

Multifamily Unified Funding RFP

Record of Revisions August 31, 2016:

Page 3 – in Section I.A. General Information 1. CIF Requests, the following language has been added “A project which meets the requirements of the Rural Preservation Project Early Award Initiative may submit a standalone CIF application during the Standard Round.”

Page 3 – in Section I.A. General Information the statement regarding the pre-application conference to discuss project acquisition costs if “(b) the appraisal supporting the acquisition cost relies on comparable sales data that includes properties *outside the market area of the project*” should read “(b) the appraisal supporting the acquisition cost relies on comparable sales data that includes properties *well outside of the real estate sales market for the proposed site*”.

Page 7, 26 and 28 – in Section I.B. New for UF 2016 and Section IV. New York State HOME Program, a HOME Program Advisory has been added regarding the required use of HOME as a construction financing source for projects also financed with 9% LIHC. The HOME Program term sheet has been revised accordingly.

Page 54 – in Section V.A. General Requirements for Funding Round 2. Market Study/Market Analysis Requirements d. Market Study Requirements for Co-operative/Condominium Projects, the last sentence has been deleted.



Homes and Community Renewal

Multifamily Programs Unified Funding

Request for Proposals

for Projects Financed by

9% Low-Income Housing Credit
New York State Low-Income Housing Tax Credit
Low-Income Housing Trust Fund Program
New York State HOME Program
Supportive Housing Opportunity Program
Middle Income Housing Program
House NY Mitchell-Lama Program
Rural and Urban Community Investment Fund
Rural Area Revitalization Program
Housing Development Fund
Section 8 Project Based Vouchers

August 2016

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I. Introduction

A. General Information

This RFP and other NYS Homes and Community Renewal competitive grants and programs form the foundation for Governor Cuomo's unprecedented \$20 billion commitment to financing affordable housing, community renewal and the State's Homelessness Action Plan. Beginning with the 2016-17 State budget, over the next five years, \$10 billion will be devoted to creating and preserving 100,000 affordable housing units across the State, and another \$10 billion will fund 6,000 new supportive housing units, 1,000 emergency shelter beds, and expanded services for homeless New Yorkers.

New York State Homes & Community Renewal (HCR) seeks proposals for the preservation and creation of high quality affordable housing throughout the State by investing certain resources of the agency identified herein. HCR, acting through the Division of Housing and Community Renewal (DHCR), the New York State Housing Finance Agency (HFA), and the Housing Trust Fund Corporation (HTFC), invites you to apply for these housing resources through this Unified Funding (UF) 2016 Multi-Family Programs Request for Proposals (RFP). This RFP describes the programmatic and submission requirements for the following UF Programs: the Low-Income Housing Credit Program (9% LIHC), the New York State Low-Income Housing Tax Credit Program (SLIHC), the Low-Income Housing Trust Fund Program (HTF), the New York State HOME Program (HOME), the Supportive Housing Opportunity Program (SHOP), the Middle Income Housing Program (MIHP) and the House NY Mitchell-Lama Program (ML).

Applicants may also apply for the Rural and Urban Community Investment Fund (CIF), Rural Area Revitalization Program (RARP), and Housing Development Fund (HDF) funds, as well as Section 8 Project Based Vouchers, subject to the following restrictions:

1. CIF Requests: With the exception of the Early Award project type ‘Rural Preservation Projects’, CIF funds must be requested in conjunction with one of the UF Programs listed at the top of this RFP. RARP funds may NOT be requested in conjunction with CIF. CIF funds may be requested as a standalone funding source ONLY for the Rural Preservation Project Early Award Initiative. A project which meets the requirements of the Rural Preservation Early Award Initiative may submit a standalone CIF application during the Standard Round.

2. RARP Requests: These funds may only be requested if you are also requesting HTF, HOME, 9% LIHC, and/or SLIHC funds. You may not request RARP funds in conjunction with CIF or ML funds. Applications may not be submitted under this RFP for standalone RARP requests.

3. HDF Requests: These funds may only be requested in conjunction with HTF and/or HOME funding, and may only be used as a construction financing source.

Under this RFP, applicants may only apply for funding for the new construction, rehabilitation, or adaptive reuse of site-specific projects that provide multi-family housing.

This RFP explains the process by which HCR will accept and evaluate applications. While much of the application process is identical for all programs, each program has distinct evaluation criteria, and the review steps may vary. At the end of the funding round, unsuccessful applicants may request an exit conference with HCR staff to review their application. Applicants may request technical assistance with application preparation prior to the application deadline, and are encouraged to contact HCR as early in the application preparation process as possible due to time constraints. Please note, in some cases, applicants are required to schedule pre-application conferences depending on the source of funds being requested, population served, or if they are contemplating submission of an Early Award application. In addition, applicants are strongly encouraged to schedule a pre-application conference with HCR to discuss project acquisition costs if: (a) there is an identity of interest between the buyer and seller; (b) the appraisal supporting the acquisition cost relies on comparable sales data that includes properties located well outside of the real estate sales market for the proposed site; or (c) the proposed project is part of a planned multi-phase development.

HCR reserves the right to award all, a portion of, or none of the program funds based upon funding availability, feasibility of applications received, site suitability, the competitiveness of the applications, the applicant’s ability to meet HCR criteria for funding described in this RFP, the applicant’s ability to advance the State’s housing goals, and HCR’s assessment of cost reasonableness. HCR further reserves the right to review an application requesting project funds as an application for funding under other programs for which the project is eligible, and to

change or disallow aspects of the applications received. HCR may make such changes an express condition of its commitment to fund the project.

HCR will also carefully consider the capacity of development teams to undertake more than one project within a single funding round. HCR will consider making more than one award to the same developer or development team within a single round based on the past performance of the developer or development team. The agency will also take into account the extent to which the project advances State housing goals articulated in this RFP. In reviewing multiple requests within a single funding round from the same developer or development team, HCR will also consider whether that developer or development team is currently engaged in projects relying on 4% LIHC and tax-exempt bonds.

Please note that applicants are obligated to inform HCR if there are any material changes to applications subsequent to submission.

In order to ensure that applicants seek the most competitive financing terms available based on current market conditions, HCR will not accept applications for LIHC and/or SLIHC financing that include tax credit investment firms, tax credit syndication firms, or any lending institutions, or any of their related or affiliated entities, as general partner of the limited partnership or as the managing member of the limited liability corporation which will own or otherwise participate in the development and/or management of a proposed project if those entities also intend to participate in the financing of the project. The general partner of the limited partnership or managing member of the limited liability corporation may have no identity of interest with the limited partner participating in the project. Projects which propose this financing and/or ownership structure will be deemed ineligible for 9% LIHC funding.

In addition, be advised that all project applications approved for financing under a Housing Trust Fund Corporation administered program are subject to the State Smart Growth Public Infrastructure Act (Chapter 433 of the Laws of 2010):

<https://legiscan.com/NY/text/A08011/id/45591>

Section 2040.3(e) of the DHCR 9% LIHC QAP establishes threshold eligibility requirements for the 9% LIHC and SLIHC programs, including a requirement that development teams can not include anyone who has participated in a publicly assisted program or project that has unresolved compliance issues or has otherwise been deemed in default by the funding agency. Consistent with this threshold eligibility requirement, HCR may find applications ineligible for funding under this RFP if the proposed development team includes developers, owners and/or managers of a project with overdue HTFC debt service payments that have not been fully repaid, corrected or otherwise resolved as determined by HCR's Asset Management Unit.

Applicants proposing rehabilitation of occupied buildings must request a site visit from HCR's Architecture and Engineering Bureau to observe the building's existing condition, and to discuss proposed renovations PRIOR to submission of the application. Requests for

site visits must be made no later than 30 days prior to the application deadline under which the applicant intends to submit. At a minimum, a draft physical needs assessment form must accompany this request. Projects which are requesting 9% LIHC or SLIHC only must use application Attachment B6. Projects which are requesting HTF, HOME, or CIF funds from HCR, with or without 9% LIHC or SLIHC, must use the HTFC physical needs assessment form, application Attachment B13, instead. Projects that propose a substantial, gut-rehabilitation, that will be replacing all existing systems with new, are not required to submit a physical needs assessment form for this visit, or with the application. Such proposals shall provide a preliminary set of design documents with the site visit request.

B. New for UF 2016

There are several important changes to the RFP for UF 2016. Below is a list of the most significant changes.

1. Low-Income Housing Credit Program: 2016 Small Area Difficult Development Area and Qualified Census Tract Designations

As of July 1, 2016, pursuant to a Federal Register notice issued by the U.S. Department of Housing and Urban Development (HUD) dated November 24, 2015, new Difficult Development Area (DDA) and Qualified Census Tract (QCT) designations will become effective for all LIHC project applications submitted after that date. The new DDAs are also termed “Small Area Difficult Development Areas” (SADDA’s). See Section IV. 9% LIHC term sheet, 9% LIHC Advisory below for additional information.

2. New Capital Application Deadlines

In addition to the deadlines for UF 2016 Early Award Projects on Thursday, October 6, 2016 and standard UF 2016 Capital Applications on Wednesday, December 7, 2016, there is an additional deadline for Early Round Empire State Supportive Housing Initiative Projects (ESSHI) on Tuesday, November 8, 2016.

3. Supportive Housing Opportunity Program (SHOP)

Up to \$150 million in SHOP funds are being made available as part of this RFP. This program will be coordinated with other New York State agencies to combat homelessness by providing 6,000 new supportive beds and services over the next five years. SHOP will provide financing assistance for site acquisition, hard costs and related soft costs associated with the new construction or the adaptive reuse of a non-residential property to provide affordable supportive housing with on-site social services. Please see the SHOP term sheet for more details.

4. 9% LIHC Set-Asides

Empire State Supportive Housing Initiative Projects (ESSHI) can now qualify for the 9% LIHC Supportive Housing Set-Aside. In order to qualify for the set-aside, ESSHI projects must have received a Conditional Award Notification through the Empire State

Supportive Housing Initiative, Inter-Agency Service and Operating Funding Opportunity RFP. Please see the LIHC term sheet, 9% LIHC Set-Asides for more information.

5. Historic Buildings

Because of the complexity and potential risks associated with the redevelopment of historic sites, HCR recommends that prospective applicants fully evaluate such sites and obtain a fully executed Part I Form from the National Parks Service prior to submitting an application under this RFP. An applicant's ability to provide this form will be considered in the readiness review.

6. Brownfield and Historic Tax Credit Worksheet

In order to better evaluate project applications that anticipate the use of Brownfield and/or Historic Tax Credits, all applicants proposing projects utilizing either of these tax credits must complete Attachment D8 - Brownfield Redevelopment and/or Historic Tax Credit Worksheet.

7. Davis Bacon Worksheet

All applicants proposing project budgets based upon Davis Bacon wage rates must complete the DBA worksheet and DBA SUM tabs in Attachment B2 - Construction Cost Estimates.

8. Streamlined LIHC/SLIHC Documents

HCR has streamlined preparation and issuance of allocation and regulatory documents for UF 2016 projects selected for awards of both 9% LIHC and SLIHC. Such projects will receive one combined Reservation letter, Binding Agreement (if requested), Carryover Allocation and one Regulatory Agreement specifying the requirements, terms and conditions under both the 9% LIHC and SLIHC Programs.

9. Green Building Scoring

Green Building Scoring has been modified to provide incentives for higher levels of energy performance. Certification levels required for projects participating under LEED or the National Green Building Standard green building programs were raised to the "silver" level to coincide with increased energy performance requirements that will be required under the new State Energy Code. The maximum amount of points available under the Green Building scoring criteria will be provided to projects choosing to follow one of the two Passive House programs referenced in the Green Building Scoring section. Maximum points may also be allotted for moderate rehab preservation projects choosing to follow the highest tier of NYSERDA's Comprehensive Option for Multifamily Affordable Buildings. The amount of points provided will be dependent on the level of energy savings to be achieved. Please see the Green Building Scoring section of the RFP for more information.

10. HOME Program Advisory

Effective for UF 2016 projects, all projects financed with both 9% LIHC and the NYS HOME Program will be required to use HOME funds as construction financing. Please see the HOME Program Term Sheet, HOME Program Advisory for more information.

II. Application Submission Deadlines & Additional Submission Information**A. Application Submission Deadlines**

Applications for capital project funding are submitted using the Community Development Online (CDOL) Application System, located on the HCR website at:

www.nyshcr.org/Apps/CDOnline/.

Printable instructions and screen shots of the CDOL Exhibits for the UF 2016 CDOL application will be available on the HCR Website at:

www.nyshcr.org/Funding/UnifiedFundingMaterials/2016/.

UF 2016 will have three Capital Application deadlines. The first deadline will be for Early Award Projects, which meet criteria set forth in Section III of this document. The second deadline will be for Early Round Empire State Supportive Housing Initiative Projects (ESSHI), which meet the criteria set forth in Section III of this document. The third deadline is for all other capital projects.

Applications for Early Award Projects must be completed and submitted by 5:00 PM on Thursday, October 6, 2016. Applications for Early Round ESSHI Projects must be completed and submitted no later than 5:00 PM on Tuesday, November 8, 2016. All other UF 2016 Capital Applications must be completed and submitted by 5:00 PM on Wednesday, December 7, 2016. In the event an application does not receive an Early Award for an application submitted pursuant to either the October 6th or November 8th deadline, the application may be considered by HCR for an award as part of later funding round decisions.

Prior to application submission, HCR project management, underwriting and design staff will be available to answer questions from prospective applicants. As noted above, applicants are strongly encouraged to schedule a pre-application conference with HCR to discuss project acquisition costs if (a) there is an identity of interest between the buyer and seller; (b) the appraisal supporting the acquisition cost relies on comparable sales data that includes properties outside the market area of the project; or (c) the proposed project is part of a planned multi-phase development. Regional Offices are listed in Section VII of this document. After submission of a UF 2016 capital application, unsolicited contact with HCR staff by applicants or any member of the project's development team is not permitted until after funding notifications have been made.

Prior to the applicable application deadlines, prospective applicants may submit questions to UnifiedFunding@nyshcr.org. Answers to questions submitted by email will be posted on the UF 2016 webpage.

B. Additional Submission Information/Materials

This RFP provides only some of the information and materials necessary for application preparation. Additional materials will be available on HCR's website at: www.nyshcr.org/Funding/UnifiedFundingMaterials/2016/, except as where noted below.

These include:

1. UF 2016 Capital Application, available at: www.nyshcr.org/Apps/CDOnline/;
2. Printable instructions for the UF 2016 Capital Application Exhibits and Attachments, including screen shots of the CDOL Exhibits;
3. Design Handbook;
4. Capital Programs Manual (CPM);
5. DHCR's 9% LIHC Qualified Allocation Plan (QAP);
6. DHCR's SLIHC Regulation – 9 NYCRR Part 2040.14;
7. UF 2016 Reference Materials;
8. UF 2016 Capital Application Workshop Presentation; and,
9. Pre-Qualified Market Analysts List.

III. Early Award Applications

A. General Information

HCR seeks to encourage high quality, high readiness projects that advance specific New York State housing goals by providing an accelerated application and review process as part of UF 2016. In addition to meeting the general application requirements described in the RFP, Early Award applications will need to satisfy additional conditions and requirements not required of UF 2016 applications generally, including an earlier application submission deadline and a mandatory pre-application conference with HCR staff.

Applications satisfying the conditions and requirements for Early Awards will be provided an accelerated review and will be rated and ranked compared only to other Early Award applications that advance the same policy goal, subject to the other funding considerations described in the UF RFP. In the event that an application does not receive an early funding award, the application may be considered by HCR for an award as part of later funding round decisions.

In addition to satisfying the conditions and requirements generally applicable to all UF 2016 applications, applicants for Early Awards must also:

1. Submit a complete application by 5:00 PM, October 6, 2016, or by 5:00 PM, November 8, 2016 for ESSHI Projects;
2. Demonstrate that the project will be able to proceed to construction within 120 calendar days of award, or within 180 days of award if the proposed project is located in the City of New York. In evaluating a project's readiness to proceed to construction, HCR will consider the development team's past performance in the delivery of units on time and on-budget in addition to project-specific indicators such as status of local approvals, relative complexity of the proposed transaction, including whether a project must comply with National Environmental Policy Act (NEPA) requirements, and status of financing commitments; and,
3. Provide documentation demonstrating that the application proposes a project that will clearly advance at least one State housing goal described below in Section B. Applications that advance more than one housing goal will be given preference.

B. Early Award State Housing Goals

In order to be eligible for an Early Award, applications must advance at least one of the following State housing goals:

1. Revitalization and Economic Development Goals

a. Priority Projects Identified in Regional Economic Development Plans

These applications will propose affordable housing projects that have been specifically endorsed in Regional Economic Development Council Strategic Plans and for which significant financial assistance has been made available as part of such plans.

b. Mixed-Income/Mixed-Use Revitalization

These applications will propose mixed-income projects in mixed-use neighborhoods that involve:

- the use or adaptive reuse of existing underutilized buildings;
- infill new construction; and/or,

- the demolition and replacement of buildings that are having a blighting impact on a community and for which rehabilitation is impracticable.

Applications must clearly demonstrate that the project is part of a neighborhood-specific revitalization effort that has been developed with significant community and local government involvement. Applications must clearly demonstrate community support of the proposed project, as evidenced by commitment of local resources and local actions that have been taken or will be taken in support of the project. In order to be considered mixed-income, applications must target households at incomes above federal LIHC limits.

Preference under this State housing goal will be given to applications that:

- demonstrate site control of land acquired through Land Banks, established pursuant to Article 16 of New York State Not-for-Profit Corporation Law, in neighborhoods that have experienced a high incidence of abandoned, “zombie” properties;
- propose a retail or community service component that will address an unmet community need identified in a neighborhood-specific revitalization plan;
- propose a project resulting in the cleanup and redevelopment of property that has been determined to be eligible to participate in the New York State Brownfield Cleanup Program (BCP). In order to be eligible for this preference, applications must propose a plan of finance that fully utilizes all BCP tax credits generated from the cleanup and redevelopment of the property;
- propose a project that is part of a neighborhood specific revitalization plan that also includes the development of new affordable homeownership units and/or the rehabilitation of existing owner-occupied housing; and/or,
- propose a project located in a community that is participating in Governor Cuomo’s Community, Opportunity, Reinvestment (CORe) Initiative, which aligns State support with local needs while supporting successful community-based efforts, so that the State can do a better job allocating resources to make measurable and sustained progress in improving high-need communities.

2. Supportive Housing Goals

a. Empire State Supportive Housing Initiative Projects (ESSHI)

These applications will propose Supportive Housing Projects that have received Conditional Award Notifications through the Empire State Supportive Housing Initiative, Inter-Agency Service and Operating Funding Opportunity RFP.

b. New York/New York Projects

Applicants must demonstrate they have secured a commitment of NY/NY III service and operating subsidy for at least 25% of the project's total units.

3. Workforce Opportunity Goals**a. Housing Opportunity Projects**

These applications will propose workforce family housing in areas experiencing economic growth that are served by high performing school districts. Projects must be located in areas that have stable or growing tax bases, and must also be in close proximity to public transportation (half-mile safe walking distance which includes sidewalks and pedestrian traffic controls at any major street intersection with regularly occurring public transportation, for example, a once a week stop would not be considered regularly occurring), child care, and employment opportunities. Proposed projects must include a significant percentage of two and three or more bedroom units. Applications that clearly advance this goal will be eligible for a 130% LIHC basis boost authorized by the Housing and Economic Recovery Act of 2008.

b. Transit Oriented Development (TOD)

These applications will propose workforce housing projects in close proximity to Metropolitan Transit Authority (MTA) rail stations outside the City of New York, or within a half mile safe walking distance (including sidewalks and pedestrian traffic controls at any major street intersection) of an MTA subway station within the City of New York; or, which are in communities that have completed and are implementing TOD plans that clearly link the proposed project to expanded transportation choices for tenants; or, which are in close proximity to multi-modal transportation centers that will contribute to the development of vibrant, mixed-use, high-density neighborhoods through the adaptive reuse of non-residential buildings or through infill development.

4. Affordable Housing Preservation Goals**a. Mitchell Lama Portfolio Projects**

Applications that propose the redevelopment/preservation of Mitchell Lama housing units transferred from NYS Empire State Development Corporation (ESDC) to NYS, as part of Governor Cuomo's \$1 billion House NY Program. Applications must demonstrate the refinancing and preservation of the units would not be feasible as part of a plan of finance that relies on 4% LIHC/tax exempt bonds without additional HCR subsidies in excess of typical HCR amounts made in connection with such financing. Applicants under this goal must demonstrate successful prior experience in the management of affordable housing properties (with preference for Mitchell Lama properties) and must maximize the use of all non-HCR resources available for the redevelopment and preservation of this housing portfolio.

b. Rural Preservation Projects

These are applications that propose the rehabilitation of projects currently receiving Rural Rental Assistance Program (RRAP) funds. Applications must propose a scope of work that extends the expected useful life of the project by no less than 20 years and satisfies heightened energy efficiency standards specified by HCR in this RFP. Successful applications must demonstrate that the rehabilitation will be undertaken as part of a plan of finance that will result in ongoing reductions of RRAP funding, and that at least 90 percent of the proposed total development costs will be directly related to physical improvements that will extend the useful life and improve the habitability and energy efficiency of the project. The only source of funding that may be requested under this goal is CIF. Requests are limited to \$2 million per project in CIF funds, and \$40,000 per unit, and must satisfy all CIF program requirements described in this RFP.

c. Public Housing Redevelopment Projects

These applications must propose the gut rehabilitation and/or demolition and replacement of substandard public housing outside the City of New York.

IV. Program Announcements/Initiatives

Low-Income Housing Credit Program (9% LIHC)

Low-Income Housing Credit Program (9% LIHC): The Low-Income Housing Credit Program (9% LIHC) provides a dollar-for-dollar reduction in federal tax liability to investors partnering with project sponsors in the development of qualified low-income housing that meets the statutory requirements of Section 42 of the Internal Revenue Code (IRC).

9% LIHC is available to project owners who acquire, construct, and/or rehabilitate rental housing that is reserved for low-income households. The amount of credit allocated to a project is directly related to the costs associated with the acquisition, new construction and/or rehabilitation of rental housing that is reserved for low-income households per Section 42 of the IRC.

Applicants requesting 9% LIHC are referred to Section 42 of the IRC and are advised to carefully review the DHCR 9% LIHC Qualified Allocation Plan (QAP) before submitting an application. The QAP includes program definitions, threshold eligibility review criteria, project scoring and ranking criteria, clarifications regarding DHCR's allocation process, certain project underwriting criteria and provisions regarding project monitoring requirements. Applicants are advised that a pre-qualified market study firm must be used to prepare the professional market study required for all 9% LIHC applications submitted for projects located outside of the City of New York. Both the QAP and the Pre-Qualified Market Analysts list are available at: www.nysdcr.org/Funding/UnifiedFundingMaterials/2016/.

Applications proposing projects in the City of New York must include a market analysis utilizing data from the most recent edition of the New York City rent guidelines board report.

FY 2016-17 Anticipated Amount Available	Up to \$28,000,000.
Per Project Maximum Award	Up to \$1.43 million per project annual 9% LIHC allocation with the following exception: up to \$1.65 million may be requested for projects in which 50% or more of the units have three or more bedrooms to serve large families (defined as households with five or more persons).
Per Residential Unit Maximum Award	Up to \$22,000 per unit.
Interest Rate and Loan Terms	N/A

Construction and/or Permanent Financing	N/A
Eligible Uses	Residential only or residential with Community Service Facility (9% LIHC only); new construction, building acquisition with rehabilitation, and rehabilitation.
Priorities	ESSHI and Supportive Housing 9% LIHC Set-Aside. See 9% LIHC Set-Aside Information below.
Scoring Criteria	Community Impact/Revitalization (15), Financial Leveraging (13), Sponsor Characteristics (10), Green Building (5), Fully Accessible and Adapted, Move-In Ready Units (5), Affordability (5), Individuals with Children (5), Marketing Plan/Public Assistance (5), Project Readiness (10), Persons with Special Needs (5), Participation of Non-Profit Organizations (4), Mixed Income (5), Historic Nature of Project (3), Cost Effectiveness (5), Housing Opportunity Projects (3) and Minority and Women Owned Business Enterprise Participation (2).
Area Median Income (AMI) Restrictions	Low-income households earning up to 60% of AMI. Must meet one of the following income related occupancy requirements: 1) 20% of the units must be set-aside for households earning 50% or less of AMI; 2) 40% of the units must be set-aside for households earning 60% or less of AMI; or 3) 25% of the units must be set-aside for households earning 60% or less of AMI where allowable under the IRC (i.e., New York City only).
Eligible Applicants	Not-for-profit developers, for-profit developers, individuals, corporations, limited partnerships, and limited liability corporations.
Regulatory Agreement Requirements	50 years
Additional Regulatory Criteria	N/A
Geographic Targeting	Awards will promote a statewide geographic distribution of this financing.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a "No Impact" determination from the State Historic Preservation Office.

Design Guidelines	Must meet design requirements indicated in the QAP in addition to the requirements referenced in this RFP.
Marketing Plan Requirements	Must meet HCR's Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	None; optional per M/WBE scoring criteria.
Application Fee	\$3,000 at application submission with the following exception: not-for-profit applicants (or their wholly-owned subsidiaries) which have not received HCR capital funding since 2012 and which will be the sole general partner (or co-general partner with another non-profit) or the partnership/project owner or the sole managing member (or co-managing member with another non-profit) of the limited liability company/project owner. Such sponsor may request a deferral of payment until the time of credit allocation and such deferral requests must document applicant financial hardship, no HCR funded projects since 2012 and inability to remit the application fee at the time of application. Deferral request must be submitted no later than one month in advance of the appropriate application due date. Written application deferral approvals granted by HCR must be appended to the application (see the UF 2016 Capital Application Instructions for Attachment F2 for fee submissions instructions). Send deferral requests to: Mr. Arnon Adler, Tax Credit Program Manager, NYS HCR Hampton Plaza, 6 th Floor South, Albany, NY 12207. Arnon.adler@nyshcr.org
Monitoring and Service Fees	Monitoring fee of .5% multiplied by the maximum restricted rents of the low income units.
Deadline	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.

9% LIHC Set-Asides

HCR expects to set-aside a total of \$4 million of the available UF 2016 9% LIHC for the Empire State Supportive Initiative Housing Projects (ESSHI) and Supportive Housing Projects Set-Aside. DHCR may exceed this set-aside amount depending upon the number of competitive and feasible Supportive Housing applications received.

a. Empire State Supportive Housing Initiative Projects (ESSHI)

In order to qualify for this set-aside, applicants must demonstrate (a) they have received a Conditional Award Notification through the Empire State Supportive Housing Initiative,

Inter-Agency Service and Operating Funding Opportunity RFP to fund appropriate services for the targeted population; (b) the proposed project gives preference in tenant selection to persons with special needs for at least 30% of the project units; and (c) the project satisfies the definition of supportive housing in Section 2040.2(u) of the QAP, provided however that applicants may satisfy the capital financing requirement in that definition by requesting SHOP funds through the UF process pursuant to this RFP.

b. Supportive Housing Projects

A Supportive Housing Project, as defined in Section 2040.2(u) of the QAP and this RFP, is a project that gives preference in tenant selection to persons with special needs for at least 25% of the project units. Persons with special needs for the purposes of this set-aside are defined in Section 2040.2(p) of the QAP. To be considered a Supportive Housing Project under the set-aside, an application must:

- i. document the need for housing for the targeted population within the primary market area (may include a service plan developed by the agency serving the targeted population);
- ii. provide a comprehensive service plan and an agreement in writing with an experienced service provider that ensures the delivery of appropriate services for which a documented need exists for the targeted population;
- iii. propose a project site in close proximity to public transit service, or include a transportation plan as a component of the comprehensive service plan to ensure access to necessary services;
- iv. include a provision for an ongoing rental subsidy or other form of subsidy to ensure rents paid by the targeted population remain affordable;
- v. demonstrate a firm commitment for capital financing from a governmental agency serving the proposed target population;
- vi. identify a public agency or experienced service provider with which a written agreement has been executed to refer eligible persons and families for the targeted units; and,
- vii. the project must provide an integrated setting that enables individuals with disabilities to live independently and without restrictive rules that limit their activities or impede their ability to interact with individuals without disabilities.

Please note that any applicant considering a project that would give preference in tenant selection to persons with special needs for 50% or more of a project's bedrooms are required to schedule a pre-application conference with HCR, and the State, federal and/or local agency that is providing the funding for appropriate services. The purpose of this

conference is to explore whether the contemplated project is consistent with the Olmstead decision.

9% LIHC Program Advisory

1. 2016 Small Area Difficult Development Area Designations and Qualified Census Tracts

As of July 1, 2016, pursuant to a Federal Register notice issued by the U.S. Department of Housing and Urban Development (HUD) dated November 24, 2015, new Difficult Development Area (DDA) and Qualified Census Tract (QCT) designations will become effective for all LIHC project applications submitted after that date. The new DDAs are also termed “Small Area Difficult Development Areas” (SADDA’s).

The new DDA designations are based on a ZIP-Code rather than a county basis. This change may negatively impact projects located in certain parts of metropolitan areas, like New York City, Westchester and Rockland Counties, and other non-urban counties, which previously were designated as DDAs through 2015 and could have previously qualified for the 30 percent boost in eligible basis available to such projects, based on demonstrated need. (Projects in 2016 QCTs also may qualify for the 30 percent boost in eligible basis). However, the new DDA designations may benefit projects in some qualified ZIP-code based DDAs in counties which were not designated as DDAs in 2015.

Prospective applicants are referred to the 2016 DDA and QCT Federal Register Notice, available at: <https://www.federalregister.gov/articles/2015/11/24/2015-29953/statutorily-mandated-designation-of-difficult-development-areas-and-qualified-census-tracts-for-2016#h-11> and the HUD User website, which provides a list of the specific 2016 DDAs and QCTs, available at: <https://www.huduser.gov/portal/datasets/qct.html>.

New York State Low-Income Housing Credit Program (SLIHC)

New York State Low-Income Housing Tax Credit Program (SLIHC): SLIHC provides a dollar-for-dollar reduction in certain New York State taxes to investors partnering with project sponsors in the development of qualified low-income housing that meets the statutory requirements of Article 2-A of NYS Public Housing Law and which also has received an allocation under the criteria and procedures established in the SLIHC Regulation, Section 2040.14. The SLIHC Regulation is included with the UF 2016 Materials.

Please note that HCR has also made approximately \$4 million in SLIHC available as part of an open window RFP administered by NYS HFA for applications that propose using private activity tax-exempt bonds and 4% LIHC to finance the new construction or rehabilitation of housing. Applicants seeking SLIHC in conjunction with private activity tax-exempt bonds and 4% LIHC, regardless of the issuer of those bonds must apply under the open window RFP.

FY 2016-17 Anticipated Amount Available	Up to \$4,000,000.
Per Project Maximum Award	Up to \$500,000 per project. Projects proposing that 10% or more of the total project units will be SLIHC-assisted and affordable and targeted to households with incomes above 60% of AMI may request a maximum SLIHC allocation of \$750,000.
Per Residential Unit Maximum Award	N/A
Interest Rate and Loan Terms	N/A
Construction and/or Permanent Financing	N/A
Eligible Uses	Residential only; new construction, building acquisition with rehabilitation, and rehabilitation.
Priorities	In addition to the general priorities listed in the RFP, preference will be given to projects that would qualify for the maximum number of points under the SLIHC scoring criteria for Income Mixture.
Scoring Criteria	Community Impact/Revitalization (15), Financial Leveraging (13), Sponsor Characteristics (10), Green Building (5), Fully Accessible and Adapted, Move-In Ready Units (5), Individuals with Children (5), Marketing Plan/Public Assistance (5), Project Readiness (10), Persons with Special Needs (5), Participation of Non-Profit Organizations (4), Income Mixture (10), Historic Nature of Project (3), Cost Effectiveness (5), Housing Opportunity Projects (3) and Minority and Women Owned Business Enterprise Participation (2).

Area Median Income Restrictions	Individuals and families up to 90% of AMI. At least 40% of the units must be set-aside for households whose income is at or below 90% of the AMI.
Eligible Applicants	Not-for-profit developers, for-profit developers, individuals, corporations, limited partnerships, and limited liability corporations.
Regulatory Agreement Requirements	50 years
Additional Regulatory Criteria	N/A
Geographic Targeting	Awards will promote a statewide geographic distribution of this financing.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a “No Impact” determination from the State Historic Preservation Office.
Design Guidelines	Must meet design requirements indicated in the SLIHC Regulations in addition to the requirements referenced in this RFP.
Marketing Plan Requirements	Must meet HCR’s Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	None; optional per M/WBE scoring criteria.
Application Fee	\$3,000 at application submission with the following exception: not-for-profit applicants (or their wholly-owned subsidiaries) which have not received HCR capital funding since 2012 and which will be the sole general partner (or co-general partner with another non-profit) or the partnership/project owner or the sole managing member (or co-managing member with another non-profit) of the limited liability company/project owner. Such sponsors may request a deferral of payment until the time of credit allocation and such deferral requests must document applicant financial hardship, no HCR funded projects since 2012 and inability to remit the application fee at the time of application. Deferral request must be submitted no later than one month in advance of the appropriate application due date. Written application deferral approvals granted by HCR must be appended to the application (see the UF 2016 Capital Application Instructions for Attachment F2 for fee submissions instructions). Send deferral requests to: Mr. Arnon Adler, Tax Credit Program Manager, NYS HCR Hampton Plaza, 6 th Floor South, Albany, NY 12207. Arnon.adler@nyshcr.org

<p>Monitoring and Service Fees</p>	<p>Monitoring fee of .5% multiplied by the maximum restricted rents of the low income units.</p>
<p>Deadline</p>	<p>Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.</p>

Low-Income Housing Trust Fund (HTF) Program

Housing Trust Fund Program (HTF): HCR will provide funding for new construction or rehabilitation of vacant, underutilized, or occupied residential property affordable to households that earn up to 90% of AMI (80% of AMI in New York City) and that may advance one or more of the specific housing priorities of New York State. These priorities include the redevelopment of State-owned and municipally-owned sites, and developments that meet critical needs in their communities, such as integrated supportive housing, family housing in high performing school districts, community redevelopment and revitalization, and developments specifically supported by the Regional Economic Development Councils.

HCR will expect that applicants seeking HTF funds for cooperatives or condominiums will assume and retain the role of monitor over the management and operations of the cooperative or condominium project to ensure that all HTF requirements are met for the duration of the Regulatory Agreement. HCR funds for cooperatives or condominiums are limited to permanent financing only. Applicants seeking HTF for cooperatives and condominiums must demonstrate the capacity to successfully develop and market projects. In evaluating such capacity, HCR will consider, among other factors, the applicant's past performance in delivering projects similar in size, scope, and market to the proposed project.

Rehabilitation projects may include the conversion of vacant or underutilized non-residential property to residential use and the rehabilitation of distressed residential property for occupancy by low income tenants, tenant-cooperators or condominium owners. A distressed residential property is a property, the rehabilitation of which would preserve affordable housing currently serving a population whose housing need would justify its replacement if it ceased to be available. Regarding underutilized nonresidential property, if the nonresidential property or portions of the property are occupied at the time an application for funding is submitted, HTF may consider the following factors in determining whether a conversion of the nonresidential property may be eligible for HTF, including but not limited to: 1) revenue from leased space compared to the cost to operate the property; 2) whether the owner provided the occupant with an acceptable plan for the occupant's relocation; 3) the percentage of leased space compared to the total amount of space available for lease; 4) whether the current occupant of the non-residential space provides a critical service to the community which would be left unmet if the current occupant was displaced by the proposed project; and, 5) whether the land, building(s), structure(s) are currently not used or used at a lower density than the local land use plan permits and that may potentially be developed, recycled, or converted into higher density residential, commercial or mixed-use development as defined in a local land use plan.

Preference in making HTF awards to eligible applicants is given to projects which involve not-for-profit corporations or their wholly-owned subsidiaries. To qualify for this preference, limited partnership or limited liability corporation applicants must demonstrate that the ownership interest of the not-for-profit or its wholly-owned subsidiaries is "at least 50% of the controlling interest" of the partnership or corporation as required by Article XVIII of the Private Housing Finance Law.

If HCR determines a proposed project can be accomplished at a lower cost to the State than proposed, fewer funds will be awarded. For applicants who request both HTF and HOME funds for a project, the funding limits below apply to the combined HTF and HOME request.

HCR reserves the right to fund any application requesting HOME and HTF solely with HTF funds and, in these instances, will require the owner to execute a HOME Match Addendum requiring the project to meet the HOME Program definition of affordable housing. Applicants that receive an HTF program award should be aware that the award may be claimed as a matching project for the purposes of the HOME Program and that this may impose additional requirements on the project.

FY 2016-17 Anticipated Amount Available	Up to \$40,000,000 (subject to appropriation).
Per Project Maximum Award	Up to \$2.0 million with the following exceptions: 1) up to \$2.4 million may be requested for projects which propose that 50% or more of the units have three or more bedrooms to serve very large families (defined as households with five or more persons) and 2) up to \$2.2 million may be requested for projects that meet the NYSERDA Low-rise Residential New Construction Program, NYSERDA Multifamily New Construction Program, EPA ENERGY STAR Certified Homes, EPA ENERGY STAR Multifamily High Rise Program, or Enterprise Green Communities criteria, as described in this RFP.
Per Residential Unit Maximum Award	\$125,000
Interest Rate and Loan Terms	0% during construction; 1% during permanent. 30 year term payable from cash flow.
Construction and/or Permanent Financing	HTF is available for construction financing or permanent financing.
Eligible Uses	Primarily residential: rental, cooperatives or condominiums; up to 10% of an HTF award may be used for costs associated with a community service facility. New construction, rehabilitation, conversion, distressed occupied residential properties the rehabilitation of which would preserve affordable housing serving a population whose housing need would justify its replacement if it ceased to be available; project with fewer than three units where project creates an additional unit. Residential buildings to be rehabilitated may be vacant, underutilized or distressed; nonresidential space to be converted must be underutilized or vacant prior to application. Up to 50% of an HTF award may be utilized for acquisition, although preference for awards will be given to projects which will use 25% or less of the HTF award for acquisition costs.

Priorities	Economic Development Projects including those financed and/or supported by a Regional Economic Development Council, Mitchell-Lama Portfolio Projects, Integrated Supportive Housing Projects, Community Renewal and Revitalization Projects, Housing Opportunity Projects, Rural Preservation Projects, Workforce Opportunity Projects.
Scoring Criteria	Community Impact/Revitalization (15), Financial Leveraging (10), Sponsor Characteristics (10), Green Building (5), Fully Accessible and Adapted, Move-In Ready Units (5), Affordability (10), Individuals with Children (5), Marketing Plan/Public Assistance (5), Project Readiness (10), Persons with Special Needs (5), Participation of Non-Profit Organizations (4), Mixed Income (3), Historic Nature of Project (3), Cost Effectiveness (5), Housing Opportunity Projects (3) and Minority and Women Owned Business Enterprise Participation (2).
Eligible Applicants	Municipalities, counties, municipal housing authorities, not-for-profit corporations, charitable organizations, wholly-owned subsidiaries of not-for-profit corporations or charitable organizations, partnerships, certain private developers, and HDFC's.
Regulatory Agreement Requirements	30 years
Additional Eligibility Criteria	Projects which involve not-for-profit corporations or their wholly-owned subsidiaries in which applicants must demonstrate that the ownership interest of the not-for-profit or its wholly owned subsidiaries is at least 50% of the controlling interest of the partnership or corporation as required by Article XVIII of the Private Housing Finance Law.
Geographic Targeting	Awards will seek to promote a statewide geographic distribution of this financing.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a "No Impact" determination from the State Historic Preservation Office.
Design Guidelines	Must satisfy the HTFC Design Handbook.
Marketing Plan Requirements	Must meet HCR's Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	Yes

Deadline	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.
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New York State HOME Program

NYS HOME Program: HCR will provide this federal financing source for the acquisition, rehabilitation or construction for site-specific multi-family rental housing projects. Applicants are reminded that Davis-Bacon wage requirements are applicable to all construction of projects with 12 or more HOME-assisted units.

It is one of the purposes of the HOME Program to give, to the greatest extent feasible, and consistent with existing federal, state and local laws and regulations, job training, employment, contracting and other economic opportunities to low- and very low-income persons and locally owned enterprises, pursuant to Section 3 of the Housing Act of 1937. Federal law and regulations require that recipients of federal funds in excess of \$200,000 for construction or rehabilitation projects and their contractors agree to comply with the provisions set forth at 24 CFR Part 135. Each applicant is required to submit with its application a Section 3 Participation Plan which includes a HUD Section 3 Resident Employment Plan explaining the applicant's intentions and commitments concerning the hiring of HUD Section 3 residents to perform the work contemplated by this RFP, and information pertaining to the Contractor's affirmative efforts concerning HUD Section 3 Business participation and its efforts in aspiring to meet the numerical goals specified in 24 CFR 135.30. If the Contractor is a Section 3 Business, it must also submit with its Proposal, a Section 3 Business Certification form.

New York State is required to set-aside a minimum of 15% of HOME funds for locally-based non-profit entities that qualify as Community Housing Development Organizations (CHDOs). In order for a HOME multi-family rental project to qualify for the CHDO set-aside, the project ownership structure must comply with the terms of 24 CFR 92.300 of the 2013 HOME final rule. In acting in any of the capacities specified, the CHDO must have effective project control. A CHDO must state in the application, and in the project owner's organization documents that the CHDO has effective project control. Please review the information in the HUD HOME 2013 Final Rule, to ensure that the project meets all requirements for CHDO control of the project if you intend to compete for the CHDO set-aside.

If HOME funds are being requested to demolish, rehabilitate, or acquire an occupied property (either residential or non-residential), applicants must comply with the Uniform Relocation Assistance and Real Property Acquisition For Federal and Federally-Assisted Programs (49 CFR Part 24), Section 104 (d) of the Community Development Act, and the HOME Regulations (24 CFR Part 92) regarding rules for relocation of occupants. Applicants should also refer to HCR's Residential Anti displacement and Relocation Assistance Plan and Appeals Process available at: www.nyshcr.org/Programs/NYSHome/. Applicants must also provide HCR with the information necessary to complete a National Environmental Policy Act (NEPA) review in accordance with 24 CFR Part 58. Note that the NEPA review can add three or more months to the environmental review time.

For any project awarded HOME funds, a federal environmental review (NEPA review) performed in accordance with 24 CFR 58 MUST also be completed and approved by HCR prior to any choice-limiting activities conducted in regard to the proposed project or project site(s), including entering into an AHAP, or commencing any form of site preparation or construction. Any such choice-limiting activity conducted on the site by any party prior to completion of NEPA by HCR and HCR authorization to begin construction will result in termination of the HOME award to the project. Applicants must account for the timeframe for completing the NEPA Review in preparing their application’s development timetable.

If HCR determines that a proposed project may be accomplished at a lower cost to the State than proposed, less will be awarded. For applicants who request both HTF and HOME funds for a project, the funding limits below apply to the combined HTF/HOME request.

FY 2016-17 Anticipated Amount Available	Up to \$7,000,000 (subject to appropriation).
Per Project Maximum Award	Up to \$2.0 million with the following exceptions: 1) up to \$2.4 million may be requested for projects which propose that 50% or more of the units have three or more bedrooms to serve large families (defined as households with five or more persons) and 2) up to \$2.2 million may be requested for projects which meet the NYSERDA Low-rise Residential New Construction Program, NYSERDA Multifamily New Construction Program, EPA ENERGY STAR Certified Homes, EPA ENERGY STAR Multifamily High Rise Program, or Enterprise Green Communities criteria as described in this RFP.
Per Residential Unit Maximum Award	Per HOME Program Subsidy Limits.
Interest Rate and Loan Terms	0% during construction; 1% during permanent. 30 year term payable from cash flow.
Construction and/or Permanent Financing	HOME is available for permanent financing and may be available for construction financing depending on the proposed project’s financing plan and developer experience. HOME projects utilizing 9% LIHC are required to use HOME funds as construction financing.
Eligible Uses	Any customary development hard costs, acquisition related soft costs or relocation costs. HCR will not allow HOME funds to be used for the purchase of furniture and equipment. If more than one source of HOME funds, total HOME funds from all participating jurisdictions must be within published HOME subsidy limits.
Priorities	Economic Development Projects, Mitchell-Lama Portfolio Projects, Integrated Supportive Housing Projects, Community Renewal and Revitalization Projects, Housing Opportunity Projects, Rural Preservation Projects, Workforce Opportunity Projects.

Scoring Criteria	Community Impact/Revitalization (15), Financial Leveraging (10), Sponsor Characteristics (10), Green Building (5), Fully Accessible and Adapted, Move-In Ready Units (5), Affordability (10), Individuals with Children (5), Marketing Plan/Public Assistance (5), Project Readiness (10), Persons with Special Needs (5), Participation of Non-Profit Organizations (4), Mixed Income (3), Historic Nature of Project (3), Cost Effectiveness (5), Housing Opportunity Projects (3) and Minority and Women Owned Business Enterprise Participation (2).
Area Median Income Restrictions	All HOME funds must benefit households at or below 80% of Area Median Income. HOME assisted rental units must be primarily occupied by households with incomes at or below 60% of Area Median Income.
Eligible Applicants	Individuals and private for profit and not-for-profit organizations with a demonstrated capacity to develop feasible projects; units of local government which are not participating jurisdictions, either directly or part of a HOME consortium, as are agencies under their control; CHDO's which are community based, not-for-profit organizations with experience in providing low-income housing assistance.
Regulatory Agreement Requirements	Terms are dependent upon amount of HOME financing (see 24 CFR 92.252(e)).
Additional Eligibility Criteria	New York State is required to set-aside a minimum of 15% of HOME funds for locally-based not-for-profit entities that qualify as CHDO's. In order for a HOME multi-family rental project to qualify for the CHDO set-aside, the project ownership structure must comply with the terms of 24 CFR 92.300 of the 2013 HOME final rule.
Geographic Targeting	80% of New York State's HOME funds must be spent on projects located outside of HUD-designated Participating Jurisdictions (PJs).
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under NEPA and the State Environmental Quality Review Act including a Phase I Environmental Assessment and a "No Impact" determination from the State Historic Preservation Office. Prospective applicants are advised to consult the provisions of the NEPA requirements at 24 CFR 58 in regard to the significant federally-mandated restrictions concerning conducting any physical site work or construction between the time of application submission and construction financing closing. Such work could constitute choice-limiting activities that could disqualify the project sponsor from receiving HOME funding and proceeding to construction.
Design Guidelines	Must satisfy the HTFC Design Handbook.

Marketing Plan Requirements	Must meet HCR's Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	Yes
Deadlines	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.

HOME Program Advisory

1. Projects financed with 9% LIHC and HOME

Effective for UF 2016 projects, all projects financed with 9% LIHC and NYS HOME must use the HOME funds as construction financing. Please see Section 6 of the CPM for more information on using HCR funds as construction financing.

Supportive Housing Opportunity Program

Supportive Housing Opportunity Program (SHOP): Providing affordable, supportive housing for our most vulnerable populations across the State is a key tenet of HCR initiatives to create and preserve housing units. People with special housing needs live in nearly every community across the State and often lack the infrastructure – social and physical – to afford good quality, safe housing and the services they need to survive independently and live productively. In its administration of this program, HCR will coordinate with other New York State agencies to combat homelessness by financing 6,000 new supportive beds and services over the next five years.

SHOP provides financing assistance for site acquisition, hard costs and related soft costs associated with the new construction of or the adaptive reuse of a non-residential property to affordable supportive housing with on-site social services. Please note the projects seeking tax exempt bond financing should apply under the Open Window RFP. Applicants requesting SHOP funds may not also request HTF or HOME funds.

Actual award amounts will be based on the demonstrated need for such funding by HCR underwriting standards. Applicants are strongly encouraged to apply for only the funding necessary for the financial feasibility of the project and to leverage funding from non-HCR sources.

FY 2016-17 Anticipated Amount Available	Up to \$150 million.
Per Project Maximum Award	N/A
Per Residential Unit Maximum Award	New York City, Westchester County and Long Island: Up to \$140,000 per supportive housing unit and up to \$100,000 per other housing unit up to 60% AMI in integrated supportive housing projects. Rest of State: Up to \$75,000 per supportive housing unit and up to \$50,000 per other housing unit up to 60% AMI in integrated supportive housing projects. Projects securing resources from HHAP, HPD or other agencies for supportive housing units are not expected to request the maximum per supportive unit awards under this program. The maximum per supportive unit awards are expected for projects unable to secure leveraged resources and/or for projects where prevailing wages are required.
Interest Rate and Loan Terms	0% during construction; 1% during permanent. 30 year term payable from cash flow.
Construction and/or Permanent Financing	Construction and permanent financing available.

<p>Supportive Services and Operating Funding</p>	<p>A services and operating award or plan acceptable to HCR is required for projects seeking these funds, and must be obtained in order to be eligible for this program. HCR anticipates that the operating funding from the services and operating source will at least cover real estate maintenance and operating expenses for the supportive housing units. Applicants should underwrite rents for supportive housing units at an amount affordable to households earning 50% AMI.</p>
<p>Eligible Uses</p>	<p>New construction of, or the adaptive reuse of non-residential property to, affordable housing.</p>
<p>Priorities</p>	<p>Economic Development Projects, Integrated Supportive Housing Projects, Community Renewal and Revitalization Projects, Housing Opportunity Projects, Workforce Opportunity Projects, Disaster Relief Projects and projects that contain more than 50% supportive housing units.</p>
<p>Scoring Criteria</p>	<p>Developer Team Experience and Capability (15), Readiness (20), Financial Feasibility and Efficiency (15), Leverage (15), Regional Economic Development Council Plan (5), Priority Outcomes (15) and Overall Outcomes (15).</p>
<p>Area Median Income Restrictions</p>	<p>At least 50% of the units in the project must be affordable to households earning no more than 60% of AMI.</p>

<p>Target Populations</p>	<p>The eligible target populations to be served under this program are families, individuals and/or young adults who are both homeless and who are identified as having an unmet housing need as determined by the Continuum of Care or local planning entity or through other supplemental local, state and federal data, and have one or more disabling conditions or other life challenges, including:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Serious mental illness (SMI); <input type="checkbox"/> Substance use disorder; <input type="checkbox"/> Individuals diagnosed with HIV; <input type="checkbox"/> Victims/Survivors of domestic violence; <input type="checkbox"/> Military service with disabilities (including veterans with other than honorable discharge); <input type="checkbox"/> Chronic homelessness (including families, and individuals experiencing street homelessness or long-term shelter stays); <input type="checkbox"/> Youth / young adults who left foster care within the prior five years and who were in foster care at or over age 16; <input type="checkbox"/> Homeless young adults between 18 and 25 years old; <input type="checkbox"/> Adults, youth or young adults reentering the community from incarceration or juvenile justice placement, particularly those with disabling conditions; <input type="checkbox"/> Frail or disabled seniors; <input type="checkbox"/> Individuals who are MRT high cost Medicaid populations (MRT Eligible). <p>Definition of Homeless: Homeless: In order to be considered homeless for the purposes of this RFP, an individual must meet one of the following criteria:</p> <ol style="list-style-type: none"> (1) an un-domiciled person (whether alone or as a member of a family) who is unable to secure permanent and stable housing without special assistance. This includes those who are inappropriately housed in an institutional facility and can safely live in the community and those who are at risk of homelessness, (2) a youth or young adult who left foster care within the prior five years and who was in foster care at or over age 16, and who is without permanent and stable housing, (3) an adult or young adult reentering the community from incarceration or juvenile justice placement, who was released or discharged, and who is without permanent and stable housing, or (4) a young adult between the ages of 18 and 25 years of age without a permanent residence.
<p>Eligible Applicants</p>	<p>Not-for-profit corporations or charitable organizations, or a wholly owned subsidiary of such corporations or organizations, or private for-profit developers. At least 80% of SHOP funding will be reserved for developments that will be controlled by not-for-profit organizations. The following arrangements are acceptable demonstrations of not-for-profit control: 100% not-for-profit development: projects where the sponsor(s)/developer(s) are not-for-profit. The project will be developed and owned by a not-for-profit or a partnership of not-for-profits during construction and after conversion to permanent financing; turn-key development projects where a not-for-profit partners in a fee development structure with a for-profit partner where the ownership of the project is turned over to the not-for-profit provider after construction completion; joint ventures with majority not-for-profit control in which partnerships</p>

	between not-for-profit and for-profit entities where the majority ownership is by the not-for-profit (at least 51% ownership by the not-for-profit of the controlling entity of the property owner). Such partnerships ensure that not-for-profit has day-to-day and long-term management control over the properties.
Regulatory Agreement Requirements	Minimum 40 year regulatory agreement. The regulatory agreement will require that the number of units designated as supportive housing will remain so for at least 40 years.
Additional Eligibility Criteria	A services and operating award and/or services plan acceptable to HCR is required, and must be obtained in order to be eligible for this program. Total supportive housing units must be at least thirty (30%) percent of the total units in the project and should not exceed sixty (60%) percent of the total units in the project. Developments must provide an integrated housing environment for the proposed residents. Applicants are encouraged to maximize the number of supportive housing units in their developments taking the neighborhood context into consideration.
Geographic Targeting	Awards will promote the furtherance of the Empire State Supportive Housing Initiative.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a “no Impact” determination from the State Historic Preservation Office.
Design Guidelines	Must meet the same design requirements applied to LIHC projects.
Marketing Plan Requirements	Must meet HCR’s Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE	Yes
Deadline	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.
Additional Eligibility Criteria	MRT Project Questionnaire (Attachment E2) must be submitted if serving MRT eligible populations.

Middle Income Housing Program

Middle Income Housing Program (MIHP): MIHP provides financing assistance for acquisition, capital costs and related soft costs associated with the new construction of, or the adaptive reuse of non-residential property to, affordable middle income housing units as part of HCR's ongoing efforts to create greater income diversity in affordable housing while also providing affordable housing options for middle income New Yorkers in certain high cost rental markets, or as part of a concerted neighborhood-specific revitalization effort.

MIHP offers gap financing to developments which include units that will be occupied by households earning above 60% of AMI, up to 130% of AMI. MIHP must be requested in combination with 9% LIHC and must meet the standard LIHC set-aside requirements; that is, 20% of the units affordable to households with incomes at 50% or less of AMI or 40% of the units affordable to households with incomes at 60% or less of AMI.

All projects will be subject to a minimum regulatory period of 30 years and must be maintained in safe and sanitary condition for the full 30 year term of the loan. Rental properties located within New York City or in municipalities subject to the Emergency Tenant Protection Act of 1974 (ETPA) shall be required to register such units with the HCR's Office of Rent Administration and to comply with, respectively, the rent stabilization laws or ETPA. MIHP awarded projects will be subject to ongoing performance and contract compliance requirements.

Requests for MIHP will be subject to a subsidy layering review and cash flow limits consistent with those applicable to applications requesting other HCR program sources.

Preference for projects seeking MIHP applications that leverage significant amounts of capital support from non-HCR sources and that will provide high quality, construction ready projects that advance one or more of the specific housing goals of the State and the MIHP program. The extent to which a project leverages public and private investment is also one of the criteria used in evaluating applications for MIHP funding.

FY 2016-17 Anticipated Amount Available	Up to \$10,000,000 (subject to appropriation).
Per Project Maximum Award	Up to \$3.0 million. For projects proposing 10% or more of the total units will be affordable and targeted to households with incomes above 90% of Area Median Income may request up to \$4.5 million per project.
Per Residential Unit Maximum Award	N/A

Interest Rate and Loan Terms	0% during construction; 1% during permanent. 30 year term payable from cash flow.
Construction and/or Permanent Financing	Construction financing and permanent financing are available.
Eligible Uses	Acquisition, hard costs and related soft costs associated with the new construction of or the adaptive reuse of non-residential property to affordable middle income housing.
Priorities	Housing Opportunity Projects, Mixed Income/Mixed Use Revitalization Projects, Middle Income Stabilization Projects, preference will be provided to projects with at least 25% of the residential units affordable to households with income above 90% of AMI up to 130% of AMU adjusted for family size, preference will be provided to projects where at least 50% of the dwelling units contain two or more bedrooms, and preference will be provided to projects that propose a project resulting in the cleanup and redevelopment of property that has been determined to be eligible to participate in the New York State Brownfield Cleanup Program (BCP). In order to be eligible for this preference, applications must propose a plan of finance that fully utilizes all BCP tax credits generated from the cleanup and redevelopment of the property.
Scoring Criteria	Developer team and experience and capability (20), Readiness (30), Efficiency (20), Leverage (20) and Families Served (10).
Area Median Income Restrictions	Up to 130% AMI. Projects must meet the standard LIHC low income set-aside requirements. For projects located outside of HUD designated Qualified Census Tracts (QCTs), or transitional neighborhoods, if rents are set at an affordability level below the maximum income level at which the units will be regulated, the units may be rented to households above the actual affordability level up to the maximum AMI in the targeted income band. For example, if a project rent is set at 77% AMI affordability and it is to be regulated below 80% AMI, the unit could be rented to households over 77% up to a maximum of 80% AMI. For those MIHP projects located in a QCT or transitional neighborhood, HCR will allow a 15% rent advantage for middle income tenants similar to the 9% LIHC Mixed Income Initiative, rounded up to the next decile. HCR will consider additional

	flexibility beyond a 15% rent advantage on a case by case basis. This additional flexibility is ONLY available for projects applying under MIHP.
Eligible Applicants	Municipalities, counties, municipal housing authorities, not-for-profit corporations, charitable organizations, wholly-owned subsidiaries of not-for-profit corporations or charitable organizations, partnerships, certain private developers, and HDFCs.
Regulatory Agreement Requirements	30 years
Geographic Targeting	Awards will promote a statewide geographic distribution of this financing.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a “No Impact” determination from the State Historic Preservation Office.
Design Guidelines	Must meet the same design requirements applied to LIHC projects.
Marketing Plan Requirements	Must meet HCR’s Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	Yes
Deadline	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.

House NY Mitchell-Lama Program

House NY Mitchell-Lama Program (ML): In 2013, HCR acquired a 44-property portfolio of ML project loans. The objective of the acquisition was to ensure preservation of affordable housing units through refinancing the projects and generating funds for capital improvements and property upgrades. ML funds may be requested in combination with 9% LIHC and/or CIF only. Standalone ML projects should review the Open Window for 4% LIHC and tax exempt bonds

FY 2016-17 Anticipated Amount Available	Up to \$42,000,000 (subject to appropriation).
Per Project Maximum Award	N/A
Per Residential Unit Maximum Award	N/A
Interest Rate and Loan Terms	0% during construction; 1% during permanent. 30 year term payable from cash flow.
Construction and/or Permanent Financing	ML is available for construction and permanent financing only.
Eligible Uses	Preservation and improvement of rental ML properties located in New York State that are part of HCR's acquired portfolio. See eligible property list below.
Priorities	Mitchell-Lama Portfolio Projects. See eligible property list below.
Scoring Criteria	Community Impact/Revitalization (15), Financial Leveraging (13), Sponsor Characteristics (10), Green Building (5), Fully Accessible and Adapted, Move-In Ready Units (5), Affordability (5), Individuals with Children (5), Marketing Plan/Public Assistance (5), Project Readiness (10), Persons with Special Needs (5), Participation of Non-Profit Organizations (4), Mixed Income (5), Historic Nature of Project (3), Cost Effectiveness (5), Housing Opportunity Projects (3) and Minority and Women Owned Business Enterprise Participation (2).
Area Median Income Restrictions	Projects must comply with any applicable ML requirements. Projects seeking LIHC must meet the Internal Revenue Code low income set-aside requirements: 20% of units affordable to households with incomes at 50% or less of AMI or 40% of the units affordable to households with incomes at 60% or less of AMI; or 25% of units affordable to households at 60% or less of AMI (NYC).

Eligible Applicants	Not-for-profit corporations, charitable organizations, wholly-owned subsidiaries of not-for-profit corporations or charitable organizations, or private for-profit developers.
Regulatory Agreement Requirements	Minimum 40 year regulatory agreement.
Additional Eligibility Criteria	Project must be part of the portfolio of ML projects acquired by HCR under the House NY Mitchell-Lama Plan. See eligible property list below.
Geographic Targeting	None. This program is specifically available to the House NY Mitchell-Lama portfolio of projects.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a “No Impact” determination from the State Historic Preservation Office.
Design Guidelines	Must meet the same design requirements applied to LIHC projects.
Marketing Plan Requirements	Must meet HCR’s Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	Yes
Deadline	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.

Eligible Projects

Applications may only request funding for preservation and improvements related to one of the following ML properties:

Shoreline II
200 Niagara Street, Buffalo, NY 14201

Main Street
5254 Main Street, South Fallsburg, NY 12779

106th Street (Lakeview Apartments)
4 East 107th Street, New York, NY 10029

Parkside Houses
925 Robin Road, Amherst, NY 14228

Southeast Towers II
10 Manhattan Square Drive Rochester, NY 14607

Parkedge Estates
544 Deborah Drive, Utica, NY 13502

Madison Manor
60 Presidential Plaza, Syracuse, NY 13202

Maple Court Homes
480 Maple City Drive, Hornell, NY 14843

Los Flamboyanes
100 Borinquen Plaza, Rochester, NY 14605

Skyline Gardens Apartments
123 Livingston Avenue, Albany, NY 12207

Rural and Urban Community Investment Fund (CIF)

Rural and Urban Community Investment Fund (CIF): CIF supports retail, commercial or community facility components of mixed-use affordable housing development in urban and rural communities statewide, as well as supporting preservation of existing affordable multi-family rental housing in rural areas of the State. Applicants may seek CIF funds for either the new construction or rehabilitation of retail, commercial, or community service facility space that is or will be part of, or which is in close proximity to, and clearly serves the needs of tenants residing in Affordable Residential Development financed by an HCR agency. CIF funds may also be used for the preservation of multifamily affordable rental housing in rural areas of the State that may or may not have a retail, commercial or community facility space.

Actual award amounts will be based on the demonstrated need for such funding by HCR underwriting standards and must be recommended by HCR staff and approved by the HTFC as applicable. Applicants are strongly encouraged to apply for only the funding necessary for the financial feasibility of the project and to leverage funding from non-HCR sources. Under this RFP, CIF funds must be requested in combination with one of the UF Programs listed at the top of this RFP, excluding Mitchell-Lama. The single exception to this rule is for applications submitted under the Early Award Project Type ‘Rural Preservation Projects’, in which case, CIF is the only program that may be requested.

PLEASE NOTE, applicants may also apply for CIF funding through the Multifamily Open Window Request for Proposals.

FY 2016-17 Anticipated Amount Available	Up to \$31,250,000.
Per Project Maximum Award	<p>Up to \$2.0 million per project/\$40,000 per unit for projects that satisfy the conditions for Early Award Rural Preservation Project.</p> <p>Up to \$1.5 million 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 the project. CIF request for this purpose may not be combined with requests for RARP funding.</p> <p>Up to \$750,000 per project/\$30,000 per unit may be requested in connection with preservation projects in rural areas.</p>
Per Residential Unit Maximum Award	Up to \$40,000 per housing unit under 60% AMI for rural preservation.
Interest Rate and Loan Terms	1% interest only for permanent loans payable from available cash flow. Minimum 10 year term or co-terminus with any HCR funding term.

	HCR may consider other loan repayment terms based on the particular financing circumstances and market conditions related to individual applications for assistance.
Construction and/or Permanent Financing	CIF is generally only available for permanent financing only. HCR may consider requests to use CIF funds as a source of construction financing if an applicant demonstrates to the satisfaction of the agency that alternative sources of financing are unavailable.
Eligible Uses	Retail, commercial or community facility components associated with mixed use affordable housing developments in urban and rural communities. Substantial rehabilitation or moderate rehabilitation of affordable multifamily rental housing in rural areas. See below for additional Underwriting Considerations.
Priorities	See CIF Funding Priorities below.
Scoring Criteria	For retail, commercial or community facilities ratings based on: Community Impact/Revitalization (20), Financial Leveraging (15), Organization Capacity/Experience/Past Performance (20), Consistency with Activity Priorities (20) and Readiness and Implementation (25). For rural preservation projects ratings based on: Affordable Housing Need (20), Organization Capacity/Experience/Past Performance (20), Rehabilitation Investment as Percentage of Total Project Costs (15), Leveraging (10), Readiness and Implementation (15) and Rehabilitation Needs (20).
Area Median Income Restrictions	Eligible affordable rental projects must include at a minimum, 70% residential units that are rent-restricted and occupied by households whose incomes are at or below 90% of Area Median Income for the county or MSA in which the project is located. For non-residential uses, must be a part of, or in close proximity to, and clearly serve the needs to tenants residing in an Affordable Residential Development in which at least 70% of the units or below 90% AMI.
Eligible Applicants	Not-for-profit corporations or charitable organizations, or a wholly owned subsidiary of such corporations or organizations, or a private for-profit developer. Applicants requesting CIF funding for retail, commercial or community facility components of eligible mixed-use affordable rental projects must demonstrate successful past experiences in developing and managing mixed-use affordable housing projects in comparable markets.
Regulatory Agreement Requirements	A commercial, retail or community facility space financed with CIF funds will be subject to a regulatory term that is coterminous with any HCR or other Government regulatory agreement on the project's affordable residential component, or ten years, whichever is greater. Among other requirements that will be addressed in the Regulatory

	Agreement, a provision will be made requiring HCR approval of proposed non-residential uses of CIF-financed spaces. Successful applicants will be required to enter into a master lease for the non-residential component of the mixed-use project prior to permanent financing closing.
Additional Eligibility Criteria	Applicants are required to provide a 1/3 match of the requested CIF amount. The CIF match requirements may be reduced or eliminated if the project is located within a declared disaster area and the proposed project clearly addresses an impact resulting from the disaster. Applicants seeking a reduction or elimination of the CIF matching requirement must request a waiver detailing the basis for the reduction or elimination at least 10 business days prior to the application deadline under which an application will be submitted. Applicants are advised to schedule a pre-application technical assistance meeting with HCR staff to discuss potential matching sources.
Geographic Targeting	60% Urban; 40% Rural. Rural areas shall mean cities, towns and villages having a population of less than 25,000 as determined by the last decennial census. Urban areas shall mean any unit of local government within the State with a population of more than or equal to 25,000 as determined by the last decennial census. Awards will promote a statewide geographic distribution of this financing.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a “No Impact” determination from the State Historic Preservation Office.
Design Guidelines	Rural preservation projects that do not rely on low income tax credits are subject to HTFC Design Guidelines. When USDA Rural Development is involved, HCR will consider requests for USDA Rural Development to be designated as lead agency for the purpose of design review and construction monitoring in an effort to avoid duplicative submissions, provided that HTFC Design Handbook requirements, or alternative provisions are acceptable to HCR, are adhered to. The commercial, retail, or community facility portion of the project will be required to comply with the local building code. All metered utilities must be separate systems between the residential and nonresidential components of the project (e.g. separate electrical systems, separate domestic hot water systems, etc.). Where appropriate, HCR may require the use of lead-safe work practices during renovation, remodeling, painting, and demolition.
Marketing Plan Requirements	Must meet HCR’s Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE	Yes

<p>Deadline</p>	<p>Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round Service and Operating Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.</p>
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CIF Funding Priorities

HCR will give priority to applications that most clearly document that CIF funds will be used:

- a). to finance the rehabilitation of projects that meet the conditions for Early Award Rural Preservation projects.

- b). to subsidize the development or rehabilitation of retail, commercial or community facility space which will be used to address a critical unmet community need in the development’s primary market area (e.g. access to health care, affordable fresh foods, services for low income seniors, educational opportunities, daycare for working families).

- c). to finance the development or rehabilitation of retail, commercial or community facility space to ensure the continuation of traditional commercial corridors that would otherwise be disrupted by the development of ground floor residential space.

- d). to finance the development or rehabilitation of retail, commercial or community space as part of a concerted neighborhood revitalization plan. Such plan must clearly support the proposed use of the space and must identify local actions that have been taken or are proposed to be undertaken to attract or promote the proposed use, including but not limited to tax relief measures, changes in zoning, and infrastructure investments directly benefiting the space.

CIF Underwriting Considerations

HCR reserves the right to award all, a portion of, or none of the program funds based upon funding availability, feasibility of applications received, the competitiveness of the applications, the applicant’s ability to meet HCR criteria for funding, the applicant’s ability to advance the State’s housing goals, and HCR’s assessment of cost reasonableness.

a. Non-Residential Underwriting Considerations

- For retail, commercial or community facility space of mixed-use projects, applicants must demonstrate in the operating budget and market documentation that CIF funds

- will reduce debt service costs such that market-rate commercial leases will be sufficient to cover all debt service and operating costs associated with the non-residential space. In developing the operating budget, applicants should assume an industry standard vacancy rate of 10% for the non-residential space.
- CIF funds may be used only to cover development costs of the proposed non-residential space. CIF funds may not be used to support the ongoing operating costs of the non-residential space. Income from the residential component of projects may not be used to support the operations of commercial, retail, and/or community facility space.
 - Applicants must provide a market analysis clearly demonstrating that there is sufficient demand for the proposed non-residential use at rents assumed in the income and operating budget. The analysis must include Attachment F15 - CIF Project and Market Information, detailing the commercial rents (including per square foot cost) of comparable commercial space in the immediate market area. HCR may, in its sole discretion, consider other information in assessing market demand for non-residential space.
 - For retail, commercial or community facility space of mixed-use projects, applicants must provide at least one letter of interest or commitment from a prospective tenant for the non-residential space. Additional letters and/or firm commitments from prospective tenants are encouraged. Such letters and/or commitments must identify the amount per square foot such prospective tenant would be willing to pay for the finished space.
 - Successful applicants will be required to enter into a master lease for the non-residential component of the mixed-use project. The master lease must guarantee sufficient income to cover the operating costs and debt service of the non-residential space in the event the space is not sub-leased. CIF funds may not be used for payment of a developer fee on the retail, commercial or community facility portion of the project.
 - CIF funds may not be used for payment of a developer fee on the non-residential portion of the project with the exception of non-residential space in a 9% LIHC project which qualifies as an IRC Section 42 Community Service Facility. If the applicant is requesting a developer fee on the CSF space, HCR will not allow for the maximum amount of CIF to be awarded to the project. The CIF award will be reduced by the amount of the fee budgeted.
 - Successful applicants will be required to submit a cost certification for HCR review and approval of conversion from construction financing to permanent financing.

b. Residential Underwriting Considerations

- CIF funds may only be used only to cover costs related to the rehabilitation of affordable rural housing projects. CIF funds may not be used to support the ongoing operating costs.
- Rural preservation projects that do not rely on federal low income housing tax credits must satisfy all the underwriting criteria that would apply to stand-alone Low Income Housing Trust Fund applications outlined in the HCR Capital Programs Manual. For projects that are co-funded with USDA Rural Development, HCR will consider utilizing underwriting criteria that appropriately address the requirements of both agencies.
- Successful applicants will be required to submit a cost certification for HCR review and approval of conversion from construction financing to permanent financing.

Rural Area Revitalization Program (RARP)

Rural Area Revitalization Program (RARP): The purpose of this program is to provide assistance to New York communities for the restoration and improvement of housing, commercial areas and public facilities in rural communities. RARP funds will provide grants to not-for-profit community based organizations and charitable organizations that have a direct interest in improving the health, safety, and economic viability of a rural area or other aspects of the area environment or in related community preservation or renewal activities.

Applications requesting RARP in combination with another source of funds under this RFP will be awarded on a competitive basis. HTFC reserves the right to fund all or a portion of the requested amount, based on the feasibility of the application received and the total request for funds. Contract terms will be limited to two years.

FY 2016-17 Anticipated Amount Available	Up to \$450,000 (subject to appropriation).
Per Project Maximum Award	Up to \$200,000.
Per Residential Unit Maximum Award	N/A
Interest Rate and Loan Terms	0% grant.
Construction and/or Permanent Financing	Permanent financing only.
Eligible Uses	Construct, maintain, preserve, repair, renovate, upgrade, improve, modernize, rehabilitate, or otherwise prolong the useful life of housing accommodations; to restore abandoned and vacant as well as occupied housing accommodations to habitable and viable condition; to demolish structurally unsound or unsafe or otherwise unsightly or unhealthy residential structures which no longer serve or can economically be made to serve a useful purpose consistent with stabilizing or improving a Region; to acquire and renovate buildings which contain housing accommodations; and to conduct similar activities with respect to retail, commercial, cultural, civic and community establishments within a Region when carried out in connection with or incidental to a program of housing activities. Applicants who propose acquisition of real property or acquisition and clearance of real property without immediate prospects for development of the acquired building or parcel will not be considered for an award.
Priorities	In addition to the priorities listed in this RFP, applicants proposing the rehabilitation of structures are encouraged to place and emphasis on

	energy conservation, handicapped accessibility and remedying unsafe conditions.
Scoring Criteria	Community Need (20), Impact (20), Organization Capacity (20), Leveraging (20) and Readiness and Implementation (20).
Area Median Income Restrictions	Individuals and families below 90% of AMI. Non-residential projects must benefit municipalities or rural areas in which at least 50% of the population has incomes of 90% or less of the MSA or county median income.
Eligible Applicants	Not-for-profit corporations or charitable organizations, organized for a period of one or more years, which is either incorporated under the not-for-profit corporation law together with any other applicable law or, if unincorporated, is not organized for the private profit or benefit of its members.
Regulatory Agreement Requirements	7 years
Additional Eligibility Criteria	Rural areas of the state shall mean cities, towns and villages having a population of less than 25,000.
Geographic Targeting	Awards will promote a statewide geographic distribution of this financing.
Environmental Review	All projects must submit documentation necessary to enable HCR to make an acceptable finding under the State Environmental Quality Review Act including a Phase I Environmental Assessment and a "No Impact" determination from the State Historic Preservation Office.
Design Guidelines	Must satisfy the HTFC Design Handbook.
Marketing Plan Requirements	Must meet HCR's Fair Housing Affirmative Marketing Plan requirements.
NYS MWBE Requirements	Yes
Deadlines	Applications accepted until 5:00 PM October 6, 2016 for Early Round Projects. Applications accepted until 5:00 PM November 8, 2016 for Early Round ESSHI Projects. Applications accepted until 5:00 PM December 7, 2016 for Standard Round Projects.

Housing Development Fund Program (HDF)

Housing Development Fund Program (HDF): Subject to the availability of appropriations, HDF Program loan funds may be available to provide construction financing to eligible not-for-profit applicants who propose to use HOME or HTF Program funds as one of the sources of permanent financing for a UF 2016 project. Use of HDF funds during construction can substantially reduce construction period interest. Please note that HDF Program loans require additional approvals from the Office of the State Comptroller and the Division of the Budget which could increase processing times.

Eligible applicants for HDF include: Housing Development Fund Companies (HDFCs) incorporated pursuant to Article 11 of the Private Housing Finance Law and not-for-profit and charitable corporations and their wholly-owned subsidiaries which have the improvement of housing for persons of low-income as a primary purpose. Other aspects of HDF program eligibility (areas, projects, costs and occupants) are determined by the eligibility requirements of the program that is the source of permanent financing as outlined in the program term sheets.

Requests for HDF funds will be evaluated in conjunction with the project's application for permanent financing. HDF eligible applicants who request HDF funds for construction financing and receive HCR awards for permanent financing may receive an HDF award, depending upon the quality of the application and the availability of funds. Applicants considering the use of HDF are encouraged to discuss their plan of financing with HCR staff prior to application submission.

K. UF 2016 Funding Initiatives and Pilots

The following Initiatives and Pilots have been established for UF 2016.

1. Housing Choice Project Based Voucher Program (PBV) Initiative

As authorized by program regulations at 24 CFR 983, HCR plans to offer approximately 100 units of Project Based Voucher (PBV) assistance for proposed projects financed through the HTF, 9% LIHC, SLIHC and/or HOME programs. A complete description of all applicable program regulations can be found within the Electronic Code of Federal regulations at: www.ecfr.gov (Title 24, Part 983).

Developers interested in being considered for PBV assistance should fully review program regulations prior to making an application in order to ensure that their proposed project is consistent with all terms and provisions of those regulations.

No demolition or construction may occur between the time of initial application submission and an Agreement to enter into a Housing Assistance Payments (AHAP) contract is signed. Therefore, projects that are already in construction, regardless of funding source and status of site control, cannot qualify for and receive PBV assistance.

For any project awarded PBVs, a federal environmental review (NEPA Review) performed in accordance with 24 CFR 58 MUST also be completed and approved by HCR prior to any choice-limiting activities conducted in regard to the proposed project or project site(s), including entering into an AHAP, or commencing any form of site preparation or construction. Any such choice-limiting activity conducted on the site by any party prior to completion of NEPA by HCR and HCR authorization to begin construction will result in termination of the PBV's awarded to the project. Applicants must account for the timeframe for completing the NEPA Review in preparing their application's development timetable.

Prior to AHAP, a subsidy layering review for projects with any form of federal, state or local housing assistance, including tax credits will be performed by HCR staff. Applicants are advised to carefully examine the latest subsidy layering review guidelines relative to PBV assistance issued by HUD in its notice of September 26, 2014. These guidelines establish certain development and operations standards that must be adhered to by projects receiving PBVs, including limits on builder's fees, developer's fee, and project cash flow. The guidelines can be found at: <https://federalregister.gov/a/2014-22971>.

For applications requesting PBVs, HCR will only allow a developer fee at or below the 12% of the total development cost.

Applicants are invited to submit proposals for the use of PBVs in connection with the rehabilitation or construction of rental units in **only** those local program areas serviced by HCR's Section 8 Voucher Program and its network of Local Administrators. A complete listing of those local program areas can be found on the HCR website at:

www.nyshcr.org/Programs/Section8HCV/sec8admins.htm.

Applications requesting project based assistance only will not be accepted. Requests for PBV assistance must be accompanied by a request for assistance from the HTF, 9% LIHC, SLIHC and/or HOME Programs.

a. Basic Requirements

Only applications submitted in response to this RFP will be considered for this funding. Applications requiring permanent relocation of current tenants will not be eligible, unless otherwise permitted under the applicable rules and regulations.

HCR requires all applicants seeking PBVs to provide information on the degree to which PBVs enable a project to serve a lower income population than the project would otherwise be capable of serving absent the PBVs. PBV funds will be used to pay the owner a portion of the monthly rent on behalf of eligible households whose incomes must generally be at or below 30% of the area median income (AMI), and in no case can exceed 50% of AMI. A detailed description of the impact PBVs will have on the population served must be provided in an application seeking PBV assistance. The description must be provided in Attachment F9 - Proposal Summary as part of the response to the question of what public purpose is served by the project and who the project beneficiaries will be.

The maximum request for PBVs is 25% of a project's total units. Exceptions to the 25% limit are permitted for units that will house: 1) the elderly (62 years or older); 2) the disabled; or 3) those where one or more members will participate in a program of supportive services generally equivalent to HUD "Family Self-Sufficiency" programming throughout the term of the PBV Housing Assistance Payments (HAP) contract.

Davis-Bacon wage requirements are applicable to construction or rehabilitation of all projects receiving nine (9) or more PBVs.

2. 9% LIHC Mixed-Income Initiative

For applications proposing new construction of family projects (at least 40% of the units must have two bedrooms or more) in New York City and Nassau, Suffolk and Westchester Counties, HCR will allow applicants to exceed the maximum annual 9% LIHC allocation of \$22,000 per 9% LIHC-eligible unit, provided that:

- a). the project’s 9% LIHC-eligible units generate qualified basis in excess of the \$22,000 per unit limit;
- b). any allocation amount above the per-unit annual allocation limit must be used to subsidize HCR-regulated units affordable to moderate- and middle-income households above 60% of Area Median Income (AMI), up to a maximum of 130% AMI;
- c). the total 9% LIHC request does not exceed \$22,000 per unit on a total project basis, inclusive of the units serving households above 60% of AMI; and,
- d). the requested credit amount is within the applicable per-project cap.

All project units will be subject to HCR’s standard cash flow limits as detailed in Section 5 of the CPM as part of the agency’s 9% LIHC gap analysis.

The development team for the project must have a demonstrated track record in successfully developing, marketing, and managing mixed-income 9% LIHC projects.

The units above 60% must be integrated into the project in terms of distribution of unit type within the building. All units within a proposed project must have reasonably comparable features, finishes and amenities. All units will be subject to a 9% LIHC regulatory agreement, and will have the same regulatory term.

In order to qualify under this Initiative, a project must provide for each unit over 60% of AMI, a matching unit or units, if necessary, of comparable size with affordability level(s) such that the affordability of all the project’s units average to no more than 60% of AMI based upon the proposed rents.

For example, a 60 unit project with 12 units above 60% and 48 units affordable below 60% AMI proposes the following rent affordability levels:

Rent % AMI Affordability	# units	Affordability x # Units
30%	6	180
40%	18	720
50%	12	600
60%	12	720
100%	2	200
110%	8	880
120%	2	240
TOTAL	60	3540
Average Project Rent Affordability	59% AMI (3540 ÷ 60)	

This project would be eligible since the overall affordability of the project rents does not exceed 60% of AMI.

Initial rents on the units over 60% AMI may not exceed 30% of the targeted AMI. All rent levels are calculated as gross rents less a utility allowance.

For projects located outside of HUD designated Qualified Census Tracts (QCTs), if rents are set at an affordability level below the maximum income level at which the units will be regulated, the units may be rented to households above the actual affordability level up to the maximum AMI in the targeted income band. For example, if a project rent is set at 77% AMI affordability and it is to be regulated below 80% AMI, the unit could be rented to households over 77% up to a maximum of 80% AMI.

For projects located within QCTs or transitional neighborhoods, HCR will allow a reduced rent burden to encourage middle- and moderate- income households to reside in these economically challenged neighborhoods. Transitional neighborhoods refer to locations straddling strategic borders between economically vibrant and economically challenged neighborhoods. Units may be rented to households with income levels that are 15% higher than the actual rent affordability, for example, a unit with a rent set at 100% AMI can be rented to households up to 115% AMI. The maximum income allowed will be rounded up to the nearest decile. For example, a unit with a rent affordable at 81% AMI can be rented to households up to 100% AMI ($81\% + 15\% = 96\%$, rounded to 100% AMI).

Applicants interested in participating in this Initiative must schedule a technical assistance meeting with the appropriate HCR staff identified in Section VII of this RFP.

3. Neighborhood Revitalization Cross Subsidy Pilot

As part of HCR's ongoing effort to diversify the income levels of households served by affordable housing and affirmatively further fair housing through mixed income developments, HCR will allow LIHC and/or SLIHC equity to cross subsidize middle and moderate income units that contribute to a neighborhood-specific revitalization plan in economically distressed communities.

In order to participate in this pilot, applicants must propose projects located in either (a) Qualified Census Tracts that clearly advance the Mixed-Income/Mixed-Use Revitalization State Housing Goal described in Section III, (B), (1), (b); and/or (b) transitional neighborhoods straddling strategic borders between economically vibrant and economically challenged neighborhoods. To qualify under this priority, applicants must demonstrate that, unaided by capital subsidies, the private sector has been unable to construct new rental housing for middle income households in these neighborhoods. Eligible projects must target at least 20% of total units to households at or above 80% of AMI up to 130% of AMI.

All project units will be subject to HCR's standard cash flow limits as detailed in Section 5 of the CPM as part of the Agency's 9% LIHC gap analysis.

In order to participate in this pilot, the development team for the project must have a demonstrated track record in successfully developing, marketing, and managing similar projects.

Units targeted and marketed to households at or above 80% of AMI must be integrated into the project in terms of distribution of unit type within the building. All units within a proposed project must have reasonably comparable features, finishes and amenities. All units will be subject to a 9% LIHC regulatory agreement and will have the same regulatory term.

As under the 9% LIHC Mixed-Income Initiative and the Middle Income Housing Program, HCR will allow a reduced rent burden to encourage middle- and moderate-income households to reside in these economically distressed neighborhoods. Units may be rented to households with income levels that are 15% higher than the actual rent affordability, for example, a unit with a rent set at 100% AMI can be rented to households up to 115% AMI. The maximum income allowed will be rounded up to the nearest decile. For example, a unit with a rent affordable at 81% AMI can be rented to a household up to 100% AMI ($81\% + 15\% = 96\%$, rounded to 100% AMI).

Applicants interested in participating in this Pilot must schedule a technical assistance meeting with the appropriate HCR staff identified in Section VII of this RFP.

V. Additional Guidance for the UF 2016 Round

A. General Requirements for Funding Round

1. Replacement Reserve Requirements

Operating budgets for all projects requesting 9% LIHC and/or SLIHC, including blended projects also requesting HTF/HOME must provide an annual replacement reserve equal to \$250 per unit. An initial replacement reserve contribution equal to \$1,000 per unit is also required and it must be included in the development budget.

HTF and/or HOME stand-alone projects without 9% LIHC or SLIHC must provide an annual contribution to the replacement reserve equal to .50 percent of the total construction cost (including builder's fees), up to a maximum of \$800 per unit for family projects or \$400 per unit annually for elderly projects, unless otherwise approved by HCR.

2. Market Study/Market Analysis Requirements

All applicants must provide a market analysis or a professional market study. Please see Section 5 of the CPM for specific market analysis and market study requirements.

Professional market studies must be prepared by a HCR pre-qualified market analyst in accordance with the guidelines detailed in the CPM. A listing of pre-qualified market analysts can be found on the HCR website:

www.nyshcr.org/Funding/UnifiedFundingMaterials/2016/

a. Market Study/Analysis Requirements for 9% LIHC/SLIHC Projects

All applications for projects requesting 9% LIHC and/or SLIHC must include a professional market study prepared by a HCR pre-qualified market analyst or, in the case of projects located in the City of New York, a market analysis utilizing data from the most recent edition of the New York City Rent Guidelines Board Report.

b. Market Study/Analysis Requirements for Projects with more than 15 units

Any new construction project of over 15 units will require the submission of a **professional market study** or, in the case of projects located in the City of New York, a market analysis utilizing data from the most recent edition of the New York City Rent Guidelines Board Report.

HTF and/or HOME stand-alone preservation projects located outside of the City of New York involving the rehabilitation of existing, occupied housing, may submit a **market analysis** rather than a professional market study, if the project's average occupancy for the 12 months prior to application submission is 90% or greater. HTF/HOME preservation project applications must include documentation of the project's most current monthly rent roll, two year project occupancy history, and income-qualified waitlist in the application Attachment D-5, "Occupied Project Information". If the project's average occupancy for the twelve months prior to application is below 90%, a professional market study is required.

c. Market Study/Analysis Requirements for Projects of 15 units or less

Projects of 15 units or less may submit a **market analysis**. For projects involving the preservation of existing, occupied housing, the application **must include** documentation of the project's most current monthly rent roll, two year project occupancy history and income-qualified wait list in the application Attachment D-5 "Occupied Project Information". If the project occupancy rate is below 90%, the analysis must address the probable cause(s) of the vacancy problem and how the proposed rehabilitation will improve occupancy levels. New York City Projects may utilize data from the most recent edition of the New York City Rent Guidelines Board Report.

d. Market Study Requirements for Co-operative/Condominium Projects

All projects proposing the construction or rehabilitation of a co-operative or a condominium will require the submission of a professional market study demonstrating that a market exists for the proposed project.

3. Full Disclosure

All costs and funding sources related to the development, or redevelopment, of the project site, including any related infrastructure work necessary for the project must be included in the project budget. Failure to include all such costs, and/or to disclose such sources will result in the termination of HCR's review, and the rejection of the application. All costs and financing sources related to the remediation of environmental hazards on the site, or any adjacent sites, necessary for the redevelopment of the parcel on which the proposed project is located must be disclosed in the application, and included in the development budget.

B. New York/New York Supportive Housing

As a State housing goal, HCR strongly encourages the submission of applications that include units to be developed with New York/New York service and operating subsidies. Prior to submission of an application, prospective applicants are advised to schedule joint technical assistance meetings with HCR and the State and/or local agencies responsible for the operating and service funding. The following are agency contacts for prospective applicants interested in NY/NY subsidies. Interested applicants are encouraged to contact HCR prior to application submission for additional technical assistance regarding the availability of operating assistance. For more information about NY/NY, applicants should contact the appropriate State or local agency contact person listed below:

New York State Office of Mental Health (OMH)
Moiria Tashjian, MPA, Associate Commissioner, Division of Adult Community
Care Group
(518) 473-6655
Moiria.tashjian@omh.ny.gov

NYS Office of Alcoholism and Substance Abuse Services (OASAS)
Henri Williams, Bureau Director
(518) 485-0504
Henri.Williams@oasas.ny.gov

NYS Office of Temporary and Disability Assistance (OTDA)
Dana Greenberg, Assistant Director, Bureau of Housing and Support Services
(518) 476-3433
Dana.Greenberg@otda.ny.gov

NYS Homes and Community Renewal
Amanda Beale, Supportive Housing Coordinator
(518) 474-7392
Amanda.Beale@nyshcr.org

NYC Human Resources Administration (HRA)
HIV/AIDS Services Administration (HASA)
Paula Sangster-Graham, Director of Contracts
(212) 620-9275
sangstergrahamp@hra.nyc.gov

NYC Department of Health and Mental Hygiene, (DOHMH)
Gail Wolsk, Director, Office of Housing Services
(347) 396-6933
gwolsk@health.nyc.gov

C. New York State's Olmstead Implementation Plan

In its 1999 *Olmstead v. L.C.* decision, the US Supreme Court ruled that states, in accordance with the American with Disabilities Act (ADA), have an obligation to provide services to individuals with disabilities in the most integrated setting appropriate to their needs.

Governor Andrew M. Cuomo has made serving individuals with disabilities in the most integrated setting a top priority. New York State has developed a comprehensive Olmstead Implementation Plan that addresses integrated housing, employment, transportation, community services, and other important issues. New York State's Olmstead Implementation Plan affirms the State's position as a national leader on disability rights.

Working in collaboration with State, federal, and/or local partners, HCR will review all proposals to assess whether persons with disabilities will be served in the most integrated setting appropriate to their needs.

Any applicant considering submitting an application for a project that would give preference in tenant selection to persons with special needs for 50% or more of a project's bedrooms are required to schedule a pre-application conference with HCR, and the State, federal or local agency that is providing the funding for appropriate services. The purpose of this conference is to explore whether the contemplated project is consistent with the Olmstead decision.

Also, please note that on January 16, 2014, the U.S. Centers for Medicare and Medicaid Services (CMS) published its final rule for Home and Community-Based Services (HCBS) effective March 17, 2014. It is critical that applicants proposing supportive housing for persons with special needs fully understand the requirements of the final rule and all its implications. The full regulation can be found at 42 CFR Part 441.301.

D. NYS Brownfield Cleanup Program

In the ten years since it was established, the Brownfield Cleanup Program (BCP) has cleaned up more than 190 contaminated sites and spurred a wide array of redevelopment projects throughout the State. The State FY 2015-16 budget adopted by the Legislature and signed by Governor Cuomo includes sensible reforms to the program to catalyze redevelopment while providing the means to improve the environment and clean up contaminated sites. The reforms introduce measures to ensure the program is fair to the State's taxpayers by targeting tax incentives in New York City only to certain sites, including sites that will be redeveloped for affordable housing. The BCP tax credits were scheduled to expire on December 31, 2015. Under the new law, sites will have until March 31, 2026 to receive a certificate of completion.

The cleanup and redevelopment of BCP-eligible brownfield sites into affordable housing as part of a mixed income neighborhood specific revitalization effort has been established as a State Housing Goal.

Because of the complexity and potential risks associated with the redevelopment of contaminated sites, HCR recommends that prospective applicants fully evaluate sites and obtain New York State Department of Environmental Conservation approval to participate in the BCP prior to submitting an application under this RFP.

Under current market conditions, HCR also strongly encourages project sponsors to consider syndicating BCP tax credits along with the 9% LIHC/SLIHC in order to efficiently introduce this valuable resource into a project's plan of finance.

Please note that all BCP tax credit proceeds are deemed to be "associated financing" for the purpose of conducting the 9% LIHC gap analysis and must be included in the declaration of public subsidies (Exhibit 9E) at application submission, at binding/carryover, and in the 8609 submission. In addition, all applicants proposing to utilize BCP tax credits must complete Attachment D8 – Brownfield Redevelopment Tax Credit Worksheet.

E. Fair Housing

Through its programs, HCR seeks to affirmatively further fair housing through various activities, such as developing affordable housing, and removing barriers to the development of such housing, in areas of high opportunity; strategically enhancing access to opportunity, including through: targeted investment in neighborhood revitalization or stabilization; preservation or rehabilitation of existing affordable housing; promoting greater housing choice within or outside of areas of concentrated poverty and greater access to areas of high opportunity.

HCR requires that each multifamily development receiving financing under this RFP financing carry out a marketing strategy to attract prospective renters within the housing market area, regardless of race, color, religion, sex, disability, familial status, national origin, marital status, military status or sexual orientation. In addition to general marketing efforts, each development must engage in an affirmative fair housing marketing program. These affirmative fair housing

marketing efforts are meant to target persons identified as least likely to apply and make them aware of available affordable housing opportunities.

All applicants are subject to HCR's Affirmative Fair Housing Marketing requirements and will be required to provide a marketing plan and report on compliance in accordance with the forms on HCR's website at www.nyshcr.org/Forms/FairHousing/. The Affirmative Fair Housing Marketing Plan must be in compliance with applicable Fair Housing laws and demonstrate how the applicant will affirmatively further fair housing.

F. OPWDD Coordination

In an effort to promote better coordination between the NYS Office for People with Development Disabilities (OPWDD) and HCR, prospective applicants who are planning to propose a preference in tenant selection for individuals with intellectual and/or developmental disabilities are advised to schedule a meeting with HCR and OPWDD's Division of Person-Centered Supports prior to submission of an application under this RFP. Prospective applicants should contact Patricia Downes, Project Director, OPWDD at (518) 486-6466 and the appropriate HCR staff identified at the end of the RFP to schedule a meeting.

G. Section 3

It is one of the purposes of the HOME Program to give, to the greatest extent feasible, and consistent with existing federal, state and local laws and regulations, job training, employment, contracting and other economic opportunities to low- and very low-income persons and locally owned enterprises, pursuant to Section 3 of the Housing Act of 1937. Federal law and regulations require that recipients of federal funds in excess of \$200,000 for construction or rehabilitation projects and their contractors agree to comply with the provisions set forth at 24 CFR Part 135. Each applicant is required to submit with its application a Section 3 Participation Plan which includes a HUD Section 3 Resident Employment Plan explaining the applicant's intentions and commitments concerning the hiring of HUD Section 3 residents to perform the work contemplated by this RFP, and information pertaining to the Contractor's affirmative efforts concerning HUD Section 3 Business participation and its efforts in aspiring to meet the numerical goals specified in 24 CFR 135.30. If the Contractor is a Section 3 Business, it must also submit with its Proposal, a Section 3 Business Certification form.

VI. Evaluation and Selection Process

A. General Review Criteria

In general, HCR 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 HCR. To the extent feasible, HCR 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 housing policy goals of the State. Applications will be evaluated within the context of other applications submitted for projects within the same geographic region.

Fundamentals consider the basic components of any real estate investment: feasibility, team experience, capital structure, etc. In this RFP, fundamentals also considers certain threshold requirements specific to each resource. HCR will evaluate, among other things, whether the investment is infeasible 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 considers whether the investment leverages significant outside resources such as third party funds, local funds, and /or local support. Outcomes consider the policy goals achieved by a particular investment.

Applications proposing quality housing that most cost-efficiently provides the greatest number of units for the longest period of time for the lowest-income New Yorkers, and which address housing needs and articulated State housing goals will have the greatest likelihood of being selected.

In addition to the competitive score assigned to an application, HCR will also consider other factors, including, but not limited to, the extent to which an application supplements or advances a coordinated investment by State agencies, federal government and local partners, and whether a proposed project clearly advances New York State's housing goals and objectives, including any goals set forth by the Regional Economic Development Council strategic plan applicable to the area in which the project is located.

HCR will consider the proximity of a proposed project to locally undesirable land uses which expose residents to negative physical, chemical, biological, social and/or cultural factors when making award decisions.

HCR will also continue to consider the proposed costs of a project in making its funding decisions.

Within the constraints of statutory and regulatory requirements, HCR will give preference to applications proposing projects in communities that offer greater opportunity for residents, or which are part of a concerted neighborhood-specific revitalization effort.

All awards made as a result of this RFP must be in conformance with the State's Consolidated Plan and further one of its Strategic Plan objectives. The Consolidated Plan is available here: www.nyshcr.org/Publications/.

HCR will give preference in its award decisions to projects outside the New York City region (City of New York and Nassau, Suffolk, and Westchester Counties) that demonstrate a readiness to proceed to construction by September 30, 2017. For projects located in the New York City region, HCR will give preference in its award decisions to projects that demonstrate readiness to

proceed to construction by December 31, 2017. For projects located in the City of New York that involve the transfer of City-owned land not awarded pursuant to a competitive process, and for which the Urban Land Use Review Process cannot be initiated until the award of HCR funding, HCR will take into account the need for a longer development timetable.

B. Equal Employment Opportunity/Minority and Women Owned Business

Under Article 15A of the New York State Executive Law, all award recipients and their contractors are required to comply with the equal employment opportunity provisions of Section 312 of that Article in any instance in which an award of funds includes state-funded construction costs in excess of \$100,000. Preference will be given to applicants that include a New York State certified Minority Women-Owned Business Enterprise as a member of the development team.

Also, all contractors and awardees are required to 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.

Additional information can be found at: www.nyshcr.org/forms/FairHousing/.

C. Applicant Past Performance

An applicant's past and current performance in State programs and contracts, including their performance under Article 15A of the New York State Executive Law, will be considered in reviewing, rating, and ranking its application. HCR reserves the right to not issue an award to any applicant 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.

When evaluating applications, HCR will take into consideration its experiences with a project's development team (including the project owner, sponsor, developer and/or housing consultant) on previously-awarded projects, including, but not limited to, projects that were delivered with significant delays, cost increases, changes in project scope from what was presented at the time of application, or other project modifications which would have resulted in a lower competitive scoring for that project. Failure to meet the deadlines and milestones set forth in a previously issued 9% LIHC reservation letter will adversely impact the competitiveness of applications submitted in UF 2016 or future application rounds.

As a condition of application submission and/or award, HCR will require the project developer, project owner, general contractor, architect, management agent and housing consultant to provide written authorization for HCR to conduct credit, background, and Lexis/Nexis reviews.

D. Entities on Federal or State Debarment Lists

No entity that is on any Federal or New York State debarment list, or which is otherwise prohibited from bidding on or receiving government contracts may be contracted for any services related to the project (including construction subcontracts).

E. Cost Considerations

HCR will continue to evaluate project costs in making its funding decisions. All project costs will be compared to those on other proposed projects in comparable cost regions. Two cost regions will be used for these evaluations. The first will include proposed projects located in New York City, and Westchester, Nassau, and Suffolk Counties. The second will include all proposed projects located in the remaining 54 counties of the State. HCR may also take into account any other available cost data and disallow costs that are unreasonable and/or excessive.

The QAP provides a Cost Effectiveness scoring criterion that awards points to proposed projects based on a comparison of costs to other projects proposed in the same cost region. The QAP also bars HCR from funding High Cost Projects that significantly exceed the costs of other proposed projects unless a determination has been made by the Commissioner finding the project to be in furtherance of the State's housing goals.

In scoring Cost Effectiveness and identifying High Cost Projects, HCR will use three cost measures:

- Total Residential Project Cost per Gross Square Foot of Residential Space, including common areas (Square Footage used for this calculation is all space within residential units plus all space within residential common areas up to, but not exceeding the HCR design standards limit of 25% of the total, or 35% if a waiver to exceed that 25% limit has been requested and granted prior to application);
- Total Residential Project Cost per Bedroom; and,
- Total Residential Project Cost per Residential Unit.

For scoring purposes, HCR will award points to projects with costs at or below the median for all projects submitted during the round within the same cost region.

High Cost Projects will be defined as projects that average above 130 percent of the cost region median for the three cost measures listed above. For example, if the costs for Project A are 155 percent of the cost region median for cost per square foot, 132 percent of the cost region median for cost per bedroom, and 120 percent of the cost region median cost per unit, the average (mean) across the three measures would be 135.6 percent. As a result, Project A would exceed the 130 percent threshold, be identified as a High Cost Project, and could only be funded if a determination was made by the Commissioner finding the project to be in furtherance of the State's housing goals.

The amount of 9% LIHC and SLIHC that will be available for High Cost Projects will be limited to no more than 10 percent of the credit allocated during the funding round. For non-LIHC project applications, the total amount of subsidy that will be made available to High Cost Projects will be limited to no more than 10 percent of that subsidy source awarded during the funding round.

Also, as part of its overall effort to control project costs, HCR will continue to apply HTFC Design Handbook maximum square footage limits to all projects seeking funding as part of UF 2016.

F. Application Processing Steps

1. Application Receipt

Applications are assigned an identification number and undergo a series of reviews depending upon the type(s) of assistance and the program(s) from which the funds are requested.

2. Completeness Review

Applications for funding will be reviewed on the basis of the documentation submitted with the application by the application due date. Applicants will not be given the opportunity to submit application documentation after their initial applicant submission.

Only one application can be submitted per project site for each UF round (Early Award and Standard rounds). The withdrawal of any Early Award round application must occur prior to the Early Award round award notification date and only under very specific circumstances, such as a change in site, significant change in financing, or a change in scope (number of units, special populations or income targets). The withdrawal of any Early Award round application must occur prior to the Early Award round notification and acceptance of a Standard round application is subject to HCR's discretion. If an application is not successful in the Early Award round, the same application will be considered under the Standard round parameters with no changes permitted.

HCR, at its sole discretion, will immediately discontinue processing of any application submitted pursuant to this RFP if the application is determined to be substantially incomplete. HCR will consider an application to be substantially incomplete if the application does not include acceptable evidence of site control (Attachment A1), market study/market analysis (Attachment C2), outline specifications (Attachment B1), and/or preliminary plans (Attachment B3). At the sole discretion of HCR, processing will be discontinued for any application which does not include ANY of these required documents based on review of the initial application submission. Further information on acceptable forms of site control, market studies/market analyses, outline specifications, and preliminary plans are included in the Project Application instructions, Section 5 of

the CPM and the HTFC Design Handbook. Since evidence of acceptable site control is a threshold application requirement, applicants are strongly encouraged to review site control documentation with HCR staff prior to application.

3. Eligibility Review

All applications will be reviewed for program eligibility pursuant to all applicable statutes and regulations, some of which are summarized in the Program term sheets.

4. Rating Criteria

Applications which pass eligibility reviews are scored using the rating criteria for each program requested. For the purpose of rating and ranking applications, when an applicant requests funds from two or more programs, HCR will utilize the scoring criteria for the program which would provide the greatest amount of financial assistance to the proposed project. Recognizing that different Program scoring criteria can result in scores that are not comparable to one another, HCR's evaluation of applications will only compare projects to other projects scored under the same Program scoring criteria. See the Program term sheets for specific program scoring criteria.

5. Design Requirements and Scoring

a. Mandatory Energy Efficiency Strategies

All projects awarded funding under this RFP must participate in one of the energy efficiency strategies described below. All recommended practices applicable to the construction systems planned for the building must be incorporated. However, the recommended practices shall be secondary where conflicts exist between building codes or HCR standards and requirements, unless a waiver is granted from HCR standards or requirements. Non-residential projects shall incorporate comparable energy efficiency strategies as those required for residential projects to achieve similar energy savings.

Applicants should take note that energy codes are in continuing development and are currently scheduled to be updated shortly after this RFP is published. This may affect the energy efficiency strategies listed below.

Applicants are hereby advised that energy code requirements and the corresponding energy efficiency strategy must be considered when planning the project development schedule. The applicant will be responsible, without any additional cost to HCR programs, to comply with the applicable energy efficiency standard and all energy code requirements in effect at the time the building permit is issued. HCR requires that all projects pursuing solar energy, or any other alternative energy sources, to incorporate the design, operating cost and development cost assumptions associated with those measures into the project at the time of application.

New York State Energy Research and Development Authority (NYSERDA) Low-Rise Residential New Construction Program (LRNCP):

Projects may qualify through participation in the Low-rise Residential New Construction Program (LRNCP), and committing to meet the relevant version of this program. Projects are encouraged to achieve the highest level of energy efficiency and building performance supported through LRNCP. Please be advised that the level of performance achieved may substantially affect the incentives that can be received from NYSERDA and that any changes in building or energy codes may affect the program version applicable to a project.

The application must include a signed contract between the applicant and either a qualified Builder or Home Energy Rating System (HERS) Rater, who participate in LRNCP. The contract must be signed by both the applicant and the Builder or HERS Rater. In lieu of a signed contract, HCR will accept a HERS-based plan review completed by a participating HERS rater which affirms the project design will meet the high efficiency guidelines required to meet NYSERDA's program requirements. Final closeout of the project shall be contingent upon certification from NYSERDA that the project meets LRNCP requirements.

NYSERDA Multifamily New Construction Program (MF NCP):

Projects may qualify through participation in the Multifamily New Construction Program (MF NCP), and committing to meet the relevant version of MF NCP. Projects are encouraged to achieve the highest potential level of energy efficiency and building performance supported through MF NCP. Please be advised that the level of performance achieved may substantially affect the incentives that can be received from NYSERDA and any changes in building or energy codes may affect the program version applicable to a project.

The application must include a contract with a NYSERDA approved MF NCP partner to oversee the design and construction as necessary to meet the program requirements. The contract must be signed by both the applicant and the MF NCP partner. Final closeout of the project shall be contingent upon certification from NYSERDA that the project meets the MF NCP requirements.

U. S Environmental Protection Agency (EPA) ENERGY STAR Certified Homes:

Projects may qualify utilizing ENERGY STAR Certified Homes Version 3.0 at a minimum, utilizing the ENERGY STAR certification process. Please be advised that projects may be required to comply with ENERGY STAR Certified Homes, Version 3.1, as determined by EPA, based on the current building code in effect at the commencement of the construction of a project. Compliance with the most current version available when a project commences construction is encouraged.

The application is to include a contract with a RESNET certified HERS rater which explains the methodology to be utilized to ensure that the applicable standard will be met. The contract must be signed by both the applicant and the HERS Rater. In lieu of a signed contract, HCR will accept a HERS-based plan review completed

by a qualified HERS rater to affirm the project design will meet the high efficiency guidelines of the applicable standard. Final closeout of the project shall be contingent upon certification from EPA that the project meets the program requirements. As noted above, certification will be contingent upon complying with the EPA base standards as they relate to the building code in effect at the time of construction.

EPA ENERGY STAR Multifamily High Rise Program:

Projects may qualify following either the prescriptive path or the performance path to achieve a performance target of 15% over ASHRAE 90.1 2013 at a minimum. The application must include a contract with an energy consultant to oversee the design and construction as necessary to meet the program requirements. The contract must explain the methodology to be utilized to ensure that the applicable standard will be met, and must be signed by both the applicant and the energy consultant. Final closeout of the project shall be contingent upon certification from EPA that the project meets the program requirements.

Enterprise Green Communities Criteria:

Projects may qualify by participating in Enterprise Green Communities Criteria, 2015, or newer if applicable, based on the construction timeframe. Projects in New York City may utilize the New York City - Enterprise Green Communities overlay. Participation allows applicants to utilize Enterprise Green Communities Criteria, which includes meeting defined energy performance criteria as a base standard for compliance with the mandatory energy efficiency strategies of this section and the optional green building program participation of section VI. F. 5. c). Choosing this strategy requires full participation in Enterprise Green Communities Criteria, utilizing ENERGY STAR certified Homes Version 3.1, or a performance target of 15% over ASHRAE 90.1 2013 as applicable for the building type. The applicant must submit a letter indicating that they are selecting Enterprise Green Communities Criteria as means of compliance with both the mandatory energy efficiency strategies and the optional green building program participation in addition to the submission requirements indicated in VI. F. 5. c). Final closeout of the project shall be contingent upon certification from Enterprise Green Communities that the standard was met.

Historic Rehabilitation & Adaptive Re-use:

Projects with buildings designated as historic by local, state or federal authorities undergoing a substantial rehabilitation or adaptive re-use, that cannot fully implement one of the first four standards described above without negatively affecting the historic building fabric, shall enroll in either the NYSERDA LRNCP, MF NCP, or subsequent programs administered by NYSERDA to achieve the New York Energy Smart or equivalent designation offered by participating in one of those programs. The applicant's development team shall work with NYSERDA and HCR to implement the applicable provisions of these programs. The application must include a signed contract as noted above for the applicable NYSERDA program. Final

closeout of the project shall be contingent upon certification from NYSERDA that the project meets the applicable program requirements.

Moderate Rehabilitation:

Applicants may: 1) Bring existing building(s) that do not meet the current energy code up to the energy code standard for comparable new construction building(s) in effect on the date the building permit is issued; or 2) demonstrate that the renovated building(s) will reduce overall energy usage by 20%, as compared to average energy usage for the last two years of operation. Proposals for bringing a building to current energy code standards must include a code analysis that is submitted in the application and is prepared by an architect or engineer licensed in the State of New York. Proposals for reducing energy usage by 20% must be demonstrated by submitting an energy analysis by an architect or engineer licensed in the State of New York, or RESNET certified HERS Rater, with the application, or by submitting a signed contract with a MPP Multifamily Building Solutions Provider to reduce energy consumption by 20% in accordance with the criteria of the NYSERDA Multifamily Performance Program for existing buildings. The contract must be signed by the applicant and the MPP Multifamily Building Solutions Provider and shall indicate the work scope items scheduled for improvement with an associated anticipated energy reduction objective. Final closeout of the project shall be contingent upon a final analysis and report, including results of required energy code testing, that certifies that the project meets the chosen goal. Projects participating under MPP shall submit final certification from NYSERDA indicating that the project met the objective of reducing energy by 20%.

b. Mandatory Green Building and Energy Efficiency Practices

All projects must include the applicable mandatory green building and energy efficiency practices listed below. Conformance with any of these practices does not replace, or substitute for compliance with other HCR program funding standards or requirements.

Limiting Lead Exposure:

Include lead-safe work practices and procedures in the rehabilitation of buildings constructed prior to 1978.

Applicable projects shall comply with the most current editions of the HUD Guidelines for the Evaluation and the Control of Lead-Based Paint in Housing, and the EPA Renovation, Repair and Painting Rule.

All existing domestic water supply/distribution systems to remain in proposed projects must test negative for lead content in accordance with applicable drinking water regulations and guidelines.

Remove domestic water supply piping and fixtures and replace with lead-free plumbing where tests result in lead content above applicable drinking water regulations and guidelines.

Radon Mitigation:

Utilize radon mitigation measures in projects located in EPA Radon Zones 1 and 2.

For new construction and substantial rehabilitation projects, install passive radon-resistant features below the slab and vented up through the roof by utilizing vent piping running through the interior of the building. Radon testing shall be conducted prior to occupancy. If the results of this testing exceed the recommended EPA action level, the passive radon system shall be activated.

For moderate rehabilitation projects, install active radon-reduction measures should tests confirm the presence of radon gas in the building exceeding the recommended EPA action level. Testing shall occur at the end of the rehabilitation work, prior to occupancy.

ENERGY STAR Appliances:

All refrigerators, dishwashers, and clothes washers included in the project, or supplied by vendors, shall be ENERGY STAR rated. Commercial washing machines may be non-ENERGY STAR rated provided they meet or exceed the energy efficiency, quality, and reduced operational costs associated with ENERGY STAR rated appliances.

ENERGY STAR Equipment:

All heating and air conditioning equipment shall be ENERGY STAR rated, or provide the equivalent in energy savings, quality and operational cost. Equipment shall be considered to meet this requirement where the equipment is deemed to comply with the NYSERDA Low-rise Residential Construction Program, NYSERDA Multifamily New Construction Program, NYSERDA Multifamily Performance Program for existing buildings, EPA ENERGY STAR Certified Homes, or EPA ENERGY STAR Multifamily High Rise Program, as described in this RFP.

ENERGY STAR Lighting:

All lighting shall be ENERGY STAR rated, or provide the equivalent in energy savings and quality. Interior lighting and exterior building lighting shall incorporate ENERGY STAR fixtures, or high efficacy lamps. Exterior site lighting shall utilize high efficiency lighting. All exterior building and site lighting shall include either daylight sensors or timers to minimize electrical usage.

Low-VOC Building Materials:

Building materials that have the potential to negatively affect indoor air quality such as: paints, applied finishes, adhesives, and sealants shall, at a minimum, meet Green Seal, or an equivalent, low-VOC standard.

Integrated Pest Management:

All projects are to incorporate integrated pest management during construction that includes sealing all openings, cracks and joints to prevent the infestation of insect and animal pests from entering the building, or migrating from one apartment or

common area to another. After occupancy, the building management shall incorporate environmentally friendly pest management strategies and extermination practices that are safe for the health of the residents and the environment.

c. Optional Green Building Program Participation (up to 5 points)

Points will be awarded as indicated below under the HTF, HOME, 9% LIHC, or SLIHC program(s) to an applicant who documents that their project will meet one of the four standards listed below. Recognizing that Green Building has become a widely accepted industry practice, in order to be awarded points under this scoring category, applicants must also qualify for points under the Cost Effectiveness scoring category. Applicants who choose one of these options will be required to comply with the chosen standard, including modifications resulting from changes to the standard, without any additional cost to HCR programs.

Enterprise Green Communities (3 points):

Certification under Enterprise Green Communities Criteria, 2015, or newer. Projects in New York City may utilize the New York City - Enterprise Green Communities overlay. The applicant shall submit the Enterprise Green Communities Prebuild Application submission notification, or submit a letter of agreement between the applicant and a green building consultant, engineer, or architect that includes oversight of the design and construction as necessary for final Green Communities certification. The letter of agreement must be fully executed by the applicant and the green building consultant, engineer, or architect. Final closeout of the project shall be contingent upon certification from Enterprise Green Communities that the standard was met.

LEED (3 points):

US Green Building Council (USGBC) LEED Rating System. At a minimum, projects shall comply with the current, or newer, criteria for: LEED version 4 BD+C Homes, or LEED version 4 BD+C Multifamily Midrise. If the housing type proposed is not recognized under, LEED version 4 BD+C Homes, or LEED version 4 BD+C Multifamily Midrise, an equivalent LEED rating system may be substituted upon agreement by HCR. To qualify for points for LEED participation, the applicant shall submit a letter of agreement with a LEED Green Rater to oversee the design and construction as necessary for final certification at the Silver, or higher, level. The letter of agreement must be fully executed by the applicant and the LEED Green Rater. Final closeout of the project shall be contingent upon certification from USGBC.

National Green Building Standard (3 points):

2015 ICC 700 National Green Building Standard. The applicant shall submit a letter of agreement with a Verifier accredited by Home Innovation Research Labs to oversee the design and construction as necessary for final certification to the Silver,

or higher level. The letter of agreement must be fully executed by the applicant and the Verifier. Final closeout of the project shall be contingent upon certification from Home Innovation Research Labs.

Passive House Institute Certification (5 points):

Projects may qualify in either the Passive House Institute US (PHIUS), or the Passive House Institute (PHI) programs. Certification shall be obtained under PHIUS+ 2015 Passive Building Standard – North America, or newer, based on the construction timeframe, or certified under PHI protocols. The applicant shall submit a form of a receipt from PHIUS or PHI that the project was accepted into their program, or submit a letter of agreement between the applicant and a PHIUS or PHI certified Passive House consultant or designer (CPHC or CPHD) that includes oversight of the design and construction as necessary for pre-certification and final certification. The letter of agreement must be fully executed by the applicant and the CPHC or CPHD, and accompanied with the CPHC's or CPHD's certification from the PHIUS or PHI. Final closeout of the project shall be contingent upon confirmation from the certified Passive House consultant or designer that the built condition complies with design intent submitted at the pre-certification application to the applicable Passive House organization.

Additional information may be found at the following websites:

<http://www.phius.org/home-page>

<http://www.passiv.de/en/index.php>

NYSERDA Comprehensive Option for Multifamily Affordable Buildings (3 or 5 points):

Moderate rehabilitation preservation projects utilizing the Comprehensive Option for Multifamily Affordable Buildings at the second tier level with a projected energy savings target of 31% or greater (**3 points**). Projects committing to the third tier with a projected energy savings target of 36% or greater (**5 points**). The applicant shall submit a signed contract with a MPP Multifamily Building Solutions Provider to reduce energy consumption in accordance with the selected criteria. The contract must be signed by the applicant and the Multifamily Building Solutions Provider and shall indicate the work scope items associated with the energy reduction objective. Final closeout of the project shall be contingent upon a final certification from NYSERDA indicating that the project met the energy reduction objective.

d. Fully Accessible and Adapted, Move-in Ready Units (5 points)

Projects providing fully Accessible and Adapted, move-in ready, dwelling units will be awarded points based on compliance with either of the two options listed below. Applicants must submit Attachment B-10 and supporting documentation in accordance with the instructions written on Attachment B-10 and as noted below:

(1) Option one (2 points):

- a. at least five percent (rounded up to the next whole number) of the project units are fully Accessible and Adapted, move-in ready for persons with a mobility impairment, meeting the following provisions:
 - i. either:
 1. includes a fully-Accessible and Adapted move-in-ready roll-in shower with an attached seat, or;
 2. includes a fully-Accessible and Adapted, move-in-ready bathtub, and is designed to accommodate a roll-in shower with an attached seat which will be installed at the owner's expense upon request.
 - ii. the unit(s) will be marketed to households with at least one member who has a mobility impairment.
 - b. at least two percent (rounded up to the next whole number) of the project units are fully Accessible and Adapted, move-in ready for person(s) who have a hearing or vision impairment, meeting the following provisions:
 - i. the unit(s) will be marketed to households with at least one member who has a hearing or vision impairment; and,
 - ii. the units are independent of the mobility-impaired units.
 - c. Accessible units shall be equitably distributed among the various dwelling types in the project based on evidence of market demand, or other regulatory provisions applicable to the project.
- (2) Option two (5 points):
- a. Comply with option one above with the percentages of units meeting the requirements increased to be equal to or exceed 10 percent and 4 percent (rounded to the next whole number) respectively (a minimum of two units each.)

6. Additional Reviews

Depending on the Program funding requested, additional reviews, including, but not limited to, design, underwriting and persons with special needs reviews will be conducted.

7. Funding Recommendations

Funding recommendations are made for projects from available funds on the basis of ranking resulting from rating, statutory distribution requirements, a geographical distribution of funds, support of the State's housing goals and other review criteria outlined in this section of the RFP. Also, please note that consistent with the provisions of the QAP, HCR may award a project funding irrespective of its point ranking, if such an award is in furtherance of the State's housing goals including the housing objectives of a Regional Economic Development Council applicable to the area in which the project is

located and such award is determined by the HCR Commissioner to be in the interests of the citizens of the State of New York.

Applicants will be informed of the disposition of their application in an Outcome Letter.

Pursuant to statutory requirements, the following limitations will also be considered in reviewing HTF applications:

- a) no more than 50% of the total amount originally appropriated shall be awarded to projects located within any single municipality;
- b) no more than 33-1/3% of funds awarded to projects within a city with a population of one million or more shall be allocated to private developers; and,
- c) no more than 33-1/3% of funds awarded to projects located in areas outside cities with a population of one million or more shall be allocated to private developers.

Pursuant to statutory and policy requirements, HCR will also consider in reviewing HOME applications the CHDO status of an applicant, as well as whether a project is located in a participating jurisdiction.

8. Board Approval

All HTF, HOME, CIF, and RARP awards must be approved by the HTFC Board of Directors. Any HTFC awards which have not gone to a construction loan closing within 360 days of award will automatically lapse and will require a reauthorization by the HTFC Board of Directors. ML and MIHP awards must be approved by the New York State Housing Finance Agency Board of Directors. SHOP awards will require approval by the appropriate entity's Board of Directors.

9. Outcome Letters

Subject to the availability of funds, HCR expects to issue Outcome Letters approximately 150 days after the submission deadline for the funding round. There are two types of letters:

1. Application Review Letters are sent to unsuccessful Applicants regardless of which program(s) funds were requested from.
2. Award Letters are sent to all successful UF Applicants. This letter notifies the applicant that the project has been selected for funding, and sets forth the number of units and award amount(s). The Award Letter is a preliminary notification, and is issued prior to the binding 9% LIHC/SLIHC Reservation and Funding Commitment Letters, as described below.

10. 9% LIHC/SLIHC Reservation Letters

9% LIHC and/or SLIHC Reservation Letters are sent to successful applicants who requested 9% LIHC and/or SLIHC funding. These letters specify the terms and conditions of the reservation which the project awardee will be required to meet prior to construction financing closing, including the reservation expiration date, and certain provisions which will be incorporated in the project's 9% LIHC and/or SLIHC Regulatory Agreement.

Successful applicants whose projects include both 9% LIHC and SLIHC will receive a combined 9% LIHC/SLIHC Reservation Letter.

11. Funding Commitment Letters

Funding Commitment Letters (FCLs) are expected to be issued depending upon the readiness of an awardee to proceed and satisfy any conditions of an award. The FCL sets forth the terms and conditions under which HTFC will provide financing to the project and some of HTFC's requirements for the project's ongoing operation during the regulatory period, and is considered a binding agreement when signed and returned by the Applicant.

12. Project Development Meeting

The project development team for all awarded projects will be required to participate in a pre-development meeting with HCR staff. The Project Development Meeting provides a forum for the applicant's development team and HCR to discuss the project's development timetable; the roles and responsibilities of the development team members and HCR; and the deliverables required under the terms of the executed Funding Commitment. Additional information on Project Development Meetings can be found in the CPM. Project development meetings will be scheduled to occur within approximately 14 business days of the issuance of an award letter.

13. Processing Timeframes

Successful applicants will be required to agree to a development timetable outlining the timing of critical development milestones and establishing a schedule for the delivery of key documents for HCR staff review.

HCR expects to process a request for a construction loan closing or permanent takeout within 30 business days of receipt, if all conditions in the commitment letter have been met.

VII. Regional Office Service Areas

Any questions regarding this RFP or the application process should be directed to the Regional Office which serves the county in which the proposed project is located. Regional office counties and Project Management contact persons for questions related to this RFP are listed below.

Capital District Regional Office

Hampton Plaza, 6th Floor

38-40 State Street

Albany, New York, 12207

Leonard Skrill, Upstate Director of Development: (716) 847-3926

Gary VanWormer, Project Manager: (518) 474-5323

Amanda Beale, Project Manager: (518) 474-7392

Counties Served: Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Fulton, Greene, Hamilton, Montgomery, Orange, Otsego, Putnam, Rensselaer, Saratoga, Schenectady, Schoharie, Sullivan, Ulster, Warren and Washington.

Buffalo Regional Office

Electric Building, Suite 105

535 Washington Avenue

Buffalo, New York 14203

Leonard Skrill, Upstate Director of Development: (716) 847-3926

Dan Peters, Project Manager: (716) 847-7132

Patricia Dieck, Project Manager: (716) 855-7048

Counties Served: Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming and Yates.

Syracuse Regional Office

620 Erie Boulevard West, Suite 312

Syracuse, New York 13204

Leonard Skrill, Upstate Director of Development: (716) 847-3926

Lois Holden, Senior Project Manager: (315) 478-7179 x 219

Kathleen Karpinski, Project Manager: (315) 478-7179 x 217

Counties Served: Broome, Cayuga, Chenango, Cortland, Franklin, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga and Tompkins.

New York City Regional Office

25 Beaver Street, 7th Floor

New York, NY 10004, (212) 480-4543

Michael Ferguson, Acting Downstate Director of Development: (212) 480-7494

Jung Chin, Project Manager: (212) 480-6456

Pauline Friday, Project Manager: (212) 480-7158

Counties Served: Bronx, Kings, New York, Queens, Richmond, Nassau, Suffolk,
Rockland and Westchester.

Updated: August 2016

-END OF REQUEST FOR PROPOSALS-