual Goals and Objectives screens.

Yes

**7. Maximum Per-unit Development Subsidy Amount for Housing Assisted with HTF Funds.**

Enter or attach the grantee's maximum per-unit development subsidy limits for housing assisted with HTF funds.

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME's maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above.

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME's maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above.

HCR has adopted the 2020 HOME per unit subsidy limits for the HTF program. These limits are attached.

**8. Rehabilitation Standards.** The grantee must establish rehabilitation standards for all HTF-assisted housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The grantee's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The

standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. The grantee must attach its rehabilitation standards below.

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable).

Rehabilitation Standards are attached.

## **New York State Federal Housing Trust Fund Program Rehabilitation Standards**

All rehabilitation that is performed using federal Housing Trust Fund (HTF) funds must meet the following requirements:

1. Applicants must perform a capital needs assessment according to the Integrated Physical Needs Assessment (IPNA) Standard (attached) and forms or other format approved by HCR to determine all work that will be performed in the rehabilitation of the housing and the long-term physical needs of the project. Items identified in the capital needs assessment at a minimum must:
  - Identify life-threatening deficiencies that must be addressed immediately.
  - Address, at a minimum, the following major systems:
    - Structural support,
    - Roofing,
    - Cladding and weatherproofing (e.g. windows, doors, siding, gutters),
    - Plumbing,
    - Electrical, and
    - Heating, ventilation, and air conditioning.
  - Estimate the remaining useful life of each of these major systems upon project completion based on current age and condition.
2. Upon completion, the rehabilitation work and HTF-assisted project and units must:
  - Meet all applicable State and local codes, ordinances, and requirements. In the absence of an applicable State or local building code, the project must meet the International Existing Building Code of the International Code Council. Such codes, ordinances, and requirements may include, but are not limited to, the following as applicable:
    1. NYS Uniform Fire Prevention and Building Code.
    2. New York City Building Code.
    3. Energy Conservation Construction Code of New York State.
    4. Energy Conservation Code of New York City.
    5. Multiple Dwelling Law.
    6. "Covered multifamily dwellings," as defined at 24 CFR 100.201, must meet the design and construction requirements at 24 CFR 100.205, which implements the Fair Housing Act (42 U.S.C. 3601-3619).

7. 24 CFR Part 8, which implements Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794, and Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) implemented at 28 CFR parts 35 and 36.
  8. Federal Labor Standards regulatory requirements (Davis-Bacon Related Acts).
  9. New York State Labor Law, Industrial Code Rule 56.
  10. Evaluation and Control of Lead-Based-Paint Hazards in Housing (HUD-1539-LBP, Current Edition and 24 CFR Part 35).
  11. EPA Renovation, Repair and Painting Rule (40 CFR Part 745).
  12. New York State Department of Labor Mold Program.
  13. New York City "Guidelines on Assessment and Remediation of Fungi in Indoor Environments".
  14. US Environmental Protection Agency Mold Prevention in Schools and Commercial Buildings.
  15. Model Standards and Techniques for Control of Radon in New Residential Buildings, EPA 402-R-94-009, March 1994.
  16. ASTM E1465-08a Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings (or most current edition).
  17. ASTM E2121-09 Standard Practice for Installing Radon Mitigation Systems in Existing Low-Rise Residential Buildings (or most current edition).
  18. Phase I Environmental Site Assessment ASTM E1527-13, or most current edition.
  19. NYS Smart Growth Public Policy Act.
  20. NYSDEC Prohibited and Regulated Invasive Species, 6 NYCRR Part 575.
- Be decent, safe, sanitary, and in good repair as described in 24 CFR 5.703.
  - Where relevant, be improved to mitigate the impact of potential disasters (e.g. earthquake, hurricanes, flooding, and wildfires) in accordance with State and local codes, ordinances, and requirements, or such other requirements as HUD may establish.
3. If the remaining useful life of one or more major system is less than the project's period of affordability (at least 30 years), a replacement reserve with monthly payments of adequate size must be established to repair and replace systems as needed.

## Integrated Physical Needs Assessment (IPNA) Standard for New York City and State Low/Moderate Income Multifamily Buildings

Adopted by:

- NYS Housing and Community Renewal (HCR)
- NYC Department of Housing Preservation and Development (HPD)
- NYC Housing Development (HDC)

Released: 8-04-2017

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## INTRODUCTION

The emergence of concerns about climate change and the associated need to reduce carbon emissions has given a new and significant urgency to energy efficiency work in buildings. A trend has developed to merge Physical Needs Assessments (PNAs) with energy audits, sometimes referred to as a Green PNA, or GPNA.

PNAs have long been used to assess deficiencies in buildings to recommend improvements to remediate these deficiencies, estimate the cost of such work, and recommend timing for various elements of the work depending on their urgency.

In parallel, energy audits have been developed in recent decades to identify deficiencies in energy systems as well as opportunities to remediate these deficiencies and reduce energy use and costs. In many ways, energy audits are similar to PNAs, although they add the metrics of energy use, projected energy cost and use savings, and are limited to energy systems (and frequently water, as well).

The potential benefits of a merged report include reducing duplication of effort; reaching economies of scale in planning capital improvements and energy efficiency work simultaneously; and leveraging and coordinating various financing sources. Traditional PNAs offer many benefits that are not typical of energy audits, including the ability to prioritize tasks, undertake long-term planning, and reduce construction costs by timing energy improvements with the end of the useful life of energy systems. Likewise, energy audits offer benefits to traditional PNAs, including the ability to leverage cost savings to help pay for the work and the potential to increase the amount of financing available through underwriting to efficiency savings.

However, while GPNAs are useful in identifying the physical and energy deficiencies in buildings, they are typically not comprehensive enough to identify housing-based health issues that have immediate impacts to residents' health and comfort. This new **Integrated Physical Needs Assessment (IPNA)** takes the GPNA a step further to not only merge a traditional PNA with an energy audit, but to also more intentionally identify housing-based health issues that can be addressed during rehabilitation or through operations and maintenance. Incorporating a health lens into the IPNA will make it easier for building owners to make health-promoting improvements in broader rehabilitation projects, such as measures to improve ventilation; the use of low- or no-VOC materials; and the adoption of Integrated Pest Management practices and "green cleaning" regimes.

While there are many benefits to merging energy audits and health assessments with PNA's, there are also complications and questions. What qualifications are required for the work? Can one consultant do both? How can an energy audit report, health assessment and PNA report be effectively integrated? What standards should be used?

This document seeks to address the complications and questions of integrating energy with traditional capital needs assessments, and includes resources and tools to assess opportunities to create healthier living environments.

## GOALS AND OBJECTIVES

### Long-Term Goal

Ensure every owner of an affordable multifamily building in New York City and State who accesses federal, state, or municipal financing for rehabilitation work incorporates cost-effective energy efficiency, water conservation, and health-related improvements into their capital planning process to enhance the health, safety, and comfort of residents, reduce maintenance and operating expenses, and reduce energy use and greenhouse gas emissions.

### Short-Term Goals

Ensure every owner of an affordable multifamily building in New York City and State who accesses federal, state, or municipal financing for rehabilitation work uses a standardized process for evaluating potential energy efficiency, water conservation, and health-related improvements as part of their capital planning process; ensure that the IPNA evaluation is accepted by all efficiency program administrators and lenders as a valid means of identifying measures and estimating savings; and ensure that the IPNA can be used to comply with New York City and State energy audit regulations.

## DEFINITIONS

**Physical Needs Assessment (PNA)** – An evaluation of a building’s physical conditions, including identification of deficiencies, recommended improvements (scope of work), and associated construction costs for those improvements. Also called a property condition assessment (PCA), capital needs assessment (CNA), condition survey, or project capital needs assessment (PCNA).

**Integrated Physical Needs Assessment (IPNA)** – A physical needs assessment that includes energy, water, and health assessments, including identification of deficiencies, recommended improvements (scope of work), and associated construction costs for those improvements.

**Energy Assessment** – An evaluation of a building’s energy and water consumption patterns, including identification of deficiencies, recommended improvements (scope of work), and associated construction costs for those improvements. An energy assessment also includes projected annual energy use and cost savings for each improvement and billing analysis. Also called an energy audit.

**Efficiency Assessor** – A firm or individual qualified to perform the energy/water assessment portion of an IPNA; also called an energy auditor.

**Needs Assessor** – A firm or individual qualified to perform the physical needs assessment portion of an IPNA.

**Scope of Work** – A written description of recommended capital, energy and health improvements needed in a building(s) in the critical and short term.

**Construction cost** – the cost to implement a building improvement, including both material and labor costs and related soft costs such as design and permitting. Also called capital cost, first cost, or installed cost.

## QUALIFICATIONS

### Needs Assessor

At least one member of the Needs Assessor team shall be a registered architect (RA) or professional engineer (PE) and have a minimum of three years of relevant work experience. At a minimum, this professional shall review and approve the Needs Assessment portion of the report. Additionally, for assessments that take place in New York City, at least one member of the Needs Assessor team shall have taken, or plan to take within 6 months of becoming a pre-qualified provider, the DoHMH Healthy Buildings Trainings for HPD-financed projects. The DoHMH Healthy Buildings Training Certificate is valid for three (3) years and at least one of the on-site team members must have the Certificate.

Background: This is consistent with the requirements of the HPD/HDC GPNA, which requires the professional designation. The HUD C.N.A. refers to the ASTM standard, which recommends a professional designation in architecture or engineering, although it is not mandatory. The 3 years is a requirement we added to be consistent with the Efficiency Assessor. The "review and approve" is from the ASTM standard.

### Efficiency Assessor

At least one member of the Efficiency Assessor team shall have one of the following certifications, as well as a minimum of three years of relevant work experience. At a minimum, this professional shall review and approve the Energy Assessment portion of the report.

- AEE Certified Energy Manager (CEM)
- AEE Certified Energy Auditor (CEA)
- AEE Certified Measurement and Verification Professional (CMVP)
- BPI Multifamily Building Analyst (MFBA)
- ASHRAE High-Performance Building Design Professional (HPBDP)
- ASHRAE Building Energy Assessment Professional (BEAP)
- RESNET HERS

Background: HPD/HDC's GPNA, NYSEDA, ASHRAE Level II, and the HUD C.N.A. all have a mix of these certifications. The HUD C.N.A. allows almost all of them (with the exception of CMVP and BEAP, both of which are references in ASHRAE Level II). The 3 years is from the HUD C.N.A. and seems like a good requirement. The "review and approve" was added to be consistent with the Needs Assessment, and it also seems consistent with NYSEDA which requires that the certified professional "conducted or supervised" the applicable work. The only standard included here that is not among those listed as an option for NYC LL87 is AEE's CMVP.

## INTEGRATION

We recognize that an IPNA will typically be performed by two different professionals, a Needs Assessor and an Efficiency Assessor. The IPNA is intended to support these separate efforts by clearly defining the responsibilities of each. However, it is important that the final IPNA present an integrated whole, and avoid duplication of effort. To do this, the following steps should be taken:

- a. The Needs Assessor and Efficiency Assessor are encouraged to conduct the site visit together, on the same date, to share observations.
- b. Final review and release by one firm, which holds ultimate responsibility for the report.
- c. An executive summary that presents the results of both the energy audit and the needs assessment in one table.
- d. The building description is integrated in one section, although different pieces are assigned to the Needs Assessor and to the Efficiency Assessor.

## IPNA REQUIREMENTS

The IPNA is to be performed with adherence to generally-accepted industry standards for property condition assessments and energy audits, as well as the following standards:

- Needs Assessments should broadly follow ASTM E2018-15 Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process
- Energy Assessments should broadly follow the American Society of Heating Refrigeration and Air Conditioning Engineers (ASHRAE) Procedures for Commercial Building Energy Audits (2011 or most recent version, if published) Level 2 and the IPNA Guidelines. If ASTM E2018-15 or ASHRAE Level 2 conflicts with the IPNA Guidelines, the IPNA Guidelines should be followed. If ASTM E2018-15 and ASHRAE Level2 requirements conflict, ASHRAE Level 2 should be followed.

Note: We are not exempting buildings smaller than 50,000 SF from this requirement. This is because we are not proposing to require a comprehensive model (which we interpret as an hourly model, like eQuest or TREAT), so do not need to exempt small buildings from this requirement. We are proposing to require interactive calculations, since this is required for NYSERDA, ASHRAE Level II, etc., and is also required in order to see if a building meets the minimum 30% overall energy-savings goal. We believe interactive calculations are not hard, do not add significantly to energy audit effort or cost, can be done with spreadsheets, and that it will simplify the overall approach if we do not exclude buildings.

- Healthy Home Assessments should broadly follow the health inspection guidance in the IPNA.

The following capital needs shall be considered when preparing the IPNA:

1. **Critical Needs:** Health and safety deficiencies; open Building Code or Environmental Control Board (ECB) violations; Housing Maintenance Code (HMC) violations in Hazard Categories 'B' and 'C'; and any Lead-Based Paint conditions that require immediate remediation, in order to meet City, State, or Federal requirements.
2. **Short Term Needs:** An estimate of entire or component system replacement items, and significant deferred and other maintenance items that will need to be addressed within 12 months, including cost effective measures that will reduce energy and water consumption and create healthier living environments.
3. **Long-Term Needs:** An estimate of entire or component system replacement items beyond the first year that are required to maintain the development's physical integrity and reduce energy and water consumption over the next 15 years.

The report shall identify physical deficiencies, repair/replacement needs, and energy/water inefficiencies, pest activity, moisture and ventilation issues, and any other applicable health hazards determined on the basis of:

1. Visual Survey from basement to roof, including, but not limited to, the following:
  - Site and public elements
  - Structural frame and building envelope
  - Insulation and roof/wall cavities
  - Mechanical, electrical, and plumbing systems and utilities
  - Life safety/fire protection equipment

- Interior elements
2. Review of Pertinent Documentation, including, but not limited to:
    - Violations issued by City and State agencies
    - Certificate of Occupancy
    - Architectural drawings
    - Maintenance logs
    - Maintenance logs and O&M plans
    - Pest control contracts or policies
    - Certificates of training for building maintenance staff
  3. Review of Energy and Water Consumption Data as provided in 24 months of consecutive energy and water billing statements, and work with building owner and/or staff to set up automated benchmarking using the approved HDC/HPD benchmarking provider list. If a building is already benchmarked, relevant data should be included in the IPNA.
  4. Diagnostic Testing and Systems Inspection, including, but not limited to:
    - Carbon monoxide (in all areas with combustion equipment, including appliances and heating equipment; for heating equipment, testing shall include in flues and in the mechanical room; for forced air equipment, testing shall include in the supply air)
    - • Natural gas leaks
    - • Moisture testing (relative humidity), in areas of concern, such as where there is visible mold
    - • Boiler efficiency testing.
    - • Indoor air temperature. Measure a representative set of indoor temperatures, for example including upper floors and lower floors. Also record thermostat setpoints and schedules (if programmable).
    - • For buildings with ventilation systems that operate 24/7 AND in buildings that are high energy users (site EUI over 150 kBtu/SF/year), ventilation airflow, ventilation fan power, and duct leakage shall be measured. In other buildings, results can be estimated.

#### Single Building Projects

This survey must include the inspection of at least 3 units or 10% of the total project's dwelling units, whichever is greater. The 10% calculation should be rounded up, so for example, 10% of a building with 34 units is 3.4, which is rounded up to 4 units required for inspection. The consultant should identify units to include in this sample that contain varying characteristics and conditions that will affect the report, including location (ground floor, top floor, basement, exposed edge and corner units) as well as type, size (number of bedrooms), and history of rehabilitation. For example, in a 22-unit building with all one-bedroom units, some of which are in the basement, the number of units to be inspected is 3 (top floor, bottom floor, and basement). But if the same building was previously renovated in two distinct phases, and also has a 2-bedroom unit, a total of 5 units should be inspected: top floor, bottom floor, basement, 2-bedroom unit, and an additional fifth unit representing the new phase of renovation (presuming the other four units belong to the original phase of construction).

#### Multiple Building Projects

For HDC projects: For developments with multiple buildings, all buildings must be surveyed and reported; survey must include the inspection of 10% of total project's dwelling units.

For HPD projects only, clusters of buildings that are similar in design, construction, age and history of rehabilitation may use an alternate survey method, but must be approved by agency program staff prior to the date of the inspection to confirm whether it is suitable for the project. If approved, this survey must

include the inspection of a minimum of 20% of the representative buildings, with representative units surveyed in each building.

For HPD to consider whether this alternate survey method is suitable, provide the following information in a table:

1. Building address
2. Block /Lot
3. Year Built
4. Number of stories
5. Date of Last Renovation
6. Items replaced in last renovation
7. Indicate whether:
  - a. Buildings are adjoined
  - b. Buildings share a system (i.e. boiler or roof)

Examples of multiple building projects are provided in Appendix B.

## THE IPNA TEMPLATE

**\*\*Firms must use the IPNA template\*\***

### Identification

Identify the project, including the name, description of the property, and the property location. List for whom the report was prepared; the consultant, principal of the consultant, and consultant personnel that performed the site visit and produced the IPNA; other entities and individuals that were present during the site visit; and the date of the site visit.

### Objective

Describe the objective of the IPNA. Boilerplate objectives are provided. The consultant can edit as appropriate.

### Procedures and Limitations

Outline the procedures used in producing the IPNA, as well as any limitations. Boilerplate procedures and limitations are provided. The consultant can edit as appropriate.

### Executive Summary

Provide a table of improvements, their estimated construction costs, annual energy cost savings if applicable, and level of urgency (critical, short term < 12 months, long term 12 months to 15 years), and denote those with potential health benefits. This executive summary table is an important part of presenting the IPNA in an integrated form.

**Background:** This simple integrated table is the bottom-line information sought by lenders and grant-making agencies.

Describe the scope of the project; summarize the existing conditions of the property; provide an overview of the maintenance of the property, including existing staff, maintenance and/or janitorial contracts, any maintenance issues, and an analysis of the maintenance processes, procedures, and strategies; outline the existing accessibility and identify any outstanding accessibility issues; provide a summary of any open violations.

### Physical Needs Assessment/ Inspection

Describe the property's exterior and interior physical condition and needs (Critical, Short Term, and Long Term). The report should identify, in detail, any deficient or deteriorated items that represent an immediate

threat to health and safety. Additionally, the report should describe all other significant defects, deficiencies, items of deferred maintenance, and material building code violations (individual and collectively, physical deficiencies) that limit the physical health and integrity of the buildings, restrict the expected useful life of major components or systems, and that directly or indirectly affect the energy efficiency and water use of the building and building systems.

The inspection report shall contain the following sections:

1. **Site Improvements:** Sidewalk, curbs, yard/courtyard concrete, area/yard drains, ramps, stoop and stairs, areaway/sidewalk grates, landscaping, wrought iron fences/gates, fences, debris, exterior stairs, trash enclosures, and open space/playgrounds.
2. **Building Envelope:** Foundations, superstructures, fire escapes, roof structures and roofing, bulkheads, exterior walls: masonry, parapets, cornices, windows, weather sealing, insulation, exterior structures, skylights, exterior doors and door sweeps.
3. **Interior Common Area and Public Halls:** Floors, walls, ceilings, lighting, windows, stairs, doors, dumbwaiters, compactor chute and hopper doors, mailboxes, electrical, and janitorial closets.
4. **Apartments:** Including but not limited to finishes, walls, ceilings, floors, appliances, entry and interior doors, presence of door sweeps, installation of cabinets in such a manner as to prevent pests, windows, shelves, cabinets and countertops, vanities, plumbing and electrical, circuit breaker and fuse box panels, outlets, GFIs, light fixtures, apartment intercom stations, carbon monoxide and smoke detectors, radiators, convectors, baseboards, air diffusers, foyers, bedrooms, living/dining room, bathrooms, kitchens, and entry ways.
5. **Building Systems:** Including but not limited to heating generation, heating distribution, central cooling system, domestic hot water, electrical, elevator, trash compactor, intercom, security system, plumbing, gas piping and meters, domestic water piping, waste piping, stand pipe sprinklers, and other systems.
6. **Special Considerations:**
  - a. **Environmental Issues:** Toxic materials, such as petroleum storage, PCBs, Asbestos Containing Materials (including but not limited to plaster and gypsum board, floor tile, pipe and duct insulation, etc.), lead-based paint, and mold
  - b. **Hazardous Operations:** Explosive or flammable operations and/or storage
  - c. **Accessibility Issues:** Whether the project meets all the requirements for persons with disabilities, as where maximum possible, based on the laws in effect at the time the building was constructed and subsequent renovations
  - d. **Historic Preservation Issues:** Any special requirement related to Historic Preservation if a Federal, State, and/or City listed site
  - e. **Special Flood Hazard Areas:** Identification of Flood Zone as shown on Flood Insurance Rate Map (FIRM) for New York City dated September 5, 2007, and the Post Hurricane Sandy Preliminary Data Map dated December 5, 2013
  - f. **Pests:** Pest resistant materials in vulnerable areas such as kitchens, bathrooms, subareas, and trash storage areas
  - g. **Mold resistant materials**

To encourage integration and to avoid a duplication of effort, the Needs Assessor should conduct all aspects of this inspection other than the energy-related components, which should be conducted by the

Efficiency Assessor: Heating, cooling, ventilation, insulation, infiltration, windows, lighting, appliances, hot and cold water systems and fixtures.

### Energy and Water Audit

The energy audit should broadly follow the American Society of Heating Refrigeration and Air Conditioning Engineers (ASHRAE) Procedures for Commercial Building Energy Audits (2011 or most recent version, if published) Level 2, as well as these IPNA Guidelines.

An analysis of the building's pre-retrofit performance shall be completed using 24 months of utility data, initial inspection data and diagnostic data collected during the on-site visits. The analysis should estimate annual energy and water consumption and the cost savings of potential improvements. Current operating schedules verified on site are to be used for energy and water cost savings estimates.

The energy and water audit shall consist of the following components:

1. **Building description** (inspection of energy and water systems). The focus of this component is the building's current condition.
2. **Energy and water use**. The focus of this component is both the preliminary analysis (current energy and water use) and the projected energy and water use after improvements are made. The purpose of the projected use estimates is to show potential overall energy savings and to provide post-retrofit operating costs that can be used in financial pro-formas. Document billing data for twenty-four (24) months of consecutive energy and water utility bills, provide an energy utility use breakdown, and calculate the Energy Use Intensity (EUI) kBtu/sf/year.

### Other Energy Assessment Requirements

Billing analysis shall include current energy costs, so that projected energy costs can be calculated from projected energy cost savings.

Efficiency Assessors are urged to include both low-cost/no-cost improvements and larger energy improvements. Energy assessments shall have a goal to identify 30% energy savings. Efficiency Assessors are urged to go beyond 30% savings to identify deeper energy savings in order to meet long-term city and state carbon emissions goals. Buildings with an existing site energy utilization index (EUI) below 50 kBtu/SF/year are exempt from the 30% energy savings goal.

Hourly energy models are not required, but interactive energy calculations are required.

In addition to energy, water conservation options shall also be evaluated. At a minimum, evaluate shower heads, bathroom and shower faucets, and toilets to meet the EPA WaterSense standard. Inspect for evidence of leaks, such as in boiler rooms, below kitchen and bath sinks, and in toilets. Inspect bathtub faucets to see if water flows out of the bath faucet when the shower is on.

### Building Operation and Maintenance Practices

1. **Pest Management Inspection**: Document existing strategies, practices, and outcomes, and onsite inspection results. Detail observed pest activity and identify current structural, sanitation/housekeeping or operations deficiencies conducive to pest activity and make recommendations to remediate. Detail pest management practices that do not conform to IPM best practices as outlined in the NYC DOHMH IPM Toolkit (e.g. un-containerized rodent bait, regularly scheduled pesticide applications, use of pesticides considered hazardous)

2. **Maintenance and Janitorial Process Inspection:** Document existing practices, products, and outcomes, including efficient systems management and use of green cleaning products and other aspects of practices impacting health.
3. **Other relevant operation and maintenance practices.**

#### Scope and Preliminary Cost Estimates

Identify scope items that will address the capital needs to correct the detailed physical deficiencies and/or lower energy or water consumption of the building. The section should include the estimated costs and quantities of property's physical needs including entire or component system replacement items, repair and maintenance measures, health items, energy efficiency and water conservation (EEWC) only items, and EEWC incremental items. Include all labor costs in the price estimates of scope items, and separately include costs for permitting, demolition, lead and asbestos abatement, and other relevant costs associated with the scope of work. Below are definitions of Capital Items, EEWC Incremental Items, EEWC-Only Items and Health Items:

**Capital Items** are scope items that address the physical needs of the property such as entire or component system replacements, and significant deferred and other maintenance items that are not included solely for EEWC reasons. Examples of entire or component system replacement items are roofs, boilers, windows and masonry.

**EEWC Incremental Items** are measures that in addition to providing entire or component system replacement also provide energy efficiency benefits. Examples of EEWC incremental items are caulking around windows (when the window is not being replaced) and roof insulation when the roof is recommended to be replaced.

**EEWC-Only Items** are the energy and water efficiency scope items that are not associated with items requiring entire or component system replacement. These measures are recommended solely for their contribution towards reducing a property's energy and water usage. Recommendations for all types of EEWC items along with relevant payback periods and projected energy cost savings should be provided, including measures that have the potential to yield deeper savings not limited to on-site renewables. However, Efficiency Assessors should not rely solely on renewables, such as solar PV or thermal, to reach energy savings goals, and priority should be given to durable cost-effective energy and water conservation strategies. Some examples of EEWC-Only items include solar panels, boiler controls, low-flow fixtures, pipe insulation and efficient lightbulbs.

EEWC scope items should include information on projected savings from implementing the recommended EEWC measure (both in dollars and in units of energy or water), describe how the savings estimates were derived (i.e. utility rates used, etc.) including any risks that might prevent measure from achieving the estimated savings, compare the total projected savings to existing energy use/cost, and provide the simple payback and Savings-to-Investment Ratio (SIR) for each measure.

**Health Items** are the scope items to improve the indoor air quality and other health-related characteristics of a building. In addition to identifying health items to include in the scope of work for a project, each capital and EEWC item should include an assessment (Y/N) of whether it is associated with a potential health benefit. The Healthy Rehab Interventions tab provides guidance on the intersection between health outcomes and targeted interventions. Examples of health items include sealing gaps in and around cabinets, under sink basins, and utility and plumbing openings.

#### Replacement Cost Schedule

Analyze and project the anticipated capital needs of the property, estimated useful life of building components, the cost per unit, quantities and an estimate of annual replacement expenditures for a fifteen

(15) year period. The costs outlined in the replacement schedule should be total costs for each scope item, accounting for inflation and inclusive of all incremental costs of EEWC measures.

#### Operation and Maintenance Measures

Include recommendations for measures that can be addressed through improved maintenance and operations, including janitorial methodologies and products, maintenance best practices, and integrated pest management. Recommendations should address building maintenance, trash management, pest exclusion strategies, resident and staff training, selected applications and use of pesticides, ongoing monitoring for pest activity, and measures to address mold. Recommendations should also identify opportunities to integrate pest proofing improvements into future building rehab projects. The [Two Shades of Green: Green and Healthy Property Management Guide](#) shall be used as guidance, as should the O&M tab in the IPNA.

#### Quality Assurance and Verification

Include a written Quality Assurance and Verification plan specific to the subject property. The plan shall include requirements for inspections, documentation, and performance test-outs.

#### Assessment of Potential Health-Focused Improvements

The IPNA encourages assessors to consider how physical and capital upgrades could improve occupant health. It contains several tools to help assessors make this determination as they complete the IPNA and develop a Scope and Preliminary estimates, noting the potential of each upgrade to improve occupant health. The relevant health tabs in the spreadsheet are described below.

- **Inspection and Structural Tab** contains two boxes that call out potential health-related concerns, in categories that align with the headings in the “Healthy Rehab Interventions” tab. Inspectors are expected to summarize potential health issues that could be addressed in an upgrade.
- **Scope and Preliminary Cost Estimates Tab** includes a column to allow the assessor to indicate if each item could potentially benefit tenant health outcomes. Inspectors can use the “Healthy Rehab Interventions” tab as guidance to understand the potential health outcomes of various capital interventions when making this determination.
- **Operations and Maintenance Tab** identifies property management practices that can improve occupant health; this information may be useful to share with owners.
- **Healthy Rehab Interventions Tab** identifies building renovation work that can improve occupant health. This information is intended to help assessors in determining if a proposed capital upgrade has the potential to improve occupant health, as requested in the “Scope and Preliminary Estimates” summary tab.
- **Health Questionnaire Tab** identifies building areas to investigate during the building walk through to better understand potential health opportunities. It is presented as guidance to help inform assessor activities and inspections.

**NOTE:** Other than the “Scope and Preliminary Estimates” Tab, none of the other health-related tabs are required to be filled out by the inspector. They are included to help assessors in considering the potential health concerns and providing useful information to owners and HPD.

#### OTHER

Shelf life: An IPNA can be used up to two (2) years from its release date.

## REFERENCES

Green Physical Needs Assessment and Technical Assistance Service Provider. 2015 Request for Qualifications for Professional Consultant. NY City Housing Development Corporation. February 26, 2015.

Multifamily Accelerated Processing (MAP) Guide. R 1.1. U.S. HUD. January 29, 2016. (Reference guide for the HUD C.N.A. e-tool.)

Procedures for Commercial Building Energy Audits, Second Edition. ASHRAE. 2011.

Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process. Standard E 2018-15. ASTM International. 2015.

**APPENDIX A  
CERTIFICATION REQUIREMENTS  
(FOR REFERENCE ONLY)**

	AEE CEM	AEE CEA	AEE CMVP	BPI MFBA	RES- NET HERS	ASHRAE HPBDP	ASHRAE BEAP	RA	PE	NYSE RDA Flex Tech	ASTM E 2018- 08 Appendix	Work Experience (years)	Notes
<b>Energy Assessor</b>													
HPD/HDC GPNA	x			x									
NYSERDA	x	x		x									"Conducted or supervised"
HUD CNA etool	x	x		x	x	x		x	x			3	
ASHRAE Level II	x	x	x			x	x						Non-mandatory Must either be supervised by licensed design professional, or registered with DOB and hold one of the certifications; FlexTech only allowed under design professional.
NYC LL87	x	x		x		x	x	See note.		x			
Freddie Mac Multifamily Green Advantage	x			x									
<b>Needs Assessor</b>													
HPD/HDC GPNA								x	x				RA/PE - "At least one member of the team"
HUD CNA etool											x		
ASTM Field Observer													No specific requirement. Earlier in the standard (not in the Appendix) it says "general, well rounded knowledge of pertinent building systems and components"
ASTM Report Reviewer								x	x				Non-mandatory

**APPENDIX B**  
**EXAMPLE MULTIPLE-BUILDING PROJECTS**  
**(FOR REFERENCE ONLY)**

**Example 1: Identical Buildings**

A complex has four 10-story buildings, all identical in design, and built at the same time in the 1960's.

For HDC Projects: All four buildings to be inspected.

For HPD Projects: A minimum of 20% of the buildings to be inspected. So, in this case, one building needs to be inspected.

**Example 2: Similar Buildings, but One Different in Age**

A complex has eight 5-story buildings, all somewhat similar in design, built in the 1960's, and one more similar building but that was built 15 years later in the late 1970's.

For HDC Projects: All eight buildings to be inspected.

For HPD Projects: A minimum of 20% (two buildings) of the original eight buildings, as well as the building that was built 15 years later, due to its difference in age. So, a total of three buildings must be inspected.

**Example 3: Many Buildings, Rehabbed at the Same Time Age**

A complex has 20 buildings, all two-story, with a variety of units: Ten buildings have 4 units, four buildings have 6 units, four buildings have 8 units, and two buildings have 10 units. Designs are similar, but layouts are different. The basic heating system design is the same: Hot water boilers with baseboard distribution. All were built in the 1950's, but over a period of about six years. All units were gut-rehabbed in 2003: New interior finishes, new appliances, new heating, new roofs, new windows, and more.

For HDC Projects: All buildings to be inspected.

For HPD Projects: Because the gut rehab was so extensive, and happened at one time, HPD will require inspecting 20% of the buildings, or five buildings. The consultant can choose the five buildings, but it makes sense to have a mix of 4-unit, 6-unit, 8-unit, and 10-unit buildings.

**Example 4: "Scattered Sites"**

A developer has 45 buildings, all different, scattered around town.

For HDC, HPD and HCR Projects: Because all buildings are different, all buildings need to be inspected (45 total).

**9. Resale or Recapture Guidelines.** Below, the grantee must enter (or attach) a description of the guidelines that will be used for resale or recapture of HTF funds when used to assist first-time homebuyers. If the grantee will not use HTF funds to assist first-time homebuyers, enter “N/A”.

N/A

**10. HTF Affordable Homeownership Limits.** If the grantee intends to use HTF funds for homebuyer assistance and does not use the HTF affordable homeownership limits for the area provided by HUD, it must determine 95 percent of the median area purchase price and set forth the information in accordance with §93.305. If the grantee will not use HTF funds to assist first-time homebuyers, enter “N/A”.

**11. Grantee Limited Beneficiaries or Preferences.** Describe how the grantee will limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population to serve unmet needs identified in its consolidated plan or annual action plan. If the grantee will not limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population, enter “N/A.”

Any limitation or preference must not violate nondiscrimination requirements in § 93.350, and the grantee must not limit or give preferences to students. The grantee may permit rental housing owners to limit tenants or give a preference in accordance with § 93.303(d)(3) only if such limitation or preference is described in the action plan.

The State will not limit beneficiaries and/or give preferences to any segments of the extremely low-income population. However, the State will permit rental housing owners that are eligible recipients of HTF funds to limit tenants or give a preference for housing for seniors age 55 and over, public housing residents, and supportive housing for persons who are homeless and non-homeless households that require supportive services, including but not limited to those with mental, physical, sensory, or developmental disabilities; persons with substance use disorders; and persons diagnosed with HIV/AIDS and related diseases.

**12. Refinancing of Existing Debt.** Enter or attach the grantee’s refinancing guidelines below. The guidelines describe the conditions under which the grantee will refinance existing debt. The grantee’s refinancing guidelines must, at minimum, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum

level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. If the grantee will not refinance existing debt, enter "N/A."

N/A

**Discussion:**

## Attachments

