



**NEW YORK STATE
Annual Action Plan
Program Year 2013**

**As Accepted by
U.S. Department of Housing and
Urban Development
December 26, 2012**

**NEW YORK STATE DIVISION OF
HOUSING AND COMMUNITY RENEWAL**

NEW YORK STATE HOUSING TRUST FUND CORPORATION

**NEW YORK STATE OFFICE OF TEMPORARY AND
DISABILITY ASSISTANCE**

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Executive Summary

In accordance with federal law and the rules and regulations of the U.S. Department of Housing and Urban Development (HUD), New York State must prepare a Consolidated Plan in order to receive federal funding for certain affordable housing and community development activities. This Consolidated Plan is comprised of the planning and application requirements for:

- **CDBG** – NYS Community Development Block Grant Program
- **HOME** – HOME Investment Partnerships Program
- **ESG** – Emergency Solutions Grants Program
- **HOPWA** – Housing Opportunities for Persons with AIDS Program

As required, New York State's Consolidated Plan:

- assesses the State's affordable housing and community development needs
- analyzes the State's housing markets
- articulates the State's goals, priorities, and strategies to address identified needs
- describes the actions the State will take to implement strategies for affordable housing and community development

The State's Consolidated Plan is prepared every five years, distributed widely and updated annually. In 2010, New York State submitted, and HUD accepted, the New York State Consolidated Plan: 2011 – 2015. In 2011, New York State submitted, and HUD accepted, an Annual Action Plan for 2012. The following Annual Action Plan for 2013 updates that Consolidated Plan by describing the methods New York State will use to distribute CDBG, HOME, ESG, and HOPWA funds in the 2013 calendar year. In addition, the Annual Action Plan for 2013 identifies the priorities to be addressed with these funds and the actions which the State expects to take to address these priorities.

In calendar year 2013, New York State's:

- **CDBG – Community Development Block Grant Program**
The CDBG Program will use, based on prior year allocations, approximately \$40 million (less administrative expenses and Section 108 Loan repayments) of NYS CDBG funds to develop decent housing, create suitable living environments, and enhance economic opportunities across the State. As a result of these activities to increase availability/accessibility, and sustainability, New York State will: rehabilitate approximately 700 housing units; assist 115 first-time homebuyers; complete 20 public infrastructure projects serving 50,000 people; complete five public facilities projects serving 10,000 people; create or retain 900 permanent, full-time equivalent jobs; and assist 30 businesses.
- **HOME – HOME Investment Partnerships Program**
The HOME Program will use approximately \$19 million to increase the availability/accessibility and affordability of decent housing by creating 1,180 affordable housing opportunities through a combination of new construction, rehabilitation, homebuyer assistance, and rental assistance.
- **ESG – Emergency Solutions Grants Program**
The ESG Program will use nearly \$5.9 million to increase the availability/accessibility of suitable living environments and decent housing by providing a wide range of supportive services to approximately 49,371 unique individuals.
- **HOPWA – Housing Opportunities for Persons with AIDS Program**
The HOPWA Program will use over \$2 million to increase the availability/accessibility and affordability of suitable living environments and decent housing by assisting 445 households with rental assistance or congregate housing.

Outcome estimates in this Annual Action Plan for 2013 are based on actual performance in recent years. An evaluation of actual performance in 2013 will be the subject of the Performance Report for 2013, which will be filed with HUD on March 31, 2014.

As with all other Consolidated Plan-related documents, this Annual Action Plan is being prepared in accordance with New York State's Citizen Participation Plan.

Section 91.320(a) through (g) Action Plan – General Requirements

The action plan must include the following:

(a) Standard Form 424;

(b) A concise executive summary that includes the objectives and outcomes identified in the plan as well as an evaluation of past performance, a summary of the citizen participation and consultation process (including efforts to broaden public participation) (24 CFR 91.300 (b)), a summary of comments or views, and a summary of comments or views not accepted and the reasons therefore (24 CFR 91.115 (b)(5)).

(c) Resources and objectives. (1) Federal resources. The consolidated plan must provide a concise summary of the federal resources expected to be made available. These resources include grant funds and program income.

(2) Other resources. The consolidated plan must indicate resources from private and non-federal public sources that are reasonably expected to be made available to address the needs identified in the plan. The plan must explain how federal funds will leverage those additional resources, including a description of how matching requirements of the HUD programs will be satisfied. Where the state deems it appropriate, it may indicate publicly owned land or property located within the state that may be used to carry out the purposes identified in the plan;

(3) Annual objectives. The consolidated plan must contain a summary of the annual objectives the state expects to achieve during the forthcoming program year.

(d) Activities. A description of the state's method for distributing funds to local governments and nonprofit organizations to carry out activities, or the activities to be undertaken by the state, using funds that are expected to be received under formula allocations (and related program income) and other HUD assistance during the program year, the reasons for the allocation priorities, how the proposed distribution of funds will address the priority needs and specific objectives described in the consolidated plan, and any obstacles to addressing underserved needs.

(e) Outcome measures. Each state must provide outcome measures for activities included in its action plan in accordance with guidance issued by HUD. For the CDBG program, this would include activities that are likely to be funded as a result of the implementation of the state's method of distribution.

(f) Geographic distribution. A description of the geographic areas of the State (including areas of low-income and minority concentration) in which it will direct assistance during the ensuing program year, giving the rationale for the priorities for allocating investment geographically. When appropriate, the state should estimate the percentage of funds they plan to dedicate to target area(s).

(g) Affordable housing goals. The state must specify one-year goals for the number of households to be provided affordable housing through activities that provide rental assistance, production of new units, rehabilitation of existing units, or acquisition of existing units using funds made available to the state, and one-year goals for the number of homeless, non-homeless, and special-needs households to be provided affordable housing using funds made available to the state. The term affordable housing shall be as defined in 24 CFR 92.252 for rental housing and 24 CFR 92.254 for homeownership.

Overview

This section describes the proposed activities and accomplishments of New York State in administering the CDBG, HOME, ESG, and HOPWA programs during calendar year 2013.

Principal Federal Resources

During 2013, it is estimated that federal funding for these four (4) programs will be available as follows:

• NYS Community Development Block Grant Program	CDBG	\$ 40,642,169¹
• HOME Investment Partnerships Program	HOME	\$ 19,238,101
• Emergency Solutions Grants Program	ESG	\$ 5,891,922
• Housing Opportunities for Persons with AIDS Program	HOPWA	\$ 2,098,332

Federal Agencies and Programs in Support of New York State's Objectives

In addition, wherever appropriate, funding from a variety of other sources will be used in conjunction with CDBG, HOME, ESG, and HOPWA funds. These other sources include:

- **Federal Housing Programs:**
 - Low-Income Housing Credit Program
 - Public Housing New Construction Program
 - Section 514/516 Rural Housing Service (RHS) Farm Labor Housing Loans and Grants
 - Section 515 RHS Rural Rental Housing Program
 - Section 523 RHS Self-Help Technical Assistance Program
 - Section 504 RHS Housing Repair Loan and Grant Program
 - Section 509 RHS Construction Defect Housing Compensation Program
 - Section 533 RHS Housing Preservation Grants Program
- **Federal Non-Housing Community Development Programs:**
 - Program Income retained by awardees
 - Other HUD Community Planning and Development programs
 - Rural Development Agency
 - Community Facilities Loans and Grants
 - Federal Empowerment Zone and Federal Enterprise Communities resources
 - Department of Commerce, Economic Development Administration
 - Workforce Investment Act funds
 - Community Services Block Grant Program - Department of State (DOS)
 - Community Support Services Program - Office of Mental Health (OMH)
 - Home and Community Based Services Waiver – Office for Persons with Developmental Disabilities (OPWDD)
 - Appalachian Regional Commission – many program areas
 - Department of Health and Human Services (Administration on Aging)

New York State Housing Agencies and Programs in Support of New York State's Objectives

- **New York State Homes and Community Renewal**

¹ This amount is subject to 108 Loan Guarantee commitments made by HUD prior to October 21, 1999. A portion of the funds must also cover interest subsidies and grants awarded by HUD for the Canal Corridor Initiative.

New York State Homes and Community Renewal (HCR) aligns all of the State's housing programs in a logical way to enhance decision making and ensure that program resources are being coordinated and targeted to maximize resources.

The alignment established in 2010 takes similar programs which had in the past been administered by the Housing Trust Fund Corporation (HTFC), the State of NY Mortgage Agency (SONYMA), the Housing Finance Agency (HFA), the Affordable Housing Corporation (AHC), and the Division of Housing and Community Renewal (DHCR) and organizes them into four offices:

- **Office of Finance and Development** aligns all programs that fund the development of affordable housing, including Low Income Housing Tax Credit programs, tax exempt and taxable bond finance programs, single family loan and Capital awards programs.
 - **Office of Housing Preservation** includes all the programs that maintain and enhance the State's portfolio of existing affordable housing. This includes the Office of Rent Administration, the Section 8 program, Asset Management and the Weatherization Assistance Program.
 - **Office of Community Renewal** includes all the programs geared toward community and economic development, job creation and downtown revitalization, including the NYS Community Development Block Grant program, the NYS HOME program, NY Main Street program, the Urban Initiatives Program, the Rural Area Revitalization Program, Residential Emergency Services to Offer Repairs to the Elderly (RESTORE), Access to Home, Affordable Housing Corporation, Neighborhood Stabilization Program, the Neighborhood and Rural Preservation programs, and the Foreclosure Prevention programs.
 - **Office of Professional Services** is comprised of professional, administrative and support services. These include Budget and Finance, Communications, Legal Affairs, Fair Housing and Equal Opportunity, Intergovernmental and Regional Affairs, and Policy and Research. The Mortgage Insurance Fund will continue to be administered as an independent office reporting directly to the Commissioner/CEO. This model is designed to cut red tape and simplify the delivery of programs, eliminate duplicative efforts and increase accountability and impact.
- **New York State Non-Housing Community Development Programs**

In addition to NYS CDBG, the following agencies and programs are available to meet non-housing community development needs and provide other leveraged resources. These resources can provide assistance to undertake economic development, public infrastructure, facility, and service projects that meet the program objectives.

 - **Empire State Development Corporation (ESDC)**

New York has a unified economic development organization in the form of the ESDC, integrating staff of several economic development organizations, while keeping the flexibility of the various legal entities. ESDC's primary function is to assist in the creation and retention of jobs, thereby strengthening the economic base of communities. The investment of state resources is reviewed in terms of its community economic impact on a variety of factors including employment and expansion of the tax base. ESDC provides assistance through a variety of programs including Empire Zones, brownfields development, commercial / industrial business financing, and small business financing.
 - **Environmental Facilities Corporation (EFC)**

EFC provides advisory services and financial and technical assistance for constructing/upgrading of water supply systems, sewage treatment facilities, and environmental compliance and remediation. EFC also administers the State's revolving funds for drinking water (in cooperation with the New York State Department of Health) and clean water (federal/State matching programs). An interagency committee has been created to formalize a co-funding initiative which coordinates water and sewer financing activities to improve service to communities seeking project financing. This interagency committee consists of the EFC, the New York State Housing Trust Fund's Office of Community Renewal, the New York State Departments of State, Health, and Environmental Conservation, and the U.S. Department of Agriculture Rural Development.

- **New York State Department of Agriculture and Markets (Ag&Mkts)**
Ag&Mkts provides funding and technical assistance to businesses through a variety of programs such as the Pride of New York, Farmers' Market Nutrition Program and Community Gardens Program.
- **New York State Department of State (DOS)**
DOS provides technical assistance in planning to communities statewide and administers the Coastal Zone Management Program, the Appalachian Regional Commission Program, and the Community Services Block Grant Program.
- **New York State Department of Transportation (NYSDOT)**
NYSDOT administers the Industrial Access Program (IAP) which provides funding for creating and/or improving transportation access to industrial facilities as part of local economic development efforts.
- **New York State Energy Research and Development Corporation (NYSERDA)**
NYSERDA is a public benefit corporation established as part of the State's effort to assist for-profit business viability through energy-efficient retrofits and the adoption of new technologies and to help not-for-profit entities and residential owners reduce costs while becoming more energy efficient. Grants are provided to commercial, industrial, academic, and residential sectors.
- **New York State Housing Trust Fund Corporation (HTFC)**
HTFC administers the New York Main Street Program (NYMS) which provides financial and technical resources to help communities with their efforts to preserve and revitalize mixed-use (commercial, civic and residential) main street/downtown business districts. The NYMS program helps revitalize communities by funding building renovations, downtown business or cultural anchors, and streetscape enhancements that are ancillary to other program activities.

In addition, local governments contribute real estate, in-kind services, general fund expenditures, and bond proceeds to projects. Other sources of project support are local housing preservation companies, local development corporations, chambers of commerce, industrial development agencies, private/public partnerships, business improvement districts, local public authorities, and local planning offices. New York State anticipates that other private funding and market-driven investments may be available to support the non-housing community development objectives outlined herein.

Finally, the Community Renewal Tax Relief Act of 2000 authorized up to \$15 billion in equity that is eligible for tax credits under the New Markets Tax Credit (NMTC) program. This program is expected to stimulate capital investment in low-income communities. The Community Development Financial

Institutions (CDFI) Fund in the Department of Treasury allocates the available tax credit authority to Community Development Entities (CDE), which are entities that manage NMTC investments in low-income community development projects. In return for the tax credit, which may be claimed over seven years, investors supply capital to the CDEs that are to invest the capital in low-income communities.

Objectives and Outcomes

In administering federal funding for CDBG, HOME, ESG, and HOPWA, New York State will continue its efforts to make decent housing, a suitable living environment, and economic opportunity available, affordable, and sustainable for all New Yorkers. In identifying the outcome/objective, HUD developed a numbering system:

Objective	Outcome	Availability/Accessibility 1	Affordability 2	Sustainability 3
Decent Housing	DH	DH-1	DH-2	DH-3
Suitable Living Environment	SL	SL-1	SL-2	SL-3
Economic Opportunity	EO	EO-1	EO-2	EO-3

- **DH-1 Increasing the availability/accessibility of decent housing**
To pursue this objective and outcome, New York State will, in 2013, rehabilitate about 780 units of affordable housing and provide approximately 37,699 persons with services to prevent homelessness or rapidly re-house those already homeless.
- **DH-2 Increasing the sustainability of decent housing**
To pursue this objective and outcome, New York State will, in 2013, assist 115 households with homeownership assistance and assist approximately 760 households with affordable rental or home-ownership housing, purchase assistance subsidies and tenant-based rental assistance.
- **SL-1 Increasing the availability/accessibility of suitable living environments**
To pursue this objective and outcome, New York State will, in 2013, assist about 11,672 persons by funding essential services and shelter operations activities, and assist about 800 persons by funding supportive services.
- **SL-2 Increasing the affordability of suitable living environments**
To pursue this objective and outcome, New York State will, in 2013, fund infrastructure improvements which will serve about 50,000 persons.
- **SL-3 Increasing the sustainability of suitable living environments**
To pursue this objective and outcome, New York State will, in 2013, fund public facilities improvements which will serve approximately 10,000 persons.
- **EO-1 Increasing the availability/accessibility of economic opportunity**
To pursue this objective and outcome, New York State will, in 2013, fund economic development and small business assistance activities which will create or retain about 900 permanent, full-time equivalent jobs.
- **EO-2 Increasing the affordability of economic opportunity**
To pursue this objective and outcome, New York State will, in 2013, assist about 30 businesses.

Program Specific Sections

HUD regulations at 24 CFR 91.320 require each state to provide a description of the resources, activities, distribution, monitoring, and program-specific requirements of the CDBG, HOME, ESG, and HOPWA programs. New York State's Annual Action Plan for 2013 has been organized to provide, in the following sections, a separate, full discussion of these requirements as they pertain to each of the four HUD-CPD formula grant programs, followed by a discussion of those other actions New York State intends to take which are not specific to one of the four programs.

Section 91.320(k)(1) Community Development Block Grant (CDBG)

- (i) *“The method of distribution shall contain a description of all criteria used to select applications from local governments for funding, including the relative importance of the criteria where applicable. The action plan must include a description of how all CDBG resources will be allocated among all funding categories and the threshold factors and grant size limits that are to be applied. The method of distribution must provide sufficient information so that units of general local government will be able to understand and comment on it, understand what criteria and information their application will be judged, and be able to prepare responsive applications. The method of distribution may provide a summary of the selection criteria, provided that all criteria are summarized and the details are set forth in application manuals or other official state publications that are widely distributed to eligible applicants. HUD may monitor the method of distribution as part of its audit and review responsibilities, as provided in 570.493(a)(1), in order to determine compliance with program requirements.*

- (ii) *If the State intends to aid nonentitlement units of general local government in applying for guaranteed loan funds under 24 CFR part 570, subpart M, it must describe available guarantee amounts and how applications will be selected for assistance. If a State elects to allow units of general local government to carry out community revitalization strategies, the method of distribution shall reflect the State's process and criteria for approving local governments' revitalization strategies.”*

Overview

The New York State Housing Trust Fund Corporation (HTFC) is designated to administer the New York State Community Development Block Grant (CDBG) Program through the Homes and Community's Renewal's (HCR) Office of Community Renewal (OCR). HTFC is a public benefit corporation, created by statute, which acts through a Board of Directors chaired by New York State HCR's Commissioner. New York State's CDBG Program will address the needs, achieve the objectives, and advance the priorities set forth in the Consolidated Plan for affordable housing and for non-housing community development needs.

To that end, New York State will provide loans or grants and technical assistance for the development of projects that provide decent and hazard-free affordable housing, access to safe drinking water, proper disposal of household wastewater, access to community-needed services in local facilities, and economic opportunities for persons from low- and moderate-income households by supporting development projects that are designed to create or retain employment opportunities, support small businesses or foster micro-enterprise activities.

In support of New York State's community development goals, the CDBG Program will:

- support a mix of rehabilitation and conversion activities to preserve and increase affordable housing, both for renters and owners;
- encourage investment in communities by assisting local governments in devising comprehensive development strategies to revitalize viable communities and provide economic opportunities that principally benefit low- and moderate-income persons;
- revitalize the vibrancy of our communities which will enhance the quality of life; and
- develop and implement strategies that facilitate the coordination of NYS CDBG funding with other federal, state, and local development resources.

Strategic Plan Objective, Outcomes and Indicators

New York State intends to use its CDBG Program funds to support its Strategic Plan objectives of providing decent and hazard-free affordable housing, access to safe drinking water, proper disposal of household wastewater, access to community-needed services in local facilities, and economic opportunities for persons from low- and moderate-income households by supporting development projects that are designed to create or retain employment opportunities, support small businesses or foster micro-enterprise. The following objectives and outcomes are anticipated.

Objective: Decent Housing

In an effort to improve affordable housing throughout New York State's communities, New York State intends to provide funding for housing rehabilitation and replacement, direct homeownership assistance, and private water/wastewater assistance, to preserve and increase the supply of affordable housing for low-income renters and owners. It is anticipated that the following outcomes will be achieved through the CDBG Program in 2013:

Outcome: Availability/Accessibility

Through CDBG housing rehabilitation and replacement programs, New York State will increase availability/accessibility while eliminating health and safety hazards, by rehabilitating existing owner-occupied affordable housing.

Objective-outcome category = DH-1

Key Indicator: Total number units of owner or renter occupied housing units rehabilitated or replaced.

Outcome: Affordability

Through CDBG direct homeownership assistance programs New York State will increase affordability of housing by providing down payment, closing cost, mortgage subsidy and other forms of purchase assistance to income-eligible homebuyers.

Objective-outcome category = DH-2

Key Indicator: Total number households receiving direct homeownership assistance.

Objective: Suitable Living Environment

In an effort to create suitable living environments for the residents of New York State's communities, New York State intends to provide funding for public infrastructure projects. It is anticipated that the following outcomes will be achieved through the CDBG Program in 2013:

Outcome: Affordability

New York State will improve the affordability of suitable living environments while eliminating health and safety hazards by installing, repairing, or replacing public infrastructure systems.

Objective-outcome category = SL-2

Key Indicator: Total number of persons with improved or new access to public infrastructure.

Objective: Suitable Living Environment

In an effort to create suitable living environments for the residents of New York State's communities, New York State intends to provide funding for public facility projects. It is anticipated that the following outcomes will be achieved through the CDBG Program in 2013:

Outcome: Sustainability

New York State will create sustainable, suitable living environments by constructing, rehabilitating, or repairing public facilities.

Objective-outcome category = SL-3

Key Indicator: Total number of persons with improved or new access to public facilities.

Objective: Economic Opportunities

In an effort to create economic opportunities throughout New York State's communities, New York State intends to provide funding to assist New York State businesses. It is anticipated that the following outcomes will be achieved through the CDBG Program in 2013:

Outcome: Availability/Accessibility

New York State will increase the availability and accessibility of economic opportunities by assisting businesses who will create or retain full-time equivalent job opportunities.

Objective-outcome category = EO-1

Key Indicator: Total number of full-time equivalent jobs created and/or retained.

Objective: Economic Opportunities

In an effort to create economic opportunities throughout New York State's communities, New York State intends to provide funding to assist New York State businesses. It is anticipated that the following outcomes will be achieved through the CDBG Program in 2013:

Outcome: Affordability

New York State will increase the affordability of economic opportunities by assisting low- and moderate-income business owners in start-up or expansion.

Objective-outcome category = EO-2

Key Indicator: Total number businesses assisted.

NYS CDBG Program/Federal Resources

It is currently estimated that \$40 million will be available in 2013. The actual allocation available to New York State each year is decreased by an amount equal to the estimated annual debt service incurred by HUD under the Section 108 Loan Guarantee Program prior to New York State assuming authority for program administration in 2000.

New York State may set aside up to three percent (3%) of the gross allocation plus \$100,000 for program administration and technical assistance activities with a maximum set aside of up to one percent (1%) for the technical assistance activities. Secondary funding may include Imminent Threat/Contingency funding.

Federal resources used to address the priority needs and specific objectives identified in the State's Consolidated Plan include: HOME Investment Partnership Program funds; NYS CDBG Program income retained by a non-entitlement community from prior CDBG projects; Low-Income Housing Credit Program assistance for developing rental housing for low- and moderate-income households; Federal Home Loan Bank assistance for affordable housing in projects sponsored by member lending institutions; Economic Development Administration and Small Business Administration funds; Clean Water Act and Safe Drinking Water Act allocations to New York State; USDA Rural Development and Appalachian Regional Commission funds; and funds provided through the Workforce Investment Act.

Availability of Funds

New York State may allocate available funds to eligible non-entitlement communities during the 2013 Program Year in the following manner:

Community Development (housing, public infrastructure/facilities)	50%
Economic Development	44%
Imminent Threat	3%
Program Administration and Technical Assistance	3%

Program Objectives

As outlined in Title I of the Housing and Community Development Act, the primary goal of the CDBG program is "the development of viable communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-incomes."

Pursuant to the national objectives, New York State's CDBG Program aims to:

- provide flexibility to address community priorities;
- support housing rehabilitation and new construction that increases the supply of safe, decent, and affordable housing;
- expand homeownership opportunities for low- and moderate-income persons;
- assist communities in the preservation and development of public infrastructure;
- encourage the development of facilities in underserved areas needed to support job training, and childcare and eldercare for lower-income residents;
- promote economic development activities that principally benefit low- and moderate-income persons through job creation and retention or small business creation or expansion;
- help communities develop the capacity for strategic planning of short- and long-range community development goals, as well as the capacity to implement their goals efficiently and maintain improvements;
- improve deteriorating residential neighborhoods and commercial districts via comprehensive approaches that combine housing improvement, public facilities development, job creation, or other eligible activities;
- address imminent threats to health, safety, and welfare; and
- leverage other public and private resources.

Geographic Allocation/Eligible Applicants

There are approximately 1,300 units of general local government eligible for New York State's CDBG Program. Eligible communities do not include: metropolitan cities; urban counties; units of government that are participating in urban counties or metropolitan cities, even if only part of the participating unit of government is located within the urban county or metropolitan city; and Indian tribes eligible for assistance under Section 106 of the HUD Act. Distribution of New York State CDBG funds is based on need, the manner in which the activities address the need, the overall impact to the

community, and prior performance. New York State does not use a geographic distribution in its awarding of New York State CDBG funds.

Method of Distribution

As stated, approximately \$40 million is anticipated to be made available for the 2013 Program Year. The description that follows outlines the fundamental rating methodology, identifies the funding categories, and summarizes the criteria considered in making project selections. Specific information on scoring methodology and specific rating criteria is outlined in the application kits made available for each type of funding. Applications are rated against other projects of the same category and scored on criteria such as municipal poverty, project assessment and New York State/HTFC initiatives and priorities such as those that support regional plans and strategies. For example, housing rehabilitation projects will only be rated against other housing rehabilitation projects, according to the applicable criteria.

1. Municipal Poverty Score

a. Absolute number of persons in poverty

New York State will use available data to determine the absolute number of persons in poverty residing within the applicant's unit of general local government. Detailed information on the calculation of the points will be outlined in the application kit.

b. Percent of persons in poverty

New York State will use available data to determine the percent of persons in poverty residing within the applicant's unit of general local government. Detailed information on the calculation of the points will be outlined in the application kit.

2. Assessment Points

Within each category, individual projects will be assessed based on the extent to which they meet the category-specific assessment criteria.

The application kit provides specific guidance for the submittal of applications, including detailed descriptions of the assessment criteria that must be addressed for each of the funding categories. In addition to reviewing an applicant's compliance with the assessment criteria, a review will be undertaken to determine if the applicant has the capacity to complete the project in a timely manner, completed and/or made appropriate progress with prior HTFC grants, as well as complied with all federal, State, and programmatic rules and regulations. Analysis of the application may include, but is not limited to, the following:

- Project/Program Need
- Feasibility
- Impact to the residents, specifically low- and moderate-income persons or households
- Appropriateness of the proposed activities as it relates to the need
- Extent to which the activity addresses the identified need
- Degree to which the project supports program and State initiatives
- Degree to which health, welfare, or safety issues are addressed
- Extent to which the activity has long-term affordability and viability
- Financial Impact in reducing the debt burden of the residents
- Reasonableness of project costs
- Administrative capacity

- Extent to which the project/activity supports regional plans and strategies

3. New York State/HTFC Initiatives and Priorities – NYS Initiative and Priority Points may be awarded to applicants who develop proposals that will effectively meet one of the areas identified as a New York State Community Development Initiative. Examples of such initiatives may include compliance with regional economic development strategies and priorities, fair housing, equal employment opportunity, green building, broadband, smart growth, main street, economic/commercial revitalization, or shared municipal services. Strict adherence to requirements outlined in the grant application is essential in order for an applicant to receive the points.

- **Primary Funding Categories**

Eligible activities are generally found in Section 105 of the HUD Act of 1974, as amended and 24 CFR Part 570.482, as amended. For the 2013 Program Year, New York State will provide opportunities for the primary categories of funding: housing; public infrastructure/facilities; and economic development. All funded activities must fulfill one of the CDBG National Objectives: provide a public benefit to low- and moderate-income persons, aid in the prevention or elimination of slums and blight, or meet other urgent community development needs such as imminent threats to the health and safety of the community. At least seventy percent (70%) of the funds will be used to provide a benefit to low- and moderate-income persons.

- **Funding Limits for Eligible Applicants**

Funding Limits may vary depending on local need or in cases where it is found that a project or projects may have a significant impact that may realize a potential for regional or statewide impact.

Community Development Assistance:

Towns, Cities or Villages:

Housing/Public Facilities	\$400,000
Public Infrastructure (water/sewer only)	\$600,000

Counties:

Housing/ /Public Infrastructure	\$750,000
Public Facilities	\$400,000

Joint Applicants:*

Public Infrastructure (water/sewer only)	\$900,000
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*Projects must meet specific requirements in order to qualify for funding under the Joint Applicants category.

Economic Development Assistance:

Strategic Economic Development program		\$750,000
	Minimum Request	\$100,000
Small Business Assistance program		\$100,000
	Minimum Request	\$25,000
Microenterprise program		\$200,000

- **Other Limitations**

- Applicants may submit more than one (1) application during a program year, but the maximum amount requested for a single category may not exceed the total amount for that category. For example, a City may submit multiple applications for public infrastructure, but the combined total amount for all requests cannot exceed \$600,000.
- Joint Applicants for water/sewer may apply for more than one (1) application, but the total amount requested by each applicant jointly and individually cannot exceed \$900,000 and the maximum amount allowable for each funding category.
- Recipients of prior NYS CDBG funding must resolve all outstanding audit and monitoring findings and/or other program requirements which involve a violation of Federal, State or local law or regulation or agency policy or program requirements prior to award or submission of any application to the Office of Community Renewal. Applications received from recipients with outstanding audit or monitoring findings may be at risk of receiving a low score and/or not being considered for funding.
- Unless a recipient proposes to use program income generated from CDBG activities to undertake activities of the same project type that generated the program income or the CDBG activities generating the program income are undertaken by an eligible entity under 105(a)(15) of the Housing and Community Development Act who will receive and administer the existing and earned, recipients may be required to be return all program income to the New York State Housing Trust Fund Corporation.

- **Redistribution of Funds**

Reallocated funds are those which HUD has recaptured from grantees and reallocated to the State. Recaptured funds are those the State receives back from a NYS CDBG Program recipient as a result of an ineligible use of funds. Deobligated funds are those that the State reallocates from recipients as a result of termination, withdrawal or excess funds.

Any such funds received will be distributed by the State in the accordance with the primary or secondary funding categories and/or administration identified in New York State's Action Plan and the limitations set forth in Title I of the Housing and Community Development Act, as amended.

Successful applicants that fail to start their project within twelve months from the time of award are subject to having their grant award rescinded. Unexpended funds may be used to make additional awards to any open NYS CDBG contract, or to make new awards in any program category, or to increase available funds for the following program year.

- **Notification of Funding and Application Review Process**

- Notification of Funding Availability is published in the State Register. (An application kit is available on HCR's website at www.nyshcr.org).
- Applications are reviewed to determine completeness, applicant and activity eligibility and compliance with threshold criteria.
- Applicants submitting incomplete applications will be required to submit the required documentation within ten (10) working days from notification.
- Applications are evaluated, scored, and ranked.
- Applicants are notified of the results of their application.
- Grant awards are announced.

- **Additional Economic Development Funding**

The majority of economic development funds will be made available through a competitive process. However, due to the nature of some economic development projects, the need for

assistance may be immediate. Therefore, New York State reserves the right to make some of the economic development funds available on a non-competitive, open-round basis. These applications will be reviewed as they are submitted and an analysis of the application will be performed, which may include underwriting to ensure compliance with federal requirements of 24 CFR 570.482(e) and to ensure successful and quality projects.

- **Economic Development Evaluation**

Specific guidance for the submittal of applications, including detailed descriptions of the evaluation criteria will be available in the application. In addition to reviewing an applicant's compliance with the criteria and the underwriting of the project, a review of an applicant's capacity and program history may be undertaken to determine if the applicant has the capacity to complete the project in a timely manner and has completed and/or made appropriate progress with prior HCR/HTFC grants, as well as complied with all Federal, State, and programmatic rules and regulations. Analysis of the application may include, but is not limited to, the following:

- demonstrated financial need for the project
- impact on employment opportunities for low- and moderate-income persons and the amount of funds needed to create each full time equivalent (FTE) job for low- to moderate-income people
- demonstrated financial and technical feasibility
- current and future community impact of the project and public benefit
- reasonableness of project costs
- support of a New York State initiative, priority or regional plan or strategy

Community Development Assistance

Housing

There are two (2) types of housing projects eligible for CDBG funding: housing rehabilitation, and direct homeownership assistance. Housing rehabilitation assistance includes the replacement or conversion of units from non-residential to residential, replacement of deteriorated mobile and manufactured homes, and repair and replacement of private residential water and wastewater systems including lateral connections. Each applicant determines the best approach to address the housing needs of low- and moderate-income persons in the proposed service area based upon a needs analysis and detailed survey of housing conditions. At a minimum, after rehabilitation all housing units assisted with CDBG funding must meet Section 8 Housing Quality Standards and all applicable Federal, State, and local codes. Applicants often use CDBG funds to leverage additional resources such as owner contributions and grants from other public and private sources. Though such matches are not a requirement of the CDBG Program, applicants are encouraged to supplement CDBG funding with other available resources. Separate rating criteria apply to each type of housing project.

The application process for housing projects encourages proposals which further fair housing choice. Applicants are expected to conduct housing surveys, needs analyses, citizen participation processes, and outreach to qualified households in ways that ensure program compliance and benefit to all low- and moderate-income households. Housing rehabilitation and replacement and homeownership are direct benefit activities which require 100% benefit to low- and moderate-income persons. In general, projects which solve housing problems for those with the lowest income, the most disadvantaged, and the most poorly housed community residents would tend to score highly, assuming all other criteria are satisfied.

- **Housing Rehabilitation/Replacement:**

In general, the CDBG Program's emphasis in this category is the provision of safe and habitable

housing which will principally be occupied by low- and moderate-income households, at standards of quality meeting New York State’s building codes as well as Federal regulations. Applications should address all necessary repairs, including exterior work, to present the beneficiaries with rehabilitation that not only mitigates hazards but improves energy efficiency. Home maintenance workshops that provide information and develop home maintenance skills of the owner-occupants to sustain the life of the repairs are encouraged.

New York State expects that approximately 700 units of housing will be improved through rehabilitation, replacement and/or conversion in Program Year 2013. (New York State does not anticipate these units meeting Section 215 goals. The actual number will depend on the quantity of applications proposing such projects and their competitiveness with other proposals in the housing category).

- Homeownership Assistance:**
 The CDBG Program’s emphasis in the homeownership category is to provide down payment and closing costs, counseling services, and minor rehabilitation to low- and moderate- income households. Counseling of prospective homeowners is encouraged to provide information on program obligations, the homebuyer process, and home maintenance. Mortgages may be arranged through private local banks (which may assist the banks in meeting the Community Reinvestment Act requirements), or at reduced lending rates through state and federal housing programs such as the State of New York Mortgage Agency, the Federal Home Loan Bank, Fannie Mae or the U.S. Department of Agriculture Rural Development program.

New York State expects that 115 households will be assisted in purchasing their own homes in Program Year 2013. (The actual number will depend on the quantity of applications proposing such projects and their competitiveness with other proposals in the housing category.)

- Public Infrastructure and Facilities**
 Public infrastructure and facility activities are those which will assist in the creation of a safe and sanitary living environment, benefit low- and moderate-income people, aid in the elimination of slums or blight, and provide public facilities that offer services to improve the public health, safety, and welfare of residents.

New York State anticipates the completion of 20 public infrastructure projects serving 50,000 people and five (5) public facilities projects serving 10,000 people in Program Year 2013. (The actual number will depend on the quantity of applications proposing such projects and their competitiveness with other proposals in the Public Infrastructure and Facilities category.)

HUD Table 3C (Optional) Annual Action Plan 2013 CDBG Program Planned Project Results			
Objective-Outcome Category*	Performance Indicator	Expected Number	Activity Description
DH-1	Total Housing Units	700	Housing Rehabilitation
DH-2	Total Households Assisted	115	Homeownership Assistance
SL-2	Total Persons Served	50,000	Infrastructure Improvements
SL-3	Total Persons Served	10,000	Public Facility Improvements
EO-1	Total Permanent Full-Time Equivalent Jobs	900	Economic Development Job Creation/Retention

	Created/Retained/Assisted		
EO-2	Total Businesses Assisted	30	Low- and Moderate-Income Business Assistance

Objective-Outcome Categories

Objective \ Outcome	Outcome	Availability/Accessibility 1	Affordability 2	Sustainability 3
Decent Housing	DH	DH-1	DH-2	DH-3
Suitable Living Environment	SL	SL-1	SL-2	SL-3
Economic Opportunity	EO	EO-1	EO-2	EO-3

Economic Development Assistance

Job Creation/Retention Assistance

Businesses that create or retain permanent job opportunities that principally benefit low- and moderate-income persons or which benefit low- and moderate-income business owners are eligible for funding through the Economic Development Program. For 2013, there will be two categories of funding under the Economic Development Program: Strategic Economic Development and Small Business Assistance which may include assistance to microenterprise businesses.

New York State expects to fund projects which create or retain 900 permanent full-time equivalent jobs in Program Year 2013 through the Economic Development Job Creation/Retention Assistance. (A job created is a new position that has been created and filled; a retained job is one that otherwise would have been eliminated without CDBG Program assistance.)

New York State also estimates that a total of 30 low- and moderate-income microenterprise businesses will be assisted.

Secondary Funding Categories

- **Imminent Threat**
The State intends to set aside 3% of its annual allocation to address imminent threat or contingency situations affecting the public health, welfare and/or safety, which require immediate resolution. The actual amount used is contingent upon the imminent threat needs identified during the course of the program. Typically, eligible projects are located in a federal or state declared disaster area. The amount may be exceeded if the need for imminent threat funding exceeds the set aside or may be less if no imminent threat or contingency situations are identified during the course of the program year.
- **Technical Assistance**
In accordance with Section 811 of the Housing and Community Development Act of 1992, up to 1% of the State’s federal allocation may be utilized for technical assistance and capacity building for eligible local governments. The types of technical assistance provided will be based on the technical assistance and capacity needs identified and will be developed in consultation with eligible local governments.
- **Section 108 Loans**

New York State may elect to provide assistance to non-entitlement units of local government by providing opportunities for funding under Section 108 of the Housing and Community Development Act of 1974, as amended. New York State may apply for funding on behalf of non-entitlement units of local government or they may apply directly for guaranteed loans under 24 CFR Part 570, Subpart M (Section 108 Loans).

Applications will be accepted on a year-round basis after consultation with the HTFC. Eligible communities will be asked to submit preliminary information establishing that the proposed project meets federal eligibility requirements. The total amount of loans available statewide to eligible communities is the maximum allowed under HUD regulation 24 CFR 570.705.

For communities having Section 108 Guaranteed Loans that closed on or after October 21, 1999, the following conditions apply:

- Any repayment of Section 108 Guaranteed Loan debt obligations made with CDBG grant funds by a community as a result of default may be applied to the community's annual funding limit.
- Repayment of a Section 108 Guaranteed Loan is the responsibility of the local government if the activity funded by the loan is determined to be ineligible or in violation of federal rules or regulations.
- HUD must approve all guaranteed loan applications.

Section 108 Loan Guarantee Application Process:

The Housing Trust Fund Corporation (HTFC) reviews loan applications and performs required associated underwriting for the Section 108 Loan Guarantee program as required by 24 CFR 570.482(e).

Section 108 Evaluation Criteria

Section 108 loans will be evaluated in accordance with 24 CFR Part 570, the Section 108 Final Rule, along with consideration being given to:

- Section 108 guaranteed loan funds used per permanent job created (cost-effectiveness)
- Actual number of jobs created
- Documentation/demonstration that the project will have a significant impact on defined community needs
- Consistency with local planning and development strategies
- Certifications provided by the local government

Section 108 Loan Management

Following HUD approval, HTFC will be responsible for approving/monitoring project aspects such as, but not limited to, release of funds, associated financial records and loan documents, compliance with federal requirements, and loan repayments.

CDBG Program Monitoring

To ensure that each recipient of NYS CDBG funds operates in compliance with all applicable federal statutes and regulations and according to all deadlines and requirements, a monitoring strategy is in place that closely reviews and monitors the project implementation of recipients and provides extensive technical assistance for the prevention of non-compliance issues. Records are maintained for the oversight and monitoring of each recipient while also requiring each recipient to maintain its own records to facilitate the monitoring process and for public access.

Monitoring each recipient requires both on-site and off-site monitoring to track the progress of the project and compliance with all program requirements. Additionally, a technical assistance visit may

be required as a result of a field visit or the identification of potential non-compliance issues.

Monitoring activities may also include the following:

- an initial assessment of the capacity and needs of each recipient or a pre-funding site visit for potential recipients to check that conditions are as described in the funding application
- annual implementation calls or workshops to provide program and regulatory requirement information assistance and to review all contract conditions, requirements, and procedures for requesting payments
- detailed technical assistance for improving grant administration procedures should a grantee be experiencing difficulty

HTFC must further be satisfied with compliance in the following areas:

- Program Administration
- Environmental Compliance
- Civil Rights Compliance
- Citizen Participation
- Conflict of Interest
- Financial Management
- Procurement
- Bonding Requirements and Contract Provisions
- Labor Standards Compliance
- Property Acquisition and Management
- Displacement, Relocation, and Replacement
- Policies and Procedures
- Benefit Standard
- Other Federal and State regulatory requirements

The identification of compliance problems will result in notification to the grant recipient and the setting of a deadline for response and compliance. Status shall be further monitored to insure resolution in a timely manner and continued compliance. Where warranted, suspension or recapture of grant funds may occur.

91.320(k)(2) HOME Investment Partnerships (HOME) Program

- “(i) The State shall describe other forms of investment that are not described in Sec.92.205(b) of this subtitle.*
- (ii) If the State intends to use HOME funds for homebuyers, it must state the guidelines for resale or recapture, as required in Sec. 92.254 of this subtitle.*
- (iii) If the State intends to use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds, it must state its refinancing guidelines required under 24 CFR 92.206(b). The guidelines shall describe the conditions under which the State will refinance existing debt. At minimum, the guidelines must:

 - (A) Demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing.*
 - (B) Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long term needs of the project can be met; and that the feasibility of serving the targeted population over an extended affordability period can be demonstrated.*
 - (C) State whether the new investment is being made to maintain current affordable units, create additional affordable units or both.*
 - (D) Specify the required period of affordability, whether it is the minimum 15 years or longer.*
 - (E) Specify whether the investment of HOME funds may be jurisdiction-wide or limited to a specific geographic area, such as a neighborhood identified in a neighborhood revitalization strategy under 24 CFR Sec. 91.215(e)(2) or a Federally designated Empowerment Zone or Enterprise Community.*
 - (F) State HOME funds cannot be used to refinance multifamily loans made or insured by any Federal program, including CDBG.”**
- (iv) If the state will receive funding under the American Dream Downpayment Initiative (ADDI) (see 24 CFR part 92, subpart M), it must include:

 - (A) A description of the planned use of the ADDI funds;*
 - (B) A plan for conducting targeted outreach to residents and tenants of public and manufactured housing and to other families assisted by public housing agencies, for the purposes of ensuring that the ADDI funds are used to provide downpayment assistance for such residents, tenants, and families; and,*
 - (C) A description of the actions to be taken to ensure the suitability of families receiving ADDI funds to undertake and maintain homeownership, such as provision of housing counseling to homebuyers.”**

Overview

Title II of the National Affordable Housing Act of 1990 (NAHA) created the HOME Investment Partnerships Program (HOME), with regulations published at 24 CFR Part 92. New York State was designated by the U.S. Department of Housing and Urban Development (HUD) as a participating jurisdiction in 1992. In 1995, the Housing Trust Fund Corporation (HTFC) was designated to administer the New York State HOME Program through the New York State Homes and Community Renewal (HCR). HTFC is a public benefit corporation, created by statute, which acts through a Board of Directors chaired by New York State HCR’s Commissioner/CEO. The HTFC has a memorandum of understanding with DHCR for staff services to provide application reviews, technical services, professional services, and project monitoring to the Corporation on an as-needed basis.

Strategic Plan Objective, Outcomes and Indicators

New York State intends to use its HOME Program funds to support its Strategic Plan objective of

decent housing as follows:

Objective: Decent Housing

In an effort to improve affordable housing throughout New York State's communities, New York intends to continue to provide funding for construction, rehabilitation, homeownership assistance, and tenant-based rental assistance, to preserve and increase the supply of affordable housing for low-income renters and owners. It is anticipated that the following outcomes will be achieved through the HOME Program in 2013:

Outcome: Availability/Accessibility

Increase availability/accessibility while eliminating health and safety hazards, by rehabilitating existing owner-occupied affordable housing.

Objective-outcome category = DH-1

Key Indicator: Total number of Section 215-compliant housing units completed

Outcome: Affordability

Increase affordability by providing the production of single- and multi-family rental units, including workforce housing and senior housing, increasing homeownership opportunities by providing purchase assistance, and increasing rental opportunities by provide rental assistance to eligible households.

Objective-outcome category = DH-2

Key Indicator: Total number of Section 215-compliant housing units completed

HOME Program Resources, Other Project Resources and HOME Matching Funds

New York State anticipates an allocation of approximately \$19.2 million in new HOME funds for 2013. It is assumed that, excluding administrative funds, approximately \$17.7 million in HOME funding will be available to address housing needs for Program Year 2013. In addition, New York State anticipates receiving approximately \$1 million in program income during Program Year 2013.

It is anticipated that approximately \$2.4 million in Housing Trust Fund Program resources will be available as a match to the HOME funding, to meet the expected match liability that the State will incur during 2013.

The HOME Program generally attracts substantial private and other public dollars into its funded projects. It is anticipated that the \$21.6 million in HOME and Housing Trust Fund matching funds to be invested during the coming year will generate an additional investment of approximately \$86.4 million – more than four dollars for every HOME dollar invested. These funds will come from other State and federal programs, owner equity contributions, private financing, and other sources.

Activities to be undertaken with HOME Funds

The HOME Program provides funds: to acquire, construct, or rehabilitate affordable housing; to provide rental assistance; and, for administrative expenses of public entities and not-for-profit organizations that undertake program activities. New York State may also undertake additional activities, where permitted by federal regulations, including both rental and homeownership housing. Any activity that qualifies under the HOME Final Rule, sections 24 CFR 92.205-209, may be financed by the State HOME Program, provided it is consistent with the Consolidated Plan and this Action Plan.

New York State estimates that these resources will create 1,180 affordable housing opportunities during the program year beginning January 1, 2013.

Approximately 780 units of existing owner-occupied housing will be rehabilitated, increasing availability of decent housing (DH-1). Approximately 315 units of housing will be assisted through the production of new rental units, increased rental assistance or through purchase assistance for eligible homebuyers thereby increasing affordability of decent housing (DH-2). This estimate of housing opportunities to be created is based upon past experience and current commitments made by the State's HOME Program. This takes into consideration existing commitments that are expected to be completed during Program Year 2013 and includes only those units to be completed and delivered for occupancy during the program year, but not units committed not yet completed.

The total amount of funding to be invested in assisted housing is based upon past experience. It is anticipated that the per-unit cost of housing rehabilitation and down payment assistance will increase in 2013 due to increases in acquisition and construction costs. The State reserves the right to revise these projections as additional cost information becomes available.

Method of Distribution

New York State distributes HOME Program funds in the following manner:

- Fifteen percent (15%) of each federal allocation is reserved for community housing development organizations (CHDOs).
- Eighty percent (80%) of the remaining funds are reserved for projects located within non-participating jurisdictions.
- All remaining funds are distributed on a statewide basis.

Less than 80% of funds remaining after the CHDO set-aside is deducted may be awarded in non-participating jurisdictions, if, after a notice of funding availability and request for proposals, HTFC makes a written finding that (i) eligible, complete, and feasible applications received for projects in non-participating jurisdictions will not totally utilize the remaining available reserved funds; and (ii) such funds are subject to recapture within 180 days by HUD pursuant to federal HOME regulations.

Per the HOME regulations, participating jurisdictions, including states, may utilize up to 10% of each allocation of funds as reimbursement for administrative costs, and up to 5% of each allocation of funds for CHDO operating expenses. The State reserves the right to utilize these funds as it deems necessary. Funds used for administrative expenses and CHDO operating expenses are not subject to the distribution plan described above.

HTFC cannot predetermine the use of HOME funds by activity or tenure type. The amount of funds allocated for each activity or tenure type will be based on the applications submitted, the competitive criteria fully described in the application guidance and outlined in the following section, and the extent to which proposals are consistent with the priorities identified in this Action Plan and NYS initiatives and priorities such as those established by a regional council.

Applications that will produce the highest quality of housing units that are sustainable 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 funded. Applications that address transitional and permanent housing for the homeless are eligible for HOME funds. HTFC will strive to fund projects in support of the objectives identified in the Strategic Plan of the 2011-2015 Consolidated Plan by providing scoring preference for those applications which demonstrate a feasible approach to meeting one or more objectives.

Depending on the identified needs, applicants may receive additional scoring consideration for applications that address specific state and regional priorities which may include, but are not limited to the following:

- Programs that incorporate energy conservation measures or propose to coordinate with the federal Weatherization Assistance Program to encourage energy conservation in project design.
- Proposals that target persons with special needs, including those with physical or mental disabilities
- Programs that propose to improve rental housing in buildings with 1-4 units.
- Programs that target rehabilitation in homes that are considered “at risk” for lead hazards, or other health and safety hazards.
- Programs that incorporate green building standards as a requirement of the rehabilitation.

Funding of Projects Located in Participating Jurisdictions

HTFC anticipates that some HOME funds may be used for eligible activities that are located in participating jurisdictions. In that event, HTFC will work with the participating jurisdiction to ensure coordination of effort and will require project sponsors to coordinate efforts with participating jurisdictions where applicable.

In accordance with State policy, the State of New York will not transfer any HOME funds to any other jurisdiction in order for that jurisdiction to meet the threshold for designation as a participating jurisdiction. Also, it is against State policy to directly fund participating jurisdictions that apply for State HOME funds, although projects located in participating jurisdictions that are sponsored by other entities may be funded, according to the guidelines described above.

Community Housing Development Organizations (CHDOs)

In accordance with provisions of the National Affordable Housing Act of 1990, the State will reserve a minimum of 15% of the total amount of HOME funds received for CHDOs. CHDOs must apply to the State to develop, sponsor, or own projects, and will be eligible to undertake any eligible activity in accordance with 24 CFR Part 92 Subpart G (Community Housing Development Organizations).

HTFC will, as part of the competitive application process, issue a NOFA that will encourage participation by CHDOs.

For an organization to be considered a CHDO, it must be certified by the State of New York after review of submittal information as prescribed by the HOME regulations, including organizational documents, financial documents, etc. Once a CHDO is found to meet qualifying criteria, the State will notify the CHDO of its approval. New York State does not accept certifications of other participating jurisdictions.

New York State conducts an extensive program of outreach and technical assistance to CHDOs and other partners. HCR staff, consultants made available by means of technical assistance funds available to the State, and not-for-profit intermediaries designated by HUD are all involved in the provision of technical assistance to CHDOs and potential CHDOs. Each year, prior to the application deadline for the HOME program, outreach is provided through various means to provide assistance to eligible applicants. During the year, seminars and clinics are held that focus on particular topics related to the HOME program. HCR Regional Office staff maintains frequent contact with CHDOs, and when it is determined that a group may benefit from individual technical

assistance (from HCR staff, a consultant, or a not-for-profit intermediary), appropriate referrals are made. The State intends to continue these efforts in the future, to the extent that available resources permit.

Additional project-specific assistance may be made available to CHDOs in the form of technical assistance, site control loans, and seed money loans, in accordance with 24 CFR Part 92 Subpart G (Community Housing Development Organizations). The State will also work with the HUD-designated not-for-profit intermediary organizations to promote CHDO participation.

Geographic Distribution

Distribution of funds is based on the need, the manner in which the activities address the need, the overall impact to the community and past performance of the applicant. The ultimate geographic distribution of assistance cannot be predicted as funds may be awarded in any part of the State, including participating jurisdictions and Native American reservations.

Competitive Application Process

All HOME funds will be distributed competitively, according to the distribution plan described above, with HTFC as the administering agency. Eligible applicants must submit applications that will be reviewed and competitively ranked according to the criteria set forth below.

The competitive application process is initiated by a Notice of Funding Availability. Included in the application is specific guidance for the submittal of applications. Applicants are required to provide documentation needed to determine project feasibility and marketability, which may include, but is not limited to the following:

- a feasibility study and market analysis of the proposal
- a proposed project development financing plan, project operating budget, and leveraging plan
- a schedule, with specific dates including the expected project commencement date, expected completion date, and the anticipated schedule for closing and occupancy of units as applicable
- a description of the applicant's and development team's qualifications and previous experience
- a statement by the applicant as to the status of all public approvals and clearances required to undertake the project
- a plan as to how applicants will ensure compliance with all federally mandated regulations throughout the regulatory term
- a statement describing the amount and source of any matching contributions required for the proposed project
- a statement of need and a description of how the project will further goals set forth within the State Consolidated Plan and any local consolidated plan or other development plan
- a plan describing how the applicant will comply with HTFC's initiatives which may include, but is not limited to requirements for visitability, Green Building, Energy Efficiency, and Health and Safety.

The application guidance provides specific guidance for the submittal of applications including detailed descriptions of the rating criteria that must be addressed for each of the funding categories. Analysis of the application may include, but is not limited to the following criteria:

- the extent to which the proposal will meet demonstrated community impact and revitalization objectives and is consistent with a part of an adopted strategy for meeting those objectives
- the extent to which the proposal is targeted to very-low income households or will serve a mix of incomes or special populations, and the affordability of the proposed rents
- the degree to which the proposal leverages private investment or other funding

- project readiness, status of financing and public approvals, applicant experience, and other factors that impact the likelihood of project completion
- the degree to which the project meets certain energy efficiency, health and safety, green building, and visitability criteria
- the extent to which units are set aside for persons with special needs and services are provided to those persons by the project or a separate service provider

Complete and eligible local program and CHDO homeownership applications will be rated using the criteria outlined in the application guidance. The criteria may include, but is not limited to the following:

- the extent to which the proposal will meet demonstrated community needs and is consistent with an adopted strategy for meeting those needs
- the extent to which the proposal is targeted to very-low income households and special needs populations
- the extent to which the project incorporates practices intended to increase energy efficiency, provide accessibility to persons with disabilities, improve occupant health and safety, or promote community revitalization
- the applicant's capacity and prior experience

Eligible applicants selected to receive HOME funds for tenant-based rental assistance, rehabilitation of owner-occupied properties, homebuyer assistance projects, and rehabilitation of investor-owned rental properties that generally have 4 or fewer units, will be designated as State recipients or sub-recipients.

NYS HOME Program Areas

HTFC HOME Program applications may be classified as either: local programs, which provide rehabilitation, homeownership, or rental assistance in an identified program service area; or site-specific (capital) projects, to develop rental housing (usually a multifamily building or buildings). Approximately 60% of New York's annual allocation is reserved for the local programs with the remaining 40% reserved for the site-specific projects.

Local Programs

Through its local programs, HTFC provides funds to units of general local government (State recipients), and not-for-profit corporations and public housing authorities (sub-recipients) to administer single-family purchase assistance, rehabilitation assistance, and tenant-based rental assistance. Collectively, these organizations are referred to as Local Program Administrators, or LPAs. New York State may also provide funding for community housing development organizations (CHDOs) to develop single-family (1-4 unit) homeownership housing or small-scale rental housing development. Applications considered under Local Programs for CHDOs must meet specific underwriting and scoring criteria to be eligible for funding.

Depending on the anticipated local need, HTFC may limit the amount of funds that will be awarded to LPAs. In general, applicants should have successfully administered similar programs in the past and should be able to demonstrate the capacity to utilize the amount of funding requested. HTFC reserves the right to reduce the awarded amount from what was requested in an application. Applicants may be awarded up to 8% of the award to offset their administrative costs.

Eligible Local Programs 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 as part of a community revitalization strategy or a strategy to provide housing for areas undergoing economic transition. These proposals should 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 should also demonstrate substantial experience and satisfactory prior performance with the HOME Program.

Applicants may also seek funding for non-targeted scattered-site housing rehabilitation activities. These proposals must demonstrate a need for the scattered site rehabilitation, clear impacts on housing affordability, and substantial experience with the HOME program. Those applications targeting special needs populations, or meeting a specific identified need, such as lead hazard control, energy conservation, or increased accessibility for physically disabled households, may be considered priority projects.

Applicants may also request funds for rental rehabilitation programs that provide assistance for moderate rehabilitation of small (10 units or fewer) investor-owned rental projects. Applicants for these types of projects should demonstrate that the proposal will support a community revitalization strategy, and meet the criteria described in above. Properties that will be owned by the LPA upon completion of the rehabilitation project are ineligible for assistance under this category of funding.

LPA CHDO Projects: A minimum of 15% of the State's total allocation for HOME funds will be reserved for community housing development organizations (CHDOs). HCR may entertain CHDO applications for the development of single-family (1-4 unit) homeownership projects or small rental housing development (10 or fewer units) through Local Programs. These projects must meet specific underwriting criteria and they will only be considered for funding if they address a significant need within the CHDO's service area. In particular, CHDO projects that will provide additional housing opportunities in community revitalization target areas are encouraged.

CHDO developers will be subject to additional underwriting requirements but may also be able to access funds for predevelopment expenses. CHDOs that successfully develop new housing, or acquire and rehabilitate vacant substandard existing housing in a timely manner will be eligible to receive a developer fee based upon the development cost of the proposed project.

CHDO 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) or small-scale rental housing (10 or fewer units).
- The CHDO must obtain project financing, rehabilitate, or construct the dwelling units, and have title to the property during the rehabilitation/construction period. Upon project completion, the HOME loan obligation must be transferred to an eligible home buyer or rental property owner/manager. 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.
- The proposal must identify a source of construction financing other than HOME Program funds. HOME Program funds may be used only as permanent financing. HTFC will work with CHDOs to identify construction financing opportunities.

CHDO applications for the development of rental housing in excess of 10 units are ineligible for assistance through the Local Program Administrator category. CHDOs seeking funding for these types of activities must submit an application through the Site-Specific Programs.

Homeownership Assistance Programs: Excluding CHDOs, applicants may apply for HOME funds for the purchase of non-targeted single family (1-4 unit) housing or condominiums to be sold to first-time homebuyers or to provide purchase assistance to income-eligible, first time homebuyers. Homeownership programs must include an effective homeownership counseling component to enable assisted buyers to avoid subprime and predatory lending and become successful home owners.

Tenant-Based Rental Assistance (TBRA): Applications will be accepted for tenant-based rental assistance (TBRA). Those applications targeting special needs populations, or meeting a specific identified need, such as lead hazard control, energy conservation, or increased accessibility for physically disabled households, may be considered priority projects. All TBRA programs must also meet HTFC property standards.

Applicants proposing tenant-based rental assistance projects are required to submit an administrative plan that demonstrates how the applicant will comply with the regulations at 24 CFR 92.209 (Tenant-based Rental Assistance).

Administrative plans submitted for tenant-based rental assistance projects must contain evidence that the applicant will comply with the statute and regulations, and must also include the following elements:

- a certification that tenant-based rental assistance meets a need described in the Consolidated Plan, and a description of the local market conditions that justify the need for tenant-based rental assistance in accordance with 24 CFR 92.209
- the method of selection of, or coordination with, a local public housing agency (PHA), including a copy of a memorandum of understanding between the project sponsor and the PHA, procedures for annual income and rent payment determinations, and evidence that a secure source of administrative funding will be available to the applicant for the duration of the rental assistance
- sample rental assistance contracts
- a sample lease, with the provisions contained in 24 CFR 92.253 (Tenant and Participant Protections)
- the proposed means for determining rent reasonableness
- the proposed subsidy levels, tenant contribution requirements, and rent standards
- copies of applicable utility allowance schedules
- a plan for ensuring compliance with housing quality standards
- a plan for ensuring that no assisted families will be displaced due to the expiration of the rental assistance subsidy

Term of Rental Assistance Contracts

Project sponsors will be required to make rental assistance available for a term that shall not exceed 24 months.

Rental Assistance Certification

In accordance with the requirements of 24 CFR 92.209(b) regarding tenant-based rental assistance, the State certifies that the use of HOME funds for tenant-based rental assistance is an essential element of its Consolidated Plan, which includes, as one of its strategic

objectives, “increase the ability of New Yorkers to access rental housing.”

The State will require any applicant who intends to use HOME funds for tenant-based rental assistance to document the local market conditions that will lead to the choice of this option prior to allocating the HOME funds for rental assistance.

Monitoring Local Program Administrators

HCR/HTFC has implemented monitoring standards and procedures required for monitoring local program administrators, including both local governments (State recipients) and not-for-profit organizations (Sub-recipients) selected to administer HOME local programs. Each local program administrator with an active program is monitored annually for compliance with federal program requirements and with the terms of the contract with HTFC. This annual monitoring may take the form of either a desk audit or an on-site review. However, each program awarded funds will be monitored on-site at least once during the contract term. State recipient and Sub-recipient administrative plans are also reviewed closely during the project selection phase to ensure capacity to comply with program requirements.

Selection: HCR/HTFC reviews funding applications to ensure compliance with the statutory provisions regarding: project eligibility; fiscal and development/management capability; proposed tenancy of assisted projects; undertaking of affirmative fair housing, equal opportunity, drug-free environment, and other requirements applicable under NAHA; housing quality, lead-based paint standards, and the New York State Building Code compliance; federal and State environmental review; and prior audit history.

Project Desk Audits In-house monitoring regularly involves the use of IDIS and the Statewide Housing Activity Reporting System (SHARS) reports and telephone communication with project recipient staff. The IDIS and SHARS reports are used to track performance in the following areas: production (commitment to specific projects and funds expended for completed units); regulatory compliance (income group targeting, tenant assistance, unit affordability, matching requirements); performance in meeting federal- and State-identified goals and targets; trends in committing and completing projects; tenant characteristics; project selection characteristics; and leveraging of public and private funds. Generally, program administrator performance is reviewed on a monthly basis.

Program Implementation Monitoring: HTFC’s “Monitoring Guide for State Recipients and Sub-recipients” which explains all program monitoring requirements is available on OCR’s website. The guide covers all relevant regulatory requirements, includes site inspection forms and checklists for staff, and includes guidance for recipients to understand how staff implements monitoring procedures and how they can set up files and establish program operating procedures to ensure full compliance.

Post-completion Monitoring: Post-completion monitoring of local programs is limited in scope. For home buyer and owner rehabilitation programs, there is no scheduled ongoing monitoring because the resale requirements are self-enforcing through the recorded note and mortgage documents. For tenant-based rental assistance, the programs are only active for two (2) years (during which the recipients are monitored using the guides as indicated above), and then are closed out. Only a locally-administered rental rehabilitation program would have ongoing occupancy compliance issues that would require more extensive ongoing monitoring.

In such cases, HCR/HTFC will review selected tenant and project files to ensure that tenant

selection, tenant certification, and unit inspection activities have been undertaken consistent with the sub-recipient's administrative plan and HOME regulations. HCR also surveys recipients who have undertaken rental rehabilitation programs to collect information on recipients' monitoring activities.

On-site Monitoring: At least once for the life of a contract, OCR staff monitors locally-administered programs for both fiscal and programmatic compliance through periodic site visits conducted by regional office staff. In addition to examinations of program and project records for statutory and regulatory compliance, staff visits several project sites to ensure that work is being completed as reported, and in compliance with HTFC standards and applicable codes. Staff also provide technical assistance on the day-to-day operation of the program, and examine the integration of the program with overall State goals, (including how the program addresses community needs), any barriers to operation, and ways the program could become more effective.

Other Monitoring of Local Administrator: Routine processing of setup reports, disbursement requests and other paperwork submitted to HTFC provides additional opportunities to monitor program activities. Requests for reimbursement are examined to ensure that only reimbursement for approved program expenditures is being sought. If a program report does not accompany the voucher or if information submitted is problematic, the voucher is returned to the local administrator. Finally, local program administrators are required to report to HTFC annually. These reports capture information relating to program start-up and implementation, funds expended, minority participation, and certain other matters

Site-Specific Projects

HTFC provides HOME funds for acquisition, rehabilitation, and construction for site-specific multi-family rental projects. Projects which will: serve large families (households with five (5) or more persons) by including units with three (3) or more bedrooms; serve certain special populations; follow green building initiatives, visitability and energy efficiency practices; and projects that will support community revitalization efforts; preserve existing affordable housing resources; or collaborate with other governmental agencies may receive selection preference. Specific selection criteria are included in the Request for Proposals that is issued subsequent to the Notice of Funding Availability. Also, HOME funds-awarded CHDOs which own, sponsor, or develop a project are counted toward the required fifteen percent (15%) of HOME awards to CHDO projects and programs. If HTFC determines that a proposal may be accomplished at a lower cost to the State than proposed, less will be awarded. In order to safeguard federal HOME funds, HTFC does not provide HOME funds as construction financing.

Site-Specific Project Monitoring

- **Monitoring Multifamily Rental Projects**

The following briefly describes the procedures employed by DHCR/HTFC to monitor sponsors who are awarded HOME funds to develop multifamily rental projects.

- **Selection** – DHCR/HTFC reviews funding applications to ensure compliance with the statutory provisions regarding: project eligibility; fiscal and development/management capability; proposed tenancy of assisted projects; undertaking of affirmative fair housing, equal opportunity, and other requirements applicable under the National Affordable Housing Act (NAHA); housing quality, lead-based paint standards, and the New York State Building Code compliance and federal and State environmental review.
- **Construction Monitoring** – DHCR/HTFC monitoring includes the review of:

disbursement requests for payment of construction draws; change orders; retainage amounts for unfinished work (if construction financing is provided); and regular inspection of the construction activity and appropriate follow-up. Upon completion, documentation of compliance with new construction and rehabilitation standards described in the DHCR/HTFC Design Handbook, and with applicable building codes, is assembled for each project.

- **Post-construction Monitoring** – Includes the annual review of affirmative marketing guidelines under 24 CFR 92.351(a). Implementation of affirmative marketing plans is reviewed through a series of interview or survey questions regarding tenant selection procedures, the waiting list, advertising, and the composition of the project. If the review occurs as part of a site visit, files are also reviewed.
- **Pre-occupancy Meeting** – The State monitors HOME multifamily rental projects through DHCR's Office of Housing Management (OHM), beginning with a pre-occupancy meeting approximately 90 days before rent-up. All HOME requirements are covered, and the developer/manager is provided with the DHCR Capital Programs Manual and HUD Fair Housing Booklet. The approved project affirmative marketing plan is discussed, focusing on tenant selection procedures and the waiting list to ensure compliance with 24 CFR 92.351(a).
- **Post-occupancy Monitoring** – HOME rental projects are subject to periodic on-site visits and desk audits to ensure ongoing compliance with HOME regulations involving tenant selection and income eligibility, rents charged, housing quality, file maintenance and financial reporting. These monitoring activities are performed by State agency employees who periodically visit the project management offices, review tenant files and application logs, sample financial records, and inspect units to verify compliance with housing quality standards as a minimum level of habitability.

A regulatory instrument is recorded against the title to the real property for each project. It is enforceable in the event of default by recourse to the project for noncompliance with statutory or regulatory requirements, including any unapproved proposed resale or refinancing of the project.

DHCR/HTFC's audit policy is substantially equivalent to the 24 CFR Part 84 requirements identified for HOME funded not-for-profits. Public entities are subject to federal single-audit requirements and the related cost policies and compliance supplements and are expected to submit a copy of that audit to DHCR/HTFC. In addition, there may be certain items that pertain to non-federal funds granted by DHCR, as required.

Homebuyer Resale/Recapture Provisions

When HOME funds are used to assist a household in the purchase of a unit, restrictions will be placed on the unit to ensure compliance with the HOME resale and recapture requirements described in 24CFR 92.254(a)(5). Under most circumstances, the recapture method as described below will be used, although in certain limited circumstances, the resale method may be required or selected by the local program administrator with HTFC approval.

Recapture

Under most circumstances (except as noted below under Resale), homeownership projects undertaken

by a State recipient or sub-recipient will be subject to recapture.

Legal Documents – The homebuyer assistance will be secured by means of a note and mortgage given to HTFC or its State Recipient or sub-recipient (hereafter, the “Local Program Administrator”) by the low-income household being assisted. A standard form of the note and mortgage is provided to State Recipients and sub-recipients by HTFC.

Homebuyer Assistance – The amount of the note and mortgage is the “homebuyer assistance”. It includes:

- Any HOME funds provided to the buyer at time of purchase (downpayment, closing cost or purchase assistance) to assist with the purchase, whether provided directly by the local program administrator or by the developer using funds provided by the program; and
- Any rehabilitation assistance provided to improve the unit upon purchase, and
- Any reduction in the purchase price from fair market value to an affordable purchase price or amount required to be contributed by the buyer through buyer funds or other mortgages.

If there is no homebuyer assistance, then the resale method outlined below must be used.

Affordability Period – The period of affordability specified in the mortgage will be the minimum period for the project as specified in 24 CFR 92.254(a), sections (4) and (5), unless a longer period is imposed.

The affordability period will be determined by the amount of homebuyer assistance. The following table outlines the required minimum affordability periods:

If the homebuyer assistance in the unit is:	The period of affordability is:
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

Local Program Administrators will be permitted to propose a local use restriction period beyond these minimum periods, or continue the note and mortgage due on sale provisions beyond these minimum periods, subject to HCR approval and designation of this additional period as an extended local use period that does not increase the “affordability period” as defined by HUD regulations. Any payments during such extended periods shall be treated as program income, subject to HOME requirements.

Amount Subject to Recapture -- If the housing does not continue to be the principal residence of the assisted household, due to sale, foreclosure, or any other event, the note and mortgage will require repayment of the amount of HOME funds subject to recapture at the time the event occurred. The amount of recapture permitted in the event of a voluntary or involuntary sale is based on a combination of Owner Investment Returned First (as described in 92.254(a)(5)(ii)(A)(4)) and Pro rata reduction (as described in 92.254(a)(5)(ii)(A)(2)).

Recapture is limited to the net proceeds of the sale, which is defined as the sales price minus superior debt and seller paid closing costs, include only the following items to the extent actually incurred: broker’s

commission, reasonable attorney's fees, and any transfer tax or recording fee payable by the seller pursuant to state statute or local ordinance in connection with the conveyance.

Upon transfer, whether voluntary or involuntary, the net proceeds of the sale will be determined and distributed as follows, to the extent proceeds are available:

1. Owner shall first be reimbursed from the net proceeds of the sale, if any, for the following:
 - o The down payment made from owner funds at the time of the initial purchase of the Property, if any;
 - o The principal amortized on superior debt during the affordability period, if any; and
 - o The verified cost of capital improvements to the Property, if any.
2. The Local Program Administrator shall then be repaid the Recapture Obligation to the extent there are sufficient sale proceeds remaining. The Recapture Obligation is the amount of homebuyer assistance, as defined above. It will be reduced on a pro rata basis (by 1/ [number of years of affordability period]) during the affordability period at the end of each complete year of the affordability period. For example, if a 10 year affordability period applies, and the homebuyer sells at the end of Year 4, then the amount of the note is reduced by 40%. If Local Program Administrator incurs any costs in collecting the Recapture Obligation secured by this Note and Mortgage, including but not limited to reasonable attorney's fees, such costs will be added to the Recapture Obligation and will also be secured by this Note and Mortgage. If remaining net proceeds are insufficient to repay these amounts, the remaining net proceeds will be considered as full satisfaction of the recapture obligation.
3. The remainder of the net proceeds, if any, shall be retained by Owner.

HOME funds that are used as a development subsidy, and are not part of the homebuyer assistance, will not be subject to recapture from the homebuyer.

Recapture will only be made from net proceeds of sale. If there are no net proceeds of sale, then no recapture shall be made.

HTFC will permit recaptured funds and program income earned by a Local Program Administrator to be used to assist additional units, upon prior notification and approval by HTFC. If the Local Program Administrator no longer has an open contract with HTFC, or is unable to utilize the repayment or program income to assist additional projects, the funding will be returned to HTFC for reallocation in accordance with the method of distribution of funds described elsewhere in this Plan.

Resale

Under most circumstances, the recapture provisions outlined above will be used in HOME homebuyer activities. However, resale restrictions may or must be used under the following circumstances:

- When HOME Program funds are used only as a development subsidy for the construction or renovation of homeownership housing, and no homebuyer assistance is provided, resale restrictions must be used instead of recapture restrictions as described above.
- Resale restrictions may also be used at the request of the Local Program Administrator when HOME funds are invested in: a larger homeownership development, a condominium or cooperative project; projects where a substantial per-unit investment of subsidy is provided; local markets with predominantly high home sales prices, rapidly appreciating housing costs, or where affordability will not be preserved by unrestricted sales of assisted units. HTFC approval of the conditions warranting use of resale restrictions is required.

- Resale restrictions are also used when land trusts own the property. HOME resale restrictions will be enforced through the land trust ground lease mechanism.

Resale restrictions will ensure that housing assisted with HOME funds is made available for resale only to low-income households that will use the property as their principal residence.

Legal Documents -- Resale covenants will be enforced by means of a deed restriction that runs with the title to the land, unless the project is located in an area of “presumed affordability” that meets the conditions described in 92.254(a)(5)(i)(B). Such areas of presumed affordability will be subject to approval of HTFC.

HTFC will permit the use of notes and mortgages in addition to, but not in lieu of, deed restrictions to secure the rights of HTFC and Local Program Administrators to recover HOME funds in the event of non-compliance or adverse transfers.

The statute and rule (92.254(a)(5)(i)(A)) provides that the restriction may be extinguished by a third-party lender in the event of foreclosure, deed in lieu of foreclosure or assignment. HTFC will permit Local Program Administrators to use rights of first refusal or other means to intervene and preserve the affordability of the unit.

Affordability Period -- The following table outlines the required minimum affordability periods for homebuyer projects that are subject to resale restrictions:

If the total HOME investment in the unit is:	The period of affordability is:
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

The period of affordability is determined by the total investment of HOME funds in the unit, regardless of whether or not the funds are reflected in buyer financing.

Low-income households eligible to purchase properties restricted by resale provisions must be households whose annual income at the time assistance is provided does not exceed 80 % of the median income for the area as determined by HUD with adjustments for family size.

The home must be occupied by the low-income household as its principal residence for the affordability period.

Resale During the Affordability Period – If the assisted property is sold while under the resale restrictions, the home must be sold to an eligible low-income buyer approved by HTFC or its Local Program Administrator.

Resale Price -- The price at resale must provide the original HOME-assisted homebuyer a fair return on the investment and be affordable to a reasonable range of low-income buyers. Therefore, sales price during the affordability period can occur at market value, up to the following two limitations:

- Fair return to seller – The price shall not be a price that results in net proceeds (after senior debt and sales costs) to the seller that exceeds: (1) the reimbursement of the original owner’s down

payment made at the time of initial purchase, if any; (2) the verified costs of capital improvements to the property if any; and (3) principal amortized on the senior debt during the period of ownership. These net proceeds may be adjusted for increases in home prices in the local market during the period of affordability.

- Affordable to a range of low-income buyers – The sales price also cannot exceed a price that is affordable to households at or below 80% of area median income (AMI). The HTFC defines “affordable price” as a price at or below the amount that a low income family at or below 80 % AMI is paying no more than 35 percent of their income for the payment of mortgage principal and interest, property taxes and insurance on the property.

The seller must have the sales price approved by HTFC or its Local Program Administrator, in addition to approval of the eligible low-income buyer. If the fair market value of a HOME assisted property subject to resale provisions is more than what is affordable to the subsequent low-income purchaser, then additional HOME assistance may be given by HTFC or its Local Program Administrators.

Forms of Investment

The State will permit HOME funds to be invested as loans, grants, deferred payment loans, and other types of investment permitted by the regulations in housing rented or owned (held in fee-simple title) by eligible households, or multi-family rental, condominium or cooperative projects developed for occupancy by eligible households. Replacement of existing manufactured housing units with manufactured housing shall be considered Rehabilitation for the purposes of the State HOME Program. Replacement of existing manufactured housing units with any other newly constructed housing shall be considered Homeownership Assistance for the purposes of the State HOME Program.

Any applicant who proposes to use any other form of investment not described in 24 CFR 205(b) (Forms of Assistance) must include a description of the form of investment, justification for the need for the form of investment, and a description of the proposed means of securing the investment, if any, in the application that is submitted to HTFC. HTFC will not permit other forms of investment without the prior approval of HUD.

Refinancing Existing Debt

The use of HOME funds to refinance existing debt secured by multi-family housing is eligible only when HOME funds are loaned to rehabilitate a project, and refinancing is necessary to permit or continue affordability. When HOME funds are utilized for this purpose, a minimum of \$6,000 per unit must be invested. The project sponsor must clearly demonstrate that disinvestment in the property has not occurred; the long term needs of the project can be met; and that the targeted population can be served over the extended affordability period. HOME funds will be available to maintain current units and/or create additional units. All units assisted with HOME funds will have an affordability period of no less than 15 years or no more than the maximum term of the original contract. Investment of HOME funds will be jurisdiction-wide, and under no circumstances will they be used to refinance multifamily loans made or insured by any federal program, including CDBG.

Section 91.320(k)(3) Emergency Solutions Grants (ESG) Program

“The State shall identify the process for awarding grants to State recipients and a description of how the State intends to make its allocation available to units of local government and nonprofit organizations (including community and faith-based organizations).”

Overview

The New York State Office of Temporary and Disability Assistance (OTDA) administers the Emergency Solutions Grants (ESG) Program for New York State through which it coordinates activities to enhance the quality and quantity of homeless facilities, services for homeless persons including rapid re-housing and services to those at risk of homelessness. As a result of regulation changes resulting from the HEARTH Act, New York State OTDA has combined ESG funds with New York State funds dedicated in the State budget for similar activities to form one cohesive program entitled Solutions to End Homelessness Program (STEHP). By forming this program, OTDA facilitated the State’s transition to requirements as established by the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act, which amends and reauthorizes the McKinney-Vento Homeless Assistance Act. In addition, the STEHP program has streamlined the application process for its community partners and will ultimately increase the effectiveness and coordination of services to homeless or near homeless individuals and families in New York State. A Request for Proposals was released summer 2011 soliciting STEHP providers. In 2012 New York State funded 37 providers to conduct STEHP activities with ESG funds and the additional New York State funds. In 2013, as a result of an increase in ESG funds plus an increase in New York State funds, the STEHP program will fund 67 providers for a total of \$15,767,296.

Strategic Plan Objectives, Outcomes and Indicators

The STEHP Program addresses the suitable living environment and the provision of decent housing objectives of the State’s Strategic Plan. Approximately 30% of the funding is allocated to street outreach, drop-in center and shelter activities, 58% of the funding to prevention activities, and 12% of the funding to rapid re-housing activities. The 2013 Program Year projects a total of approximately 49,371 unique individuals being served as follows:

Objective: Decent Housing

In order to provide decent housing for individuals and families at-risk of homelessness or to those that are already homeless, the STEHP Program will fund and administer homelessness prevention activities as well as rapid rehousing activities in order to alleviate potential homelessness and provide low-income households with the services necessary to build housing stability. The following outcomes will be achieved in 2013:

Outcome: Increase Availability/Accessibility

Increase availability/accessibility by developing and implementing homelessness prevention activities and rapid re-housing activities including, but not limited to, legal services, mediation programs, and rental subsidies for individuals and families at-risk of homelessness or for those that have become homeless.

Objective-outcome category = DH-1 (see HUD Table 3C for ESG on page 31)

Key Indicator: Number of individuals or families at risk of homelessness receiving homelessness prevention and number of homeless individuals or families receiving rapid re-housing services. It is estimated that 37,699 unique individuals will be served.

Objective: Suitable Living Environment

To provide a suitable living environment for homeless individuals and families, the

STEHP Program will fund and administer a wide range of emergency and transitional shelter programs for homeless persons as well as related services to alleviate homelessness and provide households with the support services necessary to build self-sufficiency. The following outcomes will be achieved in 2013:

Outcome: Increase Availability/Accessibility

Increase availability/accessibility by providing essential services to homeless persons including, but not limited to, employment, physical health, mental health, substance abuse, and educational services. Increase availability/accessibility by funding shelter maintenance and operating costs (rent, repairs, security, fuel, equipment, insurance, utilities, food, and furnishings, etc).

Objective-outcome category = SL-1

Key Indicator: Number of individuals or families receiving essential services and/or staying in shelter housing. It is estimated that approximately 11,672 unique individuals will be served.

HUD Table 3C (Optional)			
Annual Action Plan 2013			
ESG Program			
Planned Project Results			
Objective-Outcome Category*	Performance Indicator	Expected Number of Individuals	Activity Description
DH-1	Total Individuals Served	37,699	Homelessness Prevention and Rapid Re-housing
SL-1	Total Individuals Served	11,672	Essential Services and Shelter Operations

*Some duplication occurs between those receiving Rapid Re-housing and Essential Services/ Shelter Operations.

Objective-Outcome Categories

Objective ↓	Outcome →	Availability/Accessibility 1	Affordability 2	Sustainability 3
Decent Housing	DH	DH-1	DH-2	DH-3
Suitable Living Environment	SL	SL-1	SL-2	SL-3
Economic Opportunity	EO	EO-1	EO-2	EO-3

Resources

During calendar year 2013, the period covered by this Action Plan, approximately \$5,891,922 from HUD will be used to support ESG activities. After deducting only 5% of the State’s administrative share (\$294,596), a total of \$5,597,326 ESG funds will be allocated to contracts, along with \$9,313,494 of New York State funds. In all, New York State expects to distribute \$15,767,296 to contractors across the State to perform ESG eligible activities through the STEHP Program.

ESG Program Matching Funds

Although New York State will contribute matching state funds in a greater amount than is required for the ESG program, there was a matching funds requirement stipulated in the 2011 STEHP RRP. Therefore grantees will provide matching funds from other sources in the amount of 25% of their grants. These other sources may include in-kind contributions, local share funding, or a combination

of both. Funds used to match a previous ESG grant may not be used to match a subsequent grant award. In addition, funds awarded must not supplant existing funds used for ongoing activities. Grantees must demonstrate clearly that funds will be used to develop new programs or enhance/continue those in existence.

In addition, OTDA administers several programs designed to alleviate homelessness and provide low-income households support services necessary to build self-sufficiency. These programs include:

- Homeless Housing and Assistance Program (HHAP)
- New York State Supportive Housing Program (NYSSHP)
- Housing Opportunities for Persons With AIDS Program (HOPWA)
- Operational Support for AIDS Housing Program (OSAH)
- Family Shelter Program
- Emergency Assistance Re-housing/Rent Supplement Program
- Preventive Housing Subsidy Program
- Negotiated Rates Program
- Emergency Shelter Allowance for Persons with AIDS

Activities – Priority Needs

OTDA has taken full advantage of the flexibility of the ESG Program to fund a wide range of services which address critical gaps in the housing continuum of care across New York State. In 2013, as in past years, the State will fund an array of projects designed to strengthen this continuum.

Funded projects will support the continuum of care, as follows:

- **Outreach and Assessment** – street outreach programs, mobile outreach vans, food pantries and soup kitchens (with outreach components), storefront operations, etc.
- **Emergency Services** - food pantries, soup kitchens, day drop-in centers, emergency shelters, overnight accommodations, drop-in medical care, short-term cash assistance for utilities, rent, etc.
- **Transitional Housing** – transitional housing programs, post relocation services, support services, etc.
- **Permanent Housing** – legal interventions to prevent evictions, homeless re-housing assistance, advocacy for entitlement benefits, cash assistance for security deposits and rental assistance, and support services to stabilize in housing, etc.

For Program Year 2013, STEHP funds will be distributed among eligible activities to community partners as follows:

- Drop-in Center, Shelter and Transitional Housing 30%
- Homelessness Prevention 58%
- Rapid Re-housing 12%

As discussed in the Needs Assessment section of the Consolidated Plan, when selecting proposals for funding, OTDA gives special priority to projects that fill identified gaps in the continuum of care in various regions of the State. Furthermore, special priority is given to applications that provide supports and services to projects funded under the Homeless Housing and Assistance Program (HHAP), New York State's capital development program for homeless housing.

Methods of Distribution

New York State released a competitive Request for Proposals (RFP) under the STEHP Program in 2011. In 2013, \$15,767,296 in combined ESG and New York State funds will be available to 67 not-for-profit organizations and local governments. New York State anticipates that approximately 49,371

unique individuals will benefit from activities funded by this program.

The following are the criteria used to evaluate and select proposals for funding under New York State's STEHP Program:

- applicant agency must meet all State and federal requirements as a threshold criteria for an award
- demonstration of need within the proposed project area for the type of housing and/or services proposed
- the appropriateness and quality of the site, the design and support services proposed for the population to be served
- evidence of the applicant's ability to develop the proposed project, expend all funds within the required time-frames, and to operate the project over the required contract period
- evidence of the applicant's ability to provide, either directly or through referral, the appropriate support services
- the appropriateness of plans for participant selection and the consistency of these plans within the intent of the Program
- the reasonableness of the total project cost and the Program amount requested, and the eligibility of proposed expenditures
- evidence that matching funds are firmly committed and available for obligation and expenditure
- evidence that the program functions as a part of a local Continuum of Care, or similar body
- evidence that the applicant has approval for its proposed program from the local Department of Social Services
- evidence that the focus of the project is on enabling participants to achieve the highest level of self-sufficiency possible
- evidence that the project will report client level data in the local Continuum of Care Homeless Management Information System Database, or comparable database
- evidence of the financial feasibility of the project over the required operating period
- the appropriateness of the qualifications and backgrounds of the personnel and staff to be assigned to the project

Priority was awarded to:

- projects that demonstrated accessibility for persons with disabilities and conform with the ADA Title III requirements
- projects that demonstrated the provision of materials in alternative formats for persons with disabilities as required by the ADA (i.e. Braille, audio recording)
- projects that have been developed with New York State capital funds and are deemed competitive and meet all eligibility criteria
- projects outside of directly entitled ESG areas
- projects that demonstrated at least an 85% positive housing outcome rate

OTDA has consistently sought to allocate its ESG funds equitably to all parts of the State that have identified gaps in the emergency housing continuum for homeless individuals and their families. New York State's ability to fill these gaps is, however, limited by the availability of funds and by the number and type of proposals received in response to the RFP. During 2013, approximately 40% of the funds will be committed to New York City and 60% to counties elsewhere in the State.

Program Monitoring and Report Requirements

Periodically, recipients of these funds are invited to attend a one-day meeting or telephone conference to discuss the program and contract requirements, including reporting and vouchering. Copies of all applicable federal rules and regulations are distributed along with material developed by OTDA to

assist groups with the vouchering and reporting process. These sessions, conducted regionally by the program coordinator, have been well received. Major improvements in the contractor's adherence to the program requirements have been observed since this activity was initiated.

Contracts entered into by OTDA are subject to on-going monitoring throughout the term of the contract. The primary methods of monitoring include:

- review of quarterly reports (due twenty days after the end of each quarter)
- review of final reports (due thirty days after the expiration of the contract)
- periodic site visits, including review of randomly-selected case files
- on-going telephone and mailing contact with program staff

Grantees must ensure that books, records, documents, and other evidence pertaining to costs and expenses under the grant are maintained to reflect all costs of materials, equipment, supplies, services, building costs, and all other costs and expenses for which reimbursement is claimed or payment is made. All expenditures are reported on an accrual basis.

OTDA has direct access to any records relevant to the project, including books, documents, Homeless Management and Information System (HMIS) data, photographs, correspondence and records to make an audit, examinations, transcripts, and excerpts. All records pertaining to the grant including financial audits, budget, plans/drafts, supporting documents, statistical records, etc., are retained for a period of at least four years following submission of the final expenditure report. In the event that any claim, audit, litigation, or state/federal investigation is started before the expiration of the record retention period, the records are retained by the grantee until all claims or findings are resolved.

The contractual agreement requires grantees to submit quarterly and final reports based on data entered into HMIS. Quarterly reports describe a project's progress during the quarter through a detailed narrative describing contract activities and the results achieved. Guidelines or criteria, which new grantees developed for eligibility and participation selection, are also appended to the first quarterly report. Significant obstacles or problems in carrying out the contractual obligations are identified, along with plans to overcome these obstacles. Changes in contract staffing are addressed and resumes provided for new staff. To meet HUD reporting requirements, statistical data is also reported to track the type of activity carried out, and the number of individuals and families assisted, including data on the racial/ethnic characteristics of the participants. Other related data that are required by the Integrated Disbursement and Information System (IDIS) are also collected.

Final reports verify fulfillment of all contractual requirements and tabulate final demographic data on the program participants. They also trigger final reimbursement for contractual activities. The narrative follows the basic format established for quarterly reports, but emphasizes final outcomes. As outlined in the contract, a percentage of the grant award is withheld until the final report is received and approved. Grantees are advised that unless all reporting requirements are satisfactorily met, vouchers are not processed for payment.

Site visits by OTDA staff are a critical component of project monitoring activities. The program manager attempts to visit all projects within a contract cycle. The duration of each site-visit is usually a couple of hours, and consists of an overview of the agency and the program, a tour of the site, observation of direct service provision, and meetings with accounting staff. Extensive questions are asked pertaining to the information contained in quarterly reports and based upon the coordinator's knowledge of the program.

Another aspect of monitoring is frequent telephone conversations between program staff and the program coordinator. Contractors call with questions about changes in their program, contract requirements, vouchering, and other issues concerning their program. The program coordinator also

initiates telephone calls to question information contained in reports. In unusual circumstances, programs may be requested to submit special reports or any media coverage the program has received.

Finally, prior to annual renewal of contracts, in addition to providing a self-evaluation of the benefits realized by homeless or near homeless household, all grantees' spending habits and positive housing outcome rates are examined by OTDA staff. Should a contractor not expend at least 75% of the annual award amount by the end of an annual funding cycle, or should a contractor not attain a 75% positive housing outcome rate by the end of an annual funding cycle, OTDA reserves the right to adjust the award amount for future years.

Section 91.320(k)(4) Housing Opportunities for Persons with AIDS (HOPWA) Program

For HOPWA funds, the state must specify one-year goals for the number of households to be provided housing through the use of HOPWA activities for short-term rent; mortgage and utility assistance payments to prevent homelessness of the individual or family; tenant-based rental assistance; and units provided in housing facilities that are being developed, leased or operated with HOPWA funds, and shall identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations).

Overview

The New York State Office of Temporary and Disability Assistance (OTDA) administers the HOPWA program for New York State.

Strategic Plan Objectives, Outcomes and Indicators

In its June 2009 Request for Proposals (RFP), the New York State Office of Temporary and Disability Assistance (OTDA) determined that funds awarded under HOPWA could be used to address the suitable living environment and the provision of decent housing objectives of the State's Strategic Plan and assist 800 individuals and approximately 445 households as follows:

Objective: Suitable Living Environment

To provide a suitable living environment for low-income persons and their families living with HIV/AIDS, the New York State Housing Opportunities for Persons with AIDS Program will distribute its annual allocation to underserved areas of the State to strengthen the continuum of care and serve special needs.

Outcome: Availability/Accessibility

Increase availability/accessibility by funding HOPWA projects that enable participants to achieve the highest level of independent living, and provide health and supportive services to individuals with HIV/AIDS and their families.

Objective-outcome category = SL-1 (see HUD Table 3C for HOPWA on page 41)

Key Indicator: Number of individuals with HIV/AIDS and their families who have received assistance from programs with HOPWA funding. It is estimated that 800 individuals will be assisted.

Objective: Decent Housing

To provide decent housing for low-income persons and their families living with HIV/AIDS, the New York State Housing Opportunities for Persons with AIDS Program will distribute its annual allocation to underserved areas of the State to strengthen the continuum of care and enhance the provision of both short-term and long-term rental assistance.

Outcome: Affordability

Increase affordability by providing tenant-based rental assistance and/or support to congregate housing units to expand the supply of housing units appropriate for persons with HIV/AIDS and their families.

Objective-outcome = DH-2

Key Indicator: Number of tenant-based, project-based housing, or congregate housing units funded for persons with HIV/AIDS and their families. It is estimated that 320 households will be assisted.

Outcome: affordability

Increase affordability by providing short-term rental assistance to bridge financial gaps in housing thereby allowing individuals with HIV/AIDS and their families to sustain housing stability.

Objective-outcome category = DH-2

Key Indicator: Number of units of short-term assistance provided to individuals with HIV/AIDS-related diseases and their families. It is estimated that 125 households will be assisted.

HUD Table 3C (Optional)			
Annual Action Plan 2013 HOPWA Program Planned Project Results			
Objective-Outcome Category*	Performance Indicator	Expected Number	Activity Description
SL-1	Total Individuals Served	800	Supportive Service
DH-2	Total Households Assisted	320	Tenant-Based Rental Assistance Congregate Housing
DH-2	Total Households Assisted	125	Short-Term Rental Assistance

Objective-Outcome Categories

Outcome Objective → ↓		Availability/Accessibility 1	Affordability 2	Sustainability 3
Decent Housing	DH	DH-1	DH-2	DH-3
Suitable Living Environment	SL	SL-1	SL-2	SL-3
Economic Opportunity	EO	EO-1	EO-2	EO-3

Resources

During the period covered by the 2013 Action Plan, funds totaling \$2,098,332 will be used to support activities under Round Twenty-One of this program. After deducting the State’s 3% administrative share, a total of \$2,035,383 will be allocated to contracts. Unexpended funds from previous rounds may also be allocated.

OTDA seeks to distribute its annual HOPWA allocation to underserved areas of the State, thus strengthening the continuum of care serving the special needs of low-income persons living with HIV/AIDS-related illness and their families.

There are no matching funding requirements under the HOPWA Program. Therefore, there is no minimum percentage of non-federal and/or private financing to be leveraged. There are, however, a variety of funding sources at the State and local level that may be used in combination with HOPWA funding. Examples of such programs include:

- Operational Support for AIDS Housing (OSAH)
- Homeless Housing Assistance Program (HHAP, including AIDS set-aside allocation)
- Solutions to End Homelessness Program (STEHP)
- New York State Supportive Housing Program (NYSSHP)
- Shelter Plus Care Program
- Emergency Shelter Allowance for Persons with AIDS
- Family Shelter Program

- Negotiated Rates Program

Two of New York State's programs deserve special mention here because they are an important resource in responding to the housing needs of New Yorkers with HIV/AIDS. These are the Homeless Housing Assistance Program (HHAP) and the Operational Support for AIDS Housing (OSAH) program.

HHAP is a State-funded program providing capital grants and loans to not-for-profit corporations, charitable and religious organizations, municipalities, and public corporations to acquire, construct, or rehabilitate housing for homeless individuals and families. The program provides capital funding for the development of a broad range of housing options for the very diverse homeless population in the State. Since 1990, HHAP appropriation language has set aside \$5 million for the development of housing for people living with HIV/AIDS. In total, HHAP has awarded over \$100 million for the development of 1,167 units of housing for families and individuals living with HIV-related illness and/or AIDS.

The second State-funded AIDS housing program is OSAH. Beginning in 1994, the State budget has appropriated nearly \$1 million annually to provide operational support to projects that have received capital financing through the Homeless Housing and Assistance Program (HHAP) to house homeless persons with HIV/AIDS and their families. This State funding can be used to supplement building operations costs as well as support services costs.

Both HHAP and OSAH exemplify New York State's commitment to strengthen the continuum of care for persons living with HIV/AIDS and their families. OTDA takes into account the location and types of HHAP and OSAH projects in making decisions regarding the distribution of the State's HOPWA funds.

Activities - Priority Needs

To assure that its HOPWA Program is adequately addressing the housing needs of persons with HIV/AIDS and their families, OTDA has sought input and guidance from the NYS National Affordable Housing Act (NAHA) Task Force as well as AIDS advocacy organizations. The NAHA Task Force consists of housing providers, advocates, and representatives from other State agencies, including the New York State Department of Health AIDS Institute.

In accordance with the final HOPWA regulations promulgated by the U.S. Department of Housing and Urban Development (HUD), a broad range of housing-related activities may be funded. In the 2013 round (Round Twenty-One) of HOPWA, New York State will continue with priorities and fund applications proposing a number of different activities.

In the 2009 RFP, the State focused on seven eligible activities grouped into two clusters. The first group was considered to be a higher priority because it actually expands the housing and services available to persons with HIV/AIDS. The second group was considered a lesser priority because it does not directly expand the housing supply and/or because funding could be more readily available from other sources.

- **Group I Program Activities:**

- Project or tenant-based rental assistance
- Supportive services
- Short-term rent, utilities, or mortgage payments to prevent homelessness

- **Group II Program Activities:**

- Technical assistance
- Operating costs for housing

- Housing information services (including counseling, referrals, etc.)
- Lease or repair of facilities to provide housing and services

The above priorities were used in selecting Round Eighteen contracts for 2010, and remained in effect in 2011 and 2012 (Rounds Nineteen and Twenty). Most of the contracts focus on the provision of long-term rental assistance, short-term rental assistance, and support services.

Methods of Distribution

Since the start of its HOPWA Program in 1993, New York State has distributed its HOPWA funds through a periodic competitive bid process. Every three years, OTDA issues a Request for Proposals (RFP) under the HOPWA Program soliciting proposals from not-for-profit organizations. In the early years of the HOPWA Program, an RFP was released every two years. Now that the provider pool has attained some level of stability, an RFP is released every three years. Contracts funded under an RFP can be renewed without further competition in each of the subsequent two years. OTDA will take advantage of this renewal option for 2013.

An RFP to make available FY 2009 HOPWA (Round Eighteen) funds was released by OTDA in June 2009. Thirteen proposals were received in July 2009 and reviewed. Awards were made to each of these thirteen contractors, and contracts were executed and began in January 2010.

With the exception of the contractors who will receive funding directly from their new Eligible Metropolitan Services Area (EMSA), contracts awarded under the 2009 RFP are eligible for continued funding without competition for a three year period from January 1, 2010 through December 31, 2012. Contracts are continued only if, in the course of the ongoing contract, they have been able to demonstrate success in carrying out activities during the contract year.

OTDA subjects all proposals received in response to an RFP to a rigorous review and selection process. The following is a listing of the criteria established for proposal evaluation and selection established under New York State's HOPWA Program:

- demonstration of need within the proposed project area for the type of housing and/or services proposed
- the appropriateness and quality of the site, the design and/or support services proposed for the population to be served
- evidence of the applicant's ability to develop the proposed project and to operate it over the required contract period
- the appropriateness of plans for participant selection to serve the target population and the consistency of these plans with the intent of HOPWA
- the reasonableness of the total project cost and the HOPWA amount requested
- evidence of the applicant's ability to provide, either directly or through referral, the appropriate support services
- evidence that the applicant has approval for its proposed program from the local Department of Social Services
- evidence of strong linkages with community-based service providers and health care providers (including home health care, primary care, and emergency medical care)
- evidence that the focus of the project is on enabling participants to achieve the highest level of self-sufficiency possible
- evidence of the financial feasibility of the project over the required operating period
- the appropriateness of the qualifications and backgrounds of the personnel and staff to be assigned to the project

OTDA estimates that a total of 445 households will be assisted across 41 counties with HOPWA funds during 2013 as follows:

Tenant-based Rental Assistance/Congregate Housing	320
Short-term Rental Assistance	125
<hr/>	
TOTAL:	445

Geographic Distribution

OTDA consistently seeks to allocate its HOPWA funds equitably to all parts of the State that have identified gaps in the continuum of care for housing persons with HIV/AIDS and their families. HIV/AIDS is found in all 62 counties of New York and includes cases in urban, suburban, and even the most rural areas of the State. In recent years, AIDS cases in upstate rural counties have increased at a higher rate than cases in New York City and the rest of the State, with concomitant increases in the number of homeless persons with HIV/AIDS.

In recent years, the Rochester, Buffalo, and Albany Eligible Metropolitan Services Areas (EMSA) have come online as HOPWA direct entitlement areas. When these cities came online, the grant to New York State was reduced commensurately. Because of the extensive need in upstate areas and the limited availability of HOPWA funds, an executive policy decision was made by OTDA to limit the distribution of the State's HOPWA allocation to those areas that do not have direct access to HOPWA funds from HUD. In 2004, Poughkeepsie, which includes Orange and Dutchess counties, came online as a HOPWA direct entitlement area. Therefore, in the current program year, funding was not made available in support of any projects serving persons in any of the following HUD EMSAs: New York City, including Westchester and Rockland Counties; City of Islip, including Nassau and Suffolk Counties; the City of Rochester, including Monroe, Genesee, Livingston, Orleans and Ontario Counties, the City of Buffalo, including Erie and Niagara Counties; the City of Poughkeepsie, including Orange and Dutchess Counties; and the City of Albany, including Albany, Rensselaer, Schenectady, Montgomery, Schoharie and Saratoga Counties, unless it could be shown that a conflict of interest prevented an organization from applying for direct entitlement funds.

Program Monitoring and Reporting Requirements

All HOPWA contracts entered into by OTDA are subject to on-going monitoring throughout the term of the contract. The primary methods of monitoring include:

- review of narrative and tabular quarterly reports (due two calendar weeks after the end of each quarter)
- review of final reports (due thirty days after the expiration of the contract)
- periodic site visits, including review of randomly-selected case files
- on-going telephone contact with program staff

Grantees must ensure that books, records, documents, and other evidence pertaining to costs and expenses under the grant are maintained to reflect all costs of materials, equipment, supplies, services, building costs, and all other costs and expenses for which reimbursement is claimed or payment is made. All expenditures are reported on an accrual basis.

OTDA has direct access to any records relevant to the project, including books, documents, photographs, correspondence and records to make audits, examinations, transcripts, and excerpts. All records pertaining to the grant including financial audits, budget, plans/drafts, supporting documents, statistical records, etc. are retained for a period of at least four years following submission of the final expenditure report. In the event that any claim, audit, litigation, or State/federal investigation is started before the expiration of the record retention period, the records are retained by the grantee until all claims or findings are resolved.

The contractual agreement requires grantees to submit quarterly and final reports. Quarterly reports describe a project's progress during the quarter through a detailed narrative describing contract activities and the results achieved. Guidelines or criteria, which new grantees developed for eligibility

and participant selection, are also appended to the first quarterly report. Significant obstacles or problems in carrying out the contractual obligations are identified along with plans to overcome these obstacles. Changes in contract staffing are addressed and resumes provided by new staff. To meet HUD reporting requirements, statistical data is also reported to track the type of activity carried out and the number of individuals and families assisted, including data on the racial/ethnic characteristics of the participants.

Final reports verify fulfillment of all contractual requirements and tabulate final demographic data on the program participants. They also trigger final reimbursement for contractual activities. The narrative follows the basic format established for quarterly reports, but emphasizes final outcomes. As outlined in the contract, a percentage of the grant award is withheld until the final report is received and approved. Grantees are advised that unless all reporting requirements are met satisfactorily, vouchers are not processed for payment.

Site visits by OTDA staff are a critical component of project monitoring activities. Subsequent to a monitoring visit to OTDA by HUD in 1999, a new monitoring system for the ESG and HOPWA Programs (as well as other OTDA housing services programs) was fully implemented. In keeping with this system, monitoring visits for all housing services programs (including both HOPWA and ESG) administered by the Bureau of Housing and Support Service (BHSS) take place regularly using the pooled staff resources of the BHSS Services Unit. At a minimum, each multi-year contract is monitored at least once during the life of the contract.

The site-visits usually consist of an overview of the agency and the program, a tour of the site, observation of direct service provision, review of files and records, and meetings with accounting staff. Extensive questions are asked based on the information contained in quarterly reports and on the HOPWA program coordinator's knowledge of the program. Following each monitoring site visit, a formal letter is sent to the grantee relating findings and requesting a formal response when corrective action is needed.

Another aspect of monitoring is frequent telephone conversations between program staff and the program coordinator. Contractors call with questions about changes in their program, contract requirements, vouchering, and other issues concerning their program. The program coordinator also initiates telephone calls to question information contained in reports. In unusual circumstances, programs may be requested to submit special reports or any media coverage the program has received.

HOPWA Contracts				
Contractor Title, Address	Contractor Contact	Contract Amount	Contract Description	Contract Service Area
EHS, Inc. 206 South Elmwood Avenue Buffalo, NY 14201	Ron Silverio	\$111,120	Long term rental assistance; Short term rent / utilities / mortgage assistance	Cattaraugus, Chautauqua, Genesee, Orleans, Wyoming and Allegany Counties
AIDS Community Resources 627 West Genesee Street Syracuse, NY 13204	Michael Crinnin	\$329,624	Long term rental assistance; Short term rent / utilities / mortgage assistance	Cayuga, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego and St. Lawrence Counties
AIDS Council of Northeastern New York 88 Fourth Avenue Albany, NY 12202	Michelle McClave	\$146,885	Long term rental assistance; Short term rent / utilities / mortgage assistance	Clinton, Columbia, Essex, Fulton, Franklin, Greene, Hamilton, Warren and Washington Counties.
AC Center 259 Monroe Ave Rochester, NY 14607	Michael Beatty	\$97,063	Long term rental assistance; Short term rent / utilities / mortgage assistance	Schuyler, Seneca, Steuben, and Yates Counties
Central New York Health Systems Agency, Inc. 701 Erie Boulevard West Syracuse, NY 13204	Sara Wall Bollinger	\$324,851	Long term rental assistance;	Onondaga, Jefferson, St. Lawrence, Cayuga, Oneida, and Otsego Counties
Chautauqua Opportunities, Inc. 17 West Courtney Street Dunkirk, NY 14048	Roberta Keller	\$67,689	Long term rental assistance; Short term rent / utilities / mortgage assistance	Chautauqua County
Corporation for AIDS Research, Education and Services (CARES) 85 Watervliet Avenue Albany, NY 12203	Nancy Chiarella	\$84,849	Long term rental assistance; Short term rent/ utilities	Albany County
Liberty Resources, Inc. 1065 James Street, Suite 200 Syracuse, NY 13203	Marta Durkin	\$179,386	Support services for individuals in DePalmer House, transitional housing in Syracuse	Onondaga County
Multi-County Community Development Corp. Twin Maple Plaza, Suite 5 Saugerties, NY 12477	Aldea Carey	\$143,346	Long term rental assistance	Ulster County

HOPWA Contracts

Contractor Title, Address	Contractor Contact	Contract Amount	Contract Description	Contract Service Area
PathStone Corp 400 East Avenue - Suite 401 Rochester, NY 14607	Velma Smith	\$187,439	Long term rental assistance; Short term rent / utilities / mortgage assistance	Sullivan and Ulster County
Rural Ulster Preservation Company 289 Fair Street Kingston, NY 12401	Kathy Leahy	\$161,466	Long term rental assistance; Short term rent / utilities / mortgage assistance	Ulster County
Southern Tier AIDS Program, Inc. 122 Baldwin Street Johnson City, NY 13790	Edward Bergman	\$170,210	Long term rental assistance; Short term rent / utilities / mortgage assistance	Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Tioga and Tompkins Counties
Sullivan County Federation for the Homeless PO Box 336 Monticello, NY 12701	Stacey Bresky Koplik	\$86,237	Short term rent / utilities / mortgage assistance	Sullivan County

Section 91.320(h) Homeless and Other Special Needs Activities

Activities it plans to undertake during the next year to address emergency shelter and transitional housing needs of homeless individuals and families (including subpopulations), to prevent low-income individuals and families with children (especially those with incomes below 30 percent of median) from becoming homeless, to help homeless persons make the transition to permanent housing and independent living, specific action steps to end chronic homelessness, and to address the special needs of persons who are not homeless identified in accordance with §91.315(d), including the elderly and frail elderly, persons with disabilities, and persons with alcohol or other drug addiction.

Overview

New York State has a broad array of programs and initiatives to serve individuals with special needs, including the elderly and frail elderly, persons with disabilities, those who are chronically homeless, in danger of becoming homeless, or are making the transition to permanent housing and independent living.

New York / New York III

In November of 2005 several New York State agencies, including the Division of Housing and Community Renewal (DHCR), Office of Temporary and Disability Assistance (OTDA), Office of Mental Health (OMH), and the Office of Alcohol and Substance Abuse Services (OASAS), joined with New York City to implement the New York/New York III Supportive Housing Agreement projected to create 9,000 new housing opportunities for the homeless and those at risk of homelessness.

- This Agreement provides housing and related services to those New York City individuals and families most in need. The primary goals of the NY/NY III initiative are to prevent homelessness, reduce the period of homelessness, and increase independence.
- NY/NY III incorporates a greater understanding of the supportive housing needs of our chronic homeless population, in an effort to move toward the eradication of chronic homelessness in NYS. In addition to applying the lessons learned from earlier initiatives through proven, cost-effective solutions like prevention and supportive housing, the current proposal includes an expansion of the target population as well as the service model. NY/NY III will service homeless single adults with serious mental illness, as well as persons with disabling substance abuse disorders, families with heads of households who have a mental illness or substance use disorder, medically frail and elderly persons, people with HIV/AIDS, and young adults who have left the foster care system without the necessary independent living skills.
- When fully implemented by 2016, the NY/NY III Agreement is expected to represent a capital investment of \$953 million to create 9,000 supportive housing beds for the chronically homeless at a full annual operating cost of approximately \$160 million. During the 2013 Action Plan Program Year, supportive housing beds will continue to be funded as part of this ten-year agreement.

Developmental Disabilities Planning Council

The New York State Developmental Disabilities Planning Council (DDPC) is a federally-funded State agency responsible for developing new ways to improve the delivery of services and supports to New Yorkers with developmental disabilities and their families. The Council focuses on community involvement, employment, recreation, and housing issues faced by New Yorkers with developmental disabilities and their families. To a large extent, DDPC programs are developed in direct response to the concerns and ideas voiced by consumers, families, service providers, policy-makers, and other professionals.

New York State Homes and Community Renewal (HCR) is one of ten State agency members of the DDPC, which also includes persons with developmental disabilities or their parents/guardians and non-governmental organizations. Council members meet quarterly to discuss issues such as policy and funding decisions that affect the lives of individuals with developmental disabilities. Council Members determine which demonstration programs will be funded and participate in the Committees that develop requests for proposals for new projects. HCR participates on the Adult Issues Committee, which includes issues related to housing for adults with disabilities.

NYHousingSearch.gov

NYHousingSearch.gov is a public service provided by New York State Homes and Community Renewal (HCR) and the Office for Persons with Developmental Disabilities (OPWDD).

NYHousingSearch.gov allows people to locate available housing that meets their individual and family needs at a rent they can afford. It can be accessed online 24-hours a day and is supported by a toll-free, bilingual call center M-F, 9-8 Eastern Time.

The fast, easy-to-use search lets people look for rental housing using a wide variety of criteria and special mapping features. Housing listings display detailed information about each unit. The service also provides links to housing resources and helpful tools for renters such as an affordability calculator, rental checklist, and information about renter rights and responsibilities.

Property owners and managers, including housing authorities and private landlords, can use this service to manage their property listings free of charge. Listings can include pictures, maps, and information about nearby amenities. Property owners and housing authorities can register and manage their listings online or via phone and fax.

Access to Home Program

The Access to Home program was created in January of 2004 and has committed more than \$35 million dollars in funding to not-for-profit organizations to administer local programs to make the homes and apartments of low- and moderate-income New Yorkers with disabilities accessible. Under the program, home improvements and alterations are made to permit persons with physical disabilities to remain in their own homes, rather than enter a more costly and intrusive nursing home setting.

Chapter 159 of the Laws of 2006 made the Access to Home Program permanent and enacted measures that allowed disabled veterans earning up to 120% of the area median income to qualify for individual assistance under the Program.

Applications to become Local Program Administrators (LPAs) under the Access to Home Program are considered on a competitive basis. Eligible entities include municipalities, community based not-for-profit corporations, Neighborhood and Rural Preservation Companies, and not-for-profit charitable organizations in existence for at least one year and with substantial experience in adapting and/or retrofitting homes for persons with disabilities. The applicant and members of their team are evaluated based on experience and ability to administer the program in a timely manner within the confines of a proposed budget up to \$500,000. Individual homeowners and tenants then apply through these local entities for assistance of up to \$25,000.

Access to Home addresses an important housing need by allowing persons with physical disabilities to be diverted from entering a nursing home, or given an opportunity to transition back home once appropriate adaptations are made. The program provides housing alternatives for persons with disabilities by funding basic adaptations that are relatively low in cost and high in benefit and satisfaction. Through a partnership with a variety of not-for-profit organizations, Access to Home is

part of the continuum to reverse the institutionalization trend and create a pathway for people with physical disabilities to live independently within the community of their choice.

Residential Emergency Services to Offer (Home) Repairs to the Elderly (RESTORE)

Residential Emergency Services to Offer (Home) Repairs to the Elderly (RESTORE) Program funds may be used to pay 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. Project selection shall take into consideration the recommendation of the relevant regional economic development council or the Commissioner's determination that the proposed project aligns with the regional strategic priorities of the respective region.

In response to a publicly-issued Notice of Funding Availability, not-for-profit corporations and municipalities submit program designs detailing how they would administer local RESTORE programs. The program designs provide detail on selection of eligible recipients, construction monitoring, and ensuring compliance with program requirements. Eligible applicants are permitted to design programs as grants, loans, or both. Eligible program administrator applicants are not-for-profit corporations and municipalities. All areas of the State are eligible. To be eligible for assistance, homeowners must be 60 years of age or older and have a household income that does not exceed 80 percent of the area median income.

Most Integrated Setting Coordinating Council (MISCC)

Chapter 551 of the Laws of 2002 created the Most Integrated Setting Coordinating Council (MISCC). The MISCC statute calls for the "development and implementation of a plan to reasonably accommodate the desire of people of all ages with disabilities to avoid institutionalization and be appropriately placed in the most integrated setting possible." In 2010 MISCC submitted the MISCC Plan covering the two-year period of 2010-2012 (in some instances the plan extends to a slightly longer period). The MISCC Plan identifies baseline data and creates measurable agency specific housing, employment, transportation and long-term care goals that will assist New Yorkers with disabilities to live in the most integrated settings. This plan may be modified based upon the enacted budgets.

Currently chaired by the Commissioner of the Office for Persons with Developmental Disabilities (OPWDD), the Council consists of representatives from ten State agencies and nine appointed public representatives.

State agency council members include: [Office of Mental Health](#), [Department of Health](#), [State Office for the Aging](#), [Office for Persons With Developmental Disabilities](#), [Education Department](#), [Office of Alcoholism and Substance Abuse Services](#), [Homes and Community Renewal](#), [Department of Transportation](#), [Office of Children and Family Services](#), and the [Commission on Quality of Care and Advocacy for Persons with Disabilities](#).

The nine appointed members include: three consumers of services for individuals with disabilities, three individuals with expertise in the field of community services for people of all ages with disabilities, and three individuals with expertise in or recipients of services available to senior citizens with disabilities.

Most Integrated Setting Coordinating Council (MISCC) Housing Committee

The MISCC Housing Committee is comprised of consumers and leaders in not-for-profit organizations, local governments, and State agencies whose work impacts the lives of people with physical or psychiatric disabilities. The Task Force was organized in 2007 to support the MISCC's goal of ensuring that people with disabilities, of all ages, can live in the most integrated setting of their choice that meets their needs. The Task Force has three primary areas of focus:

- Increase opportunities for people with disabilities to live independently in the setting of their choice and where appropriate, with supportive services that are designed around the needs and desires of the individual.
- Collect and analyze existing data to define the need for affordable/accessible housing in New York State and a continuum of supportive services that ensures choice and empowerment to live in the most integrated setting that meets individual needs and preferences.
- Combat Not-in-my-Backyard (NIMBY) prejudices and increase awareness through a public communication and marketing campaign that includes promoting NYHousingSearch.gov.

The Housing Committee contributed to the MISCC 2010 Housing Plan and during 2013 will help to continue to coordinate the process through the MISCC.

Nursing Home Transition and Diversion (NHTD) Waiver Housing Subsidy

The NHTD waiver is administered by the New York State Department of Health (DOH) and uses Medicaid funding to provide supports and services to assist individuals with disabilities and seniors toward successful inclusion in the community. Waiver participants may transition from a nursing facility or other institution, or choose to participate in the waiver to prevent institutionalization.

Realizing that the key to living independently is finding safe, decent and affordable housing, DOH and HCR partnered to create the Nursing Home Transition and Diversion (NHTD) Waiver Housing Subsidy Program. This State-funded initiative provides rental assistance to NHTD Medicaid waiver participants in New York State. The Program offers an alternative to nursing home placement for people with disabilities ages eighteen or over, and seniors by assisting them with securing housing and at home services appropriate to their needs.

To apply, individuals begin the eligibility process with a Regional Resource Development Center (RRDC) and Service Coordinator under contract with DOH. Together a service plan is developed and approval granted for participation in the NHTD Waiver.

An appropriate unit is then selected by the household and a Section 8 Housing Choice Voucher (HCV) Program Local Administrator (LA) under contract with HCR performs a Housing Quality Standards (HQS) inspection and determines the amount of rent subsidy. The dollar amount of subsidy assistance varies depending on the income of the family or individual and the approved rent for the unit. Subsidy payments are sent directly to owners or authorized managing agents via direct deposit.

A household may remain with the program as long as they are waiver eligible, even if they change residence. However, the goal is to transition the household to Section 8 and use the NHTD Housing Subsidy to transition or divert other individuals from institutional settings. By engaging Section 8 LAs early in the NHTD Waiver Housing Subsidy process and requiring HQS standards, ensures that the unit will meet Section 8 program requirements and facilitate a smooth transition onto the Section 8 program. The NHTD Housing Subsidy has received State appropriations totaling more than \$9 million to date.

Section 811 Supportive Housing for Persons with Disabilities (Section 811) Project Rental Assistance Demonstration (PRA Demo) Program

On January 4, 2011, the President signed the Frank Melville Supportive Housing Investment Act of 2010 which amended Section 811 of the Cranston-Gonzalez National Affordable Housing Act (Pub L. 111-374). This legislation made significant changes to Section 811 with one of the changes being the establishment of new project rental assistance authority which provides funding to state housing and other appropriate agencies for project-based rental operating assistance for extremely low-income persons with disabilities. The primary purpose of this program is to identify, stimulate, and support innovative state-level strategies that will transform and increase housing for extremely low-income persons with disabilities while also making available appropriate support and services. In partnership with other State agencies, HCR plans to apply for this Federal funding.

Other Important State Initiatives

New York State agencies are also taking additional actions to address the problems of chronic homelessness. For example, the Office of Temporary and Disability Assistance (OTDA) is currently in the process of taking the following specific actions to end chronic homelessness in New York State. To better serve those in need of affordable housing and related services, OTDA administers programs to assist the homeless and those at-risk of homelessness. Below is a listing of current housing and supportive service programs provided by OTDA, in addition to ESGP and HOPWA:

- **Homeless Housing and Assistance Program (HHAP)**
HHAP provides capital grants and loans to not-for-profit corporations, charitable and religious organizations, municipalities, and public corporations to acquire, construct, or rehabilitate housing for persons who are un-domiciled and are unable to secure adequate housing without special assistance.
- **New York State Supportive Housing Program (NYSSHP)**
The New York State Supportive Housing Program provides grants for the provision of direct services to permanent or transitional housing projects managed by eligible applicants. These funds support activities designed to promote greater independence and housing stability including, academic attainment, employability and/or mental/physical health stability. Eligible populations include single adults, young adults (18-25) and families that are in need of supportive services. The service provision for all populations are designed to assist residents in remaining stably housed so that they do not enter or re-enter the homeless services system.
- **Operational Support for AIDS Housing (OSAH)**
The OSAH program provides operational support to projects that have received capital funding through HHAP to house homeless persons with AIDS/HIV and their families.

In addition, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) administers the following initiatives to address homelessness:

- **Shelter Plus Care Permanent Supported Housing Program**
OASAS manages this HUD-funded Homeless assistance Program that provides permanent supported housing for approximately 500 persons in New York City and another 500 persons in the Balance of the State. At least one-third of the apartments are for homeless families.
- **Case Management Initiative for Shelter Plus Care Participants**
OASAS provides State monies to support Case Managers for each of the Shelter Plus Care programs operated by their voluntary agencies.

91.320(i) Barriers to Affordable Housing

(i) Barriers to Affordable Housing. Actions it plans to take during the next year to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing. Such policies, procedures, and processes include but are not limited to: land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Overview

Affordable housing as defined by the U.S. Department of Housing and Urban Development (HUD) is “housing available for rental or purchase to low-or moderate-income households in which the occupants pay no more than 30% of their income for total housing costs, including utilities.” Barriers that affect affordable housing include but are not limited to public statutes, building codes, growth limitations, fees and charges, regulations, ordinances, processes, policies and procedures that affect the return on residential investment. These limitations significantly restrict the development of affordable housing. HCR’s mission is to make New York State a better place to live by supporting community efforts to preserve and expand affordable housing, home ownership and economic opportunities, and by providing equal access to safe, decent and affordable housing.

New York State will act in the following ways to remove barriers to affordable housing:

- HCR promotes fair housing by requiring its awardees of capital program and tax credit funding to submit a marketing plan for approval prior to construction finance closing to ensure that marketing and rental of funded units is in compliance with applicable state, federal and local laws. Awardees are also required in their marketing plans to identify least likely to apply (LLA) populations and to specify what type of marketing and outreach they will perform. In addition, awardees must indicate how they will reach the special needs population they intend to serve as indicated in their application.
- HCR actively researches all laws applicable to the marketing plan to ensure that awardees are in compliance with local laws and to also ensure HCR’s guidelines are in compliance with Federal and State laws.
- HCR relies on U.S. Census Data in determination of least likely to apply populations ensuring awardees reach out to the appropriate LLA populations to further integrate areas in which HCR funded developments are located.
- Local zoning ordinances and land use regulations impact on the number of available and affordable housing units throughout the state. Therefore, HCR provides additional scoring points for projects that have secured local approvals or have received zoning variances or special use permits from local jurisdictions for the proposed housing project.
- HCR will continue to provide incentives and fund projects that are affordable, safe and diverse.
- HCR will continue to encourage the development of Special Needs housing in its programs by awarding extra points to applicants who seek funding for these types of units. In addition to awarding additional points for special needs projects that target 15% of units as special needs, HCR also provides additional funding and LIHC tax credit allocations for supportive housing projects. Moreover, HCR will continue to assist with financing project reserves for making physical modifications where necessary to accommodate tenants with special needs.
- HCR’s Housing Architecture and Engineering Unit will continue to review each project for compliance with all accessibility design requirements under the Fair Housing Act and New York State Building Codes. Also, environmental impacts are evaluated under the New York State Environmental Quality Review Act and the federal National Environmental Policy Act, where applicable.
- HCR will work with organizations that promote economic growth in New York State to assure sufficient and affordable housing for its citizens. This includes strategizing to increase development of

affordable housing in central neighborhoods with accessibility to employment, schools, recreation, shopping, and modes of transportation and energy conservation.

- HCR will continue to review compliance with Section 3 and the Minority and Women-Owned Business Enterprise (M/WBE) program requirements to ensure equitable economic opportunities.
- HCR has an MOU with the NYS Division of Human Rights to alleviate barriers to fair housing, enforce all state Human Rights statutes, and federal fair housing laws and to conciliate in matters alleging housing discrimination.
- New York State leaders passed the expansion for rent regulations. These regulations will ensure that rental units will stay in the rent regulation system and remain available for hard working citizens of New York. The new regulations will remain in effect until 2015 and HCR will continue to ensure that such rent regulations are complied with by monitoring rental activities.
- HCR will continue to disseminate legislative changes information in order to educate the residents of New York State about how it affects their housing choices.

Section 91.330(j) Other Actions

(j) Other actions. Actions it plans to take during the next year to implement its strategic plan and address obstacles to meeting underserved needs, foster and maintain affordable housing (including the coordination of Low-Income Housing Tax Credits with the development of affordable housing), evaluate and reduce lead-based paint hazards, reduce the number of poverty level families, develop institutional structure, enhance coordination between public and private housing and social service agencies, address the needs of public housing (including providing financial or other assistance to troubled public housing agencies), and encourage public housing residents to become more involved in management and participate in homeownership.

Overview

In addition to the program specific CDBG, HOME, ESG, and HOPWA activities described in the previous sections, New York State will also take a variety of other actions during 2013. The following is a brief description of some of the many other actions New York State will take to address specific issues identified in Section 91.320(f) of HUD's regulation for Consolidated Planning.

Other Actions

- **Address obstacles to meeting underserved needs:**
New York State will continue to develop new programs and initiatives, improve existing programs and identify additional sources of funding to better serve those in need of affordable housing and related services.
- NYS has long recognized the need to assist agricultural producers and farmworkers in financing the construction, replacement or rehabilitation of farmworker housing which meets applicable building and health codes. In fact, HCR has administered the Farmworker Housing Program which provides low cost loans to agricultural producers to construct or improve housing for both seasonal and year-round farm employees. Since the program's inception in 1997, HCR has provided 235 loans statewide to agricultural producers (including fruit, vegetable and dairy operations) totaling \$13.3 million without a single default. The program's success has been driven by the ongoing collaborative partnership between HCR, the NYS Health Department and the Farm Credit East lending institution, which originates and services these streamlined loans.
- **Foster and maintain affordable housing (including the coordination of Low-Income Housing Tax Credits with the development of affordable housing):**
 - New York State's strategy will focus on combining the LIHC with available public subsidies on the federal, State, and local level. It is through this combination that most of the low-income rental housing developed by New York will likely attain financial feasibility and viability necessary to assure completion and operation in the current economic climate.
 - Predictable flow of LIHC accruing to New York will allow the State to continue to accurately forecast the amounts and types of government subsidies that can be leveraged through use of the LIHC.
 - This predictability will also allow the State to forecast, by way of its goals and priorities, the types of subsidies that will be most effective in meeting the housing needs of the State over the next five years.
 - Virtually all of the projects receiving an allocation of LIHC from HCR will continue to have at least one other public subsidy as part of the project financing package.
 - HCR will continue to use the LIHC to leverage private investment in projects using HOME and/or Housing Trust Fund monies.
- **Evaluate and reduce lead-based paint hazards:**
 - Lead is among the most common environmental toxins affecting young children in New York State (NYS). Lead poisoning is associated with serious and lifelong adverse health,

- developmental and cognitive outcomes that are completely preventable. Early identification of children with lead exposure is key to reducing the likelihood of chronic health problems. The majority of children with lead poisoning are exposed to lead from deteriorating lead paint in their homes. A “primary prevention” approach is used to reduce or eliminate lead exposures or risk factors before the onset of detectable diseases. Primary prevention includes measures to: a) prevent the dispersal of lead in the environment through regulations or other measures that prevent harmful uses of lead and b) remove the health hazards posed by lead-based paint and keep homes “lead safe” before children are exposed.
- NYS Department of Health (NYSDOH), in collaboration with NYS HCR and other members of the Governor’s Lead Poisoning Advisory Council, continue to pursue the goal of eliminating childhood lead poisoning. The Advisory Council was established by New York State Public Health Law to provide guidance to the Department of Health concerning the development and implementation of plans, policies and services for the prevention and elimination of childhood lead poisoning, including the identification and management of children with lead poisoning, and strategies to detect and reduce lead hazards in the environment. Membership in the Council consists of 15 representatives of the public appointed by the governor and representatives from the following NYS agencies: Department of Health; Department of Labor; Department of Environmental Conservation; NYS Homes and Community Renewal; Office of Children and Family Services; Office of Temporary and Disability Assistance; Department of State; and, the Department of Financial Services
 - HCR included lead abatement as one of seven priority activities in the 2011 competitive funding process. Applications proposing the rehabilitation and lead abatement of existing rental housing must be in zip codes identified by the NYSDOH as having significant concentrations of children with elevated blood levels.
 - Free training, such as *Lead Safe Work Practices* and *Lead Renovation, Repair and Painting* will continue to be required for contractors working on HCR-funded projects to meet U.S. EPA compliance.
 - NYSDOH was awarded a federal Housing and Urban Development (HUD) - Healthy Home Technical Studies grant in fiscal year 2012 for a **Project Title: Measuring the Asthma-related Costs and Benefits of a large-scale, state-funded Healthy Homes Program to inform Medicaid policy for residents with asthma**. This funding is to assess and articulate the costs and benefits of providing home-based environmental asthma interventions on a large-scale, to pediatric and adult populations within the context of a comprehensive healthy homes program. The existing data in the New York State Healthy Neighborhood Program provide a unique opportunity to assess the effectiveness of the healthy homes approach for residents with asthma. The study will generate evidence about the costs and effectiveness of home-based environmental interventions as implemented on a large-scale and in real-world urban and rural settings. The overall aim of this study is to inform policy development to make healthy housing costs reimbursable by Medicaid. Medicaid reimbursement would increase access to and sustainability of healthy housing services.
 - The connection between housing and health is well-established. Homes provide shelter and security, but homes that are poorly constructed or maintained can have a significant impact on the health and safety of residents. While anyone can suffer from housing-related illness, risk factors associated with poor housing quality and increased risk of housing-related illness include age of housing, poverty, geographical location, age of residents and race/ethnicity. NYSDOH convened a consortium of strategic partners, including NYSHCR, to create a unified strategy for promoting healthier home environments and reduce the burden of housing-related illness and injury in NYS. The kickoff meeting of the **NYS Healthy Homes Strategic Planning Workgroup** was held in Albany, NY on January 26, 2012. Forty eight people participated, representing more than 20 agencies and programs across the state. The strategic planning process is being facilitated by the National Center for Healthy Housing (www.nchh.org) and is building off the experience and expertise of many existing programs in

- NYS. The process will culminate in a strategic plan and best practice guidance that can serve as a roadmap for new and existing healthy homes' partners across the state.
- Lead-based paint mitigation will be required for all of HCR's oldest housing stock of public housing authorities through the use of NYS Public Housing Modernization funds
 - Adequately performed lead-safe interim controls and lead abatement during rehabilitation work will continue to be ensured.
 - Well-constructed and managed affordable housing developments that reduce health problems associated with poor quality housing by limiting exposure to allergens, neurotoxins, and other dangers will continue to be promoted.
 - HCR has created a Lead Information Page on its Internet website at <http://nysdhcr.gov/general/Lead/> which will be updated as needed.
- **Reduce the number of poverty level families:**
New York State will continue to pursue a broad array of initiatives to reduce the number of poverty level families:

The Office of Temporary and Disability Assistance will continue to help low-income New Yorkers achieve a greater degree of self-sufficiency and economic security by:

- working to increase the economic security of working families, by expanding access to work supports for those who are struggling to survive in low-wage jobs
- intensifying focus on work engagement for those who remain on public assistance and can work, providing them with the right combination of work experience, skills development, training, and educational opportunities
- helping persons with special needs to obtain the benefits and services they require, whether to overcome temporary obstacles to work, to pursue disability benefits, or to achieve stability through specialized assistance like housing or case management
- further reducing child poverty and improving child well-being, through these and other mechanisms
- working in collaboration with the Department of Labor and the Office of Children and Family Services, to assist families in achieving economic self-sufficiency through work, job training, and child support enforcement.

The Department of Labor will continue to promote job creation and economic growth by striving to create and maintain a strong workforce system, as well as:

- helping people find jobs, providing both employers and workers with tools for success by administering a variety of workforce development services and providing unemployment insurance benefits when employment is interrupted
- facilitating compliance with State labor laws, to ensure citizens fair treatment and compensation, as well as a safe, healthy, and productive employment environment

The Empire State Development Corporation will continue to aggressively pursue its efforts to create and retain quality jobs throughout New York by:

- providing assistance and services to businesses in order to encourage economic investment in New York State
- working closely with businesses to identify creative solutions to challenging problems, generating enhanced opportunities for growth, and helping them achieve their uniquely important, short- and long-term goals

Many New York State agencies, including the Department of Health, the Office of Mental Health, the Office for Persons With Developmental Disabilities, the Office for the Aging, the Office of Alcoholism and Substance Abuse Services, and the Division of Veterans Affairs, will continue to actively address a wide variety of issues that will enable New Yorkers to live as actively, productively, and independently as possible.

- **Develop institutional structure:**
 - New York State will continue to analyze the delivery system of affordable housing to identify areas of problems and issues.
 - Recommendations will be made on how to improve the administration of programs by State agencies.
 - Closer communication ties among agencies with housing programs will be pursued to improve program coordination.

- **Enhance coordination between public and private housing and social service agencies:**
 - New York State emphasizes coordination with public and assisted housing providers and private and governmental health, mental health, and service agencies.
 - New York State will continue to employ a number of vehicles for communication and coordination which include: the National Affordable Housing Act Task Force and Consolidated Plan Partnership Advisory Committee; the Most Integrated Setting Coordinating Council; the Developmental Disabilities Planning Council; and, the Money Follows the Person Housing Workgroup.
 - New York State will continue to participate in conferences and training for housing and service providers and local governments and will continue to provide assistance to ensure coordination among private and governmental health, mental health, and service agencies for State-financed projects housing special needs populations.
 - New York State will also continue to actively coordinate and cooperate with units of general local government in the preparation and implementation of its Consolidated Plan and Annual Action Plans.

- **Assist “troubled” public housing authorities**
 - New York State emphasizes coordination with public housing providers. Among the more than 200 public housing authorities in New York State, only one located in a “non-entitlement” area of the State is categorized by HUD as “troubled.” New York State will consult with this authority to provide any requested technical assistance which is available from the State and appropriate to assist this authority in correcting any deficiency which has led HUD to designate the authority as “troubled.”

- **Foster public housing resident initiatives:**
 - New York State has a public housing program in which tenant participation in the management of housing authorities is not only encouraged but mandated by the State’s Public Housing Law, which provides that authorities in cities having a population under one million be composed of up to seven members, including two tenants elected by public housing residents.
 - New York State will continue to vigorously enforce this law.
 - In addition, the State will continue to explore, where appropriate, the potential for restructuring public housing projects to preserve existing public housing units.
 - HCR has participated in a number of restructurings and these efforts will continue. Generally, resources committed include tax credit proceeds and State Public Housing Modernization funds where the housing remains affordable but is privately owned. The plans typically include substantial rehabilitation and a reconfiguration of units to accommodate larger families; restructurings of public housing projects in North Hempstead and Rockville Centre have recently been completed; construction is 90% complete on the Phase III rehabilitation at Hamilton Homes in Oswego. Phase II of the rehabilitation of the Liberty Gardens project in Rome is underway and funding for Phase III has been secured. The Auburn H.A. has recently selected a private sector partner to restructure Brogan Apts.

- In addition, New York State officials will continue to meet with representatives of Public Housing Authorities, owners and agents of Mitchell-Lama Housing projects, and tenant groups such as the New York State Tenant and Neighborhood Coalition and the Mitchell-Lama Residents Coalition.

Minority- and Women-Owned Business Program

The Office of Fair Housing and Equal Opportunity (OFHEO) is responsible for carrying out the mandates of Article 15-A of the Executive Law. This statute requires State agencies and public authorities to engage Minority and Women Business Enterprises (M/WBEs) in contracting opportunities. While HCR does not construct the developments it funds, contracting opportunities generated as a result of the agency's funding must be made available to M/WBEs. Therefore, awardees are held accountable for the utilization of M/WBEs.

Awardees of State development program funding are required to submit contract compliance reports to document their intended and actual utilization of M/WBEs for goods, services and construction related trades. All awardees are required to meet project-specific goals established by OFHEO for contracting with State-certified M/WBEs. Contract compliance records consistent with Article 15-A requirements are maintained by the OFHEO. This office is also required to report data quarterly to Empire State Development (ESD) concerning the goal attainment on its projects.

In efforts to increase M/WBE utilization in HCR funded projects statewide, HCR has partnered with the New York State Association for Affordable Housing (NYSFAH) this year to conduct regional M/WBE Speed Networking events to connect the development community with M/WBEs throughout the State. Additionally, OFHEO has hosted open forums to provide information and assistance to M/WBEs on how to participate in opportunities generated by the agency.

Ongoing efforts of the M/WBE compliance program include:

- Establishment of M/WBE utilization goals for each project
- OFHEO working directly with program staff to aid in awardees' MWBE Contract Compliance
- OFHEO attendance at pre-development meetings to provide technical assistance to the project development teams, thereby increasing MWBE participation on construction projects
- Collection for review and approval of a utilization plan reflecting intended M/WBE participation is required for each funded development prior to construction finance closing
- Referral to ESD of firms indicated as M/WBEs in utilization plans but who are not documented as New York State certified
- Monitoring of funded projects to ensure M/WBEs are being utilized as indicated in the submitted utilization plan
- Provision of technical assistance to awardees in identifying NYS certified M/WBEs when necessary
- Provision of training and workshops to program staff, awardees, contractors, etc.
- OFHEO participation on panels and attendance at conferences, workshops and other industry-related events to assist M/WBEs on how to do business within the HCR structure
- Continuing to conduct open forums to connect M/WBEs to opportunities available through the agency
- OFHEO participation on an advisory committee with NYSFAH to assist in identifying ways to increase M/WBE membership and participation on affordable housing projects
- Creation of a dedicated email address: OFHEO@nyshcr.org to provide direct assistance to the M/WBE community
- Updating and streamlining all compliance forms to become more user-friendly and organizing them on the agency's website by program
- Addition of Agency Procurements link to the home page of the agency's website

- Addition of information on the agency's website to assist MWBEs in identifying opportunities with HCR with a link directly to Empire State Development's website for assistance in becoming a NYS certified M/WBE firm
- Creation of Standard Operating Procedures using flowcharts for each area of focus within OFHEO

Section 91.330 Monitoring

“The Consolidated Plan must describe the standards and procedures that the State will use to monitor activities carried out in furtherance of the plan and will use to ensure long term compliance with requirements of the programs involved, including the comprehensive planning requirements.”

Overview

New York State’s policies and procedures for compliance monitoring of Consolidated Plan programs are described in the program-specific portions of the Action Plan section of this document.

Appendix I
Citizen Participation Plan
and
Public Hearing and Public Comment Period Notices

New York State

**CITIZEN
PARTICIPATION
PLAN**

For the development of the

Consolidated Plan

and the

Annual Action Plan

Andrew M. Cuomo, Governor

*Darryl C. Towns, Commissioner/CEO
New York State Homes and Community Renewal*

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NEW YORK STATE CITIZEN PARTICIPATION PLAN

In the development of its Consolidated Plan (ConPlan) and amendment(s) thereto, New York State follows its approved Citizen Participation Plan (CPP). New York State's CPP fulfills the general and specific requirements described in Section 91.115 of 24 CFR 91 of the federal rules and regulations for the Consolidated Submissions for Community Planning and Development Programs (the Rules), including citizen participation requirements for units of local government receiving Community Development Block Grants (CDBG), as described at 24 CFR 570.486.

New York's adopted CPP uses existing, on-going citizen participation organizations, and pursues new relationships and organizational structures among various agencies and interested citizens and groups, to implement a participation process that meets and exceeds the requirements of the federal regulations. The CPP has been and will continue to be amended as the State continues to gain access to technology that improves the avenues of participation.

This CPP reflects extensive public outreach opportunities, including those afforded by the Housing Trust Fund Corporation (HTFC) and numerous state, county, municipal, and private sector entities that are active or involved in the broad spectrum of housing and non-housing community revitalization activities in the State.

New York State receives advice and comments from its New York State Task Force on the National Affordable Housing Act (NAHA), Partnership Advisory Committee (PAC), regional planning associations, local governments, citizens, non-profit organizations, and other interested parties with insights into the housing and community development needs of New York State to maximize the benefits of collective problem-solving, to coordinate activities, and to increase commitment. Over time, the CPP has expanded NAHA Task Force and PAC membership to further encourage State agency participation and increase input from statewide/regional not-for-profits, local governments, regional planning associations and a variety of economic development and private business associations. Membership in the Task Force or the PAC may change without public notice or comment. Entities seeking membership should contact the Office of Intergovernmental Affairs, New York Homes and Community Renewal (HCR).

Applicability of the Citizen Participation Plan

New York's CPP provides citizens and units of general local government with the opportunity to comment on the Consolidated Plan and on substantial amendments. In compliance with Section 91.115 of the Rules, the CPP encourages the participation of low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used and by residents of predominantly low- and moderate-income neighborhoods, as defined by the State, as well as minority citizens, non-English speaking persons, and persons with disabilities. The State has made the CPP part of the Consolidated Plan with wide distribution in draft and final form.

Citizen Participation Outreach

In the development of its 2011- 2015 Consolidated Plan, New York State implemented an intense outreach program to encourage the participation of citizens, statewide and regional community revitalization organizations and State agencies. Implementation of this program ensures that New York State citizens have ample opportunity to participate in the consolidated planning process. New York State's comprehensive outreach process is a multifaceted program that encourages participation by low- and moderate-income persons, minorities, non-English speaking residents, and persons with disabilities.

The CPP process consists of several steps. To achieve broad participation focused on New York State's housing and rural and small cities' non-housing needs as they relate to people of low- and moderate-income, New York State receives guidance and input on the Consolidated Plan from the NAHA Task Force and the PAC, representing State agencies and statewide/regional organizations, respectively. In addition, New York State Homes and Community Renewal (HCR) and the Office of Temporary and Disability Assistance (OTDA)

interact with local governments, community development interests, housing and service providers, and economic development interests in many arenas beyond the development and implementation of the consolidated planning process. To the extent possible, these interests are included in the development and implementation process by being kept informed, invited to participate at public hearings, and asked to review the Consolidated Plan.

To further meet the local consultation requirements and receive important input on the State's non-housing needs, HCR schedules meetings with local government representatives of the State's non-entitlement communities and a broad range of economic development organizations, not-for-profits, industrial development agencies, local development corporations, and chambers of commerce. In addition, New York State community revitalization officials participate in appropriate conferences and meetings to encourage participation from low- and moderate-income persons from non-entitlement areas.

The Internet is used to disseminate information, making the consolidated planning process easily accessible to local governments, organizations, and residents. In addition, public notices are printed in newspapers with readership across the State (especially in rural areas and non-entitlement cities) including minority newspapers announcing the dates, times, and locations of public hearings. Notices are published in Spanish, as necessary and appropriate.

Finally, as required by 24 CFR 570.486, the CPP includes citizen participation requirements for local governments receiving CDBG funding that will ensure that citizens are provided with reasonable advance notice of, and opportunity to comment on, proposed CDBG applications to the State.

Consultation Process

The New York State Task Force on the National Affordable Housing Act is a committee of Commissioners and staff liaisons of various State agencies. Member agencies are listed in Addendum I.

The senior officials of these agencies provide crucial information concerning their agencies' responsibilities and activities in helping to develop all portions of the Consolidated Plan documents and Amendments, including the State's housing and non-housing community development needs. These State agencies are asked to encourage all of their clients, providers, and non-profit organizations to participate in the consolidated planning process. These agencies, through their extensive network of clients, are urged to seek direct input into the Consolidated Plan. Furthermore, the agencies are asked to disseminate the schedule of Consolidated Plan meetings and public hearing dates. Many of the populations served by these agencies are low- and moderate- income persons.

Input from the NAHA Task Force is provided through a series of meetings and written correspondence. Task Force members submit information to be included in the Consolidated Plan. Members' input is based on their vast amount of work with such groups as low- and moderate-income persons, persons with disabilities, persons with HIV/AIDS, and minority groups as well as industrial development, small business, and economic development interests that are essential to the economic vitality of the State.

The Task Force reviews the draft Consolidated Plan document for appropriate revisions. Once the draft is released for the thirty-day public comment period, the Task Force members are again asked to encourage persons and organizations they serve to comment on the Plan.

The PAC provides additional important input to the Consolidated Plan. The PAC consists primarily of representatives of statewide and regional organizations including not-for-profit, local government, and private business associations. The PAC also includes additional community revitalization representatives such as the New York State Economic Development Council and the New York State Urban Council, Inc., which together provide a comprehensive view of the State's community revitalization needs. The broad-based membership of each organization in the PAC represents a wide range of communities, including the homeless, minorities, low- and moderate-income persons, and persons with disabilities as well as those who provide employment, housing, and revitalization services to these communities. Member organizations are listed in Addendum II.

As in the case of the Task Force, the Partnership Advisory Committee is asked to review the draft Consolidated Plan document prior to the draft's thirty-day comment period. The committee members are asked to make the draft Plan available to their members and encourage participation by their members during the thirty-day public comment period.

Outreach Process

An important outreach tool that New York State officials use is the various conferences and meetings held by statewide housing and community revitalization groups. To the extent feasible, HCR and OTDA representatives attend available conferences and meetings and distribute information with regard to the Consolidated Plan's development. In addition, HCR holds informational meetings with local government representatives and a broad spectrum of economic development organizations at the local and regional level to obtain input on New York State's rural areas and non-entitlement cities' non-housing needs. The schedule of public hearings is distributed at these meetings (in addition to publishing such schedule as described). Conference and meeting attendees are encouraged to participate in the public hearings.

Accessibility to information is an important component when encouraging citizen input into the consolidated planning process. Consequently, the State distributes information to an appropriately dispersed and readily accessible number of repositories, and makes the information available via the Internet at www.nyshcr.org. Types of information that are made available are: a) explanation of what a consolidated plan is and ways to provide input into the Consolidated Plan's development; b) copies of the Consolidated Plan draft; and, c) copies of the final Consolidated Plan.

In addition, HCR maintains an electronic mailing list designed to provide regularly updated agency information such as event notifications, press releases, and progress and accomplishments of agency programs and initiatives. Interested parties who wish to be on the mailing list can access HCR's web site at www.nyshcr.org, go to DHCR, and select "Join Our E-Mail List."

Notices are published announcing that New York State is holding public hearings soliciting residents' input on the housing and non-housing community development needs of the State. The notices are printed in newspapers with state-wide access including minority newspapers and also published in Spanish, where necessary and appropriate. The notice provides a toll-free telephone number as well as postal and e-mail addresses to which citizens can direct their comments.

To provide residents the opportunity to comment on community development and non-housing needs, and to encourage participation from low- and moderate-income persons living in the State's non-entitlement communities, and in fulfillment of the requirements of Rules Section 91.115 (b)(3) regarding public hearings, a minimum of three public hearings are held to solicit public input prior to the development of the Consolidated Plan and Annual Action Plans. These public hearings are held at different times of day to enhance opportunities for testimony. In addition, the published notices will also include an invitation to comment in writing directly to the Office of Intergovernmental Affairs.

A 30-day public comment period is also held to provide an opportunity for the public to submit comments on the draft plan either electronically or in writing.

CDBG Consultations

As required by 24 CFR 570.486, the CPP also requires units of local governments receiving CDBG funding to provide for and encourage citizen participation. This requirement is intended to ensure that all citizens will be given reasonable and timely access to local meetings, information, and records relating to local governments' proposed and actual use of CDBG funds including: the amount of expected available CDBG funding for the current fiscal year (including grant and anticipated program income); listings of eligible activities and estimated funding to be used to meet the national objective of benefiting low- and moderate-income persons; and, descriptions of any activities likely to result in displacement, as well as proposed anti-displacement and relocation plans.

Units of local governments receiving CDBG funding must provide for a minimum of two public hearings per program year, each at a different stage of the program, for the purpose of obtaining citizens' views and responding to proposals and questions. Together the hearings must cover community development and housing needs, development of proposed activities, and a review of program performance.

The public hearings to cover community development and housing needs must be held before submission of an application to the State. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for people with disabilities. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English residents can reasonably be expected to participate.

Availability of the Consolidated Plan

New York State prepares a draft Consolidated Plan including information regarding the amount of assistance the State expects to receive and the range of activities that may be undertaken including: the estimated amount that will benefit persons of low-and moderate-income, plans to minimize displacement of persons and to assist any persons displaced, a description of economic development assistance available, and the amount of targeted job creation and economic benefit for persons of low- and moderate-income.

To announce the availability of the draft Consolidated Plan, New York State uses a combination of newspaper notices, mass mailings to local governments, dissemination of information through the NAHA and PAC membership network and clients, and the Internet. At every opportunity possible, New York State officials attend various community development organization conferences and information workshops to help publicize the proposed Consolidated Plan. This helps ensure that citizens, public agencies, and other interested parties will have sufficient opportunity to review the draft Consolidated Plan.

The entire draft plan is available online www.nyshcr.org. In addition, copies of the draft plan can be requested by e-mail or by calling HCR's toll-free number (1-866-275-3427).

Availability of the Final Consolidated Plan

The final Consolidated Plan and Consolidated Plan documents are available online at www.nyshcr.org under "Publications" and "What's New." Copies of the final Consolidated Plan are available from HCR in electronic format, upon toll-free telephone or written request. The Plan will also, upon request, be available in a form accessible to persons with disabilities. Any substantial amendments will also be made available.

Public Hearings

Rules Section 91.115 (b)(3) requires that the CPP must provide for at least one public hearing before the proposed Consolidated Plan is published for comment.

To provide residents the opportunity to comment on housing and non-housing community development needs, to encourage participation from low- and moderate-income persons living in the state's non-entitlement communities, and in fulfillment of the requirements of Rules Section 91.115 (b)(3) regarding public hearings, a minimum of three public hearings is held to solicit public input prior to the development of the Consolidated Plan and Annual Action Plans. The notice for public hearings is placed in newspapers with statewide circulation and on DHCR's web site. The notice appears at least 14 days before the hearings begin. In addition, the notice of the public hearings is distributed to the NAHA Task Force and the PAC. Members are asked to distribute the notice to their members and clients to encourage participation by low- and moderate-income people.

The Consolidated Plan is published during the required 30-day public comment period. Copies of the public comment period notice are sent to many organizations and local governments in the State. The toll-free number (1-866-275-3427) and e-mail address HCRCOnPln@nyshcr.org are used to facilitate the general public's access to information about the public comment period.

As required by 24 CFR 570.486, the CPP includes citizen participation requirements for local governments receiving CDBG funding. Local governments shall hold a minimum of two public hearings, including one hearing prior to submission of CDBG applications to the State, which must cover community development and housing needs and proposed community development and/or housing activities. A second hearing is required to review program performance. Public hearings must have reasonable notice, held at times and locations convenient to actual and potential beneficiary populations, and accommodate handicapped and non-English speaking populations. In addition to public hearings, local governments must provide citizens with an opportunity to submit written comments, including the address, phone number, and times for submitting comments, and provide timely written responses, within 15 working days where practicable.

Comment Period

New York State meets the requirements of a public comment period, Section 91.115 (b)(4), by making the draft Consolidated Plan available for review and subject to a 30-day public comment period. Individuals or units of general local government can call 1-866-275-3427 to request more information or a copy of the Plan. In addition, the draft Consolidated Plan is available via the Internet at www.nyshcr.org.

The State seeks to expand opportunities for interested parties to comment on the document by posting it on HCR's web site. The document will contain internal links in specific parts of the document to enable persons to send e-mail comments. In addition, written comments can be submitted during the 30-day comment period to the Office of Intergovernmental Affairs, New York Homes and Community Renewal, 38-40 State Street, Albany, New York 12207, or HCRConPln@nyshcr.org.

In preparing the final Consolidated Plan, New York State fulfills the requirements of Section 91.115(b)(5) by creating a section of the Consolidated Plan which summarizes the comments of citizens and other interested parties. Also included in this section of the Plan is a summary of any comments not accepted and the reasons for not accepting them.

Amendments

New York State has established primary criteria for determining what changes in the State's planned or actual activities constitute a substantial amendment to the Consolidated Plan. The criteria are:

- a substantial change in the State's allocation priorities or a change in the method of distribution of funds;
- an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Action Plan; or
- a substantial change in the purpose, scope, location, or beneficiaries of an activity.

New York State will provide reasonable notice of a proposed amendment to the Consolidated Plan. The opportunity to comment on proposed amendments will be provided prior to submission of any such amendment. A period of not less than 30 days will be provided to citizens and other interested parties to comment on the proposed substantial amendment before it is implemented. A toll-free number will be available to request copies of the amendment and, during the 30-day public comment period, interested parties can mail their written comments to the Office of Intergovernmental Affairs, New York Homes and Community Renewal, 38-40 State Street, Albany, New York 12207, or send them to HCRConPln@nyshcr.org.

The requirements of Section 91.115 (c)(3) will be fulfilled by creating a section of the final amendment to the Consolidated Plan which summarizes the comments on the substantial amendment and also includes a summary of any comments not accepted and the reason therefore.

Performance Reports

To meet the requirements of Section 91-115 (d)(1), New York State provides reasonable notice of and an opportunity to comment on Performance Reports. A period of not less than 15 days is provided to citizens and other interested parties to comment on the Performance Report before it is submitted to HUD. Notices are published in newspapers with statewide circulation informing the public of the report's availability. A toll-free number (1-866-275-3427) is available for citizens to request copies of the reports and interested parties can

mail their comments to New York State Homes and Community Renewal, 38-40 State Street, Albany, New York 12207, or send them to HCRConPln@nyshcr.org.

The requirements of Section 91.115 (d)(2) are fulfilled by creating a section in the final Consolidated Plan which summarizes the comments on the Performance Report and also includes a summary of any comments not accepted and the reason therefore.

Citizen Complaints

All citizen complaints must be made in writing to New York State Homes and Community Renewal, 38-40 State Street, Albany, New York, 12207. When a citizen complaint is received with regard to the Consolidated Plan, amendments, or Performance Reports, the complaint will be dated and recorded. An acknowledgment of receipt of the complaint will be mailed to the complainant within 15 days. Subsequently, the complaint will then be referred to the most appropriate official for a written response within 45 days of receipt of the complaint.

Access to Records

The State's repository of annual Performance Reports is the most comprehensive collection of information and records relating to the New York State's Consolidated Plan and the State's use of assistance under the programs covered by the Plan during the preceding five years. A citizen may, upon request, receive a copy of this report. All records and reports will be maintained at the offices of the New York State Homes and Community Renewal, 38-40 State Street, Albany, New York 12207 and are available upon written or telephone request. If a report is requested, the report will be provided within a reasonable time period. Upon request, the reports will be made available in a format accessible to persons with disabilities.

Citizen Participation Enhancement

The State of New York has made its CPP more expansive and more inclusive, making the Consolidated Planning Process and related materials more accessible to the general public. Those steps include increasing Partnership Advisory Committee (PAC) membership, describing the process by which organizations can apply for membership, and providing additional electronic avenues by which the public can comment on Consolidated Plan documents and the Consolidated Planning process. Further, HCR will create a link in its web site to enable direct access to the CPP.

Addendum I

Member Agencies of the New York State Task Force on the National Affordable Housing Act*

1. Office for the Aging
2. Office of Alcoholism and Substance Abuse Services
3. Division of the Budget
4. Division of Criminal Justice Services
5. Developmental Disabilities Planning Council
6. Empire State Development Corporation
7. Department of Health
8. Housing Finance Agency
9. Housing Trust Fund Corporation
10. Homes and Community Renewal
11. Division of Human Rights
12. AIDS Institute
13. Department of Labor
14. Office of Mental Health
15. Office for People With Developmental Disabilities
16. Division of Parole
17. Office of Community Renewal
18. Department of State
19. State of New York Mortgage Agency
20. Office of Temporary and Disability Assistance
21. Department of Transportation
22. Division of Veterans' Affairs
23. Washington Office of the Governor

*As of November, 2012

Member Organizations of the Partnership Advisory Committee*

1. Accord Corporation
2. Appalachian Regional Commission
3. Arch Diocese of New York
4. ARISE, Center for Independent Living
5. Association for Community Living
6. Association of Towns of the State of New York
7. CARES, Inc.
8. Center for Disability Rights
9. CenterState Corporation for Economic Opportunity
10. Coalition for the Homeless
11. Community Preservation Corporation
12. Community Service Society
13. Development Authority of the North Country
14. Empire State Housing Alliance
15. Empire Justice Center
16. Enterprise Community Partners
17. Erase Racism
18. Fair Housing Justice Center
19. Federation of Protestant Welfare Agencies
20. Greater Rochester Housing Partnership
21. Healthcare Association of New York State
22. Housing First!
23. Housing Partnership Development Corporation
24. Hudson Valley Pattern for Progress
25. Interfaith Assembly on Homelessness and Housing
26. Legal Services New York City
27. Local Initiatives Support Corporation
28. Long Island Housing Partnership
29. Mental Health Association in New York State
30. National Alliance on Mental Illness
31. Neighborhood Housing Services of New York City
32. Neighborhood Preservation Coalition of New York State
33. NeighborWorks Alliance of New York State
34. New York Association of Homes and Services for the Aging
35. New York Association of Psychiatric Rehabilitation Services
36. New York Bankers Association
37. New York Housing Association
38. NYS Association of Area Agencies on Aging
39. NYS Association of Counties
40. NYS Association of Realtors
41. NYS Association of Regional Planning & Development Organizations
42. NYS Association of Renewal and Housing Officials
43. NYS Builders Association
44. NYS Conference of Mayors and Municipal Officials
45. NYS Economic Development Council
46. NYS Independent Living Council
47. NYS Rural Advocates
48. NYS Rural Housing Coalition
49. NYS Tenants and Neighbors
50. NYS Urban Council, Inc.
51. PathStone
52. Plattsburgh Housing Authority

53. Self-Advocacy Association of NY
54. Southern Tier East Regional Planning Board
55. Southern Tier Independence Center
56. Supportive Housing Network of New York
57. UJA Federation of New York
58. Western New York Independent Living, Inc.

*As of November 2012

NOTICE OF PUBLIC HEARING NEW YORK STATE ANNUAL ACTION PLAN

To administer federal funds for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs, New York State must prepare an Annual Action Plan (AAP). New York State's next AAP will describe the State's anticipated use of federal CDBG, HOME, ESG, and HOPWA funds in 2013 to address affordable housing and community development needs identified in its Consolidated Plan for 2011-2015. This AAP will also describe the State's methods for distributing these funds to local grantees.

Interested individuals and organizations are encouraged to participate in the development of New York State's 2013 AAP by submitting written comments to: NYS HCR, Attention: Nancy Moreland, 38-40 State Street, Albany, NY 12207, or HCRConPln@nyshcr.org. All written comments must be received by June 15, 2012.

The public is encouraged to offer oral comments at public hearings on June 4 and June 5, 2012. On June 4, the first public hearing will be held from 12 noon until 1:00 pm and the second from 2:30 pm until 3:30 pm. On June 5, the first public hearing will be held from 10:00 am until 11:00 am and the second from 2:30 pm until 3:30 pm. At these dates and times, hearings will be held concurrently at the following four New York State Homes and Community Renewal offices: 25 Beaver Street in New York City; 38-40 State Street in Albany; 620 Erie Boulevard West in Syracuse; and 535 Washington Street in Buffalo. Each site is accessible to individuals with mobility impairments. Individuals requiring other accommodations should call 1-866-ASK-DHCR (275-3427) by May 25, 2012. Attendees must present a driver's license or other government-issued photo ID upon entry. For additional information call 1-866-ASK-DHCR (275-3427); or e-mail HCRConPln@nyshcr.org.

2013 ANNUAL ACTION PLAN PUBLIC COMMENT PERIOD NOTICE

In order to maintain its eligibility to administer certain federal funds for affordable housing and community development, New York State (NYS) must prepare an Annual Action Plan (AAP) and submit it to the U.S. Department of Housing and Urban Development. For one specific program year, the AAP describes the State's proposed use of available federal and other resources to address the priority needs and specific objectives in the Consolidated Plan; the State's method for distributing funds to local governments and not-for-profit organizations; and the geographic areas of the State to which it will direct assistance. The AAP also describes NYS's planned use of approximately \$67 million in federal fiscal year 2013 funds for the: NYS Community Development Block Grant Program (\$40 million); HOME Investment Partnerships Program (\$19 million); Housing Opportunities for Persons with AIDS Program (\$2.1 million); and Emergency Solutions Grants Program (\$5.9 million). NYS encourages public participation in the development of its AAP and invites interested persons to review and comment on the draft AAP for 2013 during an upcoming public comment period. **This 30-day public comment period will begin on Thursday, September 6, 2012 and extend through close of business on Friday, October 5, 2012. Beginning on September 6, 2012, NYS's draft AAP for 2013 may be viewed on and downloaded from the NYS Homes and Community Renewal (HCR) website at www.nyshcr.org. In addition, copies can be requested by e-mail (HCRConPln@nyshcr.org) or by calling (518) 473-3031. Comments should be mailed to: NYS HCR, Attention: Nancy Moreland, 38-40 State Street, Albany, NY 12207 or e-mailed to (HCRConPln@nyshcr.org). Comments must be received or postmarked by close of business Friday, October 5, 2012.**

Appendix II
Summary of Public Comments
and Responses

Summary of Public Comments for the 2013 Annual Action Plan

Access to Home

Comment:

Several comments were received on restoring funding to the Access to Home program. Funding was reduced 75% in the 2012-2013 State budget to \$1 million. Funding needs to be restored to the previous level of \$4 million because the Access to Home program enables seniors and people with disabilities to remain in their homes and out of costly institutions. Without Access to Home funding, many people are placed at risk of institutionalization and personal injury.

Response:

HCR is strongly committed to the Access to Home program and to the population it serves. However, the amount of funding provided for the program is set annually by the NYS Legislature in the NYS Budget. Because of the demand on current State resources, an increase in agency funding for the Access to Home program is unlikely. However, it should be noted that these types of modifications can also be covered by other agency resources such as HOME and CDBG funds.

Public Transportation

Comment:

Several comments were received strongly recommending that HCR require new construction be developed along public transportation routes. This policy would benefit low and moderate-income individuals and families but it particularly important to the disabled community. Developers often build in suburbs and in the country but for people who do not drive, this

makes independence difficult to achieve. Requiring development along public transportation routes will ensure that transit and, when necessary, paratransit, are available to low-income residents who typically require public transportation options.

Response:

NYS Homes and Community Renewal encourages the development of affordable housing projects which have a transit-oriented development (TOD) purpose. HRC's 2012 Capital Programs RFP stated that one of the 2012 Early Round initiatives was for projects applying for funding with a TOD focus

Incentives to Developers/HUD 811 Pilot Program

Comment:

Several comments urge HCR to provide incentives to developers to develop housing targeted to households with 30% of area median income (AMI). Individuals with disabilities who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) often fall below this income threshold. HCR can assist in creating housing developments with units targeted to households with less than 30% AMI by partnering with the NYS Department of Health to apply for the HUD 811 Pilot Program. HUD projects this funding will provide housing for 2,800 individuals with disabilities with extremely low incomes and must be used for rental assistance in developments, creating a ceiling with regard to the percentage of units designated for this funding source. This effort will serve to prevent homelessness among people with disabilities.

Response:

In July 2012, HCR, in partnership with the NYS Department of Health applied for the HUD Section 811 Supportive Housing for

Persons with Disabilities program. Awards are expected to be announced in December 2012.

Senior Housing/Multi-bedroom Housing

Comment:

Comments were received urging the creation of more two bedroom units in senior housing and housing for people with disabilities. Seniors and people with disabilities often require a two bedroom unit to accommodate the need of a live-in aide or due to durable medical equipment which takes up a lot of space or to accommodate other family members.

Response:

Seniors and persons with disabilities may request an additional bedroom as a reasonable accommodation in multi-family Housing Trust Fund funded projects.

Affordable and Accessible Housing

Comment:

One comment was received lamenting the lack of affordable, accessible housing in Broome County. Subsidized housing is limited and the waiting lists are at least a year's wait. Most of the subsidized apartment complexes are segregated – available only for seniors and persons with disabilities. Finding an apartment in a multi-age, multi-price, integrated setting is very difficult.

Response:

www.nyhousingsearch.gov is a free online statewide housing listing and locator service where searchers can look for apartments by accessible features, proximity to schools and public transportation, etc, and by affordability.

Comment:

One Comment received stated there is a lack of housing stock accessible for people with disabilities. With CDBG money, small businesses and homeowners with disabilities could retrofit buildings to make them accessible. It would help open up housing available to people with mobility issues and also give way to allow them to frequent local businesses, supporting the economy. With so many competing for CDBG funds, HOME, ESG and HOPWA can be used to assist homeowners with, or landlords who to rent to people with, disabilities to improve or retrofit housing stock. This would allow people who are currently in institutions to live within the community.

Response:

As the commenter states, there is strong competition for ESG and HOPWA funds. Given that OTDA makes funds available for capital improvements through its Homeless Housing Assistance Program (HHAP), ESG and HOPWA funds are used primarily to assist in shelter operations and for direct rental assistance to those households at imminent risk of becoming homeless.

The CDBG program provides eligible municipalities with the flexibility to identify the greatest level of need within their community and to apply for funding for those needs. In past years, many communities have successfully submitted applications that incorporate accessibility improvements into residential, commercial, and government buildings. OCR anticipates that projects involving these types of improvements will continue to be submitted to and approved by OCR. For the HOME program, to the greatest extent feasible, the HOME program encourages its Recipient Local Program Administrators (LPAs) to incorporate accessibility improvements into the housing that is either purchased or rehabilitated using HOME funds. OCR anticipates that these types of improvements will continue to be funded using HOME resources.

Comment:

The NYS Action Plan continues to inadequately address the overwhelming and prevailing problem faced by our citizens with disabilities, the need for accessible, affordable and integrated housing. There needs to be a comprehensive housing strategy to address the housing needs of New Yorkers with disabilities, particularly those people with disabilities who have low and moderate incomes. New Yorkers with disabilities are at risk of living in housing that does not meet their needs or are at risk of homelessness and costly, unwanted, and unnecessary institutionalization.

Response:

As the State actively encourages new housing opportunities for persons with disabilities, HCR's funding process includes rating and ranking criteria to increase opportunities for affordable, accessible housing for all New Yorkers. The rating and ranking allows applicants proposing a housing project or program which targets persons with special needs to be eligible for scoring points to set-aside units for persons with disabilities.

HCR recognizes the need to support persons with disabilities to live in a home of their choice through program activities addressed in the Consolidated Planning process. Through HCR's Unified Funding process, rating and ranking as well as threshold criteria are included to increase housing opportunities funded under other programs outside of the Consolidated Plan's purview. In addition, HCR chairs the Most Integrated Setting Coordinating Council (MISCC) Housing Committee which is responsible for submitting annual action plans to be included in the MISCC Plan.

Comment:

One comment noted there is a need for funds to support community centers and housing for seniors.

Response:

HCR recognizes the importance of resources to meet the needs of the elderly and frail elderly, as well as many other special needs populations throughout New York State, and will work diligently to meet those housing needs.

Comment:

One commenter recommended the following

- Include language that supports geriatric Mental Health, as the population continues to age, mental health issues are increasing and needs to be addressed.
- Mandate some of the funds to support Community Senior Centers/ NORCS so that seniors can receive the necessary supportive services.
- For new housing have universal design which is ADA compliant and can easily and economically be converted to meet the needs of seniors.
- Funds should be made available for homeless prevention which could include rental assistance and cash assistance for tax increases.
- As New Yorkers are having smaller families and children often relocate, funding for more affordable assisted living type residents where the frail elderly could receive services but where it would still be more economic than a nursing home. Seniors could sell their homes and retain some of their money for an assisted living situation where NORC-like services could be provided.

Response:

Both ESG and HOPWA, administered through OTDA, provide funds to local social service districts and not for profits for rental assistance to those at imminent risk of homelessness with the goal of preventing evictions and stabilizing housing.

The CDBG program provides eligible municipalities with the flexibility to identify the greatest level of need within their community and to apply for funding for those needs. In past years, many communities have successfully submitted applications to the OCR for the construction or rehabilitation of Community Senior Centers. OCR anticipates that applications for these types of projects will continue to be submitted and funded by the OCR.

HCR recognizes that universal design is a worthwhile endeavor which warrants further study to determine what universal design strategies can be incorporated into affordable housing development.

Within the continuum of senior housing, HCR capital programs typically fund independent housing with services, rather than assisted living. This comment will be forwarded to the Department of Health and the State Office for the Aging.

The comments on mental health and NORCS will be forwarded to appropriate State agencies: Office of Mental Health and the Office for the Aging.

Scoring of Applications

Comment:

One comment made brought up the topic of scoring in regards to proposals for funds. HCR exit conferences under CDBG and HOME would be more useful if they would share scoring information, particularly with unsuccessful grantees. Feedback should be given concerning HCR's evaluation of an application in order for the applicant to improve in subsequent rounds.

Response:

Unsuccessful applicants are strongly encouraged to meet with OCR program staff to discuss potential improvements to a future application. However, the competitiveness of any given application is dependent upon the other applications received during a program

year and the ultimate “low score” in any given year varies. Therefore, OCR firmly believes that by providing Applicants with guidance on improving an application, the overall application score will be improved thereby greatly improving the potential for funding.

HOME Funds

Comment:

The level of federal and state financial resources is insufficient to meet the housing and community development needs of communities across the state, in particular in rural areas of the state that suffer from reduced access to resources of all kinds. NYS HCR should practice restraint in awarding State HOME funds in other Participating Jurisdictions. Small towns and rural areas of the State are in desperate need of funding appropriate for the development of small scale projects. The comment stated that their analysis of recent HOME funding rounds suggests that nearly a third of State HOME funds are being directed to projects and programs in other PJs that possess their own HOME funds. NYSHCR should make every effort to maximize the use of “rest of state” funds in the rest of the State.

Response:

As was recognized by the commenter, the level of federal and state financial resources has been dramatically reduced in the past few years. That being said, the OCR allocated that a minimum of 80% of the HOME funds, after the CHDO set aside, be used in areas outside of the Participating Jurisdictions (PJs). As was implemented for PY 2012, the OCR will continue to fund non-PJs until all qualified non-PJs have been funded or until funds are no longer remaining. Only after all qualified non-PJs have been awarded will the OCR consider allocating its resources to the PJs.

Appendix III

State Certification Forms

STATE CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the State certifies that:

Affirmatively Further Fair Housing -- The State will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Anti-Lobbying -- To the best of the State's knowledge and belief:

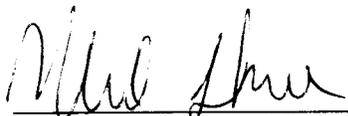
1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts

under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of State -- The submission of the consolidated plan is authorized under State law and the State possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.



Signature/Authorized Official

11/01/12

Date

Executive Deputy Commissioner

Title

Specific CDBG Certifications

The State certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 and each unit of general local government that receives assistance from the State is or will be following a detailed citizen participation plan that satisfies the requirements of 24 CFR §570.486.

Consultation with Local Governments -- It has or will comply with the following:

1. It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;
2. It engages in or will engage in planning for community development activities;
3. It provides or will provide technical assistance to units of local government in connection with community development programs; and
4. It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

Local Needs Identification -- It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended. (See 24 CFR 570.2 and 24 CFR part 570)

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 199 , , and . (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. The state will require units of general local government that receive CDBG funds to certify to the following:

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Compliance with Laws -- It will comply with applicable laws.

Matthew Nelson
Signature/Authorized Official

President
Title

November 5, 2008
Date

Specific HOME Certifications

The State certifies that:

Tenant Based Rental Assistance -- If it intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through §92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Appropriate Financial Assistance -- Before committing any funds to a project, the State or its recipients will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Matthew Nelson
Signature/Authorized Official

November 5, 2012
Date

President
Title

ESG Certifications

Each State that seeks funding under the Emergency Solutions Grants Program must provide the following certifications:

Matching Funds – The State will obtain any matching amounts required under 24 CFR 576.201 in a manner so that its subrecipients that are least capable of providing matching amounts receive the benefit of the exception under 24 CFR 576.201(a)(2).

Discharge Policy – The State will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Confidentiality – The State will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

The State will ensure that its subrecipients comply with the following criteria:

Major rehabilitation/conversion – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the building will be maintained as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the building will be maintained as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

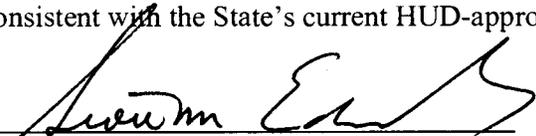
Essential Services and Operating Costs – If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the subrecipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the applicant serves the same type of persons (e.g., families with children, unaccompanied youth, veterans, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The subrecipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

Homeless Persons Involvement – To the maximum extent practicable, the subrecipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted ESG.

Consolidated Plan – All activities the subrecipient undertakes with assistance under ESG are consistent with the State's current HUD-approved consolidated plan.



Signature/Authorized Official

11/5/12

Date

Director

Title

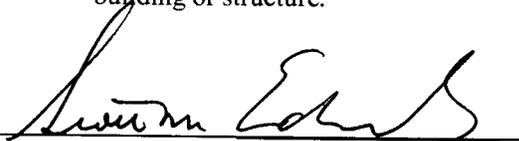
HOPWA Certifications

The State HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under the program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of any building or structure purchased, leased, rehabilitated, renovated, or converted with HOPWA assistance,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.


Signature/Authorized Official

11/5/12
Date

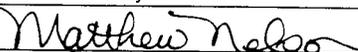
Director
Title

Appendix IV
Standard Form 424

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

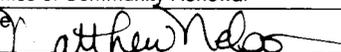
Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED November 15, 2012	Applicant Identifier B-13-DC-36001
<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	3. DATE RECEIVED BY STATE		State Application Identifier
4. DATE RECEIVED BY FEDERAL AGENCY			Federal Identifier
5. APPLICANT INFORMATION			
Legal Name: State of New York		Organizational Unit: Department:	
Organizational DUNS: 004895517		Division:	
Address: Street: 38-40 State Street		Name and telephone number of person to be contacted on matters involving this application (give area code)	
City: Albany		Prefix: Mr.	First Name: Christian
County: Albany		Middle Name	
State: NY	Zip Code 12207	Last Name Leo	
Country: USA		Suffix:	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-1675262		Email: cleo@nyshcr.org	Phone Number (give area code) (518) 474-2057
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.)		7. TYPE OF APPLICANT: (See back of form for Application Types) A. State Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Community Development Block Grants/State's Program 14-228		9. NAME OF FEDERAL AGENCY: U.S. Department of Housing and Urban Development	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): State of New York		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: State-administered Community Development Block Grant Program (CDBG)	
13. PROPOSED PROJECT Start Date: January 1, 2013		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York	
Ending Date: December 31, 2013		b. Project Entire State	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 40,642,169.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:	
b. Applicant	\$.00	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
c. State	\$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$.00	<input type="checkbox"/> Yes If "Yes" attach an explanation <input checked="" type="checkbox"/> No	
f. Program Income	\$.00	18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.	
g. TOTAL	\$ 40,642,169.00	a. Authorized Representative	
Prefix Mr.		First Name Matthew	Middle Name
Last Name Nelson		Suffix	
b. Title Deputy Commissioner and President, Office of Community Renewal		c. Telephone Number (give area code) (518) 473-9387	
d. Signature of Authorized Representative 		e. Date Signed November 5, 2012	

**APPLICATION FOR
FEDERAL ASSISTANCE**

OMB Approved No. 3076-0006

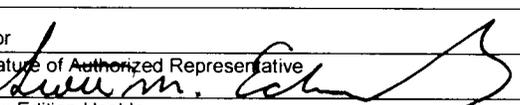
Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED November 15, 2012	Applicant Identifier M-13-SG-36-0100
			3. DATE RECEIVED BY STATE	State Application Identifier
			4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION				
Legal Name: State of New York		Organizational Unit: Department:		
Organizational DUNS: 004895517		Division:		
Address: Street: 38-40 State Street		Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: Albany		Prefix: Ms.	First Name: Ann	
County: Albany		Middle Name M.		
State: New York		Last Name Petersen		
Zip Code 12207	Suffix:			
Country: USA		Email: APetersen@nyshcr.org		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-1675062		Phone Number (give area code) (518) 474-2057	Fax Number (give area code) (518) 474-5247	
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		7. TYPE OF APPLICANT: (See back of form for Application Types) A. State Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): HOME Investment Partnerships Program		9. NAME OF FEDERAL AGENCY: U.S. Department of Housing and Urban Development		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): State of New York		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: New York State HOME Program		
13. PROPOSED PROJECT Start Date: January 1, 2013		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York		
Ending Date: December 31, 2013		b. Project Entire State		
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$ 19,238,101 ⁰⁰	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:		
b. Applicant	\$ ⁰⁰	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
c. State	\$ 2,400,000 ⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
d. Local	\$ ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
e. Other	\$ ⁰⁰	<input type="checkbox"/> Yes If "Yes" attach an explanation <input checked="" type="checkbox"/> No		
f. Program Income	\$ 1,000,000 ⁰⁰			
g. TOTAL	\$ 22,638,101 ⁰⁰			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.				
a. Authorized Representative				
Prefix Mr.	First Name Matthew	Middle Name		
Last Name Nelson		Suffix		
b. Title Deputy Commissioner and President, Office of Community Renewal		c. Telephone Number (give area code) (518) 473-9387		
d. Signature of Authorized Representative 		e. Date Signed November 5, 2012		

**APPLICATION FOR
FEDERAL ASSISTANCE**

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED November 15, 2012		Applicant Identifier S-10-DC-0100	
Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name: New York State Office of Temporary and Disability Assistance			Organizational Unit: Department: Center for Specialized Services		
Organizational DUNS: 80-6781860			Division: Bureau of Housing and Support Services		
Address: Street: 40 North Pearl Street			Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: Albany			Prefix: Mr.	First Name: Richard	
County: Albany			Middle Name		
State: New York			Last Name Umholtz		
Zip Code 12243-0100			Suffix:		
Country: USA			Email: richard.umholtz@otda.state.ny.us		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-6013200			Phone Number (give area code) (518) 474-3080		Fax Number (give area code) (518) 486-7068
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)			7. TYPE OF APPLICANT: (See back of form for Application Types) A. State Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Emergency Solutions Grants Program (ESGP)			9. NAME OF FEDERAL AGENCY: U.S. Department of Housing and Urban Development		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): State of New York			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Emergency Solutions Grants Program (ESGP)		
13. PROPOSED PROJECT Start Date: October 1, 2013			14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York		
Ending Date: September 30, 2013			b. Project Entire State		
15. ESTIMATED FUNDING:			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$	5,891,922 ⁰⁰	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:		
b. Applicant	\$	⁰⁰	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
c. State	\$	⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
d. Local	\$	⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
e. Other	\$	⁰⁰	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
f. Program Income	\$	⁰⁰			
g. TOTAL	\$	5,891,922 ⁰⁰			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Authorized Representative					
Prefix Mr.		First Name Scott		Middle Name	
Last Name Edwards			Suffix		
b. Title Director			c. Telephone Number (give area code) (518) 474-1051		
d. Signature of Authorized Representative 			e. Date Signed 11/5/12		

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED November 15, 2012	Applicant Identifier NYH10F999
<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
5. APPLICANT INFORMATION		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
Legal Name: New York State Office of Temporary and Disability Assistance		Organizational Unit: Department: Center for Specialized Services	
Organizational DUNS: 80-6781860		Division: Bureau of Housing and Support Services	
Address: Street: 40 North Pearl Street		Name and telephone number of person to be contacted on matters involving this application (give area code)	
City: Albany		Prefix: Mr.	First Name: Richard
County: Albany		Middle Name	
State: New York		Last Name Umholtz	
Zip Code 12243-0100	Suffix:		
Country: USA		Email: richard.umholtz@otda.state.ny.us	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-6013200		Phone Number (give area code) (518) 474-3080	Fax Number (give area code) (518) 486-7068
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		7. TYPE OF APPLICANT: (See back of form for Application Types) A. State Other (specify)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Housing Opportunities for Persons with AIDS Program (HOPWA) 14-241		9. NAME OF FEDERAL AGENCY: U.S. Department of Housing and Urban Development	
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): State of New York		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Housing Opportunities for Persons with AIDS Program (HOPWA)	
13. PROPOSED PROJECT Start Date: January 1, 2013		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York	
Ending Date: December 31, 2013		b. Project Entire State	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 2,098,332 ⁰⁰	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON	
b. Applicant	\$ ⁰⁰	DATE:	
c. State	\$ ⁰⁰	b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372	
d. Local	\$ ⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
e. Other	\$ ⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
f. Program Income	\$ ⁰⁰	<input type="checkbox"/> Yes If "Yes" attach an explanation <input checked="" type="checkbox"/> No	
g. TOTAL	\$ 2,098,332 ⁰⁰		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Authorized Representative			
Prefix Mr.	First Name Scott	Middle Name	
Last Name Edwards		Suffix	
b. Title Director		c. Telephone Number (give area code) (518) 474-1051	
d. Signature of Authorized Representative <i>Scott M. Edwards</i>		e. Date Signed 11/15/12	

NEW YORK STATE

Annual Action Plan

Program Year 2013

As Accepted by U.S. Department of Housing and Urban Development
December 26, 2012