

NEW YORK STATE
DIVISION OF HOUSING
AND
COMMUNITY RENEWAL

NEW YORK STATE
HOUSING TRUST FUND
CORPORATION



Low-Income Housing Credit Program
New York State Housing Trust Fund
New York State HOME Program
Homes for Working Families Program
NYS Low-Income Housing Tax Credit Program
New York Main Street Program
Access to Home Program
Urban Initiatives
Rural Area Revitalization Program
RESTORE Program

Office of Community Development

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REQUEST FOR PROPOSALS

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Request for Proposals

NYS Div. of Housing and Community Renewal
Low-Income Housing Credit Program
NYS Low-Income Housing Tax Credit Program

NYS Housing Trust Fund Corporation
Homes for Working Families Program
Low Income Housing Trust Fund Program
New York State HOME Program
New York Main Street Program
Access to Home Program
Urban Initiatives Program
Rural Area Revitalization Projects Program
RESTORE Program

I. INTRODUCTION

The NYS Division of Housing and Community Renewal (DHCR) and the NYS Housing Trust Fund Corporation (HTFC) invite you to apply for housing assistance through the 2008 Unified Funding (UF) process. This Request for Proposals (RFP) describes ten capital programs and seven programmatic initiatives to which you may apply. These programs provide funds for a wide range of affordable housing and community revitalization activities including: new construction, substantial rehabilitation, and moderate rehabilitation of rental or owner-occupied housing; emergency repair; homebuyer assistance; rehabilitation of civic and community buildings; facade and building renovation; streetscape enhancement, downtown anchor creation; accessibility modifications and tenant-based rental assistance. You should review the specifics of the programs to find the appropriate funding source(s) to meet your needs.

This RFP also explains the UF process used by both DHCR and HTFC to accept and evaluate applications requesting funding. While much of the application review process is the same for all programs, each program has its own evaluation criteria and the review steps may vary. After a funding round, unsuccessful applicants may request an exit conference to review their unfunded application and/or examine any other application submitted that round. Throughout the year all potential applicants may request technical assistance. Not-for-profit applicants may also request seed money to assist them in securing funding for these programs.

Under the 2008 UF process there are six ways to apply for funding:

1. the site-specific project application which you may use to apply for funds from one or more of the following programs: HTF, HOME (Site-Specific projects only), LIHC, SLIHC, UI and RARP depending on the financing needs of your project. This application is available for online submissions using DHCR’s Community Development On-Line System (CDOL) (formerly named CDWAS). The

2. site-specific project application may be submitted according to the methods described in Section II below and the Project Application Instructions. [Applicants are strongly encouraged to submit applications using CD On-Line in order to expedite processing.](#)
2. The New York State HOME Local Program Administrator Application.
3. the RESTORE Application;
4. the New York Main Street Program Application; and,
5. the Access to Home Application.
6. [HWF applicants seeking to use NYS Housing Finance Agency \(HFA\) tax-exempt bonds, subsidy funds, and 4% low-income tax credits may now use a single paper application to request financing from both HFA and HTFC. This joint application must also be used by HWF applicants who intend to use an issuer of tax-exempt bonds other than HFA. The HTFC/HFA joint application will be available on DHCR's website starting December 1, 2007. An electronic version of the HTFC/HFA joint application is expected to become available in early 2008.](#)

LPA Application instructions and related materials for items 2-5 above will be available in print, but [applicants are strongly encouraged to submit applications using CD On-Line in order to expedite the processing of applications.](#)

Please see Section II, Application Deadlines and General Requirements, for more detail on application submission methods.

The appropriate application must be submitted in order to be considered for funding.

[Programs with funding available](#) under this RFP for 2008 are:

1. Federal Low-Income Housing Credit Program (LIHC)
2. New York State Low-Income Housing Tax Credit Program (SLIHC)
3. Homes for Working Families Program (HWF)
4. Low-Income Housing Trust Fund Program (HTF)
5. New York State HOME Program (HOME)
6. New York Main Street Program
7. Access to Home Program
8. Urban Initiatives Program (UI)
9. Rural Area Revitalization Projects (RARP) Program
10. Residential Emergency Services to Offer Repairs to the Elderly Program (RESTORE)

The [seven](#) initiatives, available under either HOME or HTF, are:

1. Green Building Initiative
2. [Energy Efficiency Initiative](#)
3. Housing Choice Voucher Project Based Assistance Initiative
4. Mixed Income Family Rental Housing Initiative
5. Senior Housing Initiative
6. Small Project Initiative
7. Rural Housing Initiative/Leveraged Loan Projects

A description of each of these funding opportunities is given in **Section III, Program Announcements, Initiatives and Technical Assistance**. **Section V, Evaluation and Selection Process**, describes the general application review process and explains the evaluation and/or processing aspects specific to each program or initiative.

II. APPLICATION DEADLINES AND GENERAL REQUIREMENTS

A. Site-Specific Application Deadlines:

Applications (paper or electronic) for **LIHC, HTF and HOME projects including Round 2008 Initiatives** must be received by **5:00 pm EST, on Wednesday, February 27, 2008**. In order to expedite processing of the applications, applicants are encouraged to submit their applications electronically using CD Online.

Paper applications will be accepted only at the following address:

**NYS Division of Housing and Community Renewal
Office of Community Development
Hampton Plaza
38-40 State Street
Albany, New York 12207
Attention: Unified Funding Manager**

Any applications for these programs received after the stated deadline will be considered to be late submissions and will be returned to the applicant.

Applicants may apply for HWF, UI, RARP, [Small Project Initiative](#) and SLIHC at the above address at any time until the date of notice that all available funds are committed.

Applicants may apply for an allocation of 4% low-income housing credit for projects financed by tax-exempt bonds at the above address **at any time during the calendar year**. Pursuant to the [2008 Proposed Low-Income Housing Credit Qualified Allocation Plan](#) (see Section C below), the New York State Housing Finance Agency (HFA) will assume responsibility for the review of all new 4% low-income housing credit applications submitted on or after March 1, 2008. All such applications submitted on or after that date must be sent directly to HFA.

Applicants may apply for seed money at the above address or technical assistance from the appropriate Regional Office (see list at the end of this document) **at any time during the calendar year**. [Technical Assistance is available through several means including: personal meetings, telephone conferences or written correspondence.](#) Applicants seeking technical assistance should contact the appropriate Regional Director. Also, any assistance with, or specific questions regarding the funding process (with the exception of DHCR's completeness review) is only available prior to submission of the

applications. After submission, outside individuals or groups, including elected officials and lobbyists, should contact Deputy Commissioner Lorrie Pizzola (518) 474-9553. Please be advised that after applications are submitted, no contact with DHCR processors and reviewers (i.e staff working on the applications) is permitted.

Individuals hand delivering applications must have picture identification and a transmittal letter, on organization letterhead, stating their name and authorizing that person to deliver the application. Applications delivered by commercial carrier must have a complete and legible return address. Failure to comply with these requirements may result in applications not being accepted.

Note: Applicants should refer to the **Capital Project Application Exhibits and Attachments Checklists** contained in the **Application Instructions** to determine the specific Exhibits and Attachments required for the applicable program(s) from which the funds are requested.

All applicants must use the 2008 application. Only applications submitted **electronically via CD Online** or on the 2008 application forms will be accepted for review.

B. Local Program Administrator (LPA) Applications

For Unified Funding 2008, all applications **will be available electronically and applicants are strongly encouraged to submit applications** over the web at www.dhcr.state.ny.us using CDOL.

This applies to the following LPA programs:

- **the Access to Home Program;**
- **the New York State HOME Program (LPA and CHDO Home Ownership only);**
- **New York Main Street Program; and,**
- **the RESTORE Program.**

Applications for Access to Home and RESTORE program funding must be submitted by 5:00 PM, EST, Tuesday, March 18, 2008. Applicants for HOME Local Program funding must be submitted by 5:00 PM, EST, Friday, March 21, 2008. Applications for New York Main Street program funding must be submitted by 5:00 PM, EST, Tuesday, March 25, 2008. Any applications for these programs received after the stated deadline will be considered to be late submissions and will be returned to the applicant.

Note: Applicants should refer to the **Application Instructions** to determine the specific Exhibits and Attachments required for the applicable program(s) from which the funds are requested.

C. This RFP provides only a portion of the information and materials needed by applicants. Other materials, available at the appropriate Regional Office (see Regional Office Service Areas at the end of this RFP) [or from the DHCR website](#), are:

1. [DHCR/HTFC 2008 Project UF Application](#); [HTFC HOME Local Program UF 2008 Application](#); [RESTORE Local Program UF 2008 Application](#); [New York Main Street UF 2008 Application](#); and, [Access to Home UF 2008 Application](#)
2. [Design Handbook – November 2007](#);
3. [Capital Programs Manual \(CPM\) \(rev. November 2007\)](#);
4. [DHCR’s 2008 Proposed Low-Income Housing Credit Qualified Allocation Plan \(2008 Proposed QAP\)](#).
[Note: DHCR will be accepting comments about the 2008 Proposed QAP and a public hearing has been scheduled for January 3, 2008. Further information about the Proposed QAP and the public hearing is available on DHCR’s website or at the DHCR Regional Offices noted at the end of this RFP. The process for amending the QAP is expected to be completed prior to the deadline for the submission of applications.](#)
5. [NYS Low-Income Housing Tax Credit Law, Article 2-A](#);
6. [DHCR’s 2008 Proposed NYS Low-Income Housing Tax Credit \(SLIHC\) Regulation, 9NYCRR Part 2040, Section 2040.14 \(2008 Proposed SLIHC Regulation\)](#);

[Note: DHCR will be accepting comments regarding the 2008 Proposed QAP and SLIHC Regulation and a public hearing has been scheduled for January 3, 2008. Further information is available as noted in 4. above. The process for amending the SLIHC Regulation is expected to be completed prior to the deadline for the submission of applications.](#)
7. [Instructions for CD-Online](#)
8. [Green Building Criteria Reference Manual \(November 2007\)](#)
9. [New York State Main Street Frequently Asked Questions](#)

10. Access to HOME [Frequently Asked Questions](#)
 11. Unified Funding Reference Materials [2008](#); and,
 12. DHCR Technical Services Unit Unified Funding Common Application Flaws ([November 2007](#)).
 13. [List of Pre-Qualified Market Study Firms](#)
- D. For applicants requesting LIHC and/or SLIHC an application fee of \$2,000 per program is due at the time of application. [See the DHCR/HTFC 2008 Project UF Application, Attachment F2, for submission instructions.](#) [Non-profit](#) applicants (or their wholly-owned subsidiaries) which will be the sole general partner of the partnership/project owner or the sole managing member of the limited liability company/project owner may request a deferral of fee payment until allocation.
- E. [There are two versions of the site-specific DHCR/HTFC Project Application: a paper version and a new electronic application available through DHCR's website.](#) The [paper version](#) requires both Microsoft Word and Excel [and](#) will be available for downloading from DHCR's website: www.dhcr.state.ny.us. [The electronic site-specific Project Application will also be available for submission from the DHCR website using CD On-line.](#) Applicants are strongly encouraged to submit applications electronically in order to expedite processing.
- If you cannot access the [Microsoft Word/Excel paper](#) application through the Internet and would like to receive a copy of the project application on disk or need assistance in downloading the application from the website please call (518) 474-5323.
- [The Microsoft Word/Excel paper](#) application was developed and tested for use with capital projects. If you are experiencing problems in completing the application, check the DHCR website to see if an updated version of the application is available. If you continue to experience problems please call (212) 480-2862 for problems involving Exhibits 3 – 5 or (518) 474-5323 for assistance with all other Exhibits and Attachments.
- F. Site-specific project applicants, [using the paper application](#) should provide specific information relevant to scoring criteria in the correct location in the application. When supporting documents are required in multiple locations, the narrative in the exhibit(s) or attachment(s) that **do not** contain the supporting documents should clearly state the nature of the documents and their location, by page number, in the application
- G. Staff of the Regional Offices listed at the end of this RFP are available to answer questions from prospective applicants about proposals and about this RFP. [In addition, applicants may review funded applications from the prior funding round which are available on the DHCR website](#)

- H. DHCR and HTFC reserve the right to award all, a portion of, or none of the program funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, the applicant's ability to meet DHCR and HTFC criteria for funding, [and the applicant's ability to advance the State's housing goals](#). DHCR and HTFC further reserve the right to review an application requesting project funds as an application for funding under other programs for which the project is eligible. [DHCR and HTFC also reserve the right to change or disallow aspects of the applications received and may make such changes an express condition of its commitment to provide funding to a project.](#)

III. PROGRAM ANNOUNCEMENTS, INITIATIVES AND TECHNICAL ASSISTANCE

A. **Low-Income Housing Credit (LIHC) Program**

LIHC provides a dollar-for-dollar reduction in federal tax liability to investors in qualified low-income housing that meets the requirements of Section 42 of the Internal Revenue Code (IRC) and have also received an allocation of tax credits under the threshold and selection criteria contained in DHCR's proposed Qualified Allocation Plan.

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; those earning 60% or less of area median income.

For a project to be eligible for a LIHC allocation, it 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 area median income; or,
- 2) 40% of the units must be set aside for households earning 60% or less of area median income.

Applicants for LIHC are referred to Section 42 of the IRC and are advised to carefully review DHCR's [2008 proposed QAP](#) before submitting an application. The [2008 Proposed QAP](#) includes [current, revised and/or updated](#) program definitions, threshold eligibility review criteria [and](#) project scoring and ranking criteria, [as well as](#) the rules regarding project monitoring requirements ([note that no substantive modifications in monitoring have been proposed](#)).

[Please note, that in order to comply with Internal Revenue Code requirements and promote greater consistency in market study submissions, HTFC and DHCR have established a list of pre-qualified market study firms that must be used by applicants to prepare market studies. The list of pre-qualified firms will be made](#)

available on DHCR's website, at the application workshops, and through DHCR's Regional Offices.

1. Low-Income Housing Credit Availability

DHCR expects to have approximately \$21million available for LIHC reservations. The maximum amount of annual credit allocation per application that may be requested is \$1.3 million. Applications for projects in which 50% or more of the units will a.) serve large families (households with five or more persons) by including units with three or more bedrooms or b.) serve persons with special needs as listed in the Unified Funding Reference Materials 2008, may request up to \$1.5 million. To be eligible for up to \$1.5 million, the applicant must demonstrate that they will arrange for appropriate on or off-site services for the persons with special needs.

The maximum amount of annual LIHC allocation per unit which may be requested in an application is \$20,000. Applications which include units to be assisted by both LIHC and SLIHC may request up to the per unit credit allocation maximum under each program for those specific units.

DHCR reserves the right to award all, a portion of, or none of the LIHC funds based upon credit availability, the competitiveness of the applications received and the applicant's ability to meet DHCR criteria for funding.

2. LIHC Funding Set Asides

Of the \$21million available for LIHC reservations under the UF 2008 funding process, the following funding set-asides may be made available: up to \$3 million for Preservation Projects, including up to \$1 million for High Acquisition Cost Projects and up to \$2 million for Supportive Housing Projects.

a. Preservation Projects

DHCR may provide a special funding priority for Preservation Projects, with a funding set-aside of up to \$3 million, including up to \$1 million for High Acquisition Cost projects. For a proposed LIHC-financed project to be considered a Preservation Project, the project must meet the definition in Section 2040.2(q) of the 2008 Proposed QAP.

A Preservation Project is a project in which residential property is rehabilitated to extend its useful life to serve as affordable housing and averts the loss of affordable housing currently serving the housing needs of a population whose housing need would justify the replacement of the housing if it ceased to be available to that population.

The scope of the rehabilitation must be sufficient for the project to function in good repair as affordable housing for a period equal to at least thirty years from the date of issuance of the final credit allocation. [Note: applicants proposing a preservation project must demonstrate how the project averts the loss of affordable housing and must: a) describe any regulatory and economic circumstances which could precipitate the loss of or risk the availability of the project to low-income households, and; b) provide a compelling rationale for preserving the existing project based upon economic conditions including the availability of alternative affordable housing, street rents, vacancy rates and current and future demand].

Preservation Projects proposing the redevelopment of public housing must meet the criteria and conditions for approvals under the New York State Public Housing Law. Such projects may include the economic restructuring and rehabilitation of an existing public housing project. Applicants are encouraged to consult with DHCR's Office of Housing by calling (212) 480-6444 regarding the review and approval of the redevelopment plan prior to submitting an application to DHCR.

Up to \$1 million will be available for High Acquisition Cost Projects, as defined in Section 2040.2(j) of the 2008 Proposed QAP.

Applicants proposing Preservation Projects and High Acquisition Cost Projects must submit a physical needs assessment form (Attachment B) with the application and request a site visit from the Division to assess existing conditions. Applicants are strongly encouraged to request site visits prior to application submission to discuss renovations that are under consideration.

b. Supportive Housing Projects

DHCR may provide a special funding priority for Supportive Housing Projects, with a funding set-aside of up to \$2 million. A Supportive Housing Project, as defined in Section 2040.2(u) of the 2008 Proposed QAP, is a project which gives preference in tenant selection to persons with special needs (defined in Section 2040.2(p) of the Proposed QAP), for at least twenty-five percent of the total LIHC-assisted units of the project.

For a proposed LIHC-financed project to be considered Supportive Housing:

- i. The need for housing for the targeted population within the primary market area must be documented;

- ii. The applicant must ensure the delivery of appropriate services, for which a documented need exists, to the targeted population as evidenced in a comprehensive service plan and an agreement in writing with an experienced service provider;
- iii. The applicant must include a transportation plan to ensure access to necessary services;
- iv. The applicant must demonstrate that funding is in place or identify a viable plan for the funding of appropriate services;
- v. The applicant must include provision for an ongoing rental subsidy or other form of subsidy to ensure that rents paid by the targeted population remain affordable; and,
- vi. The applicant must identify, and have a written agreement with, a public agency or experienced service provider that will refer eligible persons and families for the targeted units.

3. New/Revised Features in the 2008 Proposed QAP

The 2008 Proposed QAP contains significant new and/or revised features and requirements in the Definitions, Threshold Eligibility Review Criteria and Project Scoring and Ranking Criteria which will have an important impact on DHCR's review of applications submitted under the Low-Income Housing Credit Program and/or the New York State Low-Income Housing Tax Credit Program, as outlined below. Prospective applicants under these programs are urged to review the 2008 Proposed QAP and/or 2008 Proposed SLIHC Regulation.

a. QAP Definitions (LIHC and SLIHC)

Significant new and/or revised Program Definitions include:

- i. Compliance Period;
- ii. Extended Use Period;
- iii. High Acquisition Cost Project;
- iv. Local Non-Profit Organization;
- v. Persons with Special Needs;
- vi. Preservation Project;
- vii. Primary Market Area;
- viii. Qualified Low-Income Housing Project;
- ix. Supportive Housing Project; and,
- x. Visitability.

b. Threshold Eligibility Review Criteria (LIHC and SLIHC)

At each stage of processing, LIHC applications are subject to a threshold eligibility review which includes a review of whether the project meets minimum standards required of all projects. The significant new and/or revised threshold eligibility features in the 2008 Proposed QAP include:

- i. Governmental Approvals;
- ii. Comprehensive Market Study (also see DHCR's Capital Programs Manual, Section 5.06, Underwriting Criteria, (i), Market Support for Project);
- iii. Visitability Standards;
- iv. Long Term Affordability/Tenant Buy-Out; and,
- v. Minimum Green Building Measures.

c. Project Scoring and Ranking Criteria (LIHC only):

Project applications which meet DHCR's threshold eligibility review criteria are scored and ranked on the basis of scoring criteria, set forth in the QAP, which include both DHCR preferences and selection criteria provided in Section 42 of the IRC. The significant new and/or revised project scoring criteria contained in the 2008 Proposed QAP, include:

- i. Community Impact/Revitalization;
- ii. Financial Leveraging;
- iii. Green Building;
- iv. Long Term Affordability (beyond 30 years);
- v. Fully Accessible and Adapted, Move-In Ready Units;
- vi. Energy Efficiency;
- vii. Project Amenities;
- viii. Project Readiness;
- ix. Participation of Local Non-Profit Organizations; and,
- x. Mixed Income.

The scoring criteria for SLIHC are set forth separately in the 2008 Proposed SLIHC Regulation.

B. The Low-Income Housing Trust Fund (HTF) Program

HTFC expects to make approximately \$29 million of NYS Low-Income Housing Trust Fund (HTF) Program resources available to fund project applications submitted under UF 2008.

HTF provides funding for new construction, rehabilitation of vacant or under-utilized residential property and conversion of vacant non-residential property to residential use

for occupancy by low-income homesteaders, tenants, tenant-cooperators or condominium owners. Funding under HTF is limited to \$75,000 per unit. HTFC has the discretion to make available up to an additional \$25,000 per unit based on: the cost of construction in an area, the location of the project, and the impact of the additional funding on the project's affordability to its low-income occupants.

For applications seeking HTF funds for cooperatives or condominiums, HTFC will expect that the applicant 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.

Preference in making awards to eligible applicants is given to projects which involve not-for-profit corporations or their wholly-owned subsidiaries. For limited partnership or limited liability company applicants, the ownership interest of the not -for-profit or its wholly-owned subsidiaries must be "at least 50% of the controlling interest" of the partnership as directed by Article XVIII of the Private Housing Finance Law.

Applications requesting HTF funding for projects may request up to \$1.8 million. However, project that meet one of the following criteria may apply for additional funds. 1.) Projects in which 50% or more of the units will: a.) serve large families (households with 5 or more persons) by including units with three or more bedrooms, or b.) serve persons with special needs as listed in the Unified Funding Reference Materials 2008, may request up to \$2.2 million. In order for a project serving persons with special needs to be eligible for up to \$2.2 million, the applicant must document that they will arrange for on or off site services for the targeted population. 2.) Applications which demonstrate compliance with the requirements of the Green Building may request up to \$2.2 million. Applicants may demonstrate compliance with the Green Building Initiative by receiving a score of seven or more of the ten points available under the HTF Green Building Initiative. 3) Applications for projects which demonstrate compliance with the requirements of the Energy Efficiency Initiative by utilizing NYSERDA programs and that purchase or plan to purchase electricity and/or fuel from a utility that pays the Systems-Benefits-Charge may request up to \$2.2 million. Applications for projects which demonstrate compliance with the requirements of the Energy Efficiency Initiative but do not purchase or do not plan to purchase electricity and/or fuel from a utility that pays the Systems-Benefits-Charge may request up to \$2.3 million. If HTFC determines a proposal 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 above funding limits apply to the combined HTF and HOME request.

HTFC 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.

C. UF 2008 INITIATIVES

HTFC expects to make HTF or HOME funds available for the [seven](#) different initiatives described below.

1. Green Building Initiative

The Green Building Initiative provides HTF and HOME funding (including funding for CHDO Home Ownership applications) to encourage sustainable development measures which promote smart growth practices, energy efficiency, a healthy living environment and protection of environmental resources. To qualify, projects must meet certain mandatory criteria. Applications may also be eligible for extra points by including additional green building measures in their project.

All applicants must complete and submit with the application the Green Buildings Criteria Checklist which sets forth the mandatory criteria and additional criteria scoring system. The Green Building Initiative criteria is based on the following sustainable design practices - integrated design process, location and neighborhood fabric, site planning and environmental impacts, water conservation, energy efficiency, materials beneficial to the environment, healthy living environment and operations and maintenance.

To qualify, applicants also must provide central heating (with sealed combustion chambers) and cooling plants; or individual HVAC units (with sealed combustion chambers) that include central air conditioners, within each dwelling unit. No air conditioner sleeves will be permitted. Central air conditioning is not required for CHDO Home Ownership projects.

2. Energy Efficiency Initiative

The Energy Efficiency Initiative provides HTF and HOME funding (including funding for CHDO Home Ownership applications) to encourage the development of energy efficient residential buildings. Applications must propose projects that demonstrate participation in the New York State Energy Research and Development Authority (NYSERDA) Multifamily Building Performance Program or the New York Energy Star Labeled Homes Program.

Applicants not eligible for participation in NYSEERDA's programs such as projects located in non-Systems Benefits Charge (SBC) areas, will be required to submit evidence that the energy efficiency of the project is 30% or greater than that required by the NYS Energy Conservation Code, as evidenced by the completion of the NYS version of REScheck (www.energycodes.gov/web_tools.stm). Note: NYSEERDA technical assistance funding may also be available to applicants in non-SBC municipalities.

Energy efficient construction measures that allow projects to meet energy efficiency requirements include additional wall and roof insulation, windows with

lower U values, and heating/cooling plants with greater efficiency. The use of alternative energy technology such as photovoltaic panels, fuel cells, wind powered generated electricity and geothermal heating is highly encouraged.

Prospective applicants under this initiative should contact NYSERDA for financing and technical assistance for owners improving energy efficiency in newly constructed housing and substantially rehabilitated multifamily buildings. For more information and specific program requirements, call NYSERDA at 1-877-NY-SMART, email to NewConstruction@trcsolutions.com, or visit <http://www.getenergysmart.org/buildingowners/newconstruction/overview.as>

3. **Project Based Voucher Initiative:**

Under contract authority from the U.S. Department of Housing and Urban Development Housing Choice Voucher Program, DHCR expects to have Project-Based Voucher (PBV) assistance available for the rehabilitation or construction of rental units.

Developers [throughout the State](#) are invited to submit proposals for:

Rehabilitated Housing: Housing Units that (a) exist when the proposal is submitted (b) do not substantially comply with HUD-required Housing Quality Standards (HQS) and (c) are developed pursuant to an Agreement between the developer/owner and DHCR for use under the PBV program, or

Newly Constructed Housing: Housing Units that (a) are not currently in existence and (b) which are developed pursuant to an Agreement between the developer/owner and DHCR for use under the PBV program.

Applications for this initiative may only be submitted for projects which are located in the service area of one of the DHCR local administrators. A list of the DHCR Housing Choice Voucher Local Administrators is included in the Unified Funding Reference Materials and is available on the DHCR website at:

<http://www.dhcr.state.ny.us/ohm/units/sec8/sec8admins.htm#localadmins>

Applications requesting project based assistance only will not be accepted. In order to be eligible for this initiative, requests for project based assistance must be accompanied by a request for assistance from one of the programs available through the current Notice of Funding Availability and this RFP.

DHCR plans to offer up to 100 units for this initiative. 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.

Additional information about this program can be obtained from:

Alan Smith, Assistant Commissioner
NYS Division of Housing and Community Renewal
Hampton Plaza
38-40 State Street
Albany, NY 12207

The Unified Funding [2008](#) project application can be used to apply for this initiative.

"We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin."

Basic Requirements

In making decisions about the allocation of PBVs, DHCR seeks to utilize all resources available to it to further an objective of providing affordable housing to persons of the lowest incomes possible. DHCR will require all applicants seeking these vouchers 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 vouchers. A detailed description of the impact which PBVs will have on the population which a project will be able to serve must be provided in any application seeking assistance under this initiative. This description must be provided in [Attachment F9](#)- Proposal Summary as part of the applicant's response to the question of what public purpose is served by the project and who the project beneficiaries will be.



PBV applicants should indicate the number of project based vouchers required for their project in [Attachment F9 as part of their response](#) and the number of vouchers requested should be consistent with the number of units with rental assistance in Exhibit 4 - Affordability Plan.

Multiple Financing Plans

DHCR reserves the right to award all, a portion or none of the PBVs made available in the Request for Proposals. As a result, applicants may wish to consider submitting their project utilizing more than one financing scenario, one with PBV and one without PBVs.

If the applicant is able to develop their project with the same amounts of other program assistance available through the RFP (HTF, HOME, HWF, LIHC, UI

and RARP) whether PBVs are included in the project or not, then two sets of the following application exhibits must be included in the application [and applicants must use the Word/Excel version of the application](#):

Exhibit 3 - Development Budget

Exhibit 4 – [Unit Rent/Maintenance Fees & Affordability](#)

Exhibit 5 – [Project Income & Operating Budget](#).

Each set of exhibits should reflect the parameters of the project given the presence or absence of PBVs. Each set of exhibits should be grouped together (e.g. both Development Budgets behind the same tab of the application binder) with each exhibit clearly labeled regarding the presence or absence of PBVs. If the non-state financing for a PBV project will change based on the use or absence of PBVs, applicants may also wish to include a second copy of Exhibit 1 - Application Summary - Section I - Sources of Funds - reflecting the alternate financing plan.

If the applicant will require different amounts of one or more programs available through the RFP to develop the project if PBVs are included or excluded, then separate complete applications must be submitted - one for the project including PBVs and one for the project without PBVs. It is likely that only the four exhibits listed above and the Exhibit 1 - the Application Summary and [Attachment F9](#) - the Proposal Summary - will differ between the two applications. All other aspects of the two applications will likely be identical.

Federal Requirements/Waivers

Under federal regulations, PBVs must be administered by DHCR in a manner which is consistent with the goals of deconcentrating poverty and furthering housing opportunities. In implementing this initiative, DHCR must comply with HUD's site and neighborhood standards and will not issue contracts for project based assistance for projects located in census tracts with poverty rates of 20 percent or more. This may limit the locations where projects may be proposed under this initiative in the [2008](#) funding round.

Applicants for this initiative must comply with all other federal requirements of the PBV Program. Waivers of some PBV regulatory requirements may be considered by HUD. If, during the review of an application requesting PBVs,

DHCR notes that a proposed project may require a waiver, DHCR will request that waiver from HUD once the Division has determined that an award of project based assistance is tentatively being considered by DHCR. Any awards of PBVs made to a project which requires a waiver will be made contingent on approval of the waiver by HUD. Developers will be responsible for providing DHCR with any/all additional information required in the submission of a waiver request to HUD.

Except as noted below, regulations stipulate that no more than 25% of the units in each **building** (applicable when “the project” contains multiple buildings) may receive project based assistance. Projects serving **persons who are** elderly (persons 62 years or older), persons with disabilities or families receiving supportive services generally equivalent to those provided in a HUD “Family Self-Sufficiency” programming may be eligible for a HUD waiver of the 25% guideline. Statutory requirements cannot be waived and will apply fully to any project which receives an award of project based assistance.

Davis-Bacon wage rates apply to any project with 9 or more units of project based assistance. There are two sets of Davis-Bacon wages rates. In general any project which includes buildings of four or fewer stories must comply with the residential wage rates. Projects with more than four stories, or with a substantial amount of commercial space, must comply with the higher building rate. Applicants may request a wage determination from DHCR prior to entering into a construction contract by contacting Joseph Meyerson at (518) 473-0124 or at jmeyerson@dhcr.state.ny.us. Applicants with any questions about the applicability of Davis-Bacon wages or other federal labor standards to their project are also encouraged to contact Mr. Meyerson for additional information.

Applications in which any of the Local Administrators under contract with DHCR to administer the Section 8 Housing Choice Voucher Program has an ownership interest must satisfy an additional requirement. Prior to execution of an Agreement to Enter Into Housing Assistance Payments Contract (AHAP), the owner/developer of such a project will be required to submit an appraisal completed by a state certified appraiser on the required HUD form (HUD 92273 - Estimates of Market Rent by Comparison). This appraisal is not required with the applicant’s Unified Funding application. However, applicants must still comply with the appraisal requirements in the HTFC/DHCR Capital Programs Manual.

Other federal requirements which are applicable to the PBV program and this Initiative include:

- Equal Opportunity and related requirements. Participation in the PBV program requires compliance with the Equal Opportunity requirements specified in §982.53 of the regulations including Section 504 of the Rehabilitation Act of 1973 (24 CFR part 8) and the Fair Housing Amendments Act of 1988 (24 CFR part 100).

- Environmental requirements. Activities under the PBV program are subject to HUD environmental regulations at 24 CFR part 58. DHCR may not attach assistance to a unit unless, before the agency enters into an Agreement to provide project-based assistance for a unit:

- (1) The unit of general local government within which the project is located that exercises land use responsibility or, as determined by HUD, the county or State has completed the environmental review required by 24 CFR part 58 and provided to the Housing Authority (HA) for submission to HUD the completed request for release of funds and certification; and
- (2) HUD has approved the request for release of funds.

The following requirements must also be met, if applicable:

- (1) Clean Air Act and Federal Water Pollution Control Act - for projects in which the total Contract Rents for all units under the PBV contract, over the term of the contract, is more than \$100,000, or \$556 per month;
- (2) Flood Disaster Protection Act of 1973;
- (3) Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C.1701u) and the regulations in 24 CFR part 135;
- (4) Executive Order 11246, Equal Employment Opportunity (for all construction contracts of over \$10,000);
- (5) Executive Order 11625, Prescribing Additional Arrangements for Developing and coordinating a National Program for Minority Business Enterprises;
- (6) Executive Orders 12432, Minority Business Enterprise Development, and 12138, Creating a National Women's Business Enterprise Policy;
- (7) Compliance with Contract Work Hours and Safety Standards Act, Department of Labor regulations at 29 CFR Part 5 and other Federal laws and regulations pertaining to labor standards applicable to PBV housing assistance payments agreement.
- (8) The provisions of part 24 of this title relating to the employment, engagement of services, awarding of contracts, or funding of any contractors or subcontractors during any period of debarment, suspension, or placement in ineligibility status.

Syndication Issues (Contract Term)

If an applicant requests PBVs and Low-Income Housing Credit, syndicators are likely to assume that PBVs will not be available for more than 10 years, although additional extensions of one to five years may be available after the initial 10 year term. Also, PBV assistance is subject to annual Congressional appropriations. Due to these circumstances, applicants should discuss their intention of including PBVs in a project and determine what assurances syndicators may require as a condition of their involvement in a PBV project.

Maximum initial gross rent, rent to owner and rent adjustments.

The AHAP states the **estimated** amount of the initial rent to owner. A final determination of the allowed/authorized gross rent is made by DHCR prior to execution of the HAP Contract.

Except for certain tax credit units (as provided in Section 983.301 of PBV regulations), the rent to owner must not exceed the lowest of:

- (1) An amount determined by the PHA, not to exceed 110 percent of the applicable fair market rent (or any exception payment standard approved by the Secretary) for the unit bedroom size minus any utility allowance;
- (2) The reasonable rent as determined by the PHA; or
- (3) The rent requested by the owner.

The rules governing rents for tax credit units are different and depend on whether the project is located in a “qualified census tract”. A “qualified census tract” is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which:

- (i) At least 50 percent of households have an income of less than 60 percent of Area Median Gross Income (AMGI); or
- (ii) Where the poverty rate is at least 25 percent and where the census tract is designated as a qualified census tract by HUD.

NOTE: Pages 59982 thru 59930 of a Federal Register Notice dated October 13, 2005 contain HUD’s final PBV regulations. These regulations revise numerous project-based procedures including rents established in the PBV Program. Developers are encouraged to carefully review these regulations including the setting of rents in tax credit projects (Sections 982.301 and 983.304)

The final PBV regulations and a list of frequently asked questions about the PBV Program can be found at the following HUD website:

<http://www.hud.gov/offices/pih/programs/hcv/project.cfm>

Please also see the Unified Funding 2008 CD containing the application materials which was distributed on request to applicants and other parties.

4. **Mixed Income Family Rental Housing Initiative:**

The Mixed Income Family Initiative provides HTF or HOME financing to develop mixed income family rental projects. Applications must propose projects in which a minimum of 40% of the total number of units are affordable to families above 60% of area median income. The remainder of the units can be affordable to families at various income levels. However, to be competitive an application must include a significant portion of units serving households with incomes between 60 and 90% of area median income and propose to serve a range of households including those of low and very low-income. Applications under this initiative will be scored in a different manner than other HTF or HOME applications to determine [the number of points for](#)

“Income Served” (Affordability). Such applications may also propose joint financing with LIHC (for units serving households up to 60% of area median income) and/or SLIHC (for units serving household up to 90% of area median income) subject to the standard parameters for both programs described above.

5. **Senior Housing Initiative:**

The Senior Housing Initiative (SHI) provides funding from the HTF or HOME programs to not-for profit organizations in connection with Sec. 501 (c)(3) bond financing for the substantial rehabilitation or new construction of rental housing for senior citizens. In recognition of the financing structure, applications under this initiative will be scored in a different manner than other HTF or HOME applications to determine “Income Served” (Affordability). Awards are expected to be \$35,000 or less per HTFC assisted unit outside of New York City and \$45,000 or less per assisted unit in New York City. Occupancy is limited to [persons who are senior citizens](#), which is defined as a household in which at least one of the members is 55 years of age or older.

Projects may include units assisted by HTFC and units at market rent for the area in which the project is located. If both HTFC-regulated and unregulated units are proposed, the amount of HTFC funds will be based on the financing necessary to provide units which are affordable to [persons who are senior citizens](#) with incomes of 90% or less of area median income for HTF projects outside of New York City, and 80% or less of area median income for all HTF projects in New York City and for all HOME projects. A minimum of 20% of the units assisted by HTFC must be affordable to seniors with incomes of 50% or less of area median income.

The primary source of project financing must be Section 501(c)(3) bonds (also known as civic facility bonds). Applicants must secure 501(c)(3) bond financing through a public authority serving as issuer. Such issuers include: the New York State Housing Finance Agency, the New York City Housing Development Corporation, local industrial development agencies and local public housing authorities.

6. **Small Project Initiative (SPI):**

The Small Project Initiative expects to provide up to \$5 million of HTF and/or HOME funds small projects [of 15 or fewer newly constructed or rehabilitated units](#) sponsored by not-for-profit applicants, [including community housing development organizations \(CHDO\)](#), and which do-not

include LIHC or SLIHC [financing](#). Not-for-profit applicants may request HTF and/or HOME funds for a small project. To take into account the unique nature of these projects, variants of several rating questions will be employed to evaluate Small Project Initiative applications.

[HTFC is developing a simplified application and review process for applicants requesting only SPI funds. Further information on these enhancements is expected to be announced in early 2008. Interested applicants may choose to apply now and their applications will be reviewed according to the process outlined in this RFP or may apply once the new application and review process is announced.](#)

7. **Rural Housing Initiative/Leveraged Loan Projects:**

The HTFC, under a Memorandum of Understanding with the Rural Housing Services Agency of the U.S. Department of Agriculture (USDA), expects to make funding available from HOME or HTFC, and DHCR expects to allocate credit under LIHC, to construct rental housing for low and very low-income households in rural areas. Under this initiative, eligible applicants apply to USDA for Section 515 Rural Rental Housing loan funds and under UF 2008 for HTF or HOME and LIHC. All units also receive rental subsidies from the USDA Section 521 program or New York State's Rural Rental Assistance Program.

DHCR, in concert with the USDA Rural Housing Services, reserves the right to provide rental subsidy for less than 100% of the units in a Rural Housing Initiative/Leveraged Loan project which receives a HOME or HTF award this funding round.

D. **The New York State HOME Program:**

HTFC expects to make \$33.1 million in HOME funds available to fund project and program applications submitted under UF 2008. **For specific application deadlines, see Section II, Application Deadlines and General Requirements.**

In accordance with the State's approved Consolidated Plan, HTFC utilizes a competitive process for distributing HOME funds. The competitive process has been incorporated into the State's Unified Funding application process, which is based on the original enabling statute enacted by New York State. Funds are distributed in the following manner:

- A minimum of fifteen percent of each annual allocation is reserved for Community Housing Development Organizations (CHDOs);
- Eighty percent of the remaining funds are reserved for projects and programs located within non-participating jurisdictions (local governments which do not participate directly in the HOME Program); and
- All remaining funds are distributed on a statewide basis.

There are two types of HOME funding: site-specific to develop rental housing (usually a multi-family building or buildings), and local programs, which provide single family purchase assistance, rehabilitation assistance or tenant-based rental assistance in an identified program service area. **HOME applicants cannot commence construction of an awarded project until HTFC approval of the project's environmental review.**

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.

1. Site Specific Projects

HOME provides funds for acquisition, rehabilitation or construction for site-specific [multi-family rental housing](#) projects. Applicants are reminded that HOME funded projects with 12 or more units are subject to Federal Labor Standards regulatory requirements (Davis Bacon Related Acts).

Applications requesting HOME funding for projects may request up to \$1.8 million. [However, project that meet one of the following criteria may apply for additional funds.](#) 1.) Projects in which 50% or more of the units will: a.) serve large families (households with 5 or more persons) by including units with three or more bedrooms or b.) serve persons with special needs as listed in the Unified Funding Reference Materials 2008 may request up to \$2.2 million. In order for a project [serving persons with special needs](#) to be eligible for up to \$2.2 million, the applicant must [document that they will arrange](#) for on or off site services for the [targeted population](#). 2.) Applications which demonstrate compliance with the requirements of the Green Building Initiative may request up to \$2.2 million. Applicants may demonstrate compliance with the Green Building Initiative by receiving a score of seven or more of the ten points available under the HTF Green Building Initiative. Applications for projects which demonstrate compliance with the requirements of the Energy Efficiency Initiative by utilizing NYSEERDA programs and that purchase or plan to purchase electricity and/or fuel from a utility that pays the Systems-Benefits-Charge may request up to \$2.2 million. 3.) Applications for projects which demonstrate compliance with the requirements of the Energy Efficiency Initiative but do not purchase or do not plan to purchase electricity and/or fuel from a utility that pays the Systems-Benefits-Charge may request up to \$2.3 million. If HTFC determines a proposal 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 above funding limits apply to the combined HTF and HOME request.](#)

Awardees that qualify as CHDOs may receive additional funds for operating expenses, subject to non-profit development allowance restrictions.

If HTFC determines that a proposal may be accomplished at a lower cost to the State than proposed, less will be awarded.

For applicants who request HTF and HOME funds for a project, [the above funding limits apply to the combined HTF/HOME request.](#)

CHDO applicants who intend to submit project applications to compete for the 15 percent CHDO set-aside should review Section 2.05.04F of the Capital Programs Manual [and the application instructions for Exhibit 1, Section E.5.](#), to ensure that their project meets all requirements for CHDO control of the project.

HTFC does not provide HOME funds as construction financing. However, up to \$5 million of Housing Development Fund (HDF) Program loan funds will be available from the Division of Housing and Community Renewal for construction financing only to eligible not-for-profit applicants who propose to use New York State HOME funds as permanent financing. The amount of HDF funding requested by an applicant may not exceed the amount of the applicant's request for New York State HOME funds.

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 HOME program outlined in the Eligibility Matrix (see Section IV(B)) of this Request for Proposals).

Requests for HDF funds will not be rated. HDF eligible applicants who receive New York State HOME awards for permanent financing and also request HDF funds for construction financing will receive an HDF award.

2. **Local Program Administrators (LPA)**

HTFC provides funds to units of general local government (state recipients), and not-for-profit corporations and public housing authorities (subrecipients) to administer single-family purchase assistance, [housing rehabilitation](#) and tenant-based rental assistance [programs](#). Collectively, these are referred to as Local Program Administrators, or LPAs. HTFC also provides funding for community housing development organizations (CHDOs) [for new construction or acquisition and rehabilitation of](#) single-family (1-4 unit) housing [for sale to low-income home buyers](#).

It is anticipated that the Corporation will limit awards to HOME LPAs to \$500,000. Awards for home ownership development, including CHDOs, will generally be limited to \$600,000, but HTFC reserves the right to higher amounts when necessary. Applicants must have successfully administered similar programs in the past and must demonstrate the capacity to utilize the amount of funding requested. HTFC reserves the right to award less than the requested amount. Up to 8% of each award will be available to offset state recipient and subrecipient administrative costs. If HTFC determines [that](#) a proposal can be accomplished at a lower cost to the state than proposed, less will be awarded. The minimum amount that may be requested is \$100,000.

Local Program Administrators may request HOME funds for the following activities:

Housing Rehabilitation Programs: Applicants may request funds for programs that provide moderate rehabilitation or acquisition and rehabilitation of single family (1-4 units) owner-occupied housing. [Preference is given to applicants that will administer programs](#) as part of a

community revitalization strategy or a strategy to provide housing for areas undergoing economic transition. These proposals must demonstrate significant housing and community development needs in the revitalization area, linkages to a well-defined community revitalization strategy, and clear impacts on housing affordability (including energy affordability), accessibility, preservation of historic properties, or traditional, pedestrian-oriented development to support mixed-income and mixed-use communities. Applicants must also demonstrate substantial experience and satisfactory prior performance with the HOME Program. [Applicants proposing to assist occupants of substandard manufactured housing units are encouraged to adopt and follow a strategy for replacement of mobile homes with modular or conventional construction.](#)

Applicants proposing rental rehabilitation programs that provide assistance for moderate

rehabilitation of small (10 units or less) investor owned rental projects [are also eligible](#). [Proposals that](#) will support a community revitalization strategy, and meet the criteria described in [Section 4.f. will receive preference in selection](#). Local Program applicants may not request funding for rental property that they plan to own upon completion of the project. Rental rehabilitation awards will be limited to 25,000 per unit.

a.) CHDO Home Ownership Projects: A minimum of fifteen per cent of [total HOME Program funds made available to the State](#) will be reserved for Community Housing Development Organizations (CHDOs). CHDOs applying to develop single family (1-4 unit) home ownership projects to support a community renewal strategy are rated according to the criteria described [in Section 4.f., below](#), and will receive selection preference. In particular, CHDO projects that will provide additional housing opportunities in areas undergoing economic transition or areas which have low rates of home ownership are encouraged.

CHDO home ownership development applicants must use the HOME LPA application, and may not receive more than \$50,000 in HOME Program funds per unit. It is anticipated that CHDO home ownership awards will not exceed \$600,000. CHDO home ownership developers will be subject to additional underwriting requirements but will also be able to access funds for pre-development expenses. CHDOs that successfully develop new home ownership housing, or acquire, rehabilitate, and sell vacant substandard existing housing to eligible households in a timely manner will be eligible to receive a developer fee based on the development cost of the proposed project.

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

- The proposal must be for new construction or rehabilitation of vacant, substandard, single family housing (1-4 unit buildings);
- The CHDO must obtain project financing, rehabilitate or construct the dwelling units, and have title to the property during the rehabilitation/construction period. The HOME loan obligation is transferred to an eligible home buyer upon project completion. If the CHDO will not hold title to the property, it must enter into a contractual obligation with another entity, such as a subsidiary organization, that will own the property until it is sold to the home buyer; and,
- The proposal must identify a source of construction financing other than HOME Program funds. HOME Program funds may be used only as permanent financing. DHCR staff can assist CHDOs in identify construction financing prior to the application due date (see below).

All CHDO applications to develop rental housing **must** be submitted using the **project application**. Please note that technical assistance and seed money are also available for CHDOs. See Section IV(C) of this Request for Proposals for more information on applying for CHDO technical assistance and seed money.

b.) Homeownership Assistance Programs: Applicants, proposing to [provide down payment or closing cost assistance to](#) first-time home buyers [with or without rehabilitation must](#) use the HOME Local Program Application to request HOME funds. Home ownership programs must include an effective homeownership counseling component to enable assisted buyers to

avoid sub-prime and predatory lending and become successful home owners. Programs that target existing residents of public housing and manufactured housing (to assist in the purchase of non-manufactured housing) are encouraged. American Dream Downpayment Initiative funds received by New York State may be used to partially or fully fund some home ownership program applications.

c.) Tenant-based rental assistance (TBRA): Applications will continue to be accepted for TBRA. Those applications targeting [persons with special needs](#) or meeting a specific identified need, such as lead hazard control, energy conservation, or increased accessibility for [persons with physical disabilities](#), will receive priority. All TBRA programs must also meet HTFC property standards.

E. New York/New York III Supportive Housing Agreement

DHCR and HTFC [strongly encourage the submission of](#) applications that include units to be developed in accordance with the New York/New York III Supportive Housing Agreement (NY/NY III). [Joint technical assistance with New York City and State agencies responsible for operating funding will be available for applicants interested in this initiative. Interested applicants are encouraged to contact HTFC/DHCR prior to application submission for additional technical assistance regarding the availability of operating assistance. For more information about NY/NY III, applicants should contact Lisa Irizarry at \[LIrizarry@dhcr.state.ny.us\]\(mailto:LIrizarry@dhcr.state.ny.us\) or \(518\) 473-2080.](#)

Background:

The NY/NY III agreement was signed by New York State (State) and the City of New York (City) on November 3, 2005. Under this agreement, the State and City committed to develop 9,000 units of supportive housing within New York City over the next ten years. For purposes of the NY/NY III agreement, “supportive housing” is defined as a pairing of rental assistance and supportive services in either a building constructed or renovated for this purpose (defined as congregate) or in scattered site apartments (defined as scattered-site) acquired for the purposes of housing.

The primary purpose of this Agreement is a commitment by the State and City to increase the supportive housing capacity within New York City targeted to homeless persons. The parties agree to fund both the capital and on-going operating expenses of the supportive housing.

DHCR’s Role:

As signatory to the agreement, DHCR is charged as a capital funding agency for housing for the following chronically homeless, or at serious risk of becoming chronically homeless persons ([The State and New York City agencies providing funds are identified after each population](#)):

- Persons who suffer from serious and persistent mental illness ([NYS Office of Mental Health](#))
- Single adults with a substance abuse disorder – ([NYS Office of Alcoholism and Substance Abuse Services and the NYC Department of Health and Mental Hygiene](#))

- Persons living with HIV/AIDS ([NYC Human Resources Administration](#))
- Families in which the head of the household suffers from a substance abuse disorder, a disabling medical condition or HIV/AIDS ([NYS Office of Temporary and Disability Assistance and NYC Department of Health and Mental Hygiene](#))

This RFP encourages applications serving one or more of the above populations. Supportive housing may be a portion of a building also targeting non NY/NY III populations. Operating expenses for NY/NY III populations will be funded by the appropriate State or City agencies. These agencies, and contacts for each, are identified below:

New York State Office of Mental Health
 Michael R. Newman
 (518) 474-5191
 E-Mail: corgmrn@omh.state.ny.us

New York State Department of Health
 AIDS Institute
 Sherry Chorost
 (518) 474-8162
 E-Mail: sec04@health.state.ny.us

[NYS Office of Alcoholism and Substance Abuse Services](#)
 William Panepinto
 (518) 457-6206
billpanepinto@OASAS.state.ny.us

[NYS Office of Temporary and Disability Assistance](#)
 Scott Edwards
 (518) 473-2588
scott.edwards@OTDA.state.ny.us

[NYC Human Resources Administration \(HRA\) - HIV/AIDS Services Administration \(HASA\)](#)
 Matthew Brune
 (212) 620-4644
 E-Mail: mbrune@hra.nyc.gov

[NYC Department of Health and Mental Hygiene](#)
 Karen L. Mankin, Contracting Officer
 (212) 219-5873
 E-Mail: kmankin@health.nyc.gov

If applicants can secure commitments from a NY/NY III operating agency for [operating support](#), DHCR/HTFC may be willing to make additional resources available for the development costs of these projects [subject to the availability of funding](#).

F. New York Main Street Program:

The purpose of the New York Main Street Program (NYMS) is to assist New York communities with their main street/downtown revitalization efforts. NYMS will provide grants to stimulate reinvestment in mixed-use (commercial/civic and residential) “main street” buildings or districts in order to address issues of code compliance, energy conservation, accessibility, and to provide affordable housing and job opportunities. [The Program is also intended to foster business development, increase employment and economic activity, support local community organizations, and preserve significant historic buildings in Main Street Communities.](#)

- 1) To stimulate the economic revitalization of mixed-use business centers in urban, small town, and rural areas by providing financial incentives for the rehabilitation of traditional commercial building stock;
- 2) To foster small business development, thereby increasing employment and economic activity in traditional downtown or neighborhood business location;
- 3) To increase the capacity of community-based not for profit organizations to undertake community renewal programs at the local level and market the district to prospective businesses and residents;
- 4) To facilitate a well thought out planning process that ensures that capital investments of public funds will enhance the aesthetics and economics of the business district through appropriate design that respects the historic architecture of the target area;
- 5) To preserve significant historic buildings and provide an environment that attracts new investment to provide for adaptive reuse of these buildings for new Main Street enterprises;
- 6) To increase affordable housing opportunities in mixed-use districts, including accessible upper floor units and new home ownership opportunities; and,
- 7) To address code compliance, energy conservation, American’s with Disabilities Act (ADA), and fair housing issues to bring vacant commercial space into compliance with building codes, so that it can be utilized by new businesses.
- 8) To address damage to buildings and traditional Main Street districts from the effects of the floods of June 2006, and to lessen the impact on future floods in those affected areas.

[HTFC expects to make \\$6 Million](#) will be available for NYMS [under UF 2008](#). The maximum award amount will be \$200,000. The minimum amount of funds that may be requested is \$50,000. Contract terms will be limited to two years. [When making awards HTFC will take into consideration the following housing goals, included but not limited to: preservation of affordable housing, community revitalization, green building, and collaboration with other governmental agencies and the development community.](#)

To be eligible, applicants must be incorporated under the NYS Not-for-Profit Corporation Law (including community-based organizations, business improvement districts, and other similar entities that have been providing service to the community for at least one year). Entities that can meet these criteria by time of award may also be considered. Funded applicants will act as a Local Program Administrators (LPAs). An LPA assumes administrative responsibility for

evaluating and selecting projects to be assisted, entering into contracts with owners that participate in the program, ensuring compliance with all state and local laws and regulations, and ensuring successful completion of all assisted projects. To be eligible, an organization must have been in existence for at least one year prior to contract execution.

Applications will be accepted for programs that propose funding **one or more** of the following activities:

- **Facade Renovation:** LPAs may provide participating owners with façade renovation grants of up to the lesser of \$10,000 per building or 50% of total project cost. Façade renovations must comply with the standards of the State Office of Parks, Recreation, and Historic Preservation for properties eligible for the historic register, and with locally adopted building design guidelines.
- **Building Renovation:** LPAs may provide participating owners with building renovation grants of up to \$50,000 per building, or 50% of project costs, whichever is less. All work must comply with local design guidelines. For properties eligible for the historic register, work must comply with the standards of the State of Office of Parks, Recreation and Historic Preservation. If the facade does not meet design standards as noted above, a facade renovation will be required in order to qualify for a Building Renovation Grant.
- **Creation of Downtown Anchors:** LPAs may provide grants of up to \$100,000 per building, but not exceeding 25% of project cost, to building owners to help establish or expand cultural or business anchors that are key to local revitalization efforts. Anchor grant projects may include residential units on the upper floors. A business plan for the proposed Downtown Anchor that includes a market analysis is required for all applications that propose funding anchor grants.
- **Streetscape Enhancement:** Grants of up to \$25,000 for programs to plant trees and other landscaping, install street furniture and trash cans, provide appropriate signs in accordance with a local signage plan, and to perform other appurtenant activities can be provided to communities to enhance the NYMS target area. Applicants should demonstrate how improvements will improve residential and commercial conditions in the target area. Distinctive street lighting may be eligible for funding where applicants can demonstrate that it is not an ordinary expense of the existing unit of government. A Streetscape Enhancement Grant will only be awarded if it is ancillary to building renovation or downtown anchor activities.

In general, no more than half of the required match for Building Renovation and Creation of Downtown Anchors should be provided by other public funds. Funds will only be made available on a reimbursement basis, after work is completed. Activities funded by the New York Main Street Program are subject to review under the State Environmental Quality Review Act.

The **proposed** program must be carried out in a concentrated target area (generally no more than three contiguous blocks) that has experienced sustained physical deterioration, decay, neglect, or disinvestment, and has a number of substandard buildings or vacant residential or commercial units. Areas which have been designated by a State or federal agency as an eligible area for the purposes of a community or economic development program will be considered eligible for the purposes of the NYMS program. Areas that are in or eligible as a Neighborhood or Rural

Preservation Company service area are considered eligible for NYMS purposes. Areas should be an established mixed-use (commercial/civic and residential) district that is pedestrian-oriented and comprised of traditional mixed-use buildings.

Each local administrator will be expected to work with the local municipality to develop design guidelines for building facade renovations prior to undertaking program activities, if the municipality does not already require projects to undergo an architectural or design review process. The design guidelines will help to ensure that facade renovations are done in a manner that respects the architecture of the buildings being renovated and to ensure that renovations comply with the Office of Parks, Recreation, and Historic Preservation standards.

G. Access to Home Program:

The Access to Home Program provides resources to make accessibility modifications to existing dwelling units occupied by low-income persons with disabilities, especially in cases where providing modifications will prevent a person with disabilities or mobility limitations from having to move to an institution, or enable a person with a disability or mobility limitation who is currently institutionalized to return to his or her dwelling unit.

HTFC expects to make \$4 million available for Access to Home under 2008. The maximum award amount will be \$500,000. The minimum amount of funds that may be requested is \$100,000. Assistance is limited to a maximum of \$25,000 per unit. Contract terms will be limited to three years.

Applicants must be a municipality, a not-for-profit community-based organizations, or other entity incorporated pursuant to the Not-for-Profit Corporation Law that will act as a Local Program Administrator (LPA). An LPA assumes administrative responsibility for evaluating and selecting projects to be assisted, entering into contracts with owners that participate in the program, ensuring compliance with all state and local laws and regulations, and ensuring successful completion of all assisted projects. To be eligible, an organization must have been in existence for at least one year prior to contract execution.

The following activities are eligible for Access To Home funding:

- Installations of ramps, lifts, and other similar measures to permit access to an existing residential unit from the exterior of the building;
- Modifications to kitchens and bathrooms in existing residential units to provide access to persons with mobility limitations or disabling conditions;
- Interior accessibility modifications to existing residential units that will permit access within the unit for persons with mobility limitations or other disabling conditions;
- Installation of devices to permit safe use of an existing residential unit by persons with hearing or visual impairments;
- Any necessary architectural and engineering work, testing of assisted units for environmental, health and safety purposes, and other professional services necessary for the installation of accessibility modifications in existing residential units;
- Staff costs for delivery of program accessibility modifications in an eligible unit;
- Other activities required to install accessibility modifications in existing residential units.

Both rental and owner-occupied housing may be improved with program funds. Local program administrators providing assistance for rental units must ensure that Access to Home funds are not used to replace other resources available to building owners. Owners who are obligated to provide these improvements as a condition of receiving government assistance are not eligible for program funds.

Successful applicants will be provided with assistance in developing design guidelines for installation of accessibility modifications. Applicants will have responsibility for determining work scopes, managing the bid process, and ensuring that modifications are installed in a cost-effective manner.

Applicants must ensure that modifications are done in compliance with all state and local codes and ordinances, and that all applicable health and safety standards are met. Applicants must adopt a deferral policy that requires that installation of modifications in units with known health and safety hazards (such as observable lead paint hazards in units occupied by children) be deferred unless other funding can be identified to address the hazards. While applicants are encouraged to utilize Access to Home funding with other funding sources, it is the applicant's responsibility to ensure that design requirements, codes, ordinances, and other rules pertaining to other sources of funding are complied with.

H. The Residential Emergency Services to Offer (Home) Repairs to the Elderly (RESTORE) Program:

HTFC expects to make \$400,000 of RESTORE funds available under UF [2008](#).

RESTORE provides funds for the cost of emergency repairs to eliminate hazardous conditions in homes owned by the elderly when the homeowners cannot afford to make the repairs in a timely fashion. [Eligible applicants are not-for-profit corporations and municipalities, including counties.](#)

Applications requesting funding for RESTORE programs should not exceed \$75,000. If HTFC determines a proposal can be accomplished at a lower cost to the state than proposed, fewer funds will be awarded. Funds are distributed to meet the need for emergency repairs on a statewide basis. Administrative funds are limited to 7.5% for non-profits and 5% for municipalities.

I. Seed Money Loans:

Only not-for-profit organizations that have been in operation for at least one year with a full-time staff are eligible for seed money for HOME site-specific or HTF projects.

Seed money awards from HOME funds are made as loans and are available only to eligible CHDOs. CHDO qualifications must be established by the appropriate DHCR regional office prior to submission of a seed money application. Seed money awards from HTF funds are made as grants.

Seed money is available to assess the feasibility of a potential project and/or retain professional services to assist in applying for capital project funding. To receive an award, a project must meet program eligibility and rating criteria.

A seed money award made under the HOME Program may be forgiven if it is determined that the project is infeasible.

Seed money is limited to \$5,000 per unit and a maximum amount of \$45,000 for the entire project.

The program from which seed money will be awarded will be determined based on eligibility and availability of funds.

Seed money loans may be requested for pre-development expenses, [such as](#):

1. feasibility studies;
2. market studies;
3. legal fees for site acquisition or site control;
4. site appraisal costs;
5. the costs of preparing applications if a housing consultant is used;
6. preliminary design documents and cost estimates;
7. title searches;
8. site option expenses;
9. survey maps; and/or
10. zoning approval fees.

An applicant's operating and administrative expenses are not eligible seed money costs.

Only proposals which have documented the following are eligible for seed money loans:

- the applicant is eligible under HOME or HTF;
- a site is identified and site control has been or can be obtained;
- the applicant has determined the population to be served by the project;
- the applicant has identified the approximate number of units to be developed;
- the applicant has identified a permanent funding source for which the project is eligible and from which funds for future applications will be available; and

- the proposed project demonstrates likelihood to meet rating criteria.

Applicants may apply for seed money at any time during the calendar year by submitting the following Application Exhibits:

- Exhibit 1. Application Summary;
- Exhibit 2. Community Needs Strategy;
- Exhibit 3. Development Budget - showing only predevelopment expenses in Section 2, Tab 2.1 Development Budget – Residential, and proposed financing sources for constructing the project in Section 2, Tab 2.1 Summary Financial Resources – Permanent Financing Sources;
- Exhibit 7. Development Team’s Relevant Experience;
- Exhibit 8. Site and Building Information;
- Attachment A1. Evidence of Site Control;
- Attachment F3. Applicant's Certificate of Incorporation, if applicable.

Seed money for feasible HOME projects is incorporated into the project's permanent financing if the project is awarded program funds or funding from another governmental agency. A seed money award from HTF or HOME does not guarantee the project will be selected for project funding nor does a project receiving seed money receive any priority in the competition for project selection.

J. Technical Assistance

Applicants [are encouraged to request technical assistance at any time from the appropriate DHCR Regional Office](#) to discuss a project or program that may result in a Unified Funding application, or a Unified Funding project or program that may require additional assistance. [Technical Assistance is available through several means including: personal meetings, telephone conferences or written correspondence.](#) Applicants seeking technical assistance should contact the appropriate Regional Director. Also, any assistance with, or specific questions regarding the funding process (with the exception of DHCR’s completeness review) is only available prior to submission of the applications. After submission, all contact by outside individuals or groups, including elected officials and lobbyists, should contact Deputy Commissioner Lorrie Pizzola (518) 474-9553, please be advised that after applications are submitted, no contact with DHCR processors and reviewers (i.e staff working on the applications) is permitted.

Applicants are eligible for assistance provided by either [DHCR regional staff](#) or a consultant hired by HTFC.

Requests for technical assistance may be made at any time by contacting the appropriate DHCR Regional Office.

Technical Assistance may include, but is not limited to, the following:

1. guidance on DHCR/HTFC program requirements and policies, as they pertain to a specific project;
2. assistance in determining the most appropriate funding sources for the proposed project;
3. assistance in establishing a Housing Development Fund Company for a specific project;
4. assistance in formulating development and/or operating budgets for a specific project;
5. assistance with reviewing and selecting a site or sites for a specific project;
6. assistance in assessing the cost effectiveness of a specific site or building;
7. referrals to other governmental agencies for funding and/or support services for a specific project;
8. referrals to other applicants who have successfully undertaken projects similar to the one proposed;
9. assistance and training in various aspects of housing rehabilitation;
10. assistance in developing standards and methods for installation of accessibility modifications; and,
11. assistance in implementing and managing mixed-use district revitalization program.

IV. Open Window Program Announcements

Applications which request funds only from programs available under the Open Window Process may be submitted at any time. HTFC/DHCR expects to notify applicants for Open Window programs of the outcome of the review process within 60 days of the date of receipt of a complete application.

A. Homes for Working Families (HWF) Program

HTFC expects to make approximately \$7 million available under the Homes for Working Families (HWF) Program to fund project applications.

As noted in Section I, HWF applicants seeking to use NYS Housing Finance Agency (HFA) tax-exempt bonds, subsidy funds, and 4% low-income tax credits may now use a single paper application to request financing from both HFA and HTFC. This joint application must also be used by HWF applicants who intend to use an issuer of tax-exempt bonds other than HFA. The HTFC/HFA joint application will be available on DHCR's website starting December 1, 2007. An electronic version of the HTFC/HFA joint application is expected to become available in early 2008.

Under this program, HWF financing of up to \$35,000 per HWF-assisted unit outside of New York City and up to \$45,000 per assisted unit in New York City is provided to applications

selected for funding to finance the substantial rehabilitation or new construction of affordable rental housing for families and/or senior citizens in which more than 50 percent of the project cost is financed with tax-exempt bonds allocated from the State's Private Activity Bond Volume Cap (issued pursuant to Section 42 and 142 of the Code). The bond allocation enables the project to receive an allocation of 4 percent "as-of-right" low-income housing credit. (Note: Pursuant to the 2008 Proposed QAP, HFA will be responsible for the review of all new 4 percent LIHC applications submitted on or after March 1, 2008 and the issuance of credit allocations for such projects, regardless of the bond issuer selected for the HWF project.)

Applicants must secure the necessary allocation of tax-exempt bonds separately through a public authority serving as an issuer. In addition to the New York State Housing Finance Agency, such issuers include the New York City Housing Development Corporation, the Dormitory Authority of the State of New York in conjunction with the NYS Office of Mental Health, local Industrial Development Agencies and local Public Housing Authorities.

While 100% of the HWF-assisted units are expected to meet LIHC restricted rent requirements (pursuant to the Code), up to 20% of the overall project units may be affordable to households with incomes above 60% of area median income provided the units are financed by other sources. The NYS Low-Income Housing Tax Credit Program (SLIHC) may be utilized as a source of financing for units serving households with incomes between 61% and 90% of area median.

The total amount of funds available depends on the availability of FY 2007-08 and FY 2008-09 appropriations for HWF. HTFC reserves the right to review an application requesting HTF, HOME or HWF program funds as an application for funding under any of these programs whose eligibility criteria are met.

B. New York State Low-Income Housing Tax Credit (SLIHC)

Approximately \$4,000,000 is expected to be available for SLIHC reservations. Applicants requesting SLIHC may not request more than \$750,000 per project.

The maximum amount of annual SLIHC allocation per unit which may be requested is \$20,000. As noted under LIHC above, applications which include units to be assisted by both LIHC and SLIHC may request up to the per unit credit allocation maximum under each program for those specific units.

SLIHC provides a dollar-for-dollar reduction in certain New York State taxes to investors in qualified low-income housing which meets the requirements of Article 2-A of the Public Housing Law and which also has received an allocation under the criteria and procedures established in the New York State Low-Income Housing Tax Credit Program Regulations, Section 2040.14. The 2008 Proposed SLIHC Regulation is included with the 2008 Unified Funding Materials.

The SLIHC Program is basically the same as the federal LIHC program **except program eligibility is set to assist households earning up to 90% of the area median income rather than the 60% standard of the federal LIHC program.** The SLIHC program requires that at least 40% of the units must be set aside for households whose income is at or below 90% of the area median income (vs. 60% as in the federal LIHC program). Further, in SLIHC projects

which are not jointly financed with LIHC, no more than 40% of the project units assisted by SLIHC can serve households with incomes at or below 60% of AMI.

Applicants requesting SLIHC will be rated pursuant to the scoring criteria set forth in the 2008 Proposed SLIHC Regulation. While the SLIHC scoring criteria contained in the 2008 Proposed Regulation have been substantially synchronized to the LIHC scoring criteria, the SLIHC scoring will maintain an additional preference for projects which will serve households with a range of income levels.

C. Urban Initiatives (UI) and Rural Area Revitalization Projects (RARP) Programs

The purpose of the programs are to provide assistance to New York communities for the restoration and improvement of housing, commercial areas and public facilities in urban and rural communities. These two programs 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 distressed urban neighborhood, a rural area or other aspects of the area environment or in related community preservation or renewal activities.

It is expected that \$1.7million will be available for the Urban Initiatives Program and \$1.4 million for the Rural Area Revitalization Projects Program in 2008. Applications requesting UI/RARP in combination with another source of funds under this RFP (HTF, HOME, LIHC) 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 applications received and the total request for funds. The maximum award amount will be \$200,000. Contract terms will be limited to two years.

NOTE: HTFC is developing a simplified application and review process for applicants

requesting only UI and RARP funds. Further information on these enhancements is expected to be announced in early 2008. Applicants may choose to apply now and their applications will be reviewed according to the process outlined in this RFP or may apply when the new application and review process is announced in 2008.

Submission Requirements

HTFC will accept applications (an original and two (2) copies) which request only Urban Initiatives or Rural Area Revitalization Projects funds until further notice either through CD Online or at the address noted in Section IIA of this Request for Proposals. Applications requesting UI or RARP funds and some other source available under this RFP (HTF, HOME, LIHC) must be submitted by February 27, 2008 and will be reviewed with all other applications received in response to the HTFC Unified Funding Notice of Funding Availability.

Eligible applicants include not-for-profit corporations or charitable organizations, organized for a period of one or more years, which are either incorporated under the not-for-profit corporation law together with any other applicable law or, if unincorporated, are not organized for the private profit or benefit of its members and has been engaged primarily in community preservation activities. Successful applicants must be incorporated at the time they enter into a contract with HTFC.

The Urban Initiatives and Rural Area Revitalization Projects programs provide applicants

flexibility in determining the exact nature of their revitalization efforts and program priorities. However, 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.

Eligible Areas/Eligible Activities

Urban Initiatives – Eligible Areas

- Neighborhood – An area within a municipality identified by recognized or established boundaries consistent with a determination of neighborhood eligibility under article sixteen of the Private Housing Finance Law (i.e. definition, size, population, etc.); in general, neighborhoods in communities with a population of 20,000 or more.

Urban Initiatives – Eligible Activities

- Creation, preservation or improvement of residential housing units in a neighborhood.
- Preservation or improvement of local commercial facilities and public facilities or other aspects of the area environment which include as part of its project the creation, preservation or improvement of residential housing units in a neighborhood.

Rural Area Revitalization Projects – Eligible Areas

- Rural Area of the State shall mean cities, towns and villages having a population of less than 20,000.

Rural Area Revitalization Projects – Eligible Activities

- Eligible activities include projects that are designed to: 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 for the UI and RARP Programs proposing the rehabilitation of existing housing are encouraged to place an emphasis on energy conservation, handicapped accessibility and remedying unsafe conditions.

D. **Small Project Initiative**

HTFC expects to make \$5 million available for residential projects (new construction or rehabilitation) of 15 or fewer units which do not rely on State or federal tax credits as a source of financing. HTFC is developing a simplified application and review process for applicants requesting only Small Project Initiative funds. Further information on these enhancements is expected to be announced in early 2008. Applicants may choose to apply now and their applications will be reviewed according to the process outlined in this RFP or may apply when the new application and review process is announced in 2008.

Effective with this NOFA, Small Project Initiative applications will be accepted year round. HTFC expects to notify applicants of its review decision within 60 days of receipt of a complete application.

IV. **EVALUATION AND SELECTION**

A. **General Review Criteria:**

All projects and programs will be selected through a competitive process. To the extent feasible DHCR and HTFC will allocate resources to meet housing needs and achieve a geographic distribution of funding across the State. When making awards, HTFC will take into consideration the following objectives, including but not limited to: preservation of affordable housing, community revitalization, green building concepts and collaboration with other governmental agencies and the development community.

Applications that propose a quality housing product that most efficiently provides the greatest number of units for the longest period of time for the lowest-income New Yorkers, and which respond to a strategy to address housing needs, will have the greatest likelihood of being selected.

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 Strategic Plan's housing objectives are:

1. Improve availability and accessibility by preserving existing privately-owned affordable housing while eliminating health and safety hazards;
2. Improve availability and accessibility by building new housing for working families;
3. Improve availability and accessibility by creating new rental and homeownership opportunities through expanded housing production;
4. Improve availability and accessibility by building affordable senior housing;
5. Improve affordability by creating new homeownership opportunities; and,
6. Improve affordability by creating new rental assistance opportunities.

Applicants that receive a 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.

Applications requesting funds for the rehabilitation of partially or fully occupied properties must demonstrate that the proposed work will have the effect of correcting substandard conditions which preclude lawful occupancy of the units in their current condition (i.e. code violations, etc.), with the exception of RESTORE local programs which are limited to correcting only emergency and safety concerns.

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.

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.

Applicant Past Performance

An applicant's past and current performance in State programs and contracts will be considered in reviewing, rating and ranking its application. The Corporation 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.

Low-Income Housing Credit/State Low-Income Housing Tax Credit Applications

All reservations of LIHC and SLIHC will be made in compliance with DHCR's [2008 Proposed QAP](#) which includes review criteria for threshold eligibility, project selection, [credit allocation determination](#) and underwriting. [If the 2008 Proposed QAP is not adopted prior to the UF application deadline, the review criteria in the current QAP will be used.](#)

[Please note, that in order to comply with Internal Revenue Code requirements and promote greater consistency in market study submissions, HTFC and DHCR have established a list of pre-qualified market study firms that must be used by applicants to prepare their market studies. Applicants for LIHC may select any of the pre-qualified firms on the list. The list of pre-qualified firms will be made available on DHCR's website, at the application workshops, and through DHCR's Regional Offices.](#)

B. Unified Funding Processing Steps

1. Application Receipt

Applications received under UF 2008 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

All applicants who have submitted incomplete applications will be notified by fax [or by email](#), within **10 business days** from the deadline for applications. Applicants will then have **10 business days** from the date of first receipt of the notification, which is sent by fax, to provide all missing or incomplete documentation.

Applications deemed incomplete after this time period will not be reviewed further and the applicant will receive an Application Review Letter listing all missing or incomplete items.

An **incomplete application** is one that is **missing required Exhibits and/or Attachments** or that contains **unsigned certifications**.

The Completeness Review is used to compile data for logging applications and tracking their progress through the review process. This step is also used to compile information which will be used to assess a project's feasibility. Application exhibits and attachments used primarily for rating will not be requested in a Notice of Incomplete Application.

If an application is deemed complete, but the content fails to address application questions, is inconsistent, or fails to comply with instructions, its evaluation will be compromised, possibly affecting rating and ranking decisions to the detriment of the applicant.

Note: HTFC and DHCR in their sole discretion will discontinue processing of those applications that they determine to be substantially incomplete. Substantially incomplete applications are those in which a minimum of 30% of the required exhibits and attachments are missing from the initial application submission. HTFC and DHCR will also consider to be [substantially incomplete](#) any [site-specific](#) application which does not include acceptable evidence of site control or a market study or market analysis. Processing will be discontinued for any application which does not include either of these required documents [based on review of the initial application submission](#). Further information on acceptable forms of site control and market studies/market analyses is included in the Project Application instructions and CPM.

3. Eligibility Review

Applications are reviewed according to the criteria in the eligibility matrix on the following pages. The HWF program has the same eligibility criteria as the HTF program. The eligibility of an application under any of the [seven](#) programmatic initiatives is based upon the eligibility of the application under the HTF program and/or the HOME program [and the terms outlined in this RFP](#).

Applications that fail to meet all of the eligibility criteria will not be reviewed further, and an Application Review Letter will be sent to the applicant, indicating that the application is ineligible and specifying the reason(s).

Unified Funding Programs Eligibility Matrix

Category	HOME	HWF and HTF	RESTORE	LIHC and SLIHC	NY Main Street	Access to Home	UI/RARP
Applicant	<p>Site-specific projects: For-profit and not-for-profit corporations, including community housing development organizations (CHDO), public benefit corporations, partnerships, and units of local government that are not participating jurisdictions.</p> <p>LPA: Units of general local government (counties, cities, towns, and villages) that are not participating jurisdictions; not-for-profit corporations, and housing authorities; CHDOs applying to develop home ownership projects.</p>	<p>Not-for-profit corporations or charitable organizations in existence for at least one year, whose primary purpose is low-income housing; wholly-owned subsidiaries of not-for-profits or charitable organizations; Housing Development Fund Companies; partnerships ($\geq 50\%$ not-for-profit or charitable organization control); private developers; municipalities; and housing authorities, when assisting properties owned after 7/1/86.</p>	<p>Not-for profit corporations and municipalities, including counties</p>	<p>For-profit developers, not-for-profit developers, individuals, limited partnerships, limited liability corporations, corporations</p>	<p>Not-for-profit community-based organizations and other entities incorporated pursuant to the Not-For-Profit Corporation Law which have been in existence for at least one year prior to contract execution.</p>	<p>Not-for-profit community-based organizations, municipalities, and other entities incorporated pursuant to the Not-For-Profit Corporation Law which have been in existence for at least one year prior to contract execution.</p>	<p>Not-for profit corporations or charitable organizations, organized for a period at least one year, which are either incorporated under the not-for-profit corporation law together with any other applicable law or , if unincorporated, not organized for the private profit or benefit of its members and have been engaged primarily in community preservation activities.</p> <p>Applicants, officers, directors and members must be representative of the residents and other legitimate interests of the neighborhood or region.</p>

Category	HOME	HWF and HTF	RESTORE	LIHC and SLIHC	NY Main Street	Access to Home	UI/RARP
Area	Entire State: a minimum of 80% of the funds available (after the 15% CHDO set-aside) to projects located in non-participating jurisdictions. HUD-designated participating jurisdictions may not apply.	Blighted areas as recognized by Federal, State or local government, or sites that have a blighting influence on the surrounding areas, or factors indicating an inability or unwillingness of the private sector to invest funds without State assistance.	All areas of the state are eligible.	All areas of the state are eligible.	Entire State; however program must be carried out in a defined target area which has sustained physical deterioration, decay, neglect, or disinvestment, and has a number of substandard buildings or vacant residential or commercial units, or in areas which have been designated by a State or federal agency as an eligible area for the purposes of a community or economic development program.	All areas of the State are eligible.	UI - Neighborhood – An area within a municipality identified by recognized or established boundaries consistent with a determination of neighborhood eligibility under article sixteen of the Private Housing Finance Law with a population of 20,000 or more. RARP – Rural areas of the state to include cities, towns, and villages having a population of less than 20,000.

Category	HOME	HWF and HTF	RESTORE	LIHC and SLIHC	NY Main Street	Access to Home	UI/RARP
Project	Residential only; new construction, substantial or moderate rehabilitation; home ownership assistance and tenant-based rental assistance. Applicants requesting home ownership or tenant-based rental assistance must apply as LPA's.	Residential only: homesteading, rental, cooperatives or condominiums. New construction, rehabilitation, conversion. Residential buildings to be rehabilitated must be at least 40% vacant (except for projects with fewer than three units where project creates additional unit); non-residential space to be converted must be 100% vacant prior to application.	Any repairs to 1-4 unit dwellings owned by an elderly homeowner that correct any emergency housing condition.	Residential only or residential with Community Service Facility (LIHC only); new construction, building acquisition with rehabilitation, and rehabilitation.	Rehabilitation of existing residential and commercial units as part of a targeted program to assist communities with their efforts to preserve and revitalize mixed-use (commercial/ civic and residential) main street/ downtown business districts.	Accessibility modifications to existing dwelling units occupied by low- and moderate-income persons with disabilities, especially when such modifications would allow a disabled person to remain in, or return to, the unit, rather than being institutionalized. Both rental and owner-occupied residences eligible for assistance.	Residential, commercial, public facilities, community, civic, cultural establishments. Applicants must have an ownership interest in the project during the contract period.

Category	HOME	HWF and HTF	RESTORE	LIHC and SLIHC	NY Main Street	Access to Home	UI/RARP
<p>Costs</p>	<p>Any customary development hard costs, acquisition, related soft costs, relocation costs, and costs related to tenant-based rental assistance. If more than one source of HOME funds, total HOME funds from all participating jurisdictions must be within published HOME subsidy limits. LPA applications may not request more than \$30,000 per unit in HOME funds. CHDO home ownership development applications may not request more than \$50,000 per unit in HOME funds</p>	<p>Actual and necessary cost of construction, rehabilitation or conversion, customary hard cost and related soft cost, excluding developer's fees, administrative fees and capitalization of operating reserves. No more than 25% of award for acquisition. Maximum \$75,000/unit; up to \$100,000/unit when approved by HTFC For HWF and Senior Housing Initiative, the maximum of \$35,000/ unit (\$45,000/unit in New York City.</p>	<p>The maximum amount that can be spent on any building is \$5,000. Work can only include repairs to correct an emergency housing situation. Typical repairs include furnace, roof, electrical and water problems.</p>	<p>Actual and necessary cost of construction, building acquisition and/or rehabilitation, customary hard cost and related soft costs excluding the expense associated with syndication of the Credits. Requests may not exceed \$20,000 of LIHC/SLIHC per unit. However, a combined request can go up to both per unit limits.</p>	<p>Actual and necessary cost of rehabilitation or conversion, and related soft costs, excluding administrative fees. Façade renovation (lesser of \$10,000 per building or 50% of total project cost); building (lesser of \$50,000 per building or 50% of project costs); downtown anchor creation (up to \$100,000 per building renovation , but not exceeding 25% of project cost) and, streetscape enhancement limited to \$25,000 per contract.</p>	<p>Actual and necessary cost of accessibility improvements such as ramps, lifts, handrails, grab bars, relocation costs, testing for environmental, health and safety purposes and related soft costs. Assistance is limited to \$25,000 per unit.</p>	<p>Maximum grant amount will be \$200,000 and is to be used for the acquisition, construction, rehabilitation, preservation or improvement of the proposed project</p>

Category	HOME	HWF and HTF	RESTORE	LIHC and SLIHC	NY Main Street	Access to Home	UI/RARP
Occupants	All HOME funds must benefit households at or below 80% of area median income; 90% of all rental units (including rental assistance) must benefit households with incomes at or below 60% of area median income.	Low-income persons up to 80% of area median income in New York City, low-income persons up to 90% of area median income in the portion of the State outside New York City. Preference for very low-income persons (50% of median). *(1)	New York State homeowners aged 60 or over. Recipient must live in building and have a household income of less than 80% of the area's median family income. Tenants not restricted by age or income.	Low-income households earning up to 60% (90% for State Tax Credit) of area median income.	Assisted residential units, when available for rent, must be marketed to and affordable to households with incomes at or below 80% of area median income.	Assisted units must be occupied as the permanent residence of a household with income at or below 80% of area median income (120% of median for veterans with a disability), and include individuals who have a physical disability or have substantial difficulty with daily living activities due to aging.	Occupancy or benefit from complete projects is limited to pursuant of low-income as defined below: UI: Persons or families whose incomes do not exceed 80% of the median income of the MSA in which the project is located RARP: Persons and families whose incomes do not exceed 90% of median income of the county in which the project is located.

NOTE: HWF is subject to the eligibility requirements set forth in the HTF and LIHC columns except where modified in the footnotes below.

* (1) For HWF, 100% of HWF-assisted units must serve low-income persons up to 60% of area median income, although 20% of the overall project units may serve households above 60% of the area median income. For SHI, a minimum of 20% of HTFC-assisted units must be affordable to persons with incomes at 50% or less of area median income. Occupancy is limited to households in which at least one member is 55 years of age or older.

4. Rating and Ranking

Each application is scored on criteria derived from the statutory, regulatory and policy considerations of the program(s) from which funds have been requested. Application ratings are based only on the application materials received by the submission deadlines. [DHCR will not request or accept updated information related to incomplete or insufficient exhibits or attachments used primarily for rating applications.](#) The rating criteria used for specific programs are presented below:

- a. **LIHC applications** will be rated and ranked based on criteria contained in DHCR's [2008 Proposed QAP](#). These selection criteria are:
 - i. [Community Impact/Revitalization \(15 points\)](#)
 - ii. [Financial Leveraging \(13 points\)](#)
 - iii. [Sponsor Characteristics \(10 points\)](#)
 - iv. [Green Building \(10 points\)](#)
 - v. [Long Term Affordability \(7 points\)](#)
 - vi. [Fully Accessible and Adapted, Move-In Ready Units \(6 points\)](#)
 - vii. [Affordability \(5 points\)](#)
 - viii. [Individuals with Children \(5 points\)](#)
 - ix. [Energy Efficiency \(5 points\)](#)
 - x. [Marketing Plan/Public Assistance \(5 points\)](#)
 - xi. [Project Readiness \(5 points\)](#)
 - xii. [Persons with Special Needs \(5 points\)](#)
 - xiii. [Participation of Local Non-Profit Organizations \(4 points\)](#)
 - xiv. [Mixed Income \(3 points\)](#)
 - xi. [Project Amenities \(2 points\)](#)

- b. **SLIHC applications** will be rated and ranked based on the following selection criteria contained in the New York State Low-Income Housing Tax Credit [2008 Proposed Program Regulations Section 2040.14](#).
 - i. [Community Impact/Revitalization \(15 points\)](#)
 - ii. [Financial Leveraging \(13 points\)](#)
 - iii. [Sponsor Characteristics \(10 points\)](#)
 - iv. [Green Building \(10 points\)](#)
 - v. [Income Mixture \(8 points\)](#)
 - vi. [Long Term Affordability \(7 points\)](#)
 - vii. [Fully Accessible and Adapted, Move-In Ready Units \(6 points\)](#)
 - viii. [Project Readiness \(5 points\)](#)
 - ix. [Energy Efficiency \(5 points\)](#)
 - x. [Persons with Special Needs \(5 points\)](#)
 - xi. [Marketing Plan/Public Assistance \(5 points\)](#)
 - xii. [Individuals with Children \(5 points\)](#)
 - xiv. [Participation of Local Non-Profit Organizations \(4 points\)](#)
 - xv. [Project Amenities \(2 points\)](#)

- c. **HWF applications** that pass completeness and eligibility reviews will not be scored but will undergo technical evaluation using the following criteria, [which is largely based on LIHC and HTF project scoring and ranking criteria \(as previously noted, HWF applications must be](#)

eligible under both programs and these programs provide the basis for HTFC's evaluation of HWF applications). Those evaluation criteria which involve additional review elements beyond those utilized for LIHC and HTF projects are noted. The technical evaluation criteria are:

- i. Community Impact/Revitalization
- ii. Financial Leveraging

In addition to an assessment of the leveraging of other permanent financing sources and net syndication proceeds as a proportion of the total 4% Credit requested, this will include an evaluation of the extent the tax-exempt bond issuer will provide additional subordinate capital financing for the project. **Note:** The LIHC scoring criteria regarding the amount of Credit requested per unit adjusted for unit size is not applicable for HWF projects.

- iii. Sponsor Characteristics

In addition to an assessment of the for-profit or not-for-profit applicant's development and management team's experience with previous HTFC/DHCR and other publicly financed projects, this review includes an evaluation of the applicant's successful performance in the timely development and completion, and satisfactory management, of HWF and other tax-exempt bond-financed projects.

- iv. Green Building Concepts
- v. Long Term Affordability

HTF Statute limits the HWF regulatory period to 30 years. However, the 4% Credit extended use period may go beyond 30 years and will be evaluated to this extent.

- vi. Fully Accessible and Adapted, Move-In Ready Units
- vii. Affordability
- viii. Individuals with Children
- ix. Energy Efficiency
- x. Marketing Plan/Public Assistance
- xi. Project Readiness

In addition to an assessment of the status of permanent financing commitments, this will include an evaluation of the extent the project has achieved the following milestones in regard to the tax-exempt bonds: a letter of interest or commitment, the issuance of the bond inducement resolution, TEFRA approval, commitment for a credit enhancement and applied for and/or received an allocation of private activity bond volume cap.

xii. Persons with Special Needs

xiii. Mixed Income

As noted, up to 20% of project units in HWF projects may be affordable to households with incomes above 60% of the area median. SLIHC may be requested to provide financing for project units targeted to households with incomes between 61% and 90% of the area median.

xiv. Project Amenities

d. **HTF and HOME Applications for Site Specific Projects**

HTF and HOME applications (including all **seven** initiatives) which pass completeness and eligibility reviews are scored on the following criteria, with the exception that reviews of the Mixed Income Family Initiative and the Senior Housing Initiative will use alternative scoring criteria for Income Served (Affordability). The reviews of Small Project Initiative applications will employ alternative scoring criteria for Income Served (Affordability) **and** Subsidy Cost.

i. **(20 points) Income Served** (applies to all site specific HTF and HOME applications except for the Mixed Income Family and Senior Housing Initiatives):

(1) **(15 points) Affordability** - Measures the extent to which the proposal targets households with incomes below the statutory maximum for the program. Projects that serve a weighted average income which is a minimum of five percent below the statutory maximum eligible income will receive the minimum points. Projects that serve a weighted average income at 35% of median income will receive the maximum points.

For **Small Project Initiative** applications, the same calculation that is performed for larger HTF and HOME projects will be completed. However, small projects that serve a weighted average income of 60% of area median income will receive more than half of the available points under this criteria.

For HTF and HOME site-specific **rental projects**:

(2a) **(5 points) Affordable Rents** - Measures the extent to which the proposed project's gross rents are below the area Fair Market Rents (FMR). Compares project rents with area FMR according to the following point schedule:

Project Gross Rents Compared to FMR	Points
>5% to 10% below FMR	1
>10% to 15% below FMR	2
>15% to 20% below FMR	3
>20% to 25% below FMR	4
>25% below FMR	5

OR For HTF site-specific **cooperative and condominium projects**:

- (2b) (5 points) **Affordable Owner Expenses** - Measures the extent to which the proposed project owner's gross housing expenses (principal, interest, taxes, and insurance - PITI) compares to an adjusted FMR according to the following schedule (in consideration of additional expenses associated with home ownership, FMR will be adjusted by a factor of 1.3):

PITI Compared to Adjusted FMR	Points
>5% to 10% below Adjusted FMR	1
>10% to 15% below Adjusted FMR	2
>15% to 20% below Adjusted FMR	3
>20% to 25% below Adjusted FMR	4
>25% below Adjusted FMR	5

OR For only **Mixed Income Family Rental Housing** and **Senior Housing Initiative projects**:

- (3) (20 points) **Mixed Income Affordability** - This is scored based upon whether the proposed rent plan of the project will result in a minimum of 40% of the project units affordable to households above 60% of area median income and a minimum proportion of the units are affordable to households in three or more of five income groups. The five income groups are: 30% and below of median income (PA Level), above 30% to 50% of median income (very low- income), above 50% to 60% of median income (federal LIHC), above 60% to 90% of median income (HTF eligibility outside of New York City and SLIHC income range), and above 90% of median income (market rate). Points will be assigned as follows:

Minimum of 5 % of project units in each of four groups	25 points
Minimum of 15 % of project units in each of three groups	20 points
Minimum of 10% of project units in each of three groups	15 points
Otherwise	0 points

- ii. (20 points) **Subsidy Cost** - Measures the present value of proposed project's per-unit annual subsidy cost to the State. Projects which cost the least and are regulated for the longest term will receive the most points. Reviewers will use a Unified Funding Subsidy Index to measure the per-unit cost against the length of time (regulatory term) that the units will remain affordable. The Index is adjusted to account for regional cost variations. It is also adjusted for bedroom size by using the following formula: for senior projects, the number of SRO's is multiplied by .75 and the number of 1 or more bedroom units is multiplied by 1.0; for non-senior/family projects, the number of SRO's is multiplied by .75, the number of 1 bedrooms is multiplied by 1.0, the number of 2 bedrooms is multiplied by 1.25, and the number of 3 or more bedroom units is multiplied by 1.50.

For **Small Project Initiative** applications, a calculation identical to that done for large HTF and HOME applications will be completed. However, an alternative subsidy cost index will be used which will award similar points for larger per unit HTF and/or HOME requests (compared to projects which are not small projects).

iii. (15 points) Community Impact/Revitalization

- (1) (5 points) The project provides affordable housing in an area that has had limited or no subsidized housing production and an unmet demand for affordable housing in the past 10 years within the primary market area of the proposed location of the project.
- (2) (5 points) The project provides affordable housing in an area that has a strong housing market as evidenced by a vacancy rate of less than five percent for comparable units in the primary market area.
- (3) (5 points) The project is part of a comprehensive community revitalization plan which includes the use or reuse of existing buildings, which may include the historic rehabilitation of existing buildings, and addresses employment, education, cultural and recreational opportunities within the community.

iv. (10 points) Leveraging

- (1) (7 points) Permanent Financing - Examines the ratio of NYS funds, including but not limited to DHCR, HTFC, AHC, HHAP, to be used for permanent financing to total project cost. Projects in which NYS funds constitute 20% or less of total project costs (not including a deferred developer fee) will receive the most points.
- (2) (3 points) Construction Financing - Measures the extent to which private lenders will be used for construction financing. Projects in which only non-NYS funds (including but not limited to DHCR, HTFC, AHC, HHAP) will be used for construction financing will receive the most points.

For **Small Project Initiative** applications, these points will be awarded based solely on the extent to which non-NYS funds will be used for permanent financing. Projects in which NYS funds constitute 50% or less of total project costs will receive the most points.

v. (10 points) Green Building Initiative

- (1) Up to seven (7) points will be awarded to an applicant who documents that their project will meet the mandatory criteria and standard criteria listed below. Points will be awarded according to the following schedule:

Integrated Design Process - Mandatory

- Written development plan outlining the integrated design approach taken by the entire multi-disciplinary development team including a qualified green design expert.

Energy Efficiency - Mandatory

- Provide central heating and cooling plants with sealed combustion chamber; or individual HVAC units that include air conditioners, with sealed combustion chambers within each dwelling unit. No air conditioner sleeves will be permitted.

Operations and Maintenance - Mandatory

- Building owner's maintenance manual;
- Occupant's manual or guide; and
- New resident orientation.

Site Planning/Environmental Impacts – 1 point

- Surface water management plan - Mandatory
- Phase I Environmental Site Assessment – 1 point;

Location and Neighborhood Fabric – For this category the project will be scored in the following manner: Applicant completes a minimum of 4 criteria – 1 point; Applicant completes a minimum of 5 criteria – 2 points; and Applicant completes a minimum of 6 criteria – 3 points

- Smart site location in close proximity to existing development;
- Smart site location that avoids sensitive environmental resources including wetlands, critical habitats, steep slopes, prime farmland and parkland;
- Smart site location in close proximity to community services and retail facilities;
- Smart site location in close proximity to public transit;
- Smart site location and orientation of the building to make the greatest use of passive solar heating/cooling (except rehabilitation or infill projects);
- Compact development that achieves densities of at least 15 units per acre for apartments, 10 for townhomes and 6 for detached/semi-detached houses (except rehabilitation or infill projects); or
- Sidewalks and suitable pathways to public spaces, open spaces and adjacent development to insure walkable neighborhoods.

Healthy Living Environment - For this category the project will be scored in the following manner: Applicant completes a minimum of 7 criteria – 1 point; Applicant completes a minimum of 9 criteria – 2 points; and Applicant completes a minimum of 11 criteria – 3 points

- Low/no volatile organic compounds (VOC) paints, primers, adhesives and sealants;
- Formaldehyde-free composite wood or any composite wood containing urea-formaldehyde with exposed particleboard must be sealed;

- If providing floor coverings; use the Carpet and Rug Institute's Green Label certified (or equivalent) carpet and pad.
 - Energy Star labeled bathroom fans that exhaust to the outdoors with a humidistat sensor or timer or continuous operation;
 - Ventilation system for each unit providing 15 cubic feet per minute of fresh air per occupant;
 - If included, size cooling equipment in accordance with the Air Conditioning Contractors of America Manual, Parts J and S;
 - Tankless hot water heaters, or if using conventional hot water heaters, install in rooms with drains or catch pans piped to the exterior and with non-water sensitive floor coverings;
 - Combustion sealed water heaters or heaters direct vented to the outside, if heater is located in a conditioned space;
 - Cold water pipe insulation;
 - Moisture-resistant materials in wet areas;
 - Clothes dryers vented directly to the outside; or
 - Integrated pest management.
- (2) The Green Building Initiative also offers an opportunity to score three (3) points for any application which includes measures or practices which exceed the standard criteria outlined above. To qualify for the three additional points, applications must also propose projects that meet any one of the following criteria:

Location and Neighborhood Fabric

- Development on a brownfield, grayfield or adaptive reuse site;

Energy Efficiency

- Installation of photovoltaic (PV) panels or other acceptable alternative energy measures to provide at least 10% of the project's estimated electricity demand

Materials Beneficial to the Environment

- Construction waste sent to the landfill is reduced by 25%;
- Use of 25% total recycled content building materials in project construction;
- Use at least 50% (by cost) wood products and materials that are certified in accordance with the Forest Stewardship Council, salvaged wood or engineered framing materials;

- Use water-permeable materials in 40% or more of walkways and 40% or more of paved parking areas (proposed materials must not conflict with accessibility requirements); or
- Use a) Energy Star-compliant and high-emissive roofing for the entire roof or, install a “green” (vegetated) roof covering at least 50% of the roof; and b) light-colored/high-albedo materials and/or an open-grid pavement over at least 30% of the site’s hardscaped area.

Specific information on all of the above criteria can be found in the DHCR Green Building Criteria Reference Manual. In addition, the Green Building Criteria Checklist, Attachment B9, must be completed and submitted with your application.

vi. **(5 points) Energy Efficiency Initiative** – Applicants participating in the New York State Energy Research and Development Authority (NYSERDA) Multifamily Building Performance Program are eligible to receive a maximum of five (5) points according to the following schedule:

Applicant has submitted a copy of a signed contract between the Participant and a NYSEDA-approved Performance Partner, and such applicants will meet efficiency standards as established by NYSEDA – 1 point;

Applicant has submitted documentation that a draft proposed Energy Reduction Plan has been submitted to NYSEDA, and such applicants will meet efficiency standards as established by NYSEDA – 3 points; and

Applicant has submitted NYSEDA’s approval of the proposed Energy Reduction Plan – 5 points.

Applicants participating in NYSEDA’s Energy Star Labeled Homes Program are eligible to receive five (5) points by demonstrating that the project is designed to meet high efficiency guidelines required for certification as a New York ENERGY STAR labeled home.

Applicants not eligible for participation in NYSEDA’s programs, such as projects located in non-Systems Benefits Charge (SBC) areas, are also eligible to receive five (5) points by submitting evidence that the energy efficiency of the project is 30% or greater than that required by the NYS Energy Conservation Code, as evidenced by the completion of the NYS version of REScheck (www.energycodes.gov/web_tools.stm). Note: NYSEDA technical assistance funding may also be available to applicants in non-SBC municipalities.

vii. **(5 points) Persons with Special Needs**

Scores the extent to which preference in tenant selection will be given to persons with special needs (as listed in the Unified Funding Reference Materials 2008) and the extent of a commitment to provide supportive services.

- 1) Preference in tenant selection will be given to individuals and families for 15% or more of the low income units in the project and these individuals and families will be served by supportive services as evidenced by a comprehensive service plan and an agreement or commitment in writing with an experienced service provider. This comprehensive service plan should include:
 - an identified ongoing source of supportive service funding; and
 - a signed contract or memorandum of understanding between the developer and an experienced service provider to provide ongoing supportive services (5 points)

(or)

Preference in tenant selection will be given to individuals and families who are eligible populations under the New York/New York III Supportive Housing Agreement (NY/NY III) as evidenced by an agreement or commitment in writing for NY/NY III operating funds. (5 points)

- 2) Preference in tenant selection will be given to individuals and families for 15% or more of the low income units in the project and these individuals and families will be served by an agreement or commitment in writing by an experienced service provider but the application material does not meet the comprehensive service plan criteria identified in (1) above. (3 points)

(or)

- 3) Preference in tenant selection will be given to individuals and families who are eligible populations under the New York/New York III Supportive Housing Agreement (NY/NY III) as evidenced by submission of an application for NY/NY operating funds. (3 points)

viii. (5 points) **Fully Accessible and Adaptable, Move-in Ready Units** - Scored on whether:

- (1) at least 5 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 mobility impairment and the unit(s) will be marketed to households with at least one member who has a mobility impairment; and,
- (2) at least 2 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 and the unit(s) will be marketed to households with at least one member who has a hearing or vision impairment (3 points); or,
- (3) the percentages of units meeting the requirements of (1) and (2) above are equal to or exceed 10 percent and 4 percent (rounded to the next whole number) respectively (a minimum of two units each) (6 points).

ix. (5 points) **Project Readiness – Scored on:**

(1) the status of financing commitments 5 points.

x. (5 points) **Successful Development Performance** - Measures the successful performance of the applicant or the applicant and members of their development team in the timely development and completion within approved development budgets of comparable affordable housing (in terms of size number of units), financing, income served and tenure of housing) in the ten years prior to application submission date. The experience of the applicant, applicant/developer, architect and general contractor will be evaluated according to the following criteria:

(1) (5 points) **For-profit applicants:** Compares the total development costs (TDC) of comparable projects successfully completed by the applicant or its parent or supervising entity during the ten years prior to application to the TDC of the proposed project. Those with an aggregate amount of TDC from successfully completed projects equaling 10 times or more of the TDC of the proposed project will receive the most points. The development experience of all members involved as a joint venture applicant will be aggregated to award points.

OR

(2) (5 points) **Not-for-profit applicants:** Measures the successful performance of the not-for-profit developer and/or housing consultant, the architect and the general contractor selected for the proposed project in the timely development and completion within approved budgets of comparable affordable housing (in terms of size, financing, income served and tenure of the housing). Not-for-profit applicants who have successfully completed at least one similar project will receive three points. Not-for-profit applicants without prior development experience who have teamed with a developer or housing consultant who has successful development performance may receive up to three points. One point each for successful performance will be given if the architect and/or the general contractor selected by the not-for-profit applicant have successfully completed one similar project.

e. **Urban Initiatives (UI) and Rural Area Revitalization Projects (RARP) Programs**

Each UI and RARP application that is determined to be complete and eligible will be scored on a 100 point scale, based on the criteria listed below.

i. (20 points) **Need**– Measures the need for the proposed UI or RARP activities, based on existing conditions in the proposed target area. The plan must include an analysis of existing residential and/or commercial conditions in the area, as described below. The need must correspond to the proposed activities and will form the basis for the impact score in the following section. Each application will be rated in comparison with all other applications received.

(1) **Residential Need** – Evaluates the need for affordable housing or rehabilitation of existing housing in the proposed target area. This need will be measured by the ability of low-income households to rent or purchase housing in the target area, compared to median incomes, and the extent of substandard housing in the target

- area, based on measures such as age, extent of known deficiencies, and health and safety violations.
- (2) **Commercial or Civic Need** – Evaluates the need for the proposed commercial, civic or community project in the target area. Applicants that demonstrate substantial unserved need for assistance will receive the highest scores.
- ii. (20 points) **Impact** – Measures the extent to which the activities described in the application will have a positive impact on the target area and the surrounding community. This rating is partially based on the proposed strategy to use UI or RARP funds to provide a stimulus that private market forces can not provide and to revitalize the targeted areas and nearby residential neighborhoods. The following components are evaluated:
- (1) **Residential** – Evaluates the likelihood that investment of UI or RARP funds will preserve or improve housing units in a neighborhood or rural area. Applications determined to have the greatest impact on housing conditions, when compared with all other applications, will receive the highest scores. Projects that propose meeting affordable housing needs in the target area through the creation of residential units on upper floors of mixed use buildings are strongly encouraged.
 - (2) **Commercial or Civic** – Evaluates the likelihood that investment of UI or RARP funds will improve the physical appearance of the commercial, community or civic building and the surrounding area. Applications determined to have the greatest impact on the neighborhood or rural area, when compared with all other applications, will receive the highest scores.
- iii. (20 points) **Organizational Capacity** – Measures the past and current experience and capacity of the applicant to successfully complete the proposed project. The eligible applicant which proposes to contract with the HTFC shall be a bona fide not-for-profit organization with appropriate experience in housing and/or community revitalization activities and shall demonstrate by its immediate past and current activities that it has staff and financial capability and has successfully completed projects similar to the proposed project in the last 3 years.
- iv. (20 points) **Leveraging** - Measures the extent to which the awarding of UI or RARP funds will result in additional funds being committed to the project and the extent to which other funds are already committed. The following components are evaluated:
- (1) (10 points) **Private Investment** - Applicants who show that the amount of private funds committed to the proposed project is equal to or greater than the amount of UI or RARP funds requested will receive 10 points. Applicants citing lesser amounts of private funds will receive an intermediate score.
 - (2) (10 points) **Public Investment**– Applicants who show that the amount of public funds committed to the proposed project is equal to or greater than the amount of funds requested will receive 10 points. Applicants citing lesser amounts of public funds will receive an intermediate score.
- v. (20 points) **Readiness and Implementation** – Measures the extent to which the applicant has organized the proposed project and has assembled sufficient resources to complete the project on time and within budget.

- (1) (10 points) **Readiness** – Measures the extent to which the applicant has provided documentation on the status of all required local and other public approvals to carry out the project according to its projected project development timetable. Assesses the degree to which the applicant has considered all necessary steps and organized its resources in order to complete the project with the required contractual timeframe of two years.
- (2) (10 points) **Implementation** – Applicants that have identified a team that will perform all required functions, demonstrate access to experienced staff and other team members and adequate administrative resources and, do not present any other impediments to successful project completion, will receive 10 points.

f. **HOME Local Program Administrators**

- i. (15 points) **Community Needs** - Measures the extent of affordable housing needs in the community, the extent to which the proposed program is part of a strategy adopted to meet identified community needs, and the actions which have been taken to implement the strategy and the proposed program as part of that strategy. Assesses how the housing assistance requested is to be coordinated with other resources, including but not limited to community renewal activities; public infrastructure; community and economic development and/or human services. Scoring is based on comparison of an application with all other project and program applications received for the following three components:
 - (1) (5 points) **Housing Need** - Measures the need for the type of housing assistance proposed, based on the number and percentage of households without affordable housing, the energy burden of low-income households in the community, the number of households living in substandard housing in the community (i.e., service and primary market areas), or other associated needs, such as the needs of the disabled, high repair costs due to historic building stock, or related needs of low-income sub-populations, such as renters.
 - (2) (5 points) **Strategy** - Evaluates the strategy for addressing the needs identified in the proposal, and the degree to which the proposed program and the strategy address the identified needs and will have a positive impact on housing affordability, energy costs, accessibility, preservation of historic properties, and traditional, pedestrian-oriented development to support mixed-income and mixed-use communities.
 - (3) (5 points) **Implementation** - Evaluates the measures taken to implement the strategy and the proposed program as evidenced by financial investments in support of the strategy, linkages with providers of jobs and services, and local government actions. Programs that are coordinated with other State housing and community development initiatives may receive preference.

The evaluation of community needs will consider whether the municipality or county has identified the need which the proposal is addressing as a priority in its Consolidated Plan, or other local housing or community development plan. The

rating of each application will be guided by and tailored to the circumstances in the municipality or county in which the program is proposed.

Applications for programs located in areas with locally-adopted plans will be evaluated in relation to their own plan. All other applications will be evaluated on how local affordable housing needs and a locally based plan addressing these needs correspond with the State Consolidated Plan.

In those communities in which there is a court decision or court ordered plan to address desegregation or remedy some other violation of law, community needs points will be awarded on the basis of the extent to which the proposed program is consistent with the court decision or plan. Applications may also cite Fair Housing Opportunity plans, area wide or regional housing choice plans, or any formally adopted plan which includes the provision of housing opportunities for low-income or minority households in areas where they are currently under represented as a basis for a community needs strategy.

Communities in areas impacted by economic or institutional transitions which have adopted a strategy to address housing needs associated with the transition should describe the strategy and any planning or implementation efforts undertaken to date.

- ii. (15 points) **Average income level served – state recipients and subrecipients** - Programs that will only assist households with incomes below 50% of area median income will receive full points. Those that target an average below 60% will receive an intermediate score. Those that do not target below the statutory minimum will not receive any points. Please be advised that additional income targeting is required for rental units assisted with HOME funds.

(5 points) **Average income level served – CHDO home ownership**– Programs that will only assist households with incomes below 60% of area median income will receive full points. Those that do not target below the statutory minimum will not receive any points. Please be advised that additional income targeting is required for rental units assisted with HOME funds.
- iii. (5 points) **Persons with special needs targeted**– Programs that target 15% of units to be assisted to households which include members of one of the eight **persons with special needs** listed in Unified Funding Reference Materials 2006 will receive three points. Programs that propose targeting 15% or more of units for **persons with special needs** and provide evidence of a service contract with or written referral agreement with a local service provider that serves **persons with special needs** will receive five points.
- iv. (10 points) **Percent below federal poverty level in program service area** - Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.
- v. (10 points) **Number of persons below federal poverty level in program service area** - Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas

with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.

- vi (10 points) **Housing age, tenure, and affordability**
- (1) **Rental and owner-occupied housing rehabilitation programs:**
- (a) (10 points) **Age of housing** - Programs in areas with the highest percentage of housing units built before 1960 will receive the most points. Programs with the lowest percentage of housing units built before 1960 will receive the least points.
- (2) **Home ownership programs:**
- (a) (5 points) **Homeownership rate in program service area** - Programs in areas with the lowest percentage of owner-occupied units will receive the most points. Programs in areas with the highest percentage of owner-occupied units will receive the least points.
- (b) (5 points) **Affordability index** - The home buyer affordability index is based on median incomes and median sales prices in different parts of the state. Programs in areas where home ownership is more expensive, relative to incomes, will receive the most points. Those where home ownership is least expensive, relative to incomes, will receive the fewest points.
- (3) **Rental assistance programs:**
- (a) (5 points) **Tenant Rent Burden** - Programs in areas where more than 80% of renter households pay more than 30% of their income for rent will receive the most points. Programs in areas where between 41% and 80% of renter households pay more than 30% of their income for rent will receive an intermediate score. Programs in areas where less than 41% of all renter households pay more than 30% of income for rent will receive the lowest score.
- (b) (5 points) **Affordability index** - Programs in areas where very low-income tenants have less than 85% of the income needed to rent a unit at the federal Fair Market Rent level will receive the most points. Programs in areas where very-low-income tenants have 85-105% of the income needed to rent a unit at the federal Fair Market Rent level will receive an intermediate score. Programs in areas where very low-income tenants have more than 105% of the income needed to rent a unit at the federal Fair Market Rent level will receive the fewest points.
- vii. (10 points) **Leveraging** - Measures the ratio of DHCR/HTFC funds required for permanent financing. Owner-occupied rehabilitation programs where 50% or less of total program costs will be provided by DHCR/HTFC funds will receive the most points. Rental rehabilitation programs that require owners to provide a match equivalent to 25% of total project costs will receive maximum credit. Home ownership and rental assistance programs where 20% or less of total program costs will be provided by DHCR/HTFC funds will receive the most points.
- viii. (5 points) **Administrative plan** - Administrative plans will be reviewed to assess the adequacy of the proposed staffing plan, outreach and selection procedures, construction management procedures, and procedures for compliance with other federal requirements. Applications with no feasibility questions or impediments to timely program completion will receive the most points. Those with major feasibility questions, or where significant

impediments to timely project completion exist, or where not all required elements have been addressed, will receive the least points.

- ix. **(20 points) Experience and prior performance – state recipients and subrecipients** – For applicants that have not administered a NYS HOME Program award during the past five years, experience administering similar programs will be evaluated. Applicants that have administered at least at least two other comprehensive housing rehabilitation programs during the past three years, with funding amounts equal to the proposed program, will receive the most points. Applicants that have less experience, or that have only administered more limited housing rehabilitation programs, will receive fewer points.

Applicants that have previously received a New York State HOME Program award and are in good standing with HTFC will receive twenty points unless any of the following thresholds have been missed:

- a. Any fiscal year 2003 or earlier contract not fully expended – minus four points;
- b. Any fiscal year 2004 or earlier contract not fully committed – minus four points;
- c. Any fiscal year 2005 or earlier contract less than 50% expended – minus four points;
- d. Any fiscal year 2006 or earlier contract less than 50% committed – minus four points.
- e. Any fiscal year 2007 or earlier contract that is not executed or has not received environmental clearance – minus four points.

Consultant and staff experience is considered in rating this criterion. **Applicants with multiple awards in any one year will lose two points for each milestone missed for any single contract.**

(20 points) Experience and prior performance – CHDO home ownership– For CHDO applicants that have not administered a NYS HOME Program award during the past five years, experience administering similar programs will be evaluated. Applicants that have developed at least two other home ownership projects during the past three years, with funding amounts equal to the proposed project, will receive the most points. Applicants that have less experience will receive fewer points.

Applicants that have previously received a New York State HOME Program award and are in good standing with HTFC will receive twenty points unless any of the following thresholds have been missed:

- f. Any UF 2002 or earlier CHDO contract not fully expended – minus four points;
- g. Any UF 2003 or earlier CHDO contract not fully committed – minus four points;
- h. Any UF 2004 or earlier CHDO contract less than 50% expended – minus four points;
- i. Any UF 2005 or earlier CHDO contract less than 50% committed – minus four points,
- j. Any UF 2007 or earlier contract that is not executed or has not received environmental clearance – minus four points.

- x. **(10 points) CHDO funding commitments/readiness**– CHDO applicants that

demonstrate that all financing required to construct the project is committed (as evidenced by executed funding commitments) and that there are no other impediments to project readiness will receive 10 points. Projects where financing is applied for but not committed, or that require public approvals that are not yet secured, will receive a lower score.

xi. (10 points) Green Building Initiative

- (1) CHDO applicants that document that their project will meet the mandatory criteria and standard criteria listed below may receive up to seven (7) points. Points will be awarded according to the following schedule:

Integrated Design Process - Mandatory

- Written development plan outlining the integrated design approach taken by the entire multi-disciplinary development team including a qualified green design expert.

Energy Efficiency - Mandatory

- Provide central heating units (and cooling, if provided) with sealed combustion chamber; or individual heating units with sealed combustion chambers within each dwelling unit. No air conditioner sleeves will be permitted.

Operations and Maintenance - Mandatory

- Building owner's maintenance manual (multifamily only);
- Occupant's manual or guide; and
- New resident orientation.

Standard criteria:

Site Planning/Environmental Impacts – 1 point

- Surface water management plan – mandatory; and
- Phase I Environmental Site Assessment;

Location and Neighborhood Fabric – For this category the project will be scored in the following manner: Applicant completes a minimum of 4 criteria – 1 point ; Applicant completes a minimum of 5 criteria – 2 points; and Applicant completes a minimum of 6 criteria – 3 points

- Smart site location in close proximity to existing development;
- Smart site location that avoids sensitive environmental resources including wetlands, critical habitats, steep slopes, prime farmland and parkland;
- Smart site location in close proximity to community services and retail facilities;
- Smart site location in close proximity to public transit;

- Smart site location and orientation of the building to make the greatest use of passive solar heating/cooling;
- Compact development that achieves densities of at least 15 units per acre for apartments, 10 for town homes and 6 for detached/semi-detached houses; or
- Sidewalks and suitable pathways to public spaces, open spaces and adjacent development to insure walkable neighborhoods.

Healthy Living Environment - For this category the project will be scored in the following manner: Applicant completes a minimum of 7 criteria – 1 point; Applicant completes a minimum of 9 criteria – 2 points; and Applicant completes a minimum of 11 criteria – 3 points

- Low/no volatile organic compounds (VOC) paints, primers, adhesives and sealants;
- Formaldehyde-free composite wood or any composite wood containing urea-formaldehyde with exposed particleboard must be sealed;
- If providing floor coverings, use the Carpet and Rug Institute’s Green Label certified (or equivalent) carpet and pad.
- Energy Star labeled bathroom fans that exhaust to the outdoors with a humidistat sensor or timer or continuous operation;
- Ventilation system for each unit providing 15 cubic feet per minute of fresh air per occupant;
- If included, size cooling equipment in accordance with the Air Conditioning Contractors of America Manual, Parts J and S;
- Tankless hot water heaters, or if using conventional hot water heaters, install in rooms with drains or catch pans piped to the exterior and with non-water sensitive floor coverings;
- Combustion sealed water heaters or heaters direct vented to the outside, if heater is located in a conditioned space;
- Cold water pipe insulation;
- Moisture-resistant materials in wet areas;
- Clothes dryers vented directly to the outside; or
- Integrated pest management.

(2) The Green Building Initiative also offers an opportunity to score an additional three (3) points for any application which includes measures or practices which exceed the standard criteria listed above. To qualify for the three additional points, applications must also propose projects that meet any one of the following criteria:

Location and Neighborhood Fabric

- Development on a brownfield, grayfield or adaptive reuse site;

Energy Efficiency

- Installation of photovoltaic (PV) panels to provide at least 10% of the project’s estimated electricity demand

Materials Beneficial to the Environment

- Construction waste sent to the landfill is reduced by 25%;
- Use of 25% total recycled content building materials in project construction;
- Use at least 50% (by cost) wood products and materials that are certified in accordance with the Forest Stewardship Council, salvaged wood or engineered framing materials;
- Use water-permeable materials in 40% or more of walkways and 40% or more of paved parking areas (proposed materials must not conflict with accessibility requirements); or
- Use a) Energy Star-compliant and high-emissive roofing for the entire roof or, install a “green” (vegetated) roof covering at least 50% of the roof; and b) light-colored/high-albedo materials and/or an open-grid pavement over at least 30% of the site’s hardscaped area.

Specific information on all of the above criteria can be found in the DHCR Green Building Criteria Reference Manual. In addition, the Green Building Criteria Checklist, must be completed and submitted as part of Attachment E of your application.

- xii. (5 points) **Energy Efficiency Initiative** — CHDO applicants that propose an eligible new construction project and document that the buildings to be developed qualify as Energy Star homes or have been accepted for participation in the NYSERDA Multifamily Performance Program will receive up to five bonus points.

Applicants working with a builder that is participating in NYSERDA’s Energy Star Labeled Homes Program are eligible to receive five (5) points by submitting an agreement with a participating New York Energy Star builder that demonstrates that the project will qualify as a New York ENERGY STAR labeled home upon completion.

Applicants participating in the NYSERDA Multifamily Building Performance Program are eligible to receive a maximum of five (5) points according to the following schedule:

Applicant has submitted a copy of a signed contract between the Participant and a NYSERDA-approved Performance Partner – 1 point; or

Applicant has submitted documentation that a draft proposed Energy Reduction Plan has been submitted to NYSERDA – 3 points; or

Applicant has submitted NYSERDA’s approval of the proposed Energy Reduction Plan – 5 points.

Projects not eligible for participation in NYSERDA programs, such as projects located in non-Systems Benefits Charge (SBC) areas, are also eligible to receive five (5) points by submitting evidence that the energy efficiency of the project is 30% or greater than that required by the NYS Energy Conservation Code, as evidenced by the completion of the NYS version of REScheck (www.energycodes.gov/web_tools.stm). Note: NYSERDA technical assistance funding may also be available to applicants in non-SBC municipalities. Applications which incorporate energy efficiency measures in the proposed project but do not meet the criteria set forth in the Energy Efficiency criteria will not receive these incentive points.

g. New York Main Street Program

Each Main Street application that is determined to be complete and eligible will be scored on a one hundred point scale, based on the criteria listed below.

- i. **Need** (up to 25 points) - Measures the need for the proposed Main Street activities, based on the analysis of existing commercial and residential conditions in the area provided in the application. The needs must correspond to the proposed activities and will form the basis for the impact score in the following section. Each application will be rated in comparison with all other applications received.
 - (1) **Commercial need** (up to 10 points) - Evaluates the extent of need for investment in the proposed target area that private market forces alone are unable to provide. This evaluation will be based on objective measures of need, such as vacancy rates, unemployment, and other socio-economic data provided by the applicant. Applicants that demonstrate substantial need for investment in Main Street areas will receive the highest scores.
 - (2) **Residential need** (up to 15 points) - Evaluates the need for affordable housing or rehabilitation of existing housing in the proposed target area. This evaluation will be measured by the ability of low-income households to rent or purchase housing in the target area, compared to median incomes, and the extent of substandard housing in the target area, based on measures such as age, extent of known deficiencies, and health and safety violations.
- ii. **Impact** (up to 40 points) - Measures the extent to which the activities described in the application will have a positive impact on the Main Street area and surrounding community. This rating is partially based on the proposed strategy to use NYMS funds to provide a stimulus that private market forces alone can not provide, to revitalize the targeted commercial area and nearby residential neighborhoods. The following components are evaluated:
 - (1) **Commercial** (up to 5 points) - Evaluates the likelihood that investment of NYMS funds will improve the physical appearance of Main Street businesses, spur investment of private dollars, and mobilize additional resources to maintain Main Street assets in the long term. Applications determined to have the greatest impact on business conditions, when compared with all other applications, will receive the highest scores. Applications proposing to use funds for Downtown Anchor Grants will be rated on the viability of the business plan for operating the anchor facility and supporting market analysis.

- (2) **Residential** (up to 15 points) - Evaluates the likelihood that investment of NYMS funds will preserve or improve housing units in the Main Street district. Applications determined to have the greatest impact on housing conditions, when compared with all other applications, will receive the highest scores. **Programs that propose meeting affordable housing needs in the target area through the creation of residential units on upper floors of mixed use buildings are strongly encouraged.**
 - (3) **Local Initiative** (up to 5 points) - Rates the degree to which the proposal relies on building consensus and cooperation among groups and individuals who have a role in the revitalization process. The existence of active citizen-led downtown revitalization entities will enhance an applicant's score in this area. Also evaluates the likelihood that the proposal will have positive community development impacts beyond the impact on residential and commercial development. In rating this factor, consideration will be given to the presence of fund-raising programs, volunteer involvement, staff and board recruitment, community planning activities, and overall management capacity. Also considered are linkages to other State initiatives, such as Quality Communities, and to local government planning and development efforts.
 - (4) **Communication and Outreach** (up to 5 points) – Applications that demonstrate a viable strategy for promotion of the district's assets to attract new customers, potential investors and residents, will receive the highest scores. Emphasis is placed on marketing campaigns, retail promotional activity, advertising, special events, and residential marketing efforts.
 - (5) **Design** (up to 5 points) – Proposals in communities that have existing design standards and have identified the necessary resources to work with building owners to enhance the physical appearance of the commercial area by rehabilitating historic buildings and developing sensitive design management systems, will receive the highest scores. Consideration is also given to district-wide visual enhancement efforts, such as programs for window displays, uniform signage, improving the physical condition of public areas such as streets, sidewalks, and parking areas, and other similar efforts.
 - (6) **Business Strategy** (up to 5 points) - Applications must demonstrate a viable strategy for retaining and assisting existing businesses, attracting new customers, potential investors and residents, and finding new economic uses for traditional buildings in the district. Applicants that demonstrate the capacity to grow the district's existing economic base to meet new opportunities and challenges from outlying development will receive the highest scores. Consideration is also given to applicants that demonstrate a strong understanding of current economic conditions in the district, identify opportunities for market growth, and provide plans for monitoring the economic performance of the district.
- iii. **Leveraging** (up to 10 points) - Measures the extent to which the NYMS investment will result in additional funds being committed to the local Main Street program. The following components are evaluated:
- (1) **Private/Public Investment** (up to 10 points) - Applicants who show that the amount of private or public funds committed to the proposed project (beyond match requirements and administration) is equal to or greater than 50% of the amount of NYMS fund requested will receive ten points. Applicants citing lesser amounts of private funds will receive an intermediate score.

- iv. **Capacity** (up to 25 points) - Measures the extent to which the applicant has organized the proposed project and has assembled sufficient resources to complete the project on time and on budget.
 - (1) **Applicant Experience** (up to 10 points) – Applicants that have previously been awarded New York Main Street grants and have been making sufficient progress on all such awards will receive 10 points. Applicants who have not administered prior NYSMS awards and have been working in the community in which the Main Street target area is located for at least three years, have assembled a team with successful experience in managing mixed-use districts, rehabilitation housing, and developing commercial ventures on a scale comparable to the proposed program in the past three years, and which are likely to continue operations in the future, will be awarded ten points. Applicants that meet some, but not all, of these criteria will receive a lower score.
 - (2) **Implementation** (up to 10 points) - Applicants that have identified a team that will perform most required functions, demonstrate access to experienced staff and adequate administrative resources (including consultants or technical expertise to conduct design and feasibility reviews), and do not present any other impediments to successful project completion, will receive 10 points.
 - (3) **Readiness** (up to 5 points) – Applicants that have obtained all local clearances and have all necessary organizational structures and procedures in place to conduct, without delay, the proposed program will receive 5 points.
- h. **Access to Home Program**

Each Access to Home application that is determined to be complete and eligible will be scored on a one hundred point scale, based on the criteria listed below.

- i. **Need in service area (20 points)** – based on the number of persons with disabilities in the service area with incomes below the poverty level. Maximum points will be awarded to proposals that show the highest number of persons with disabilities in the service area.
- ii. **Transition and Diversion (20 points)** – based on the number of households in the service area that could be diverted from or transitioned from institutional care with installation of accessibility modifications. Maximum points will be awarded to proposals that document high need for transition and diversion assistance.
- iii. **Income Targeting (10 points)** – based on the average income level to be served by the proposed program. The maximum points will be awarded to applicants that will only serve households with incomes at or below 30% of the HUD median income for the area.
- iv. **Housing rehabilitation experience (10 points)** – based on the experience of applicants and identified partners in administering housing rehabilitation programs. Applicants that have administered at least two other housing rehabilitation, emergency repair, or environmental modification programs during the past three years, with funding amounts equal to the proposed program, and who demonstrate an adequate staffing plan, will receive the most points.
- v. **Special needs experience (10 points)** – based on the experience of applicants and

identified partners in administering programs targeted to persons with disabilities. Applicants that demonstrate substantial experience in working with persons with disabilities during the past three years will receive the most points.

- vi. **Contractor availability (10 points)** - based on the demonstrated availability of qualified contractors to install the work. Applicants that identify an adequate number of qualified contractors that can complete the work within required time frames will receive the maximum score.
- vii. **Housing/Service Partnership (up to 20 points)** – based on the applicant’s plan for managing required construction activities and for providing related client services. Proposals that include a firm commitment of resources, including cash or in-kind services, sufficient to properly perform both of these roles, will receive maximum points. Partnerships between experienced housing agencies and service providers can meet this requirement. An executed agreement outlining partner responsibilities will be required.

i. RESTORE Program

Applications which pass completeness and eligibility reviews are scored on the following criteria. A maximum score is 100 points.

- i. (15 points) **Community Needs** - Measures the extent of need in the proposed target area. Proposed programs in target areas with the most need (measured by number and percent of income eligible elderly homeowners in the area living in substandard housing conditions) will receive the most points.
- ii. (20 points) **Very-Low-Income Targeting** - Measures the extent to which a proposal targets very-low-income households. Programs that target lowest incomes (averaged for all assisted units) will receive the most points.
- iii. (15 points) **Leveraging** - Measures the ratio of non-State funds to RESTORE funds requested for the proposed program. When the ratio is calculated, funds from DHCR and NYS Affordable Housing Corporation are considered State funds, while Weatherization and HOME programs are considered federal funds. Applications which identify sources of matching administrative or capital funds other than State funds equal to 100 percent or more of the RESTORE request will receive the most points.
- iv. (25 points) **Program Design** - Measures the extent the proposed program describes a comprehensive program design that addresses all program requirements including documentation for delivery of emergency repair services.
- v. (15 points) **Organization Experience/Program Readiness** - Measures the applicant's staff capacity and organization's experience with programs similar to the RESTORE program and the likelihood that the program can be quickly implemented and completed in the time frame projected in the application. Applications listing experience in home repair and rehabilitation services will receive the most points.
- vi. (5 points) **Coordination of Housing and Aging Services** - Measures the extent to which the proposed program has demonstrated links to other senior citizen service providers in

target area and the extent to which those links are documented in the application. Applications which attach referral agreements from service providers will receive the most points.

- vii. (5 points) **Persons with special needs targeted** - Programs that propose to target 15% or more of units to be assisted to households which include **persons with special needs** listed in Unified Funding Reference Materials 2008 will receive three points. Programs that propose targeting 15% or more of units for **persons with special needs** and provide evidence of a service contract with or written referral agreement with a local service provider that serves the special population will receive five points.

5. Feasibility Reviews

Complete feasibility reviews are conducted when an application requests HWF, HTF, or HOME funds.

Applications requesting HWF financing in conjunction with a request for HFA financing will be subject to a joint feasibility review process.

Applicants requesting LIHC will receive a review according to the parameters of the 2008 Proposed QAP. Applicants requesting SLIHC will receive a review according to the parameters of the 2008 Proposed QAP and the 2008 Proposed SLIHC Regulation.

UI and RARP applications which request only those programs may receive full or modified feasibility reviews depending on the scale and complexity of the proposed project. Applications requesting UI or RARP and another program available through this RFP will be reviewed according to the process for the other program requested.

Feasibility reviews will be conducted on complete and eligible applications in order of the application's rating and ranking (or for HWF applications, subsequent to technical evaluation) until a sufficient pool can be created to meet the funding allocations targeted for this round.

Projects which do not demonstrate feasibility to the satisfaction of HTFC will not be reviewed further.

In order to be considered for feasibility, an application must identify an eligible site for the proposed project and provide evidence of site control in compliance with Section 5 of the Capital Programs Manual.

An application must also demonstrate the proposed project site meets the site criteria outlined in Section 5 of the Capital Programs Manual:

HTFC strongly recommends that applicants for project funding schedule a site visit by DHCR architectural staff prior to submitting an application. Applicants may schedule a site visit by calling the appropriate regional office identified at the end of this Request for Proposals.

In addition to the above, design and underwriting reviews will be conducted for all complete and eligible HOME, HWF and HTF applications. Portions of applications which propose to reserve units for **persons with special needs** will also be reviewed by DHCR's Special Needs Coordinator for compatibility with special needs requirements.

a. Design Review

- i. For HWF applications [that intend to use a tax-exempt bond issuer other than the NYS Housing Finance Agency](#), HTFC will expect compliance with the DHCR Design Handbook. Any deviations from these standards must be requested in writing and included as Attachment F5, "Request for Waiver from HTFC Standards" in the Unified Funding application. Waiver requests will be reviewed, and determinations made, based upon the project sponsor's ability to demonstrate cost effectiveness, functional appropriateness, and durability and operating appropriateness of the alternate solution. Additional information in regard to design review standards is included in the HWF UF2008 Frequently Asked Questions ([rev. November 2007](#)) supplement.
- ii. HTF and HOME Site-Specific applications will be reviewed to ensure compliance with the minimum requirements outlined in the Design Handbook. A qualitative review of the proposed project will be conducted, including an assessment of the reasonableness of proposed costs and a determination of whether its design is practical and functional.
- iii. For all HWF, HTF and HOME site-specific applications, each project will be reviewed to ensure compliance with applicable state and federal accessibility and adaptability requirements.

The following application architectural documents will be reviewed:

- project drawings;
- outline specifications;
- zoning compliance and minimum site area requirements; and
- construction costs.

b. Underwriting Review

- i. **HWF applications** will be evaluated for operating viability during the HWF loan term and for financial feasibility. This evaluation will also assess if the project meets HTFC reserve standards and other regulatory requirements. Any deviation from these standards must be requested in writing and included in Attachment F5 of the Unified Funding application. Such requests will be reviewed to assess if the proposed waived items present a significant risk to the State's investment regarding the project's viability and feasibility through the regulatory term. Additional information in regard to HWF underwriting parameters is included in the HWF UF2008 Frequently Asked Questions ([rev. November 2007](#)) supplement.
- ii. **HTF and HOME Site-Specific applications** will be reviewed for operating viability over the program's regulatory term and for financial feasibility.

The Project's feasibility is based on: demand for the type of housing at the proposed rent levels; whether the project income is sufficient to pay the estimated project expenses, including reserve fund contributions and debt service contained

in the financing plan; and the reasonableness of operating and development budgets.

To determine project feasibility, the following will be reviewed:

- (1) that the applicant has established comparable rents for the neighborhood where the project is located;
- (2) that the applicant has established that market support exists at the rent structure proposed;
- (3) that the applicant demonstrates that estimated project rents are **sufficient** given the project's operating expenses, reserve requirements, and debt service;
- (4) that the applicant has documented that the operating and development costs and expenses proposed are based upon quotes and/or comparisons with similar type projects;
- (5) that if there is a non-residential component of the project, the feasibility of the entire project can be determined based upon the information submitted;
- (6) for HOME applicants, that the applicant proposes HOME financing for project costs which are eligible under the source(s) cited in the application. (24 CFR, Part 92, Subpart E);
- (7) for HOME applicants, that the proposed rents meet the requirements of the HOME Program. (24 CFR, Part 92, subpart F); and
- (8) for HOME applicants, that the proposed costs do not exceed the HOME Program limits. (24 CFR, Part 92, Subpart F).

c. [Persons with Special Needs Review](#)

Applications which **propose** to serve **persons who are elderly** and/or **other persons with special needs** will be reviewed by the staff to ensure that the applicant addresses the aging-in place of elderly tenants, or the specific needs of **the persons with special needs that the proposed project will serve**.

6. Funding Recommendations

Funding recommendations are made for feasible projects and programs from available funds on the basis of ranking resulting from rating, statutory distribution requirements and a geographical distribution of funds **in support of the State's housing goals**. HWF, HTF, HOME, New York Main Street, Access to Home, UI, RARP, **Small Project Initiative** and RESTORE awards must be approved by the HTFC Board of Directors. Applicants are informed of the disposition of their applications in an Application Review Letter. The results of LIHC and SLIHC application reviews will be used by DHCR senior staff to select successful applicants and to issue tax credit reservations.

The following steps will also be employed [in review of HOME project and program applications](#):

- a. first, all CHDO applications will be placed in rank order and selections made until the 15% CHDO set-aside is met;
- b. next, all non-participating jurisdiction applications will be placed in rank order and selections made until the minimum 80% requirement is met; and
- c. finally, all of the remaining applications will be placed in rank order and selections made until the dollar limit is reached.

The following steps will also be employed [in review of 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.

Recommendations for HDF awards will be made to the DHCR Commissioner based on the competitiveness of the HOME funding request which accompanied the HDF request.

Recommendations for UI, RARP, New York Main Street, Access to Home and RESTORE awards are made from available funds based on the ranking resulting from rating scores of complete and eligible applications and a policy to achieve an equitable distribution of funds.

Those applicants recommended to receive awards will receive an [Application Review](#) Letter indicating they have been selected for funding.

7. HTFC Board Approval

All HWF, HTF, HOME, NYMS, Access to Home, LIHC and RESTORE awards must be approved by the HTFC Board of Directors prior to entering into a funding commitment (for HWF, HOME, HTF, UI and RARP site-specific projects) or an LPA contract (for HOME programs) or a RESTORE Program Agreement.

8. LIHC/SLIHC Reservations

The Commissioner of DHCR will issue a reservation of tax credits for LIHC and SLIHC within approximately **120 calendar days** of the close of the funding round.

9. Application Review Letter (AR)

Applicants for Access to Home, HWF, HTF, HOME, NYMS, UI, RARP, RESTORE and HDF will be sent an Application Review (AR) Letter approximately **120 calendar days** after the last application submission deadline.

The AR Letter will inform the applicant of the status of their application:

- a. Selected for Funding: applications which are complete, eligible, competitive and feasible, for which funds are set aside, and which are recommended to and approved by the HTFC Board for funding. Applicants who receive an award of NYS HOME Program funds and requested HDF funds as construction financing to be repaid by the HOME award, will also receive an HDF award from the Commissioner of DHCR.
- b. Placed on a Wait List: applications which are complete, eligible, competitive and feasible, but for which there are insufficient funds. An application will remain on a wait list until the next RFP is issued for the program under which applicant requested funds or until the wait list is discontinued.
- c. Not Selected for Funding: applications which are non-competitive, incomplete, ineligible, or funded under another proposed program funding scenario.

Every applicant not selected for funding will have the opportunity to review DHCR's evaluation of their application. Applicants should schedule an appointment with the appropriate Regional Office to review their entire application, including any and all aspects of its evaluation. Technical assistance will also be available.

10. Funding Commitment for HTF, HWF and HOME site-specific projects:

Approximately 45-60 business days after the issuance of an AR Letter, HTFC will begin to send Funding Commitments Letters to successful HTF and HOME site-specific project applicants. The Funding Commitment for HWF projects will be issued after the terms of the tax exempt bond financing to be provided to the project have been finalized. The Funding Commitment will include cost and time specifications and all conditions which must be met prior to Contract Closing (including Predevelopment and Bid Document Submission, if applicable). The letter will define the following specifics on project scope:

- a. the number and configuration of units in the project, its location, and any necessary information about the ownership entity;
- b. project rents, housing expenses, and household income ranges;
- c. populations to be served;
- d. operating cost and project financing assumptions;
- e. time frames for project development;
- f. cost overrun guarantee from applicants expecting to receive Low-Income Housing Credits;
- g. marketing and management plans;
- h. Minority/Women-Owned Business Enterprise goals for the project;
- i. special needs requirements, if applicable;

- j. closing requirements;
- k. HOME project Federal requirements or HOME Match Addendum, if applicable; and,
- l. CHDO requirements, if applicable.

The terms of the Funding Commitment will provide for the delivery of the proposed housing product. Where an applicant is unwilling or unable to comply with terms of the Funding Commitment, funds for the project will be terminated, unless it is in the State's best interest to continue [that commitment](#).

Upon HTFC's receipt of the executed Funding Commitment, a project development meeting may be scheduled for members of the applicant's project development team and HTFC staff to discuss the project.

HOME LPA, New York Main Street, Access to Home, UI, RARP and RESTORE Program Agreement

Local program administrators and UI and RARP award recipients selected for funding may be asked to revise parts of their proposal prior to issuance of a program agreement. After any required revisions are submitted and approved, an agreement will be issued. However, for HOME, New York Main Street and Access to Home programs, HTFC will not execute the contract or process disbursement requests until all required environmental reviews are completed.

11. Project Development Meeting - for HTF and HOME site-specific projects

The Project Development Meeting provides a forum for the applicant's development team and HTFC to discuss the project's development timetable; the roles and responsibilities of the development team members and HTFC; and the deliverables required under the terms of the executed Funding Commitment. The project development meeting begins the process to bring the project to a contract closing. The HTFC project manager organizes the project development meeting and serves as the applicant's primary point of contact for the project. Representatives from the Underwriting, Design, and

Environmental Analysis units, the Office of Fair Housing and Equal Opportunity, the Federal Labor Standards Office, if required, and the DHCR Asset Management Unit may also be in attendance to discuss technical issues, MBE/WBE requirements, Equal Opportunity policies, and marketing and project management.

Applicants may be requested to bring all members of their development team to the project development meeting. The applicant should be prepared to explain the roles and responsibilities of each member of its development team for all facets of the project. The applicant must designate one person to be the primary contact and coordinator for the project.

12. Implementation Meeting - for HOME, New York Main Street, Access to Home or RESTORE programs

Local program administrators that are selected for funding may be asked to attend a program implementation meeting. The program implementation meeting may be held either on an individual basis, or may be in a group setting with other successful applicants. Any concerns about the application will be discussed at the meeting, and applicants will be given instructions on further processing

requirements. Awardees that do not attend a program implementation meeting will receive processing instructions by mail.

13. Processing Time Frames

HTFC 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. For local program applications, HTFC expects to enter into program agreement within 45 business days of the applicant's compliance with all submission requirements.

C. Regional Office Service Areas

Any questions regarding this RFP or the application process should be directed to the Regional Office which serves the county(s) in which the proposed project is located. Regional Directors and the counties served by their offices are:

Capital District Regional Office

[Lynn Kopka](#), Regional Director

Hampton Plaza, [2nd](#) Floor, 38-40 State Street, Albany, New York, 12207 (518) 486-5012

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

Thomas Van Nortwick, Regional Director

[535 Washington St, Suite 105, Buffalo, New York 14203, \(716\) 847-7955](#)

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

Syracuse Regional Office

[Daniel Buyer](#), Regional Director

[620 Erie Boulevard West, Suite 312 Syracuse, New York 13204, \(315\) 478-7179, ext. 200](#)

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

New York City Regional Office

[Gregory Watson](#), Regional Director

25 Beaver Street, [7th](#) Floor, New York, NY 10004, (212) 480-4543

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