



**Homes and
Community Renewal**

**Housing
Trust Fund
Corporation**

Housing Trust Fund Corporation

Rapid Response Home Repair Program Program Guidelines

*Grant Funding for Home Repairs in Response to Damage from
Storms and Flooding*

July & August 2024

(Updated on October 8th, 2024)

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Program Overview

Following significant housing damage caused by storm events in July & August 2024, the New York State Housing Trust Fund Corporation (HTFC) is making funds available to assist eligible homeowners impacted by the storms.

Funds allocated under this Program will be limited to emergency housing repairs necessary to make the home safe, sanitary and habitable. Non-urgent repairs or repairs to ancillary structures will not be funded under this program.

Funds will be available to homeowners whose primary residence sustained storm damage and for whom home and/or flood insurance coverage or other forms of disaster recovery funds are not sufficient to return the home to safe and habitable condition.

Full applications will be accepted beginning **Monday September 16, 2024**, and will be reviewed in the order they are received and only once complete. Funding will be committed to eligible homeowners for confirmed eligible repairs on a first come, first served basis based, and only for complete applications, until available funds are exhausted. In no case will applications be accepted after **Friday November 8th, 2024**.

Eligible Counties by Storm

July 10 – 16, 2024

- Chautauqua
- Erie
- Essex
- Lewis
- Madison
- Oneida
- Saratoga
- Warren

August 9 - 10, 2024

- Allegany
- Delaware
- Franklin
- Jefferson
- Oswego
- St. Lawrence
- Steuben

August 18-19, 2024

- Nassau
- Suffolk

Program Administration

HTFC has selected not-for-profit organizations and/or local governments to serve as Local Program Administrators (LPAs) to provide program administration for this effort. LPAs accept applications for assistance from homeowners and complete an eligibility verification process. LPAs are required to document that Program Funds will be used for direct disaster-caused damage to the applicants' primary residence and which is not covered by any other federal, state, or local recovery program funds. Additionally, they will document what damage is not covered by any third-party insurers to prevent duplication of benefits.

Eligible Properties

Property Types

Single family (one and two unit) owner occupied homes, which sustained storm damage from a qualifying storm may be eligible.

Owners of mobile and manufactured homes are eligible to participate. LPAs are encouraged to consider referrals for replacement programs, if repairs are extensive and the cost-to-value does not make sense.

Properties under construction at the time of the storm may be eligible, if occupied at the time of the storm. New construction is ineligible due to it not being owner occupied. However, homes under renovation may be eligible for funding to cover storm damages.

Proof of Storm Damage

Homeowners should prepare by documenting storm damage with clear photographs and retaining invoices for any storm repair work completed for consideration as well as collecting copies of documentation related to each of the other stated eligibility criteria.

Homes that are substantially damaged may be eligible up to the award cap. If in a floodplain, the rebuilding of the home must adhere to the local floodplain regulations. Award may be used towards demolition & clearance expenses.

Eligible homes do not need to be in a floodplain, if they sustained damage from a qualifying storm.

Eligible Homeowners

Eligible homeowners must occupy the damaged property as their primary residence. Eligible homeowners must submit a sworn attestation that the award is being sought to address their primary residence (defined as the applicant's place of residency for more than 50% of a every calendar year) and that applicant intends to remain in the home as a primary resident for the next 24 months. Acceptable documentation may include a driver's license, tax returns, STAR or any other home tax exemptions, etc.

Homeowners Associations are not eligible applicants.

Ownership of Damaged Property

Ownership is defined as holding a fee simple title as evidenced by a deed recorded with the county, city, or appropriate local municipality, with the applicant's name.

Ownership of an Entity rather than an individual:

- **Trust Beneficiaries**

A **trust** beneficiary who conveyed their home to trustees but continues to live in the home, may be eligible to apply for the Program. For example, a senior creates a trust and conveys her home to her children as trustees. If she remains in the home as the beneficiary of the trust, she is considered the homeowner and would be an Eligible Applicant.

- **Life Estates**

Under a life estate, one party has a life tenancy (ownership for the rest of his or her life) and another party—the remainderman—will become the owner after the life tenant dies. While the deed may appear to convey ownership to the remainderman, the remainderman will not take title until the death of the life tenant. Therefore, for eligibility purposes, the life tenant is deemed to own the property and is an Eligible Applicant. In this case, all owners must sign the owner agreement agreeing to terms of participation.

Other ownership structures:

- **Land Contracts**

A contract of sale is a contract whereby the seller transfers or agrees to transfer the property to a buyer for monetary consideration. Applicants who entered contract to purchase the property prior to the flood event are eligible so long as the applicant converts their contract to full ownership prior to receiving funding assistance from the Rapid Response Program.

- **Rent-to-own**

Rent to own contracts are eligible if the applicant provides documentation the seller/other party to agreement has not imposed limitations on repairs or improvements to property. Alternative option is for both parties to sign the owner agreement.

Income Eligibility

All households up to \$157,800 **or** 150% of County Area Median Income based on household size **whichever is greater**. Charts by county and family size for AMI can found here:

July 10 – 16, 2024

Income chart: <https://hcr.ny.gov/july-2024-storm-income-chart>

August 9 - 10, 2024

Income Chart: <https://hcr.ny.gov/tropical-storm-debby-income-chart-0>

August 18-19, 2024

Income chart: <https://hcr.ny.gov/li-income-chart>

Income eligibility is determined based on simple gross household income documented for all members of a household. Homeowners must provide supporting documentation including pay stubs, bank statements for employment income or benefits award letters as applicable.

Program Activities

Awards may not exceed \$50,000 per property.

Funds may only be used to address damage that occurred as a direct result of the qualifying storms and flooding as described above. Awards to homeowners for eligible activities, defined, here, will be based only on the

confirmed storm damage and the scope of work approved by the LPA. Homeowners may not qualify for a full grant award.

Funds shall be used for direct disaster-caused damage not covered by any other federal, state, or local recovery program funds, or any third-party insurers. To the extent practicable, direct disaster-caused damage should be supported with photographs, videos, receipts or other evidence. The Program is not intended as a substitute for insurance.

Funds allocated under this Program will be limited to emergency housing repairs necessary to make the home safe, sanitary and habitable. Non-urgent repairs or repairs to ancillary structures will not be funded under this program.

Eligible Activities

Eligible activities may include, but are not limited to:

- Environmental health hazard mitigation activities related to the repair of disaster caused damage to a Primary Residence. This may include, lead based paint abatement, asbestos removal, mold remediation, or remediation of other health hazards, including testing and clearance costs;
- Electrical and plumbing systems repair or replacement;
- Sump pump repair or replacement, (if ancillary to a larger repair or replacement project);
- HVAC systems, water heaters, well water filtration systems repair or replacement;
- Replacement of essential appliances, such as refrigerators, cooking stoves, ranges, and generators
- Permanently installed paneling, wallboard, bookcases and cabinets repair or replacement
- Drywall or finishing;
- Insulation;
- Foundation repair;
- Window and door repair or replacement;
- Siding repair or replacement;
- Roof repair or replacement;
- Flooring repair or replacement;
- Bathroom repair;
- Well or septic replacement, or connection to a municipal system;
- Fuel tanks (oil or propane, but not actual fuel replacement); and/or
- Dehumidifiers (eligible for replacement if ancillary to a larger repair or replacement project).

Ineligible Activities

Ineligible activities include:

- Deferred maintenance not related to storm damage;
- Repairs that are cosmetic in nature and not listed above;
- Docks;
- Boathouses;
- Guest homes, pool houses, sheds, detached garages;
- Personal items and property, such as food, vehicles, furniture, household goods, electronic equipment, window coverings and clothing;

- General home improvements not related to direct disaster related damage;
- Heating or cooking fuel replacement;
- Portable and window air conditioners (exceptions for health-based hardships will be considered);
- Portable heaters, microwaves, and dishwashers;
- Small countertop appliances, such as coffee pots, toaster, or blenders;
- Garage door openers;
- Swimming pools, hot tubs, saunas, or associated equipment;
- Walks, decks, patios, fences, lawns and landscaping;
- Luxury countertops, such as stone, granite, composite, or high-end luxury fixtures and appliances;
- Fireplaces including wood, gas, or electric (exceptions for disaster caused damage to chimneys will be considered);
- Covered porches, patios, decks, stairs or driveways (exceptions will be considered if access to Primary Residence is impeded, or poses a documented safety hazard).
- Common areas of residential condominium and cooperative buildings, or associations.
- Appliances such as washers, dryers and supplemental freezers;
- Loss of use or access to the waterfront, beachfront for personal enjoyment;
- Pre-existing damage or repairs resulting from deferred maintenance, and not directly disaster caused;
- Moving and storage fees;
- Supplemental work after a project has been deemed complete and the initial application is closed;

Soft Costs

Soft costs, such as professional service fees, are eligible for reimbursement but must fall within the maximum per-home grant award.

Bidding Requirements

To the extent feasible, eligible homeowners shall be required to collect at least two separate estimates/bids for work to be performed. LPAs shall review the scope of work and estimates/bids to ensure cost reasonableness and prevent price gouging. The eligible homeowner may select a higher bidder, but the homeowner must agree in writing to contribute the difference in the bids. Exceptions may be considered on a case-by-case basis.

For applications for reimbursement, homeowners will need to provide proof of storm damage, and proof of repair, including receipts of any supplies and labor. LPAs will confirm that work has been completed prior to authorizing an award for reimbursement, and also make a determination that the funding request for reimbursement meets a cost reasonability standard.

For work done by the homeowner, an immediate family member, or a resident of the damaged property, reimbursement will only be allowed to cover the cost of materials and not labor. Any prospective work must be done by a licensed contractor and the bidding requirements must be followed.

The requirement of securing two bids is intended to meet two goals: to help establish a reasonable cost and secure the best price for an individual project. In the event that it is not possible to secure multiple bids, the LPA may use an internally prepared cost estimate as a comparison for a single bid received. The internal cost estimate must be developed by qualified staff and the process to confirm the reasonableness of the bid received must be documented in the project file.

Recapture

HTFC may recapture Program funds if any such funds are disbursed in error, upon the basis of incorrect or incomplete documentation, disbursed for Eligible Activities not completed on a timely basis, as determined by HTFC, or for any instance of material misrepresentation in connection with the Program.

Certifications

- Eligible homeowners (or their approved contractors) may not begin work on an approved property until all required building, or other permits have been issued.
- State funded activities are subject to State Environmental Quality Review Act - SEQR review. HTFC will advise on requirements.
- Contractors selected for repair projects must be certified under Environmental Protection Agency Renovation Repair and Paint (“EPA RRP”) Regulations. LPAs are required to include this statement in their program material and contracts.
- Renovations made to properties located within Special Flood Hazard Area (“SFHA”) must meet requirements as defined by federal and State law, and regulations. The local municipality is responsible for the application and enforcement of these requirements. To determine whether a property is within a SFHA and ensure that repairs meet relevant requirements, please contact the local municipality. Homeowners may visit FEMA’s Map Service Center at <https://msc.fema.gov/portal> to conduct a search. Contact information for local flood plain administrators is available upon request to HTFC.
- State funded activities require review by the State Historic Preservation Office via its CRIS system unless all project activities qualify as exempt per the Historic Preservation Worksheet, which will be provided by HTFC.

Amendments to Guidelines

HTFC may amend these Guidelines, at any time and from time-to-time, to provide clarification during program administration.

Questions

The not-for-profit local program administrators (LPAs) are the sole arbiters in interpreting the intent and implementation of the Program and Program Guidelines, determining eligibility for program assistance and determining amount of funding awarded and as such the not-for-profit local program administrator’s decisions is final.

Any questions regarding this program should be directed to: Floodprograms@hcr.ny.gov