

**RESTORE Program – Frequently Asked Questions (FAQ) Sheet**  
**Housing Trust Fund Corporation**  
**Revised February 2017**

**1. Is there an age requirement for the RESTORE Program?**

Yes; the homeowner has to be age 60 years or older and reside in the home.

**2. If you do not own your home are you eligible for the RESTORE Program?**

No; this program is for owner occupants only residing in New York State.

**3. Are life leases an acceptable proof of home ownership?**

Yes; life leases are acceptable under the RESTORE Program. The LPA must maintain a copy of the legal document in their file for the entire records retention period. All parties named in the life lease document must also sign the Property Maintenance Declaration form.

**4. If an eligible owner of a multi-unit residence resides in the home, but rents out the other units, can RESTORE funds be used to do emergency repairs to the entire building or just the owner occupied space?**

Only common areas other than the owners unit are eligible for assistance. Further, multi-unit residences may not exceed four (4) total units.

**5. Can RESTORE funds be used on a mobile home?**

Yes, but the occupant must own the mobile home, be age 60 years or more, meet income eligibility requirements, and the mobile home must be their primary residence. The Property Maintenance Declaration must be signed by both the owner-occupant and the LPA and it must be notarized. The LPA must retain the signed Property Maintenance Declaration in their RESTORE Program files for the duration of the required regulatory period.

**6. Are reverse mortgages counted as income?**

No; the LPA does not have to consider resources from a reverse mortgage as income when qualifying an applicant for eligibility under the RESTORE Program.

**7. Are payments for foster children/grandchildren counted as income?**

No, but the LPA must make sure that they use the same method for calculating income for all applicants regardless of household size.

**8. Where can I find guidance on Determining Income?**

Please download the HUD “Technical Guide for Determining Income and Allowances for the HOME Program” available at:

[http://portal.hud.gov/hudportal/documents/huddoc?id=19754\\_1780.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=19754_1780.pdf).

**9. Are there required timeframes that a referral/repair process must follow?**

Yes; from the date of the emergency referral, the LPA has 72 hours to respond to the referral and inspect the subject home. From the date of the inspection and assessment of emergency repair need the LPA must start the repairs within 7 calendar days. All repairs must be completed within 30 calendar days of the start of the repairs.

**10. What happens if an LPA is not able to adhere to the required timeframes?**

It is understood that there may be reasons why timeframes cannot be met but OCR will monitor the adherence to the timeliness for the RESTORE projects. For example, some work – such as a roof repair or replacement – might not be able to occur in winter. Such cases should be documented, and the situation stabilized to the extent possible until weather permits the work to occur. Failure to meet the deadlines for the project repair timeline may result in OCR recapturing funds for that project. Further, it may impact the remainder of the LPA's current contract and may impact future RESTORE contracts.

**11. Are the RESTORE timeframes in calendar days or business days?**

The timeframe is measured in calendar days.

**12. If a roof needs to be repaired or replaced, and it is winter, I most likely will not be able to meet program timeframes, what should I do?**

The LPA should do what is necessary to stabilize the situation and when weather conditions allow the repair/replacement should be completed. Please document on the Project Detail Form why the timeframe was not met.

**13. Are contractor bids required?**

Yes; contractor bids are required. The RESTORE Program Agreement, Section 9, Supporting Documentation, states that written bids are required to show program funds are used in accordance with program requirements. In limited circumstances, LPAs may utilize in-house crews (see 4.1 Administrative Policies & Procedures of the RESTORE Administrative Handbook for more information). LPAs may maintain a pre-approved pool of qualified contractors for bid solicitation. LPAs, and/or their staff, may bid on RESTORE emergency repair bids only with prior approval from RESTORE program staff.

**14. Where can I find out if a home was previously served under the RESTORE Program?**

Please contact your RESTORE Program Project Manager. You must supply the address, county and the section/block/lot numbers (S/B/L).

**15. What is the maximum allowed to spend on an individual property?**

For awards funded from the 2015-16 enacted budget (LPAs with a 2015XXXX SHARS ID) or later, the maximum funding permitted is up to \$10,000 per building.

If a property has previously been served but did not receive the maximum amount, they can be served again until they reach the building maximum. If a property has been assisted but the previous award's regulatory period has expired it may be eligible for further assistance through the RESTORE Program. The LPA should confirm with the OCR program staff that the regulatory period has expired. If the property is eligible, the award maximum may not exceed the building maximum and may not receive additional assistance through the RESTORE program until the new regulatory period expires. When the regulatory period expires, the property may be assisted again with RESTORE funds to the program maximum.

**16. Can appliances be replaced with RESTORE funds?**

Yes, but only when the replacement eliminates an obvious health or safety hazard. The LPA must obtain pre-approval from RESTORE Program staff in order to ensure eligibility.

**17. Are we required to go to the State Historic Preservation Office for clearance?**

Yes. Before starting any work on each site, the Site Specific Certification and Appendix A must be completed and submitted to the RESTORE program staff.

**18. Does RESTORE fall under the EPA Renovation Final Rule?**

Yes. the EPA's Renovation, Repair and Painting Rule (RRP) requires contractors or firms performing renovation, repair, or painting projects that disturb lead-based paint in homes built before 1978 to be certified or use certified renovators trained by EPA-approved providers and follow lead-safe practices. More information is available at <http://www2.epa.gov/lead/renovation-repair-and-painting-program>.

**19. When will I receive my second payment?**

After 75 percent of the first advance payment is spent on documented and eligible program activities. An LPA must submit a Disbursement Request Form and an Administrative Funds Detail Sheet.

Please note that Project Detail Forms, invoices, and photographs must be submitted at the completion of each project. LPAs may not submit required documentation in bulk after 75 percent of funds have been spent; each project must be submitted as finalized, according to the timelines mentioned previously.

**20. With our current technology, can we submit our payment requests electronically?**

Yes. You may submit your payment requests electronically to [restoreprogram@nyshcr.org](mailto:restoreprogram@nyshcr.org). The Disbursement Form must be completed and signed and E-mailed as a scanned and legible PDF. It is no longer necessary to mail the original signed Disbursement Request to the RESTORE Project Manager. The original signed Disbursement Request must be kept in the LPA files, and made available upon request from program staff at the time of program monitoring. All disbursement requests must include the following information:

- Disbursement Request Form
- RESTORE Administrative Funds Detail Sheet

**21. How long will it take to receive my requested disbursement?**

Generally speaking, from two weeks to one month from the time the request is received by the Office of Community Renewal's (OCR) Finance Unit. Timing may vary depending on the completeness of documentation provided; there is no firm time commitment for the disbursement of funds.

**22. When is the last day you can request a RESTORE draw?**

The LPA should request the second, and final, payment when 75 percent of the first disbursement of funds has been spent. A RESTORE draw can be requested after the contract period ends. Requesting the final draw after the contract period ends is strongly discouraged and should happen in only unique circumstances. The LPA should notify the OCR program staff immediately if receiving the funds after the contract period is expected.

Note: the OCR must receive all final paperwork no later than 45 days after the contract period ends and only documented projects whose repairs started prior to the end of the contract will be reimbursed. No funds will be disbursed after the 45 day window for submitting contract paperwork closes.

**23. If I have two consecutive active RESTORE awards, can I use the balance of one award in conjunction with a more recent award on a single project?**

Only if the project occurs within the contract period for both contracts. However, RESTORE contracts do not typically overlap so this should occur rarely, if at all. Note: The amount of funding that may go into a homeowner's emergency repairs may not exceed the building cap even if funded from multiple award rounds.

**24. What needs to happen if we recapture RESTORE funds?**

Recaptured RESTORE funds must be returned to the Housing Trust Fund Corporation (HTFC). The check must be submitted with the HTFC Returned Funds Coversheet and the check must include the SHARS ID in the memo line. Funds must be returned to HTFC along with a brief explanation and a HTFC HCR Returned Funds Coversheet. Please speak with RESTORE Program staff regarding any "recapture" questions. Recaptured funds must be returned to the following address:

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

**25. If the homeowner gets a reverse mortgage, do we recapture the RESTORE funds?**

No, the program is income based and not asset based. It would be considered similar to a life lease, as long as they remain in their home and you have legal documentation of this, the LPA does not recapture RESTORE funds.

**26. Can project delivery costs be associated with RESTORE projects?**

The RESTORE Program permits LPAs to incur very limited project delivery costs. LPAs may consider mileage for program staff that perform project oversight and the fee for filing the Property Maintenance Declaration. The delivery costs may not exceed five (5) percent of the total project cost.

**27. What would be considered project delivery costs?**

Delivery costs are those costs related to staff delivering the services to a specific project, such as LPA staff travel for project oversight.

**28. What about filing fees and attorney costs?**

Filing fees and attorney costs should be considered hard costs directly related to the work performed on the project and can be billed to that project. As such, these are project delivery costs.

**29. What is the RESTORE retention period for our records?**

Records must be kept for a period of five years.

**30. Exhibit E is a new Exhibit in our contract can you please explain why this change was made?**

Actually, the standard contract always included a lien on the project property. We now require the Property Maintenance Declaration as the form of lien. This will ensure that you are notified regarding the transfer or sale of a project property.

**31. Will we be required to file Exhibit E in the office of the county clerk?**

Yes, it is the only way you will be aware of a transfer or sale of a project property.

**32. What will it cost us to file this Property Maintenance Declaration?**

The cost of filing the Property Maintenance Declaration varies from county to county. You should consult with your respective county clerk (or other appropriate county office) where the property is located.

**33. Will costs associated with filing the Property Maintenance Declaration be considered a project cost?**

Yes, it would be considered a project cost.

**34. Does a contractor, operating as a sole proprietor with appropriate liability insurance, need to carry workers compensation insurance?**

A contractor that is a sole proprietor may be exempt from workers comp coverage. Please contact the NYS Workers' Compensation Board for more information. It is acceptable to engage these contractors, however, it is recommended that the *LPA organization* require a letter or affidavit from the contractor that provides a self-certification to document his/her status as a sole proprietor with no employees or other valid reason for exemption from coverage.