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Multifamily Programs Overview

Open Window RFP Information Session

May 2 — Albany

May 3 — Buffalo

May 4 — Syracuse

June 3—NYC

June 6—NYC

Welcome & Introductions

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Introductions

Marian Zucker
President, Office of Finance & Development

Bret Garwood
Senior Vice President, Multifamily Finance

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Development Directors

Lenny Skrill
Upstate West Director of Development

Coming Soon
Upstate East Director of Development

Coming Soon
Downstate Director of Development

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HFA Bond and 4% LIHTC Programs

Roger Harry
Vice President, Multifamily Finance

Jason Pearson
Vice President, Multifamily Initiatives

Mark Flescher
Vice President, Special Projects

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UFA and 9% LIHTC Programs

Sean Fitzgerald
Vice President, Multifamily Capital

Cathy Frangella
Supervising Underwriter

Arnold Adler
Program Management

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Workshop Objectives

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Workshop Objectives

- Housing Plan Update
- Open Window RFP
- Financing Approach
- Project Examples
- HCR Priorities
- New & Existing Programs
- Accessing Funding

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About HCR

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About HCR

Homes and Community Renewal serves New Yorkers by

- fostering the creation and preservation of affordable housing
- working strategically to revitalize neighborhoods and communities
- promoting fair housing opportunity

HCR Agencies:

- Housing Finance Agency (HFA)
- Housing Trust Fund Corporation (HTFC)
- Division of Housing and Community Renewal (DHCR)
- State of New York Mortgage Agency (SONYMA)
- Affordable Housing Corporation (AHC)

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Multifamily Programs

Multifamily Programs provides financing and capital to promote affordable rental housing opportunities for low- to moderate- income residents of New York, primarily through our two main programs:

- Tax-exempt bonds with 4% LIHTCs
- 9% LIHTC

Supplemented with various capital programs and SLIHC.

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Multifamily Summary, 2011-2015

	2011-2015 Multifamily
Projects Financed	355
Total Units Financed	48,001
Total Affordable Units Financed	35,506
Total Development Cost	$ 18,160,085,049
Affordable Preservation Units	17,161
Affordable New Construction/ Adaptive Reuse Units	18,345
Senior and Frail Elderly Units	8,071
Special Population Units*	4,266

*Special Population units include: frail seniors, persons with HIV/AIDS, developmentally disabled persons, homeless persons, homeless families, people with a physical disability, victims of domestic violence, people with psychological disabilities, NY/NY III populations A, C, E, F, G, H, J, veterans, physically disabled veterans, psychologically disabled veterans, seniors with psychological disabilities, homeless veterans, veterans with drug/alcohol addictions, persons with physical and developmental disabilities, persons with substance abuse problems, and homeless families who are victims of domestic violence.

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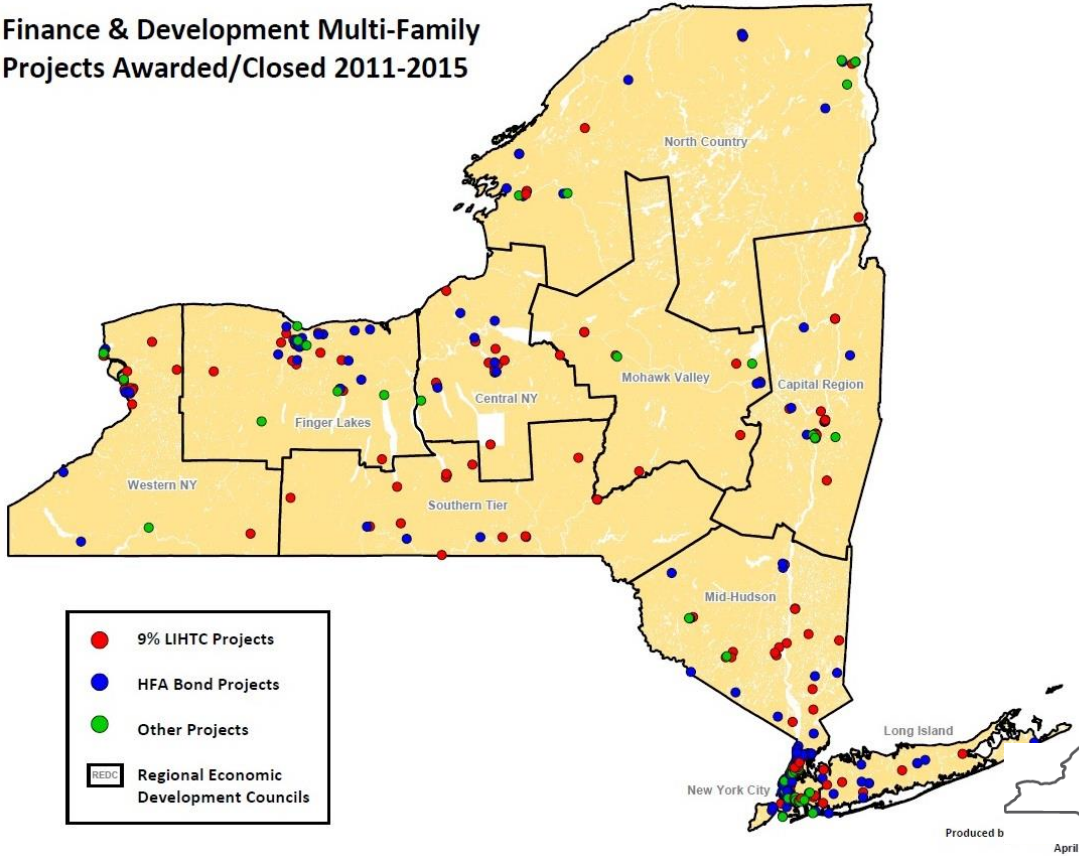
Multifamily Development Location, New York State, 2011-2015



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Housing Plan Update

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Housing Plan—House NY 2020

Build NY: *Creation of units across a spectrum of populations*

- Supportive housing
- Middle income housing
- Senior housing

Preserve NY: *Preservation of existing housing stock*

- Statewide public housing
- Mitchell Lamas and other affordable multifamily rental housing
- Small buildings

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Housing Plan—House NY 2020

- Welcome Home NY: *Providing homeownership opportunities*
- Opportunity NY: *Protecting tenants*
- Revitalize NY: *Investing in downtowns and villages*
- Serve NY: *Agency improvements around efficiency*

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Housing Plan—House NY 2020

$20B commitment to affordable housing and homelessness:

- $10B for 100,000 for affordable over five years
- Approximately half preservation / half new construction
- FY 2016-17 budget passed $1.9 billion in capital
- MOU pending

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Financing Approach

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Financing Approach

- Flexibility for developers to consider different options
- Provide for market and site-specific needs
- Comparison of 4% LIHTC and 9% LIHTC
- Promote high quality, construction ready projects
- Encourage leverage
- Advance housing goals
- Coordinated investment with jurisdictions and agencies
- Mixed income and mixed use development encouraged
- Integrated, supportive housing encouraged

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Resource Availability—Two Primary Methods

Unified Funding Application:
Highly competitive, single-source request for proposals process to access 9% LIHTC and a wide variety of subordinate financing resources and State Low Income Housing Credits.

Open Window Requests for Proposals:
Applications are accepted on a continuous basis for tax-exempt, taxable and 501(c)(3) bonds in addition to a wide variety of subordinate financing resources and State Low Income Housing Credits.

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Project Examples

Schoolhouse Terrace

- Developer: The Community Builders
- Location: Westchester County, Yonkers
- TDC: $63.0 million
- 120 units of affordable housing for households with incomes at or below 60% AMI; 50 units reserved for seniors at or below 50% AMI and 26 units restricted at or below 30% AMI.
- Mixed financing from Westchester County, HUD, City of Yonkers, NYSERDA, FHLB, NYS DEC, NYS HTFC; utilizing LIHTC and SLIHC.
- Demolition of abandoned school to create new residential development to help revitalization of downtown Yonkers and Hudson River Waterfront.

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Copiague Commons

- Developer: Conifer
- Location: Suffolk County, Babylon
- TDC: $33.6 million
- Two 4-story buildings with 90 newly constructed units of affordable housing in high cost suburban area
- 71 units reserved for households at or below 60% AMI and 18 units with households at or below 130% AMI.
- Mixed Financing including NYS MIHP and leveraged CDBG-DR loan and Suffolk County Workforce Housing Infrastructure loan.
- Project expected to contribute to a post-Sandy downtown Copiague revitalization.

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2264 Morris Avenue

- Developer: Bronx Pro
- Location: Bronx
- TDC: $47 million
- New construction of 94 units of mixed-income affordable housing, including 14 units up to 130% AMI.
- 31 units reserved for individuals with serious mental illness with incomes below 40% AMI.
- Financing from HCR (HFA bonds, 4% LIHTC, MRT, HWF, MIHP), OMH debt service, HPD and PBVs.

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Lace Factory Apartments

- Developer: RUPCO
- Location: Ulster County, Kingston
- TDC: $18.9 million
- 55 units for tenants at or below 60% AMI
- Conversion of the US Lace Curtail Mill
- Underutilized industrial building built in 1903
- Financing from National Park Service; NYS Office of Parks, Recreation and Historic Preservation; NYS HTFC; City of Kingston.
- Fully handicapped accessible
- Includes gallery space for artists, community space, and sculpture garden.

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Oak Creek Town Homes

- Developer: Home Leasing
- Location: Cayuga County, Auburn
- TDC: $15.6 million
- House NY ESD Mitchell Lama
- Preservation of 149 units for tenants with incomes at or below 60% AMI
- Mixed financing utilizing NYSHCR Subsidy, tax-exempt bonds, LIHTC, FHLB
- Renovations include exterior, interior and common area improvements such as: upgraded insulation, energy efficient appliances, windows, HVAC, kitchens, bathrooms, community building, among many others.

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New York Rural Preservation

- Developer: Conifer
- Location: Clinton, Washington, Saratoga, Oswego, & Delaware Counties
- TDC: $23.6 million
- 218 units of family and senior affordable housing located in rural towns at 7 sites.
- Financing from USDA RD, FHLB, and utilizing LIHTC, NYS Rural and Urban Community Investment Fund (“CIF”), RRAP and Project-Based Section 8.
- Exterior replacement, water heaters, light fixtures, appliances, plumbing, concrete, and remodeled handicapped units to meet ADA requirements.

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Priorities

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Priorities

- **Community Renewal and Revitalization:** Mixed use and/or mixed-income projects in neighborhoods as part of a coordinated community redevelopment plan.
- **Integrated Supportive Housing:** Provide permanent supportive housing to a variety of special needs populations, including, but not limited to the homeless, veterans, victims of domestic violence and the disabled.
- **Public Housing Preservation:** Projects that address the needs of public housing units outside the City of New York and assist Public Housing Authorities in completing their restructuring plans.
- **Housing Opportunity:** Projects that propose workforce housing in areas experiencing economic growth that are served by high performing school districts.
- **Workforce Opportunity:** Projects in close proximity to Metropolitan Transit Authority (MTA) rail stations, within a quarter-mile walk of an MTA subway station, in communities with TOD plans, or that are in close proximity to multi-modal transportation centers.

Priorities

- **Mitchell-Lama Portfolio:** Projects that continue the redevelopment or preservation of Mitchell-Lama Housing units.
- **Rural Preservation:** Rehabilitation of projects in rural communities, including projects participating in USDA Rural Development programs or RARP.
- **Disaster Relief:** Support projects in communities directly impacted by Federal Emergency Office declared disasters.
- **Economic Development:** Projects specifically endorsed in the Regional Economic Council Strategic Plans.

Open Window RFP Summary

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Open Window RFP Summary

- Issued April 2016
- Typically for projects seeking bond financing from HFA.
- Some programs available for projects financed with NYC HDC tax-exempt bonds or HPD 9% low income housing credits.
- Preservation programs available on a stand-alone basis.

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Funding Available

Approximately $70,000,000 for Highly Ready Projects:

- New Construction Capital Program
- Supportive Housing Opportunity Program
- Public Housing Preservation Program
- Multifamily Preservation Program
- Middle Income Housing Program

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Funding Available

Up to:

- Homes for Working Families – $26,750,000
- State Low Income Housing Credits – $4,000,000
- Rural and Urban Community Investment Fund - $31,200,000
- House NY Mitchell-Lama Program - $42,000,000
- Mitchell-Lama Loan Program - $13,250,000

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Deadline

- Applications will be reviewed as received and funding determinations will be made throughout the year.

- All applications must be received by March 1, 2017.

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Submission Requirements

- All programs require the “Common Short Form Application”.
- Some programs require a supplemental application form and materials.
- Program applications are in addition to HFA bond application.

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General Eligibility Requirements

Projects seeking tax-exempt bond financing must meet the standard tax-exempt bond and LIHTC low income set aside requirements:

- 20% of the units affordable to households with incomes at 50% or less of AMI
- 40% (25% in NYC) of the units affordable to households with incomes at 60% or less of AMI

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General Eligibility Requirements

Eligible Applicants:

- Not-for-profit corporations or charitable organizations
- Wholly owned subsidiary of such corporations or organizations
- Private for-profit developers

General Review & Scoring Criteria

- Developer Team Experience & Capability
- Readiness
- Financial Feasibility & Efficiency
- Leverage
- Priority Outcomes
- Overall Outcomes
- Regional Economic Development Council Plan

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Application & Review Process

- Pre-Application Meeting prior to Application Submission

Applications Reviewed for:

- Eligibility
- Priorities & Preferences
- Feasibility

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Application & Review Process

Applications Recommended for Funding:

- Credit Committee Approval
- HFA, HTFC and/or Public Authorities Control Board Approvals

Awarded Projects Receive:

- Award Letter
- Commitment Letter and/or SLIHC Reservation Letter

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Programs

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New Construction Program (NCP)

Purpose

- New construction or adaptive reuse of non-residential property
- Households up to 60% of AMI
- Advance housing priorities of New York State

Maximum Request per Housing Unit up to 60% AMI

- New York City: $140,000
- Westchester County & Long Island: $100,000
- Rest of State: $75,000

Additional Requirements and Scoring Criteria

- At least 50% of the units must be under 60% AMI
- Number of 2 Bedroom or Larger Units

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Supportive Housing Opportunity Program (SHOP)

Purpose

- Supportive housing for families, individuals, and/or young adults
- Households up to 60% AMI who are homeless and have one or more disabling or other life challenges
- Unmet housing need as determined by the CoC or local planning entity

Maximum Request per Housing Unit up to 60% AMI

- New York City: $200,000
- Rest of State: $150,000

Additional Priorities and Requirements

- Priority for projects that contain more than 50% supportive units
- Developments must provide an integrated housing environment
- Services and operating award or funded plan acceptable to HCR
- Minimum 40 year regulatory agreement will require the number of units designated as supportive housing will remain so for at least 40 years.

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Public Housing Preservation Program (PHP)

Purpose

- Partnership among HCR, HUD, Federal PHAs outside NYC, and private for profit and non-profit developers
- Address the needs of public housing properties
- Assist PHAs in completing plans to ensure the long term sustainability
- Substantial or moderate rehabilitation and/or the demolition and replacement through new construction

Eligible Applicants

- Federal PHAs or not-for-profit corporations or charitable organizations
- Wholly owned subsidiary of such corporations or organizations
- Private for-profit developers in partnership with a PHA
- State-supported PHAs may apply under MPP

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Public Housing Preservation Program (PHP)

Priority

- Properties approved for RAD1 by HUD

Maximum Request per Housing Unit up to 60% AMI

- $40,000

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Multifamily Preservation Program (MPP)

Purpose

- Substantial or moderate rehabilitation of multifamily rental housing currently under a regulatory agreement or extended use agreement with HCR or another State, Federal, or local housing agency

Priority

- Projects currently supervised or otherwise regulated by HCR

Maximum Request per Housing Unit up to 60% AMI

- $40,000

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Middle Income Housing Program (MIHP)

Purpose

- Development of middle income housing for households up to 130% AMI

Additional Priorities

- Mixed Income Community Revitalization Projects
- Middle Income Stabilization Projects
- Remediated Brownfield Sites

Additional Scoring Criteria

- Number of 2 bedroom or larger units
- Percentage of units between 60% and 130% AMI

Maximum Request

- $5,000,000 per project

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Homes for Working Families (HWF)

Purpose

- New construction or adaptive reuse of non-residential and preservation
- Households that earn up to 60% of AMI
- Advance housing priorities of New York State

Additional Requirements

- More than 50% of the project costs must be financed by Private Activity Bonds
- Up to a maximum of 50% of the units may be affordable to tenants with incomes above 60% of AMI, provided they are financed by other sources

Maximum Request

- $4,000,000 per project

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State Low Income Housing Credits (SLIHC)

Purpose

- Development of middle income housing for households up to 90% AMI
- Dollar-for-dollar reduction in certain New York State taxes to investors in qualified low-income housing which meets the requirements of Article 2-A of the Public Housing Law

Additional Priority

- Projects that would qualify for the maximum number of points under the LIHC or SLIHC scoring criteria for Mixed Income use (i.e. 15% or more of the units targeted to households with incomes above 60% AMI)

Additional Requirements

- At least 40% of units for households whose income is at or below 90% of AMI

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State Low Income Housing Credits (SLIHC)

Scoring Criteria

- Marketing Plan / Public Assistance
- Project Readiness
- Sponsor Characteristics
- Cost Effectiveness
- Financial Leveraging
- Participation of Local Non-Profit Organizations
- Community Impact Revitalization
- Green Building
- Fully Accessible and Adapted Move-In Ready Units
- Individuals with Children
- Persons with Special Needs
- Income Mixture
- Historic Nature of Project
- Housing Opportunity Projects
- MWBE Participation

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State Low Income Housing Credits (SLIHC)

Maximum Request

- $500,000 per project; $750,000 max for projects with a significant number of units targeted to households with incomes above 60% of AMI
- $20,000 per housing unit up to 90% AMI

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Rural and Urban Community Investment Fund (CIF)

Purpose

- Support retail, commercial or community facility components of mixed-use affordable housing developments in urban and rural communities statewide
- Support preservation of existing affordable multifamily housing in rural areas
- 60% of CIF awards will be allocated in “Urban Areas” and 40% in “Rural Areas”

Eligible Projects

- Retail, commercial, or community facility space at an affordable housing project seeking or awarded HCR funding
- Preservation of multifamily affordable housing in rural areas of the State

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Rural and Urban Community Investment Fund (CIF)

Non-Residential Priorities

- Address a critical unmet community need in the development's primary market area
- Ensure the continuation of traditional commercial corridors that would otherwise be disrupted by the development of ground floor residential space
- Community renewal and revitalization

Non-Residential Scoring

- Community Impact/Revitalization
- Leveraging
- Organization Capacity/Experience/Past Performance
- Consistency with Activity Priorities
- Readiness and Implementation

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Rural and Urban Community Investment Fund (CIF)

Residential Priorities

- Finance rural affordable housing on scattered sites with 4% LIHTC
- Rural housing preservation projects receiving Rural Rental Assistance Program (“RRAP”) funds that:
  - Propose a scope of work that extends the useful life of the development by no less than 30 years
  - Demonstrate the rehabilitation and plan of finance will result in a reduction to RRAP funding
  - 90% of the total project costs are directly related to hard costs

Residential Scoring

- Organization Capacity/Experience/Past Performance
- Rehabilitation Investment as Percentage of Total Project Costs
- Affordable Housing Need
- Rehabilitation Needs
- Leveraging
- Readiness and Implementation

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Rural and Urban Community Investment Fund (CIF)

Maximum Request

- The lesser of $1,500,000 per project or the amount needed to ensure that market rents would be sufficient to cover the cost of financing and operating the commercial, retail or community facility space of project
- Up to $2,000,000 per project/$40,000 per unit for projects currently receiving Rural Rental Assistance Program (RRAP) funds

* Required match of 1/3 of the requested funding amount in cash, developer equity, deferred developer fee, donated property, materials or labor and other resources.

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House NY Mitchell Lama Program (HML)

Purpose

- Program for the preservation and improvement of a 44-property portfolio of Mitchell-Lama project loans to ensure long-term affordability through refinancing and subsidy for capital improvements and property upgrades

Eligibility

- Projects must be one the Mitchell-Lama properties listed on the 2014 Request for Proposals for Mitchell-Lama Projects

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Mitchell Lama Loan Program (MLLP)

Purpose

- Provides funds for the preservation and improvement of both rental and cooperative Mitchell-Lama properties located in New York State and supervised either by the City of New York or State of New York

Eligibility

- Rental and cooperative Mitchell-Lama properties located in New York State and supervised either by the City of New York or State of New York

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Project Based Vouchers

HCR may offer a very limited amount of Project Based Voucher (PBV) assistance, depending on availability, for proposed projects seeking the following sources under this RFP:

- NCP, SHOP, PHP, MPP, HWF, CIF (rural preservation only), HML, MLLP, & SLIHC

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Guidance on Applications

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Source Guidance

- Apply for only the total amount of resources necessary for feasibility.
- Secure resources from other agencies, private and government sources.
- HCR reserves the right to reject projects that exceed reasonable costs.
- Applications not graded until complete and project demonstrates readiness.

Source Guidance

- Per-project or per-unit maximum under one program only.

- Additional subsidy from other programs may be considered based upon nature of project and underwriting.

- Units that qualify for subsidy under one program may not also be used to qualify for additional programs.

- Applicants applying for maximum should justify:
  - high construction costs due to historic preservation requirements
  - other leveraged sources are not available for the project
  - the impact of prevailing wage costs
  - high acquisition costs
  - high site redevelopment

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Source Guidance

- Integrated Supportive Housing Projects should use:
  - SHOP for supportive housing units
  - NCP for other units under 60% AMI

- Mixed Income Projects should use:
  - NCP for units under 60% AMI
  - SLIHC for units between 60% and 90% AMI
  - MIHP for units between 90% and 130% AMI

MWBE & SDVOB

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Minority & Women-Owned Business Enterprise (MWBE)
Service-Disable Veteran-Owned Business Enterprise (SDVOB)

- Executive Law Article 15A was signed into law to promote equal employment opportunities for minority groups and business opportunities on state contracts for minority and women-owned businesses.
- Executive Law Article 17B was signed into law, to expand opportunities for Service-Disable Veteran-Owned Business Enterprises, through increased participation on state contracts.
- Preference in awards will be given to applications which include NYS-certified MWBEs as part of the development team and SDVOB utilization on the proposed project.
- All development projects must comply with HCR's MWBE participation requirements.
- Participation goals are established based on county/region of the state and availability.

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Minority & Women-Owned Business Enterprise (MWBE)
Service-Disable Veteran-Owned Business Enterprise (SDVOB)

- HCR encourages developers to consider soft cost when trying to achieve maximum MWBE participation, such as: title companies, insurance, legal, architects, security.

- Awards decisions include consideration of applicant's past and current performance, which also includes MWBE performance.

- HCR fully supports these efforts and HCR's Office of Economic Opportunity & Partnership Development, under the leadership of Wanda Graham, has as a mission to coordinate utilization, monitor compliance and report results on both Article 15A and Article 17B requirements.

- Visit the Economic Opportunity Corner on the agency's website for more information or email the office at econ.opportunity@nyshcr.org.

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Fair Housing

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Overview

- Under the Governor's Leadership, HCR established a new Fair and Equitable Housing Office (FEHO) in January 2015.
- FEHO seeks to ensure that New Yorkers have an equal opportunity to live in housing they desire and can afford regardless of their status under non-discrimination laws.
- The Office provides technical assistance to help ensure compliance with federal and New York State fair housing laws.

Fair Housing Laws and Who is Protected

- In New York State it is unlawful to discriminate based on: race, color, religion, national origin, sex, disability, familial status, age, marital status, military status or sexual orientation.

- Unlawful housing discrimination also includes the refusal to make reasonable accommodations for people with disabilities, or the failure to build certain multi-family housing so that it complies with accessibility building guidelines.

- Source of Income is a protected class in New York City, Buffalo, Hamburg, West Seneca, as well as Nassau, Westchester and Suffolk counties.

Affirmative Fair Housing Marketing

- Applicants marketing multifamily developments must create an Affirmative Fair Housing Marketing Plan (AFHMP) and carry out an affirmative program to attract prospective tenants not likely to apply for the housing without special outreach efforts.

- While these obligations sit with the applicants, Marketing Plans for developments will be reviewed in the future by the Fair and Equitable Housing Office as to their promotion of fair housing choice and racial and economic integration in housing funded by New York State.

- HCR is launching a new online template for submitting marketing plans in order to streamline and standardize the process.

Re-Entry Guidelines

- HUD recently released guidance stating that an automatic rejection policy concerning individuals with criminal convictions could make a housing provider liable under the Fair Housing Act.

- HCR's Re-Entry Guidelines provide guidance for applying New York State's antidiscrimination policies when assessing applicants for state-funded housing who have criminal convictions.

- These guidelines require housing providers to conduct an individualized assessment when determining an applicant's eligibility.

- Education, including a webinar, will be provided.

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Section 3

- Section 3 of the Housing and Urban Development Act of 1968 (Section 3) and implementing regulations ensures that employment, training and contracting opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be directed to low-and very low-income persons.

- Section 3 is a means by which HUD fosters neighborhood economic development and individual self-sufficiency.

- Any Unit of Local Government (UGLG) awarded an amount triggering Section 3 must comply with all Section 3 Requirements. This obligation is automatically passed down to the UGLG's contractors/subcontractors if they are awarded an amount that triggers Section 3.

- <u>Section 3 is the LAW, it is not an option.</u>

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Section 3 Triggers

- The requirements of Section 3 apply to awardees of State- administered Federal Funds (CDBG/HOME Capital and LPA) who are required to hire new employees due to an award in excess of $200k.
- In addition, all recipients receiving funds in excess of $100k to complete housing construction projects are also required to comply with Section 3 requirements.

- Section 3 minimum numerical goals are:
  - At least 30% of all new employees hired must be Section 3 residents; and
  - At least 10% of the total dollar amount of all Section 3 covered contracts for housing rehabilitation, construction and other public construction should be granted to eligible Section 3 Businesses; and
  - At least 3% of the total dollar amount of non-construction contracts should be granted to Section 3 Businesses

- All Public Housing Authority Funds are subject to Section 3.

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Contact for Further Questions

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Director

Fair and Equitable Housing Office

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Green Building Requirements

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Current Green Standards

Green & Energy Conservation Certification addressing:

- Direct Energy Usage
- Building Envelope
- Environmental Landscaping
- Water Conservation
- Radon Reduction
- Asbestos

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Green Standards Effective January 2017

Project must comply with one of the following standards:

- Enterprise Green Communities Criteria
- Passive House Institute Standard
- National Green Building Standard
- Leadership in Energy and Environmental Design (LEED)

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Benchmarking

- Must track and report utility usage data through an automatic electronic benchmarking service and share with U.S. Dept. of Energy Portfolio Manager designated by HCR.

- New construction project benchmarking:
  - Begins the month after stabilized occupancy is achieved
  - Continues through duration of regulatory agreement

- Preservation project benchmarking:
  - Must submit benchmarking data on all buildings in the project for 2 full years prior to HFA application.
    - Green Physical Needs Assessment to indicate inefficiencies addressed in proposed scope of work
  - During construction through duration of regulatory agreement

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Contacts and Technical Assistance

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Open Window Technical Assistance Contacts

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Questions / Discussion

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