NEW YORK STATE | Homes and Community Renewal
Housing Trust Fund Corporation

KATHY HOCHUL
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

CDBG PROGRAM INCOME REPORT

Each Recipient must certify to the Office of Community Renewal (OCR) the amount of uncommitted* program income from New York State administered CDBG grants currently on hand. This includes any additional program income received since last reported. **All recipients** must fill out, sign and return the completed form to the OCR.

STEP 1: Select ONE option below

How much total CDBG-generated revenue did the Recipient receive during the reporting period?

Reporting Period: 4/1/25 - 3/31/26	
☐ Option A. **$0.00**	No CDBG revenue received
☐ Option B. **$0.01 – $35,000**	CDBG revenue received (≤ $35,000)
☐ Option C. **$35,000.01 or more**	CDBG revenue received (> $35,000)

STEP 2: Complete ONE area below that corresponds with the option selected above.

Option A – No CDBG revenue received ($0.00)

For fiscal year 4/1/25 – 3/31/26, Recipient Name _____, certifies no CDBG-generated revenue was received.

Option B – CDBG revenue received is less than or equal to $35,000

For fiscal year 4/1/25 – 3/31/26, Recipient Name _____, certifies that $Revenue Amt _____ in CDBG-generated revenue was received.

☐ Email sent to OCRReports@hcr.ny.gov requesting amount listed above be transferred to different Recipient account.
☐ Recipient bank statement(s) attached to email to verify amount listed above.

Option C – CDBG revenue received is greater than $35,000

For fiscal year 4/1/25 – 3/31/26, Recipient Name _____, certifies that $Revenue Amt _____ in CDBG-generated revenue was received and is therefore Program Income and subject to repayment.

☐ Program Income payment has been sent **by the Recipient** to address here →
Checks must be made payable to the *Housing Trust Fund Corporation*

Housing Trust Fund Corporation
PO Box 1339
Albany, NY 12201-1339

STEP 3: Chief Elected Official (CEO) Certification

CEO Signature _____ **CEO Title** _____

CEO Typed Name _____ **CEO Signature Date** _____

STEP 4: Submit Program Income Report & applicable information to OCRReports@hcr.ny.gov

CDBG PROGRAM INCOME REPORT SUPPLEMENTARY INFO

- Recipient Name is the name of unit of local government (e.g. XX County, Town of XX, Village of XX, City of XX)
- * “Commitment” means either that the local recipient legislative body has formally approved funds for a specific project in the public record prior to 4/1/19, or that the local recipient has entered into a written agreement with a business, household or other eligible person that is the intended recipient of the funds committing to a specific activity prior to 4/1/19. This commitment cannot be subject to contingencies that could result in cancellation of the activity.
- Any funds received after April 1, 2019 may not be directly disbursed to activities by the local recipient.
- Funds must be returned by the local recipient, not by any subrecipient or beneficiary
- For any revolving loan fund (RLF) receipts, the funds must be returned monthly to HTFC to the address below:

  NYS Housing Trust Fund-General
  Box 8000 Department 573
  Buffalo, NY 14267-0002

- For all other receipts, the funds must be accumulated in a separate local account and returned to HTFC at the end of the State fiscal year, along with a Program Income Report, if the amount exceeds $35,000
- Forms and/or questions should be submitted to OCRREPORTS@hcr.ny.gov , or contact the Office of Community Renewal directly at (518) 474-2057

PROGRAM INCOME POLICY FACT SHEET

Definition of CDBG Program Income

Program income is defined by HUD to include any "gross income received by a State, a unit of general local government, or a subrecipient of the unit of general local government that was generated from the use of Community Development Block Grant (CDBG) funds, regardless of when the CDBG funds were appropriated and whether the activity has been closed out…" 24 CFR 570.489(e)(1).

- Typical sources of program income include:

  - Proceeds from the disposition by sale or long-term lease of real property purchased or improved with grant funds;
  - Proceeds from the disposition of equipment purchased with grant funds;
  - Gross income from the use or rental of real or personal property acquired by the unit of general local government with grant funds, less costs incidental to the generation of the income;
  - Gross income from the use or rental of real property owned by the unit of general local government that was constructed or improved with grant funds, less the costs incidental to the generation of the income;
  - Payments of principal and interest on loans made using grant funds;
  - Proceeds from sale of loans or obligations secured by loans made with grant funds;
  - Interest earned on funds held in a revolving fund account or earned on program income pending disposition of the income; and
  - Funds collected through special assessments made against properties owned and occupied by households not of low and moderate income, where special assessments are used to recover all or part of the grant portion of a public improvement.

- For the **State** CDBG program, the rule provides for an annual threshold of $25,000 (2000 – 2011) or $35,000 (2012 – present) before receipts by local recipients must be counted as program income.

  - If the total amount of receipts by the local recipient exceeds $25,000 (2000 – 2011) or $35,000 (2012 – present) during a given fiscal year (for the New York State Program, the State fiscal year is April 1 – March 31), **all funds received, including the initial $25,000 (2000 – 2011) or $35,000 (2012 – present), are considered program income**.
  - If the total receipts by a local recipient in the State's fiscal year do not exceed $25,000 (2000 – 2011) or $35,000 (2012 – present), then those funds are considered miscellaneous revenue and may be retained by the local recipients and moved to its general account. **This transfer may occur only at the end of a State's fiscal year when total annual receipts are determined and approved by New York State Office of Community Renewal (OCR)**.
  - Note: **All revolving loan fund (RLF) receipts are considered program income**, regardless of the amount received annually, and are not eligible for this exclusion.

Proceeds That Are NOT Program Income

The following proceeds are **not** considered program income under CDBG rules:

- As noted above, if the total amount of funds received (excluding RLF's) does not exceed $35,000 received during a State fiscal year (April 1 – March 31), the funds are considered miscellaneous revenue and may be retained by the local recipients and moved to its general account. This transfer may occur only at the end of a State's fiscal year when total annual receipts are determined and approved by OCR.
- Proceeds from the sale of real property purchased or improved with CDBG funds if the proceeds are received more than 5 years after expiration of the grant agreement with the State.

- Community economic development, neighborhood revitalization and/or energy conservation projects activities by nonprofit organizations qualified under Section 105(a)(15) of the Housing and Community Development Act.

➢ Local recipients must consult with OCR staff regarding any proceeds that are received related to the Program which might not be classified as program income, or to prorate proceeds that are generated from an activity which is only partially assisted with CDBG funds.

Requirements for Use of CDBG Program Income before March 31, 2019
Program income currently held or received by local recipients may be committed to a CDBG activity or activities prior to March 31, 2019, subject to the following conditions:

- The activity must be eligible under the current State Annual Action Plan.
- Use of the funds is subject to all CDBG requirements, regardless of whether the activity that generated the program income has been closed out.
- The local recipient must request approval of the use from OCR prior to making any commitment.
- Commitment means either that the local recipient legislative body has formally approved funds for a specific project in the public record, or the local recipient has entered into a written agreement with a business, household or other eligible person that is the intended recipient of the funds committing to a specific activity.
- The commitment cannot be subject to contingencies that could result in cancelation of the activity. If the activity is canceled subsequent to the commitment, the funds must be returned to the Housing Trust Fund Corporation (HTFC).

➢ Expenditure of the funds is not required by March 31, 2019 as long as the commitment requirements are met.

➢ 24 CFR 570.489(e)(3)(ii)(C) states that "the State must require units of general local government, to the maximum extent feasible, to disburse program income . . . before requesting additional funds from the State for activities."

- **If the local recipient has any open CDBG grant, program income must be disbursed before drawing any new grant funds**. Use of program income under an open grant means either that the local recipient will increase the activities being funded under the current grant within the same contract term, or funds will be de-obligated at the end of the contract term. Extensions to the term of the open grant in order to expend additional program income funds will not be approved.
- However, if the funds received have been legally designated by the local recipient to a RLF, disbursement of such funds can only be for activities permitted by the RLF.

➢ Please note that OCR cannot award new CDBG funds to a local recipient that has accumulated program income sufficient to fund the proposed new activity.

Disposition of Program Income Received Starting April 1, 2019
Beginning April 1, 2019, all program income received by local recipients must be returned to the HTFC as follows:

- For all receipts legally designated for local RLF's, the funds should be returned immediately to the HTFC.
- For all other receipts from CDBG activities, the funds may be accumulated in a separate local account and returned to the HTFC at the end of the State fiscal year, along with a Program Income Report.

- No funds received after April 1, 2019 may be directly disbursed to activities by the local recipient.

Reporting Instructions

Recipients must file a CDBG Program Income Report annually at the end of each State fiscal year. The Report must identify all receipts, including funds received that are not program income (i.e., less than $35,000 during the State fiscal year.)

Recipients must file the Program Income Report for the 2018-2019 fiscal year ending March 31, 2019. The OCR will be updating the report format to reflect the changes in policy. The Report will identify all funds obligated to eligible activities as well as all funds returned to the HTFC. The Report will be due April 30, 2019 along with remittance of program income not committed.

Beginning April 1, 2019, all program income received must be returned to the HTFC at the end of the State's fiscal year. The Program Income Report must be completed only to identify the sources of program income being transmitted to the HTFC.