



Housing Trust Fund Corporation
Office of Community Renewal

***NYS HOME Investment Partnerships Program (HOME Program)
Federal Fiscal Year 2013
Local Program Administrator (LPA) Funding
Request for Proposals***

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I. INTRODUCTION	- 2 -
II. APPLICATION DEADLINES AND GENERAL REQUIREMENTS.....	- 4 -
A. Application Submission Deadlines	- 4 -
B. General Requirements	- 4 -
III. REGULATORY AND PROGRAMMATIC REQUIREMENTS.....	- 8 -
A. National Environmental Policy Act	- 8 -
B. Lead Based Paint:.....	- 8 -
C. Davis Bacon Related Acts.....	- 9 -
D. Section 3 Requirements.....	- 9 -
E. Property Standards and HTFC Rehabilitation Standards.....	- 9 -
F. Accessibility (Reasonable Accommodations).....	- 10 -
G. Equal Employment Opportunity/Minority and Women Owned Business.....	- 10 -
H. Non-Discrimination.....	- 10 -
I. Uniform Relocation Assistance.....	- 11 -
J. Insurance Requirements	- 11 -
K. Smart Growth	- 12 -
L. HOME Maximum Purchase Price or After-rehab Value Limits.....	- 12 -
IV. IV. ELIGIBLE FUNDING CATEGORIES.....	- 13 -
A. Housing Rehabilitation Programs	- 13 -
B. Homebuyer Assistance Programs.....	- 13 -
C. CHDO Homeownership Projects	- 14 -
D. Tenant-Based Rental Assistance (TBRA).....	- 15 -
V. EVALUATION AND SELECTION	- 16 -
A. General Goals and Objectives	- 16 -
B. Application Processing Steps	- 16 -
VI. HOME RATING CRITERIA.....	- 19 -
A. Rehabilitation Applications.....	- 19 -
B. Homebuyer Applications.....	- 22 -
C. CHDO Applications	- 25 -
D. TBRA Applications.....	- 28 -

I. INTRODUCTION

In accordance with New York State's 2011-2015 Consolidated Plan and its 2013 Annual Action Plan, as approved, the Housing Trust Fund Corporation ("the HTFC") through the Office of Community Renewal ("the OCR"), invites eligible applicants to submit applications for federal fiscal year 2013 HOME Investment Partnerships Program ("HOME Program" or "NYS HOME Program") funding allocated to New York State. The HTFC provides NYS HOME Program funds to units of general local government (state recipients), and not-for-profit corporations and public housing authorities (subrecipients) to administer housing rehabilitation, homebuyer assistance, and tenant-based rental assistance programs. Collectively, state recipients and subrecipients are referred to as Local Program Administrators, or "LPAs." The HTFC may also provide funding for Community Housing Development Organizations ("CHDOs") for new construction or acquisition and rehabilitation of single-family (1-4 unit) housing for sale to low-income homebuyers. The Federal regulations set forth at 24 CFR Part 92 are the governing regulations of the NYS HOME Program.

The HTFC expects to make approximately \$8 million in federal fiscal year 2013 HOME Program funds available to LPA applications submitted in response to this RFP.

The maximum award amount is \$400,000 with a per unit cap of \$40,000. The minimum award amount is \$200,000. The maximum CHDO home ownership development award amount is \$500,000 with a per unit maximum of \$50,000. CHDOs are not eligible for administrative reimbursement, but do qualify for a project developer fee. CHDO home ownership developers will be subject to additional underwriting requirements. Applicants may submit more than one (1) application in response to this NOFA, but the combined amount requested may not exceed \$400,000 (\$500,000 for CHDO Applicants). For example, an Applicant may submit multiple applications for Housing Rehabilitation activities, at the minimum of \$200,000 per application, but the combined total of all requests cannot exceed \$400,000 (\$500,000 for CHDO Applicants).

Applicants for the NYS HOME LPA Program must have successfully administered similar programs in the past and must demonstrate proficiency with and thorough understanding of the governing regulations of the federal HOME Program, as well as the guidelines and allowances of the NYS HOME Program, as described in the State's 2013 Annual Action Plan and this RFP. Furthermore, applicants must strongly demonstrate the organizational capacity to effectively utilize the amount of funding requested and in the time allotted by contract. All program agreements will be limited to a **2-year program agreement term**. Therefore, applicants should request only the amount of funding that can be expended within a 2-year period. With the exception of CHDO applicants, up to 5% of the award amount may be used by awardees for administrative costs (not including project delivery costs, which will be subject to separate guidelines and limitations). CHDOs are not eligible for administrative reimbursement but may qualify for a project developer fee.

This Request for Proposals (RFP) describes the requirements for the HOME Program application and also explains the process by which the HTFC and the OCR will evaluate

applications requesting funding. Applicants apply for HOME Program funding using HCR's Community Development On-Line System (CDOL), which is accessible online at <http://www.nyshcr.org/Apps/CDOnline/>. Potential applicants may request technical assistance from the OCR during the application process. (See Section VII – Technical Assistance, Page 25) At the completion of this funding round, applicants not receiving an award may participate in an exit conference to review unfunded applications.

II. APPLICATION DEADLINES AND GENERAL REQUIREMENTS

A. Application Submission Deadlines

RFP Open Date: *Tuesday, April 1, 2014*

RFP Close Date: *Friday, May 30, 2014*

Applications for federal fiscal year 2013 NYS HOME LPA Program funding must be submitted through HCR's CDOL **no later than** 4:00 PM, EST, Friday, May 30, 2014. All applications received after this deadline will be considered a late submission and will **not** be processed or considered for funding.

Applicants may make a request, based on demonstrated need, to submit a paper application in lieu of using HCR's CDOL. Requests for approval to submit a paper application must be received by the OCR no later than Friday, April 18 at the following address:

**NYS Homes and Community Renewal
Office of Community Renewal
Hampton Plaza, 4th Floor South
38-40 State Street
Albany, NY 12207
ATTN: FFY 2013 HOME LPA PROGRAM**

Only on time applications submitted electronically using HCR's CDOL or pre-approved paper applications will be accepted for review. **Incomplete and/or late applications will NOT be accepted either through the CDOL or paper submission.**

For those applicants with prior approval to submit a paper application, applications will be accepted only at the address stated above. Paper applications received or postmarked after 4:00 PM, EST, Friday, May 30, 2014, will be considered late and will not be accepted or reviewed. Use of delivery confirmation services is required by those pre-approved to submit paper applications, to ensure an on time and traceable delivery of an application(s). Applicants should refer to the **Application Instructions** (available online; see *Other Application Reference Materials* below) to identify the required Application Exhibits and Attachments.

B. General Requirements

2013 HOME Final Rule

On July 24, 2013, HUD published extensive changes to the HOME Final Rule. The regulatory changes generally became effective on August 23, 2013 and apply to specific HOME projects to which funds were committed on or after that date. However, certain provisions of the 2013 HOME Final Rule were given delayed effect. Notably, the Property Standards at 24 CFR 92.251 will take effect on January 24, 2015.

HUD has indicated that it will issue further guidance on provisions with delayed effective

dates to help program participants fully understand the updated requirements.

Applicants should anticipate that certain regulatory requirements and administrative guidance will change or be clarified during the anticipated term of awards under this RFP.

Applicant Capacity and Prior Experience

Applicants for HOME Program funds, as with all competitive OCR Program funds, are subject to an evaluation of prior program funding history, prior program administration performance and organizational capacity. Interested parties are discouraged from applying for HOME Program funds if:

- The program activities cannot be completed within the required two-year grant agreement term; **OR**
- The amount of funding being requested cannot be expended within the same term.

***Please note:** funds that are not expended at the end of the grant agreement term are subject to deobligation and/or recapture. Contract extensions are subject to regulatory limits, and are not a guarantee for any program or program administrator.*

Furthermore, applicants to the OCR must resolve **any and all** outstanding monitoring and/or non-compliance issues that involve a violation of Federal, State or local regulations, and/or program and OCR requirements **prior to the submission of an application for funding**. Applicants that do not resolve monitoring and/or non-compliance issues will be deemed ineligible and the application will not be accepted or reviewed. The OCR will provide, upon request, status information related to the above items for any potential applicants.

Prior to submitting an application for funding, applicants for this round of HOME LPA funding should evaluate the progress of their open grant portfolio to determine if additional funds are warranted at this time. For each open grant, applicants should evaluate the progress of their program(s) in terms of achieving the accomplishments set forth in the OCR-approved application and their HTFC grant agreement(s). Factors such as the rate of expenditure during the term of the HTFC grant agreement(s), the number of program agreement extensions requested and approved, and compliance with all HTFC program agreement terms will be used to determine satisfactory performance in review by the OCR of all applications. Applicants may be negatively impacted by unsatisfactory performance or may be determined to be ineligible for a grant when prior performance evidences significant lack of capacity to carry out the proposed project or program as required and according to the applicable laws, regulations, policies and procedures governing the program.

The HTFC and the OCR reserve the right not to fund any application if it has been determined that the applicant is not in compliance with existing State contracts and has not taken satisfactory steps to remedy such non-compliance.

Other Application Reference Materials

This RFP provides only a portion of the information and materials needed by applicants. Other materials, available from the HCR website, <http://www.nyshcr.org/Funding/>, include the following:

1. FFY 2013 HOME LPA Program CDOL Application Instructions
2. Housing Trust Fund Corporation Rehabilitation Standards (rev. June 2006)
3. 2013 NYS HOME Program Reference Manual

The HTFC reserves the right to award all, a portion of, or none of a program's funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, an applicant's ability to meet HTFC criteria for funding, and an applicant's ability to advance the State's housing goals. The HTFC also reserves the right to change or disallow aspects of the applications received and may make such modifications an expressed condition of its commitment to provide funding to a program.

Technical Assistance

Applicants must review the HOME Program application instructions prior to beginning the application process. The instructions provide detailed guidance for completing the application, as well as troubleshooting issues with the CDOL system. Applicants are encouraged to request technical assistance from OCR staff or other available sources. Any questions regarding program eligibility or application questions may be directed via email to OCRinfo@nyshcr.org.

New York State Grants Gateway Prequalification

The New York State Grants Gateway ("Grants Gateway") is a statewide effort that will improve the way New York State administers grants by simplifying and streamlining the grants management process.

Effective August 1, 2013, not-for-profit organizations must be prequalified in order to do business with New York State. In order to prequalify, not-for-profit organizations must submit an online Prequalification Application through the Grants Gateway. The Prequalification Application is comprised of five components to gauge your organizational structure and the types of services you provide. The required forms and document uploads are all part of the Grants Gateway Document Vault. Resources to complete the application and associated document vault can be found in the Quick Links Section of the Grants Gateway page at <http://grantsreform.ny.gov/>.

Prequalification is designed as a way for not-for-profits to interact more directly with State agencies before they compete for State contracts, enabling them to make adjustments and answer concerns prior to entering a competitive bid process. Once they have been prequalified, multiple State agencies will have ready access to the prequalification materials, eliminating redundant submissions of such information by the

vendor. Not-for-profits will only have to formally prequalify every 3 years, with the responsibility to keep their information current throughout the 3 year period.

Please note: Applicants that are **not** prequalified through the New York State Grants Gateway by the HOME Program application deadline of May 30, 2014, will **not be eligible to receive HOME funds**, and any applications submitted to the OCR will be deemed ineligible for review and consideration.

III. REGULATORY AND PROGRAMMATIC REQUIREMENTS

Numerous Federal, State, and local regulations govern the NYS HOME LPA Program. It is the responsibility of the **applicant** to ensure compliance with all applicable regulations and statutes. The following is a listing, not all inclusive, of applicable regulations that apply to the NYS HOME LPA Program. Applicants receiving awards will be expected to be familiar with and understand these governing regulations, and will be periodically monitored throughout the administration of an awarded program to ensure continual compliance with these and other rules and regulations.

A. National Environmental Policy Act

HOME-assisted activities are subject to the provisions of the National Environmental Policy Act (NEPA). For the HOME program, NEPA is applied in two stages. First, successful applicants are required to undergo a programmatic environmental review which must be approved by the HTFC **prior** to the execution of any grant agreements with the HTFC. Secondly, successful applicants that are not-for-profit organizations **cannot** commence acquisition, construction or rehabilitation of potential projects until the HTFC has approved the site-specific environmental review for each project. Successful applicants that are units of local government must certify to the OCR that they have conducted and approved the site-specific environmental review for each project at the time of set up. Under no circumstances will the HTFC approve the release of funds for a project or activity where an approved environmental review was not conducted in advance, and in accordance with all applicable rules and regulations.

(More info: <https://www.onecpd.info/resources/documents/HOME-EnvironmentalReview.pdf>)

B. Lead Based Paint:

The Residential Lead-Based Paint Hazard Reduction Act of 1992 amended the Lead-Based Paint Poisoning Act of 1971, which established the Federal lead-based paint requirements. In 1999, HUD issued a lead-based paint regulation, 24 CFR Part 35, in response to the regulations effective September 15, 2000. The lead-based paint regulation defines work practices that must be followed when dealing with lead-based paint in older structures and expands requirements to protect occupants and workers from lead-based paint hazards until lead hazard reduction work is completed.

Lead hazard evaluation and reduction activities for rehabilitation projects are determined by the level of federal assistance received by the project and the per unit evaluation of hard costs. Interim controls are required for projects assisted with less than \$25,000 in Federal Funds. Projects assisted in excess of \$25,000 in Federal funds are subject to the completion of Part 3 of 24 CFR Part 35 Applicability Worksheet.

Applicants must comply with the lead-based paint requirements implemented at 24 CFR Part 35 if proposing activities involving residential properties purchased or rehabilitated in whole or part with HOME funds, excluding:

- housing constructed on or after 1978;

- housing reserved for the elderly or persons with disabilities through a deed restriction, unless a child under 6 resides or is expected to reside in the housing;
- dwellings without bedrooms, i.e., efficiencies and military barracks;
- foreclosure sales;
- short-term leases of 100 days;
- renewal of leases where all information has been disclosed previously and where lessor has acquired no new information ("renewal" is defined under the regulations to "include both re-negotiation of existing lease terms and/or ratification of a new lease"); or
- housing which has been inspected and certified to be free of lead-based paint by a certified inspector.

Under no circumstances will the HTFC approve the release of funds for a project or activity where lead safe practices, where required, were not conducted in accordance with all applicable rules and regulations.

(More information: <http://www.hud.gov/offices/cpd/library/monitoring/handbook.cfm#24>)

C. Davis Bacon Related Acts

Applicants preparing to undertake construction or rehabilitation activities on 12 or more units within the same construction contract must comply with the Federal Labor Standards requirements (Davis Bacon Related Acts) as outlined in 40 USC 276. This regulation requires that workers receive no less than the prevailing wages being paid for similar work in their locality.

(More information: https://www.onecpd.info/resources/documents/Davis-BaconandHOME_TrainingManual.pdf)

D. Section 3 Requirements

All awards made under the HOME Program are subject to the requirements of Section 3 of the Housing Act of 1937, which specify that to the greatest extent feasible, and consistent with existing federal, state and local laws and regulations, job training, employment, contracting and other economic opportunities be made available to low- and very low-income persons and locally owned enterprises within the proposed service area. Recipients of HOME program funds in excess of \$200,000 must comply with the provisions set forth at 24 CFR Part 135. In addition, if an LPA enters into a rehabilitation or construction contract in excess of \$100,000, the contractor and its subcontractor are also subject to the provisions. Recipient agencies will be required to report Section 3 activity annually to HUD and HCR.

(More information: <http://www.hud.gov/offices/fheo> OR <http://www.nyshcr.org/Forms/FairHousing/>)

E. Property Standards and HTFC Rehabilitation Standards

Applicants requesting funds for the rehabilitation of vacant, partially or fully occupied properties must demonstrate that the proposed work will have the effect of correcting substandard conditions which preclude lawful occupancy of the units in their current condition (i.e. health and safety hazards and code violations,). All HOME-assisted properties must meet HTFC rehabilitation standards and local or NYS building codes upon completion.

(More information: http://www.nyshcr.org/Funding/UnifiedFundingMaterials/2009/Rehab_Standards_HOME.htm)

NOTE: Under the 2013 HOME Final Rule, Uniform Physical Conditions Standards (UPCS) Property Standards apply for HOME funded rehabilitation, acquisition and tenant-based rental assistance projects in accordance with revisions made to the property standards requirements at 24 CFR 92.251. UPCS requirements will be effective January 24th, 2015. HTFC Rehabilitation Standards will be updated and made available. Please refer to 24 CFR 92.251 for detail.

F. Accessibility (Reasonable Accommodations)

Applicants that receive federal financial assistance are subject to the requirements of Section 504 of the Rehabilitation Act of 1973. 29 U.S.C. § 794. Section 504, and its implementing regulations at 24 C.F.R. Part 8, prohibit discrimination based on disability and require recipients of federal financial assistance to provide reasonable accommodations to applicants and residents with disabilities. Although Section 504 imposes greater obligations than the Fair Housing Act, (*e.g.*, providing and paying for reasonable accommodations that involve structural modifications to units or public and common areas), the principles regarding reasonable accommodation under the Fair Housing Act generally apply to requests for reasonable accommodations to rules, policies, practices, and services under Section 504.

G. Equal Employment Opportunity/Minority and Women Owned Business

Executive Orders 11246, 11625, 12432, and 12168 as amended require States receiving HOME funds to establish procedures for compliance with Equal Employment Opportunity and Minority and Women Owned Business outreach. To comply with these Executive Orders, NYS HCR and the HTFC have elected to follow the State requirements under Article 15A of New York State Executive Law. This requires that all contractors and awardees make affirmative efforts to ensure that New York State Certified Minority and Women-Owned Business Enterprises are afforded opportunities for meaningful participation in projects funded by HTFC pursuant to Section 313 of the Article.

(More info: <http://www.nyshcr.org/AboutUs/MWBECorner.htm>)

H. Non-Discrimination

The following non-discrimination guidelines apply to all HOME funded projects and affect both development and sales of assisted housing:

- The Fair Housing Act (42 U.S.C. 3601-19) and implementing regulations at 24 CFR part 100 et seq.;
- Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959-1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing Programs) and implementing regulations at 24 CFR part 107;
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d- 2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR part 1
- The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations at 24 CFR part 146
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing

regulations at part 8 of this title

- Title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; 24 CFR part 8; Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 135

(More information: <http://www.nyshcr.org/AboutUs/Offices/FairHousing/>)

I. Uniform Relocation Assistance

Applicants proposing activities that may involve displacement, permanent relocation or demolition or conversion of residential units occupied by low-income persons are responsible for complying with the regulations under the Uniform Relocation Act (URA) and Section 104(d) of the Housing and Community Development Act of 1974, as amended. The Act requires that displacement of persons which may occur as a result of activities assisted with HOME funds be minimized. HUD regulations require that if any HOME activity could result in displacement, administrators must adopt a plan for minimizing displacement of persons and mitigating any adverse effects of displacement on low-income persons.

LPAs awarded HOME funds must provide reasonable benefits and relocation assistance to any person involuntarily and permanently displaced as a result of the use of HOME funds to acquire or substantially rehabilitate property, including businesses. For projects that may entail the displacement of persons, the LPA must replace all occupied and vacant, habitable low-income dwelling units demolished or converted to use other than as low-income housing as a direct result of activities assisted with HOME funds. In addition, HUD requires that administrators provide reasonable benefits to persons displaced as a result of use of HOME funds in cases which are not governed by the Uniform Relocation Act.

Applicants must further document that any purchase of property meets the requirements of the URA, including provision of notices to the seller identifying the transaction as a voluntary sale not under the threat of eminent domain.

(More information: http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation)

J. Insurance Requirements

As a condition of the award of HOME LPA funds, LPAs are required to obtain and maintain proper insurance and fidelity bonds. At a minimum, copies of the following must be provided to the HTFC prior to the execution of any contracts:

- a Certificate of General Liability Insurance;
- Workers' Compensation and Disability Insurance;
- Fire and Casualty Insurance; and
- a Fidelity Bond in the amount of the largest anticipated disbursement.

The Housing Trust Fund Corporation (HTFC) **must** be named as loss payee in accordance with the program agreement requirements.

K. Smart Growth

Please note that the Housing Trust Fund Corporation is subject to the New York State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010) and must, to the extent applicable, make funding decisions consistent with the provisions of the Act.

L. HOME Maximum Purchase Price or After-rehab Value Limits

In the 2013 HOME Final Rule at Section 92.254 (a)(2)(iii), the Rule eliminated the use of the 203(b) limits and changed the methods for determining 95 percent of area median purchase price. HUD publishes updated limits annually and specific projects must comply with the limits in effect at the time of project commitment.

(More information: <https://www.onecpd.info/resource/2312/home-maximum-purchase-price-after-rehab-value>)

IV. ELIGIBLE FUNDING CATEGORIES

Applicants seeking funding for federal fiscal year 2013 HOME LPA Program funds may request assistance for the following activities:

A. Housing Rehabilitation Programs

Owner Occupied Rehabilitation: Applicants may request funds for programs that provide moderate rehabilitation of single-family (1-4 units) owner-occupied housing, which may include the replacement of dilapidated mobile and manufactured housing with new HUD-certified, ENERGY STAR Qualified manufactured homes.

The 2013 HOME Final Rule requires permanent foundations for new construction and replacement of manufactured housing assisted with HOME funds. Foundation systems for existing units must be inspected and meet the applicable state or local codes. In the absence of local code, the Model Manufactured Home Installation Standards at 24 CFR 3285 would apply. For more information refer to:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/rmra/mhs/smhi

Rental Rehabilitation: Applicants may request funds for programs that provide investor-owned rental housing – defined as small rental projects with ten (10) units or fewer – with moderate rehabilitation.

As required by the 2013 HOME Final rule, rental rehabilitation projects must be underwritten and include an assessment of developer capacity and current market need. Additionally, other project funding must be firmly committed in writing prior to committing funds to a specific project. Applicants may not request NYS HOME LPA Program funding for rental property that they plan to own upon completion of the project. Rental units receiving assistance with HOME funds are subject to additional regulatory requirements, and are primarily intended for occupancy by households with incomes at or below 60% of area median income.

NOTE: All housing rehabilitation activities, either owner occupied or rental, will be limited to a maximum HOME investment of \$40,000 per unit.

B. Homebuyer Assistance Programs

Applicants may request funds to provide down payment or closing cost assistance to homebuyers, with or without rehabilitation. The HTFC requires that HOME-assisted units meet HTFC rehabilitation standards and local or NYS building codes at project completion, so it is expected that most homebuyer assistance programs will involve a rehabilitation component.

Homebuyer programs must have written policies that establish underwriting standards, protections against predatory lending, and criteria for refinancing (See Section 92.254(f) of the 2013 HOME Rule.) Further, homebuyer programs must include an effective homeownership counseling component to enable assisted buyers to avoid sub-prime and

predatory lending and become successful home owners. Programs that target existing residents of public housing and manufactured housing (to assist in the purchase of non-manufactured housing) are encouraged.

As required by the 2013 HOME Final rule, homebuyer projects must be underwritten, to include an assessment of subsidy for each buyer. Further required by the 2013 HOME Final Rule, homebuyer projects that are not sold within 9 months of the construction completion date must be converted to HOME rental projects, or will require repayment of the HOME investment.

NOTE: All homebuyer assistance activities, with or without rehabilitation, will be limited to a maximum HOME investment of \$40,000 per unit.

C. CHDO Homeownership Projects

As required by federal HUD guidelines, a minimum of fifteen percent (15%) of the total annual HOME Program funds made available to the State in a given year's allocation, including those made available for non-LPA, or capital, activities, must be provided to eligible and qualified CHDOs, or Community Housing Development Organizations. HCR reserves the right to award some, all, or none of these funds through the HOME LPA Program, depending on the status of the State's CHDO commitment through the agency's Capital Program allocation for FFY 2013. HCR further reserves the right to award CHDO funding above and beyond the required amount, depending on the number and quality of applications received in response to this RFP.

CHDOs applying to develop single family (1-4 unit) homeownership projects are rated according to CHDO-specific rating criteria described in Section VI; HOME RATING CRITERIA.

CHDO homeownership development applicants must use the NYS HOME Program CDOL application, and may not receive more than \$50,000 in HOME Program funds per unit. The HTFC will limit CHDO homeownership awards to \$500,000, except where the HTFC determines that it is in the public interest to award a higher amount. All program agreements will be limited to a 2 year program agreement term. Therefore, applicants should request only the amount of funding that can be expended within a 2-year period. CHDO homeownership developers will be subject to additional underwriting requirements, as identified in the 2013 HOME Final Rule Requirements related to CHDOs.

CHDOs that successfully develop new home ownership housing, or acquire, rehabilitate, and sell vacant substandard existing housing to eligible households in a timely manner will be eligible to receive a developer fee.

CHDO Home Ownership Project applications are subject to the following regulations and limitations:

- As required by the 2013 HOME Final Rule, non-project specific CHDO

reservation of funds is no longer available. Approval for funding is on a project specific basis; HCR is required to underwrite CHDO projects: assess the capacity and fiscal soundness of the CHDO developer; ensure that market conditions indicate an adequate need for the HOME project; ensure that firm commitments for other project funding are in place and certify that the CHDO has staff with demonstrated development experience. Staff does not include volunteers, board members or consultants.

- The proposal must be for new construction or rehabilitation of vacant, substandard, single family housing (1-4 unit buildings);
- The CHDO must obtain project financing, rehabilitate or construct the dwelling units, and have title to the property during the rehabilitation/construction period. The HOME loan obligation is transferred to an eligible homebuyer upon project completion. If the CHDO will not hold title to the property during construction, it must enter into a contractual obligation with another entity, such as a subsidiary organization, that will own the property until it is sold to the homebuyer; and
- The proposal must identify a source of committed construction financing other than HOME Program funds. HOME Program funds may be used only as permanent financing.
- Sales deadline: Homebuyer projects must be sold within 9 months of construction completion or it must be converted to a rental unit. If the unit is not or cannot be converted to rental, the CHDO must repay all HOME funds disbursed toward the unit to HTFC.
- Sales price: the OCR must approve the proposed sales price of any HOME-funded homebuyer projects and will include either the specific sales price or a methodology for establishing the sales price in its written agreement with the CHDO. In general, the OCR will require that homebuyer projects be sold at their fair market value as determined by an “as completed” appraisal completed less than 6 months prior to the completion of construction.
- Please note that technical assistance is available for CHDOs.

D. Tenant-Based Rental Assistance (TBRA)

Applicants may request funding to provide financial assistance for rent, security deposits, and, when provided in conjunction with a TBRA security deposit or monthly rental assistance program, utility deposits for tenants. All units receiving TBRA must meet HTFC property standards and local or NYS building codes.

V. EVALUATION AND SELECTION

A. General Goals and Objectives

The OCR will evaluate the investment of the resources made available through this RFP using the following three criteria: fundamentals, leverage, and outcomes. This framework accommodates all scoring criteria currently utilized by the OCR. These decisions will also be made in the context of a competitive process. To the extent feasible, the OCR will allocate its resources to meet housing needs and achieve a geographic distribution of funding across the State, while promoting community development policies that emphasize the needs of underserved communities and which advance smart growth principals and healthy living environments.

Fundamentals:

The following fundamentals are considered the basic components of any investment – feasibility, team experience, and program structure. Under this RFP, the OCR will also consider certain threshold requirements specific to the HOME Program. The OCR will evaluate, among other things, not only whether the investment is feasible but for our investment; whether all the necessary components are identified and committed and whether the applicant has the proven experience and team members to successfully complete the investment.

Leverage:

The OCR will consider whether the proposed investment leverages significant outside resources such as third party funds, local funds and/or local support. Preference will be given to those applicants that demonstrate a commitment of leveraged funds at the time of application.

Outcomes:

The outcomes proposed in an application will be considered policy goals achieved by a particular investment. The OCR will evaluate whether the application proposes a quality program that efficiently responds to the needs of the community by producing a transformative effect or sustains a more livable community.

B. Application Processing Steps

- 1. Application Receipt** - Once the HOME applications are submitted through CDOL, or pre-approved paper applications are received, an identification number is assigned and the application is made available for review by the appropriate OCR program staff.
- 2. Eligibility Review** - Applications are reviewed according to statutory eligibility criteria summarized below. **Applications that fail to meet all of the statutory criteria will not be reviewed further.**

Eligibility Criteria for the HOME Program includes:

- Eligible applicants include units of general local government (counties, cities, towns, and villages) that are not HUD-designated participating jurisdictions; not-for-profit organization, and housing authorities; CHDOs applying to develop home ownership projects.
- Only residential properties that will be owner-occupied and/or renter-occupied at project completion may be assisted under the program.
- Eligible activities include new construction, substantial or moderate rehabilitation of owner-occupied or rental properties, purchase and installation of new manufactured homes, homebuyer assistance and tenant-based rental assistance.
- Funds may be used for any customary development hard costs, acquisition, related soft costs, relocation costs, and costs related to tenant-based rental assistance. If more than one source of HOME funds is being used, total HOME funds from all participating jurisdictions must be within the applicable maximum-per unit subsidy imposed by 92.250(a). HTFC assistance is limited to \$40,000 per unit, regardless of activity. For CHDO homeownership development, assistance is limited to \$50,000 per unit. Please refer to the NYS HOME Program 2013 Reference Manual for maximum HOME subsidy limits.
- All HOME funds must benefit households at or below 80% of area median income (AMI); 90% of all rental units (including rental assistance) must benefit households with incomes at or below 60% of area median income (AMI).
- In rental projects with 5 or more HOME-assisted units, a minimum of 20% of the units must be occupied by households with incomes at or below 50% of area median income.

3. Rating and Ranking - Each application is scored on criteria derived from the statutory, regulatory and policy considerations of the HOME Program. Application ratings are based only on the application materials received by the submission deadlines.

4. CHDO Feasibility Reviews - A feasibility review will be conducted when an applicant requests HOME Program CHDO funds. In order to be considered for feasibility, an application must identify an eligible site for the proposed project and provide evidence of site control.

Underwriting reviews will also be conducted for all complete and eligible HOME CHDO applications. Underwriting reviews are intended to ensure that:

- a. The applicant has established that sales prices are reasonable for the neighborhood where the project is located; the initial purchase price or after rehabilitation value of homeownership units assisted with HOME funds must not exceed the applicable HOME Homeownership Value Limits published by HUD. HUD updates these limits annually and publishes limits for both newly constructed and existing housing. (24 CFR 92.254(a)(2)(iii)

- b. The applicant has established that market support exists at the sales price structure proposed;
- c. The applicant has provided firm written commitments for all other sources of financing needed to complete the project;
- d. The applicant has the financial capacity to undertake the development;
- e. The applicant has paid staff with sufficient capacity to effectively undertake the proposed project
- f. The applicant demonstrates that all proposed projects will be affordable to buyers at the targeted income level, given proposed principal, interest, taxes, insurance (PITI) and utility costs;
- g. The applicant has documented that the projected PITI and utility costs are reasonable, based on similar type projects;
- h. The applicant proposes HOME financing for project costs which are eligible under the source(s) cited in the application (24 CFR, Part 92, Subpart E);
- i. If the project includes rental units, the proposed rents meet the requirements of the HOME Program (24 CFR, Part 92, subpart F); and
- j. The applicant does not invest any more HOME funds, alone or in combination with other governmental assistance, than is necessary to provide quality affordable housing. (24 CFR Part 92 Subpart F)
- k. The profit or return on the owner's or developer's investment will not exceed the established standards for size, type, and complexity of the project. (24 CFR, Part 92, Subpart F)

5. Funding Recommendations - The OCR staff make recommendations to the HTFC Board of Directors to fund feasible applications based on the rating criteria outlined below.

The following steps are also followed in recommending HOME program applications:

- a. First, all CHDO applications will be placed in rank order and selections made (*subject to the Agency's determination on the use of CHDO funds for LPA Program purposes, as per above*);
- b. Next, applications located outside of Participating Jurisdictions will be placed in rank order. A minimum of 80% of the available funds will be used to award projects in these areas. However, the OCR may continue to fund above the 80%

minimum until all quality applications from non-Participating Jurisdictions are funded.

- c. Finally, all of the remaining applications will be placed in rank order and selections made until funds are exhausted.
- 6. HTFC Board Approval** - Awards must be approved by the HTFC Board of Directors prior to entering into a program agreement.
 - 7. Application Outcome Letter** - The letter will be issued to inform the applicant of the status of its application:
 - a. Selected for Funding
 - b. Not Selected for Funding
 - c. Ineligible for Funding
 - 8. Program Agreement** - HOME applicants selected for funding may be asked to revise parts of their proposal prior to or in conjunction with the issuance of a Program Agreement. After any required revisions are submitted and approved, a Program Agreement will be executed, however, the HTFC will not execute the Program Agreement or process disbursement requests until all required environmental reviews are completed. Applicants are reminded that any activity, be it acquisition or construction, must not begin until they are notified in writing of the HTFC's environmental approval for the proposed activity.

The HTFC expects to enter into a Program Agreement within 45 days of the HOME applicant's compliance with submission requirements, including the required programmatic environmental review approvals. Applicants are expected to be ready to fully execute and undertake activities in this timeframe; failure to do so may result in the rescission or termination of an award.

- 9. Implementation Meeting** - HOME Program applicants will be required to participate in a program implementation meeting(s) to discuss the overall grant administration and program requirements that must be met to ensure the successful implementation of an awarded program. Topics generally include, but are not limited to, file maintenance, financial management, statutory requirements, and programmatic compliance.

VI. HOME RATING CRITERIA

Each HOME Program application that is determined to be eligible will be scored on a 100-point scale, based on the criteria listed below.

A. Rehabilitation Applications

- 1. Average income level served (5 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will

receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.

2. **Persons with special needs targeted (5 points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2013 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online, here: <http://www.nyshcr.org/Funding/>. Applicants proposing a high percentage of the overall program assistance for the targeted groups, with evidence of a service contract or written agreement, will receive maximum points. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive moderate points. Applicants not proposing assistance for the targeted groups will not receive points.
3. **Percent below federal poverty level in program service area (5 points)** – Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications will receive the least points.
4. **Number of persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
5. **Age of Housing (5 Points)** – Need for rental and owner-occupied housing rehabilitation programs is evaluated in part based on the age of housing in the service area. Rehabilitation programs in areas with the highest percentage of housing units built before 1960, compared to other applications received, will receive the most points. Applications that do not include the source of data will not receive points.
6. **Leveraging (10 points)** – Measures the ratio of HCR/HTFC funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
7. **Program Design and Implementation Capacity (45 points)** – Administrative plans will be reviewed to assess the quality of the proposed program design, and the readiness and capacity of the applicant.
 - Program Design - This review will include a detailed evaluation of the completeness and feasibility of the proposed HOME program based on all required components of the Administrative Plan, and additional planned local procedures.

- Capacity - This review will evaluate the applicant organization's capacity and readiness as demonstrated by the documented understanding of program rules, state and federal regulations, and available staffing plan.

Applicants must carefully review the application instructions for the activity specific administrative plan criteria for their application. Elements required are clearly identified by activity, and applicants must answer all questions and provide only the information requested.

Plans determined to be complete, and feasible, in each required component will receive the most points. Those with major deficiencies, or where not all required elements have been addressed, will receive fewer points **or** no points. Administrative plans that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program's overall design.

8. Experience and prior performance (5 Points) – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

- Applicants who **have** received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews. Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
- Applicants who **have not** administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other housing rehabilitation. Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

9. Environmental Health and Safety (5 points) – Applications that will only assist units and/or areas with identified environmental health and safety issues will receive up to five points.

The hazardous conditions that will be considered are:

- Lead based paint;
- Asbestos;
- Moisture-related health problems, such as mold;
- Other indoor air quality issues (i.e. carbon monoxide problems related to faulty heating systems);
- Other immediate threat health and safety issues (cited by code for dangerous electrical hazards, lack of potable water, etc.).

Applicants that propose targeting only housing units that have been identified as unsafe/unhealthy due to the presence of one or more of these identified hazards will also receive the most points. Applicants that propose to use a portion of the award to assisted unit to remediate these hazards will receive fewer points. No points will be awarded for applications that do not identify specific assistance for these hazard, or application which exhibit significant deficiencies in this area.

Additionally, applicants proposing to use the entire proposed HOME award for the replacement of dilapidated mobile or manufactured homes will receive the most points. Applicants proposing that only a portion of their award be used for such replacement activity will receive fewer points.

10. Community Need (10 points) – Applicants should utilize this section to document the need for public investment; describe the intended impact of that investment; identify established relationships with other community partners; and identify other resources available for this program and describe how they will be used to supplement the requested HOME funds in the revitalization of the service area. Applicants should reference pertinent sections of existing local master plans, consolidated plans and other community development or strategic plans that support the proposed HOME program. New construction and CHDO programs must describe demand for new housing in the service area. Applications that score the most points will be ones that: present substantial, objective data demonstrating a need in the target area that cannot be addressed by existing market forces and public investment; will enable the improvement or preservation of the existing housing stock of the service area, and will sustain a more livable community; are supported by existing market studies, Community Development or Strategic Plans; and describe established relationships with other housing and community development stakeholders. Please refer to the application instructions for detailed guidance for composing the Community Need application attachment.

B. Homebuyer Applications

1. Average income level served (5 points) – Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.

2. Persons with special needs targeted (5 points) – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2013 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online, here: <http://www.nyshcr.org/Funding/>. Applicants proposing a high percentage of the overall program assistance for the targeted groups, with evidence of a service contract or written agreement, will receive maximum points. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written

agreement, will receive moderate points. Applicants not proposing assistance for the targeted groups will not receive points.

- 3. Percent below federal poverty level in program service area (5 points)** – Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- 4. Number of persons below federal poverty level in program service area (5 points)** -- Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- 5. Homeownership Rate in the Program Service Area (5 points)** – Need for homeownership programs is evaluated in part based on the rate of home ownership in the service area and the relative affordability of for-sale housing in the service area. Programs in areas with the lowest percentage of owner-occupied units, compared with other applications received, will receive the most points. The relationship between the costs of home ownership relative to income as compared to other applications will also be considered. Applications that do not include the source of data will not receive points.
- 6. Homeownership Affordability Index (5 points)** – The home buyer affordability index is based on median incomes and median sales prices across the state. Programs in areas where homeownership is more expensive relative to incomes, as compared with other applications, will receive the most points.
- 7. Leveraging (10 points)** - Measures the ratio of HCR/HTFC funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- 8. Program Design and Implementation Capacity (45 Points)** – Administrative plans will be reviewed to assess the quality of the proposed program design, and the readiness and capacity of the applicant.
 - Program Design - This review will include a detailed evaluation of the completeness and feasibility of the proposed HOME program based on all required components of the Administrative Plan, and additional planned local procedures.
 - Capacity - This review will evaluate the applicant organization’s capacity and readiness as demonstrated by the documented understanding of program rules, state and federal regulations, and available staffing plan.

Applicants must carefully review the application instructions for the activity specific administrative plan criteria for their application. Elements required are clearly identified by activity, and applicants must answer all questions and provide only the information requested.

Plans determined to be complete, and feasible, in each required component will receive the most points. Those with major deficiencies, or where not all required elements have been addressed, will receive fewer points **or** no points. Administrative plans that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program's overall design.

9. Experience and prior performance (5 Points) – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

- Applicants who **have** received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews. Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
- Applicants who **have not** administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other housing rehabilitation. Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

10. Community Need (10 points) - Applicants should utilize this section to include a market analysis to substantiate the need for a homebuyer assistance program in the service area, and need for public investment. Applicants shall describe the intended impact of that investment; identify established relationships with other community partners; and identify other resources available for this program and describe how they will be used to supplement the requested HOME funds in the revitalization of the service area. Applicants should reference pertinent sections of existing local master plans, consolidated plans and other community development or strategic plans that support the proposed HOME program. Applications that score the most points will be ones that: present substantial, objective data demonstrating a need in the target area that cannot be addressed by existing market forces and public investment; will enable the improvement or preservation of the existing housing stock of the service area and will sustain a more livable community; are supported by existing market studies, Community Development or Strategic Plans; and describe established relationships with other housing and community development stakeholders.

C. CHDO Applications

Applicant organization must be a NYS designated Community Housing Development Organization (CHDO) no later than April 11, 2014 to request NYS HOME CHDO funds. Please send an email to OCRinfo@nyshcr.org to request more information about the CHDO designation process.

- 1. Average Income Level Served (5 points)** – Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- 2. Persons With Special Needs Targeted (5 points)** - Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2013 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online, here: <http://www.nyshcr.org/Funding/> . Applicants proposing a high percentage of the overall program assistance for the targeted groups, with evidence of a service contract or written agreement, will receive maximum points. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive moderate points. Applicants not proposing assistance for the targeted groups will not receive points.
- 3. Percent Below Federal Poverty Level in the Program Service Area (5 points)** - Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- 4. Number of Persons Below Federal Poverty Level in the Program Service Area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- 5. Homeownership Rates in the Program Service Area (5 Points)** -- Need for home ownership programs is evaluated in part based on the rate of home ownership in the service area and the relative affordability of for-sale housing in the service area. Programs in areas with the lowest percentage of owner-occupied units, compared with other applications received, will receive the most points. The relationship between the costs of home ownership relative to income as compared to other applications will also be considered. Applications that do not include the source of data will not receive points.
- 6. Homeownership Affordability Index (5 points)** – The home buyer affordability index is based on median incomes and median sales prices across the state. Programs

in areas where home ownership is more expensive relative to incomes, as compared with other applications, will receive the most points.

- 7. Leveraging (10 points)** - Measures the ratio of HCR/HTFC funds as part of the total project cost. Applicants documenting high percentages of committed matching and leveraged funds will receive the most points. Sources of funds included in the project budget must be supported by formal documentation of commitments in the relevant application attachment to receive points.
- 8. Program Design and Implementation Capacity (35 Points)** – Administrative plans will be reviewed to assess the quality of the proposed program design, and the readiness and capacity of the applicant including status of local approvals and funding commitments.
 - Program Design - This review will include a detailed evaluation of the completeness and feasibility of the proposed HOME program based on all required components of the Administrative Plan, and additional planned local procedures.
 - Capacity - This review will evaluate the applicant organization’s capacity and readiness as demonstrated by the documented understanding of program rules, state and federal regulations, and available staffing plan.

Applicants must carefully review the application instructions for the activity specific administrative plan criteria for their application. Elements required are clearly identified by activity, and applicants must answer all questions and provide only the information requested.

Plans determined to be complete, and feasible, in each required component will receive the most points. Those with major deficiencies, or where not all required elements have been addressed, will receive fewer points **or** no points. Administrative plans that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program’s overall design.

- 9. Experience and prior performance (5 Points)** – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.
 - Applicants who **have** received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews. Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.

- Applicants who **have not** administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other housing rehabilitation. Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.
- 9. Green Rehabilitation/Green Building Practices (10 points)** - CHDOs proposing to use HOME funds for rehabilitation or construction activities will receive points based on the extent to which their plan to follow “green” construction practices addresses all required elements. Points will be awarded based on the extent that elements of the plan are addressed in a satisfactory manner.
- Rehabilitation Plans adequately address indoor air quality, moisture control, construction waste management, and other required elements will receive the greatest number of points;
 - New Construction Plans that document that their project will meet the mandatory criteria and standard criteria listed in the Green Building Criteria Checklist and the Green Building Reference Manual found at www.nyshcr.org/Forms/MultifamilyFinancing/2817.pdf and www.nyshcr.org/Funding/UnifiedFundingMaterials/2011/2011GreenBldgCriteriaReferenceManual.pdf will receive the greatest number of points..

Specific information on each all of the above requirements criteria can be found in the HCR Green Building Criteria Reference Manual. In addition, the Green Building Criteria Checklist must be completed and submitted as an application attachment .

- 8. Community Need (10 points)** - Applicants should utilize this section to document the need for public investment; describe the intended impact of that investment; identify established relationships with other community partners; and identify other resources available for this program and describe how they will be used to supplement the requested HOME funds in the revitalization of the service area. Applicants should reference pertinent sections of existing local master plans, consolidated plans and other community development or strategic plans that support the proposed HOME program. Applications that score the most points will be ones that: present substantial, objective data demonstrating a need in the target area that cannot be addressed by existing market forces and public investment; will enable the improvement or preservation of the existing housing stock of the service area and will sustain a more livable community; are supported by existing market studies, Community Development or Strategic Plans; and describe established relationships with other housing and community development stakeholders.

D. TBRA Applications

- 1. Average income level served (10 Points)** - Applications are rated on the extent to which they propose deeper income targeting than required by statute. Applicants proposing assistance to households with incomes at the lowest feasible levels will receive the most points, and applicants that do not target below the statutory or programmatic minimum will not receive points in this category.
- 2. Persons with special needs targeted (15 Points)** – Applications are rated on the extent to which the proposed program will assist members of the targeted groups identified in the 2013 NYS HOME Program Reference Manual, compared to other applicants. The manual is available online, here: <http://www.nyshcr.org/Funding/>. Applicants proposing a high percentage of the overall program assistance for the targeted groups, with evidence of a service contract or written agreement, will receive maximum points. Applicants proposing a high percentage of the overall program assistance for the targeted groups, without evidence of a service contract or written agreement, will receive moderate points. Applicants not proposing assistance for the targeted groups will not receive points.
- 3. Percent below federal poverty level in program service area (5 points)** - Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- 4. Number of persons below federal poverty level in program service area (5 points)** – Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.
- 5. Tenant Rent Burden (5 Points)** – The need for tenant-based rental assistance programs is evaluated based on the number of renter households in the service area that are rent-burdened. Programs in areas with the highest number of households paying more than 30% income for rent will receive the most points.
- 6. Affordability index (5 points)** – Area affordability is evaluated based the percentage of area income needed to afford a two bedroom apartment in the proposed service areas. Programs in areas requiring the highest percentage of household income to afford a two bedroom apartment will receive the highest scores.
- 7. Program Design and Implementation Capacity (40 Points)** – Administrative plans will be reviewed to assess the quality of the proposed program design, and the readiness and capacity of the applicant.

- Program Design - This review will include a detailed evaluation of the completeness and feasibility of the proposed HOME program based on all required components of the Administrative Plan, and additional planned local procedures.
- Capacity - This review will evaluate the applicant organization's capacity and readiness as demonstrated by the documented understanding of program rules, state and federal regulations, and available staffing plan.

Applicants must carefully review the application instructions for the activity specific administrative plan criteria for their application. Elements required are clearly identified by activity, and applicants must answer all questions and provide only the information requested.

Plans determined to be complete, and feasible, in each required component will receive the most points. Those with major deficiencies, or where not all required elements have been addressed, will receive fewer points or no points. Administrative plans that include superfluous data or information not specifically requested may risk a lower rating. Such inclusion often results in a lack of clarity about the program's overall design.

8. Experience and prior performance (5 Points) – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

- Applicants who **have** received and administered a NYS HOME Program award during the past 5 years will be evaluated based on timely completion of HOME Program awards, progress of open contracts including commitments and expenditures to date, and compliance documented by monitoring reviews. Applications submitted by current awardees with open contracts without substantial expenditures, or prior awardees with non-compliance or monitoring issues will be negatively impacted in the application review.
- Applicants who **have not** administered a NYS HOME Program award during the past 5 years will be evaluated on their past experience administering other housing rehabilitation. Applicants must present a successful record of administration of comparable programs during the past 5 years, with funding amounts similar to the proposed program to receive the most points.

9. Community Need (10 points) - Applicants should utilize this section to document the need for public investment; describe the intended impact of that investment; identify established relationships with other community partners; and identify other resources available for this program and describe how they will be used to supplement the requested HOME funds in the revitalization of the service area. Applicants should reference pertinent sections of existing local master plans, consolidated plans and other community development or strategic plans that support the proposed HOME program. Applications that score the most points will be ones

that: present substantial, objective data demonstrating a need in the target area that cannot be addressed by existing market forces and public investment; will enable the improvement or preservation of the existing housing stock of the service area and will sustain a more livable community; are supported by existing market studies, Community Development or Strategic Plans; and describe established relationships with other housing and community development stakeholders. Please refer to the application instructions for detailed guidance for composing the Community Need application attachment.