

NEW YORK STATE
Consolidated Plan
Federal Fiscal Years
2011-2015
& Annual Action Plan

for the program year 2011
as approved by
U.S. Department of Housing
and Urban Development
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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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New York State Consolidated Plan 2011-2015

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Executive Summary

Overview

According to federal law and the regulations of the U.S. Department of Housing and Urban Development (HUD), all states and many larger localities must prepare a Consolidated Plan in order to receive federal funding for affordable housing and community development. This Plan consolidates into a single document the planning and application requirements for:

- **CDBG** – Community Development Block Grant program;
- **HOME** – HOME Investment Partnerships program;
- **ESGP** – Emergency Shelter Grants program; and
- **HOPWA** – Housing Opportunities for Persons with AIDS program.

Consolidated Plans must be prepared every five years and must be updated annually. The purpose of the Consolidated Plan is to:

- assess the State's affordable housing and community development needs;
- analyze the State's housing markets;
- articulate the State's priorities, goals, and strategies to address identified needs; and
- describe the actions the State will take to implement strategies for affordable housing and community development.

New York State's Consolidated Plan Federal Fiscal Years 2011-2015 provides new information and trends related to the State's current and future affordable housing and community development needs. This information has been used to establish priorities, strategies and actions the State will take to address these needs during the next five years. These priorities, strategies and actions will be evaluated annually in updates to the Consolidated Plan.

New York State's Housing and Community Development Needs Assessment 2011– 2015

This section presents the State's assessment of the affordable housing and non-housing community development needs of its residents for the five-year period covered by the Plan (2011-2015).

This needs assessment is inclusive of all communities in the State, including those jurisdictions which are participating jurisdictions or entitlement communities for the four programs covered by the Consolidated Plan: CDBG, HOME, ESGP, and HOPWA.

The primary source of information for the housing needs analysis in this plan is a series of custom tabulations of 2000 census data prepared by the U.S. Bureau of the Census to HUD's specifications. Supplementary data from the 2000 census and a variety of other sources, including New York State agencies, are also used where appropriate.

Affordable Housing Needs

New York State analyzed available demographic and economic data and found that:

- median family income continues to vary substantially across the State;
- many households continue to struggle to live on low or very low incomes;
- housing is often hard to find and difficult to afford;
- housing problems are most frequently experienced by extremely low-income households; and
- foreclosures continue to be filed by NYS homeowners. In 2009, New York State Division of Housing and Community Renewal (DHCR) funded 64 foreclosure prevention programs across the State. As a result, each county is served by at least one provider that offers outreach/education, counseling and legal services to homeowners facing default or

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foreclosure.

Needs of the Homeless

An analysis of estimates of the size and characteristics of the homeless population and the services currently provided indicates that there are still unmet needs in the following areas:

- homelessness prevention;
- emergency shelter;
- transitional housing;
- permanent supportive housing;
- supportive services; and
- resources targeted to homeless sub-populations.

An array of programs to address the problems of homelessness in New York State provides a continuum of services for homeless, at risk and low-income households. The programs are designed to prevent homelessness, provide shelter for the homeless, construct supportive housing for the homeless and offer essential services to stabilize housing situations and increase levels of self-sufficiency

Non-homeless Persons with Special Needs

New York State's population includes residents with a variety of special needs.

- By 2015, New York State Office for the Aging (NYSOFA) projects (based on Woods & Poole, 2002) people 65 and older with functional impairments will grow by a rate of 17.1 percent to number 854,956, with 692,521 living in the community and 162,435 (based on New York's current long term care structure) living in nursing homes or other group care facilities.
- persons with severe mental illness or serious emotional disturbance (approximately 174,000 statewide currently in programs);
- persons with developmental disabilities (approximately 135,000 New Yorkers);
- persons with physical disabilities (approximately 2.2 million New Yorkers ages 5 and over). persons with a chemical dependency (approximately 110,000 treated daily)
- persons living with HIV/AIDS (about 120,000 New Yorkers).

Non-housing Community Development Needs

Non-housing community and economic development needs assist communities to undertake community and economic development objectives and assist community infrastructure, facility and service projects affecting health, safety and welfare. It is anticipated that:

- 5,000 jobs will be created or retained
- 150 businesses will be assisted
- 125 infrastructure or public facilities projects will be completed and 200,000 persons assisted

Lead-based Paint Hazard Abatement Needs

New York State consistently ranks high on key risk factors associated with lead poisoning. Census data indicates the following lead risk factors in New York State:

- Nearly 1.7 million children under age 6
- 476,000 children aged one and two years
- Third in the nation for families with children under age five living in poverty
- 23% of the population born outside the U.S.
- Over 3.3 million homes built before 1950

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New York State's Housing Market Analysis 2011 - 2015

New York State has many housing markets and the dynamics of supply and demand vary substantially among these markets.

- **The Supply of Housing in New York**

- There is a need for rehabilitation and modernization funds for aged housing stock which has been subject to significant disinvestment.
- There is a need to educate local officials, planning and school boards and community members about the benefits of affordable housing developments in order to mitigate NIMBY opposition.
- There is a need for funding to create rental housing for seniors sited close to support systems and public transportation.
- In 1978, the U.S. Consumer Products Safety Commission banned the residential use of paint containing more than 0.06% lead (New York City acted earlier, banning lead-based paint in 1960). However, there are still an estimated 38 million pre-1978 dwellings nationwide that contain lead-based paint, and an estimated 24 million have deteriorated lead-based paint and dust and/or soil hazards. Many New York households continue to live in units where lead paint hazards exist.
- Substantial rehabilitation or replacement will continue to be required.

- **The Demand for Housing in New York State**

The demand for housing continues to be high in many areas of New York State, especially for low-income and extremely low-income individuals and families.

- There is a need for rehabilitation and modernization funds for the existing rental housing stock.
- There is a need for affordable/workforce housing education and outreach and zoning reform to encourage the development of additional affordable rental housing units.
- There is a need for safe, decent and affordable housing and living wage jobs for residents earning 30 percent or less of area median income (AMI)
- There is a need for additional funding for repairs or upgrades to modernize and preserve owner-occupied and rental housing.

- **New York State's Stock of Assisted Housing**

New York State's affordable housing resources include:

- public housing developed with a variety of federal, state and local subsidies;
- low-, moderate- and middle-income housing with state and/or municipal assistance;
- housing assisted through the Section 8 rental assistance program; and
- facilities/services for the homeless and for those with special needs.
- There is a need for emergency shelters, particularly in rural communities, as well as additional funding for existing emergency shelters.

New York State's Strategic Plan 2011 - 2015

New York State's Strategic Plan delineates the State's general priorities for assisting low income residents.

- The Strategic Plan is based upon the analysis of housing needs market and inventory conditions, and non-housing community development needs;
- The needs analysis and strategy were developed in consultation with the National Affordable Housing Act (NAHA) Task Force, the Consolidated Plan Partnership Advisory Committee (PAC) and many others who provided information and opinions to the State;

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- This consultation process resulted in the establishment of 5 equally important strategic objectives focused on the resources and opportunities created by the CDBG, HOME, ESGP, and HOPWA programs; and
- State programs are listed in the discussion of each objective to the extent that they are used for match or leveraging of the programs and projects funded by CDBG, HOME, ESGP, and HOPWA.

- **New York State's Affordable Housing Goals and Objectives**

The State's Strategic Plan for affordable housing is built on programs that address both supply and demand issues in affordable housing.

GOALS: Create and preserve decent homes and a suitable living environment for low- and moderate-income New Yorkers.

- Objective:** Improve availability and accessibility by:
- preserving existing affordable housing;
 - building new workforce housing;
 - building new homeownership housing;
 - building affordable senior housing;
- Objective:** Improve affordability by:
- providing homeownership assistance;
 - providing rental assistance.

- **New York State's Homeless and Special Needs Goals and Objectives**

New York State has a broad array of programs and initiatives to address the needs of the homeless as well as non-homeless persons with special needs.

GOALS: Address the shelter, housing and service needs of the homeless, those at risk of homelessness, and others with special needs

- Objective:** Improve affordability, accessibility and sustainability by:
- maintaining and expanding the Continuum of Care;
 - expanding services to prevent homelessness;
 - maintaining and expanding resources for those with special needs.

- **New York State's Non-housing Community Development Goals and Objectives**

The New York State CDBG Program provides non-housing assistance to communities and local units of government for economic development and public facilities and also supports the State's affordable housing goals and objectives.

GOALS: Create economic opportunities and suitable living environments for low- and moderate-income New Yorkers.

- Objective:** Provide communities with assistance to undertake economic development initiatives.
- Objective:** Provide assistance to undertake community infrastructure, facility and service (public facilities) projects affecting public health, safety and welfare.

- **New York State's Strategy for Lead Paint Hazard Reduction (DHCR and the Department of**

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Health)

Over the next five years New York State will continue to:

- Identify housing at greatest risk of lead-paint hazards;
- Develop partnerships and community engagement to promote primary prevention of childhood lead poisoning;
- Promote interventions to create lead-safe housing units;
- Build Lead-Safe Work Practice (LSWP) workforce capacity; and
- Identify community resources for lead-hazard control.

- **New York State's Strategy to Address Barriers to Affordable Housing (Office of Fair Housing and Equal Opportunity)**

New York State will continue its efforts to eliminate barriers to affordable housing by developing and implementing new initiatives and by maximizing limited federal resources. DHCR created the Office of Fair Housing and Equal Opportunity (OFHEO) to provide oversight of fair housing activities and monitoring. Actions identified to aide in eliminating barriers include education, outreach and enforcement of fair housing standards; elimination or revision of discriminatory housing and zoning policies; and commitment of funds to programs and projects that produce fair housing. New York State continually reviews its Analysis of Impediments to Fair Housing Choice and takes appropriate actions to overcome barriers and increase housing opportunities. The State is currently updating its Analysis of Impediments to ensure that the goals and objectives identified in the Consolidated Plan are consistent with addressing impediments to fair housing choice and increasing affordable housing opportunities.

- **New York State's Anti-Poverty Strategy**

New York State's general anti-poverty strategy is contained in its Temporary Assistance to Needy Families (TANF) program. The four federal programs covered by the New York State Consolidated Plan (NYS CDBG, HOME, ESG and HOPWA) directly support the overall State anti-poverty strategy by addressing the housing or non-housing community development needs of persons at the poverty level.

- **New York State's Institutional Structure for Housing and Community Development**

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 and closer communication ties among agencies with housing programs will be pursued to improve program coordination.

- **New York State's Coordination of its Housing and Community Development Efforts**

New York State emphasizes coordination with public and assisted housing providers and private and governmental health, mental health, and service agencies. It is a priority of DHCR to strengthen and expand partnerships in housing and community development. These partnerships include all public and assisted housing providers as well as the private and governmental health, mental health, and service agencies that do business with the State's housing programs.

- **New York State's Coordination of the Low-income Housing Credit (LIHC) and Consolidated Plan Programs**

The State's strategy will continue to focus on combining the LIHC with available public subsidies on the federal, State, and local levels, including new Tax Credit Assistance Program (TCAP) capital funding made available to New York State through the American Reinvestment and recovery Act of 2009. It is through this combination that most of the low-income rental housing developed by New York State will likely attain financial feasibility and viability necessary to assure completion and operation in the current economic climate.

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New York State Action Plan

New York State's Action Plan is organized to provide a separate, full discussion of the requirements pertaining to each of the four programs.

- **NYS CDBG Program Action Plan - 2011**

New York State intends to allocate available funds to eligible non-entitlement grant recipients during the 2011 Program Year in the following manner:

- approximately \$52 million in NYS CDBG funds will be available;
- approximately 58% of funds will be awarded through an Annual Competitive Round for housing, public facilities, and, microenterprise grants;
- approximately 33% of funds will be made available through an Economic Development Open Round;
- approximately 3% of funds will be awarded to Innovative Projects and Special Assistance grants;
- approximately 2% of funds will be awarded for program administrative costs;
- approximately 2% of funds will be awarded for Imminent Threat grants; and
- approximately 1% of funds will be awarded for technical assistance and capacity building; and
- approximately 1% of funds will be awarded for Community Planning.

- **HOME Investment Partnerships Program Action Plan - 2011**

The New York State Division of Housing and Community Renewal (DHCR) and Housing Trust Fund Corporation (HTFC) administer the State's HOME Investment Partnerships (HOME) Program. During 2011:

- approximately \$38.8 million in HOME funds will be available;
- the State's match obligation for the period will be about \$4.49 million;
- the primary source of match funds will be the State's Low-income Housing Trust Fund;
- HOME funds will leverage an additional investment of about \$125 million;
- HOME funds will be distributed competitively;
- 15% will be reserved for Community Housing Development Organizations (CHDOs);
- 80% of the remaining funds are reserved for projects in non-participating jurisdictions; and
- all remaining funds are distributed on a statewide basis.

- **Emergency Shelter Grants Program Action Plan - 2011**

The New York State Office of Temporary and Disability Assistance (NYS OTDA) administers the State's Emergency Shelter Grants Program (ESGP). The ESGP will serve about 26,713 individuals during 2011:

- \$3.21 million in federal ESG funds will be available;
- 5% will be used for program administrative costs; and
- \$3.05 million will be allocated to contracts.

- **Housing Opportunities for Persons with AIDS (HOPWA) Program Action Plan - 2011**

The New York State Office of Temporary and Disability Assistance (NYS OTDA) administers the State's Housing Opportunities for Persons with AIDS (HOPWA) program. During 2011:

- \$2.14 million in Federal HOPWA funds will be available;
- HOPWA funds will be distributed through a periodic competitive bid process; and
- 800 individuals and 440 households will be assisted with HOPWA funds during 2011.

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General Requirements

New York State, in preparing its Consolidated Plan for 2011-2015, has addressed the following general requirements specified in 24 CFR Sections 91.10, 91.110 and 91.300 of HUD's regulations for consolidated planning.

- **Consolidated Program Year (Section 91.10)**

In accordance with 24 CFR Section 91.10(a), New York State designates as its Consolidated Plan program year the 12 month period beginning on January 1st of each year and ending on December 31st of the same year.

- **Consultations (Section 91.110)**

- **NYS CDBG Consultations with Local Governments**

Since 2000, the Housing Trust Fund Corporation has implemented an extensive outreach program to encourage the participation of citizens, statewide and regional community revitalization organizations, State agencies, and local governments as required by 24 CFR 91.110.

In late fall and early winter of each year, HTFC conducts workshops in various locations throughout the State to provide guidance to communities, consultants, and private agencies in developing NYS CDBG applications for the upcoming program year. These meetings are held in as many locations across the State as possible in order to encourage attendance by existing grant recipients as well as potential grant recipients. Although primarily focusing on the application round, these workshops also provide an opportunity for communities to review the State's method of distribution and solicit input on this method.

In addition to the annual workshops, HTFC conducts public outreach throughout the year through various means of communication. For example, the website www.nyshcr.org is one method for disseminating information to the public and State and local government agencies and offices. The website includes statistics on the allocation of funds for each of the annual funding rounds and the open round and serves as the primary method for providing updates to regulations, policies and procedures, and general guidance on the management of grants. All public hearing notices related to the Consolidated Plan, including the Annual Action Plan, as well as links to the Plan, are available on the website. Any public concerns or comments regarding any aspect of the NYS CDBG program are encouraged and can be submitted through an e-mail link available on the website.

HTFC provides one-on-one technical assistance to communities seeking assistance from the NYS CDBG program. The program provides communities with a private forum through which they can express opinions and concerns on the various aspects of the NYS CDBG program including the method of distribution of funds.

Throughout the year staff attend various conferences and public forums where the NYS CDBG Program is discussed with interested parties. These provide forums for the discussion of New York State's implementation of the State's Program, the needs of New York's smaller cities and rural communities and the allocation and distribution of CDBG funds. On an annual basis, the staff attends conferences sponsored by organizations

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such as the New York State Association of Towns, the New York State Association of Counties, the New York State Conference of Mayors and the New York State Rural Preservation Coalition. In addition, staff is also periodically requested to participate in public forums, such as local and regional planning and information gathering sessions. They also regularly participate in various State agency discussions and meetings including the Co-Funding Initiative and the Appalachian Regional Planning Commission.

HTFC regards its obligations under the required Citizen Participation and Local Government Consultation processes as opportunities to improve the administration and accomplishments of the CDBG Program and address the housing and non-housing community development needs of New York State's eligible jurisdictions.

- **Consultation with Public Housing Authorities**

New York State's Homes and Community Renewal (DHCR) administers a sizable statewide Section 8 housing voucher program which annually provides rental and homebuyer assistance to more than 40,000 households. In addition, New York State supervises, but does not directly operate, 22 public housing projects. The State provides annual operating subsidies to these projects to make their rents more affordable. The affordability of this housing is also enhanced by State tax policies and agreements with localities. DHCR assists in the creation of public/private partnerships to rehabilitate and preserve public housing.

- **Consultation with Social Services Agencies**

As a member of the State's National Affordable Housing Act (NAHA) Task Force, the New York State Office of Temporary and Disability Assistance (OTDA) is an integral partner in the development of the Consolidated Plan. OTDA leads a comprehensive effort to coordinate all the appropriate social service agencies in determining the housing and service needs of the homeless and those at risk of homelessness, as well as persons with special needs. In addition, social service agency representatives and advocates participate actively on both the NAHA Task Force and the Partnership Advisory Committee (PAC) which provides information throughout the planning process

- **Consultation on Lead-based Paint Hazards**

In the development of this Consolidated Plan, DHCR consulted with the New York State Department of Health (DOH) concerning lead-based paint hazards in New York State. DOH provided information on the number of housing units containing lead-based paint hazards and the number of children with elevated levels of lead in their blood. In addition, DHCR's Office of Housing Management provided information on lead-based paint reduction strategies. DHCR participates on the State's Lead Poisoning Prevention Advisory Council, as well as the Governor's Task Force on the Prevention of Childhood Lead Poisoning to further the State's efforts to eliminate childhood lead poisoning. The Task Force brings together a variety of State agencies to make findings and recommendations for the development and implementation of a coordinated strategy to reduce childhood exposure to lead. For additional information on the State's efforts concerning lead-based paint hazards please refer to the Needs Assessment and Strategic Plan sections of this Plan.

- **Lead Agency Designation**

In accordance with 24 CFR Section 91.300(b), New York State Division of Housing and Community Renewal (DHCR) has been designated as the lead agency in developing the State's

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Consolidated Plan. The DHCR Commissioner serves as the Chairperson of New York State's National Affordable Housing Act (NAHA) Task Force, tasked with leading State agencies, public authorities, public benefit corporations, community-based organizations, statewide advocacy groups, trade organizations, housing providers and interested citizens in the development of the State's Consolidated Plan for 2011 – 2015. [A more detailed description of DHCR's organization and responsibilities can be found in the Institutional Structure section of the Strategic Plan.]

- **Consolidated Plan Development Process**

In the development of its Consolidated Plan for 2011 - 2015, New York State has followed the Citizen Participation Plan approved by the United States Department of Housing and Urban Development (HUD). The Citizen Participation Plan fulfills the general and specific requirements described in Section 91.115 of the federal rules and regulations for the Consolidated Submissions for Community Planning and Development Programs (24 CFR 91), including citizen participation requirements for units of local government receiving Community Development Block Grants, as described at 24 CFR 570.486.

New York's Citizen Participation Plan facilitates and encourages comments from citizens, local governments, statewide housing and community development organizations, not-for-profit organizations, State agencies, and other interested parties with insights into the housing and community development needs of New York State. Implementation of the Citizen Participation Plan ensures that New York State citizens and community groups have ample opportunity to participate in developing New York's Action Plan.

New York's Citizen Participation Plan encourages increased communication among the various State agencies and interested groups and individuals. New York State relies heavily on the advice and comments of its New York State Task Force on the National Affordable Housing Act (NAHA), its Partnership Advisory Committee (PAC), regional planning associations, citizens, not-for-profit organizations and other interested parties to maximize the benefits of collective problem-solving.

The NAHA Task Force is comprised of commissioners and staff liaisons from various State agencies. These agencies and departments provide crucial information concerning their responsibilities and activities in developing and implementing the Action Plan. These agencies are asked to encourage their clients, providers and not-for-profit organizations to take an active role in the citizen participation process. Furthermore, the agencies are asked to disseminate the schedule of meetings and the dates for public comment and hearings.

The Partnership Advisory Committee brings together representatives of a wide range of community-based and statewide organizations working to promote affordable housing. These organizations include: not-for-profits; local governments; private business associations; and advocates for the homeless, for minority groups and for persons with disabilities. As with the NAHA Task Force, PAC members are encouraged to disseminate pertinent information to their extensive membership networks and their clients.

This process allows New York State to interact with housing providers in arenas beyond the development and implementation of the Consolidated Plan. To the extent possible, these providers are included in the development and implementation of the annual Action Plan by being kept informed of the process, invited to participate at public hearings, and asked to review the draft Action Plan. All NAHA Task Force and Partnership Advisory Committee comments and concerns are considered during the development of the Consolidated Plan submission.

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In fulfilling the terms of the State's Citizen Participation Plan, New York State solicited input on the development of the draft Plan by conducting a series of public hearings at four different, geographically dispersed communities across the State. Notice of the hearing schedule (and thirty-day public comment period) was provided to a newspaper with statewide circulation, as well as non-English media, and printed more than two weeks prior to the start of the process. The notice was also posted on the Internet at www.nyshcr.org. In addition, the public hearings were held at times and locations convenient to potential and actual beneficiaries and with accommodations for persons with disabilities. Interpreters for non-English speaking individuals were available upon request.

The schedule of public hearings was forwarded to members of the NAHA Task Force/liasons, PAC members, the New York State Library, county and city officials, legislative staff and the DHCR Public Information Office listserv.

During the thirty-day public comment period, the draft Consolidated Plan, as published for comment, was available on the DHCR website and the public was also encouraged to call DHCR's toll-free number for information on the draft Plan. Copies of the draft Plan, as published for comment, were sent to groups and individuals upon request. Comment was encouraged.

All comments received at the public hearings and otherwise received during the thirty-day public comment period (both written and oral) were considered during the development of the Consolidated Plan submission and are summarized in an appendix to the submission.

All such items documenting the Citizen Participation Plan and consultation elements are available for inspection.

- **Summary of the Citizen Participation Process**

In accordance with 24 CFR Section 91.115, New York State has prepared and submitted, and HUD has approved, a Citizen Participation Plan. This extensive plan establishes a process which encourages participation by minorities, low- and moderate-income persons, persons with disabilities and other interested residents of New York State in the development of the State's Consolidated Plan.

In accordance with 24 CFR 91.300(b), New York State provides the following summary of the main elements of the process described in the State's HUD-approved Citizen Participation Plan. To encourage citizen participation in the development of its Consolidated Plan, New York State has, among other things:

- held a series of public hearings at the beginning of the development process to solicit public input prior to the preparation of a draft Consolidated Plan;
- consulted with a broad range of public agencies (both state and local) and private organizations and individuals to solicit public input prior to the preparation of a draft Consolidated Plan;
- published a summary of the draft Consolidated Plan in a newspaper with statewide circulation;
- provided Internet access of the draft via DHCR's Web site at www.nyshcr.org;
- conducted a 30 day public comment period; and
- established an e-mail address, HCRConPln@nyshcr.org, to encourage and accept public comments.

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- **Summary of Public Comments**

In accordance with New York State's HUD-approved Citizen Participation Plan, members of the State's National Affordable Housing Act (NAHA) Task Force and its Partnership Advisory Committee (PAC) provided input before and during the preparation of the draft Consolidated Plan and subsequently reviewed and commented on the draft. In addition, formal public input was solicited and received during a series of public hearings and a public comment period. The public hearings were held at the beginning of the Consolidated Plan development process on January 12 and 13, 2010 to solicit public input before the preparation of the draft Consolidated Plan. On each of the two hearing days, hearings were held simultaneously at four locations across the state (New York City, Albany, Syracuse and Buffalo) which were linked via videoconference. In addition, written comments were received during the 30 day public comment period beginning on September 9, 2010.

In accordance with 24 CFR 91.300(b), the State considered all public comments offered at the public hearings and received during the public comment period.

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NEEDS ASSESSMENT

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NEEDS ASSESSMENT – GENERAL NEEDS

Section 91.305(a) - General Needs

“The Consolidated Plan must describe the State’s estimated housing needs projected for the ensuing five-year period. Housing data included in this portion of the plan shall be based on U.S. Census data, as provided by HUD, as updated by any properly conducted local study, or any other reliable source that the State clearly identifies and should reflect the consultation with social service agencies and other entities conducted in accordance with §91.110 and the citizen participation process conducted in accordance with § 91.115. For a State seeking funding under the HOPWA program, the needs described for housing and supportive services must address the needs of persons with HIV/AIDS and their families in areas outside of eligible metropolitan statistical areas.”

Overview

In preparing its Consolidated Plan, New York State highlights, wherever possible, the general housing needs of those smaller cities, suburbs and rural areas of the State which do not receive funding directly from HUD Community Planning and Development formula-grant programs and are not subject to a locally-prepared Consolidated Plan. It is in these areas that State-administered funds are most often used to address unmet housing needs by assisting in the development and preservation of affordable housing and in the creation of homeownership opportunities for low- and moderate-income households.

The housing needs identified in this Consolidated Plan are based on data from the 2000 U.S. Census, as well as the 2000 CHAS Data Book, prepared for HUD by the U.S. Census Bureau. Because the data is relatively dated, this Consolidated Plan has been supplemented with data from the 2006-2008 American Community Survey (ACS), where applicable. While the U.S. Census Bureau supports comparisons made between the ACS data and the Decennial Census data, users are cautioned due to the differences between the two data sets. Some of these differences are listed below:

- Reference Period: the Census is a point-in-time estimate, while the ACS estimate accumulates 12 months of surveys for a calendar year estimate (the 2006-2008 ACS estimates describe the average characteristics over the 36-month period of January 2006 through December 2008).
- Residency Rules: the Census uses a “usual residence” rule (where a person lives or stays most of the time), while the ACS considers a person a resident of an area if they are staying there two or more months when contacted.

Information from the New York State Division of Housing and Community Renewal’s (DHCR) Statewide Affordable Housing Needs Study (Housing Needs Study), published in May 2009, and Housing Needs Study Regional Reports (Regional Reports), published throughout 2008 and 2009, is also included.

The creation of the Housing Needs Study and Regional Reports affords DHCR a better understanding of New York State’s affordable housing market and determines if its housing and community development programs are meeting the needs of the State’s residents. The Housing Needs Study and Regional Reports are products of DHCR’s unprecedented effort to gather first-hand information from local leaders and housing professionals as to what they believe are the affordable housing and community development issues and needs facing New York State.

The Housing Needs Study and Regional Reports present the affordable housing issues and needs identified by county and local government leaders in the fields of community development, economic development, housing and planning, as well as affordable housing, community

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NEEDS ASSESSMENT – GENERAL NEEDS

development and social services professionals. The issues and needs contained in the Housing Needs Study and Regional Reports include housing quality and stock, affordability, special needs/supportive housing, temporary/work-based housing, downtown revitalization and main streets, rent administration, program alignment, neighborhood revitalization and flood remediation.

DEFINING HOUSING NEEDS

In its CHAS Data Book, HUD provides information on the number and percentage of households which experience “any housing problems.” For the purposes of this Consolidated Plan, New York State interprets this to mean households with at least one identified housing problem.

HUD defines two types of housing problems:

1. **Cost Burden** – HUD considers a household “cost burdened” when its gross housing costs, including utility costs, exceed 30 percent of its gross income. HUD considers a household “severely cost burdened” when its gross housing costs, including utility costs, exceed 50 percent of its gross income.
2. **Overcrowding** – HUD considers a household “overcrowded” when the ratio of occupants to rooms exceed 1. HUD considers a household “severely overcrowded” when the ratio of occupants to rooms exceed 1.5.

HUD’s Consolidated Planning regulation in Section 91.305 (b)(1) requires the State to define the terms “standard condition” and “substandard condition but suitable for rehabilitation.” For the purposes of this Consolidated Plan, New York State defines these terms as follows:

1. **Standard Condition** – New York State considers a housing unit to be in “standard condition” when it meets or exceeds HUD Housing Quality Standards (HQS). Further, a housing unit is in standard condition when it does not have any critical or major structural defects, has adequate plumbing facilities and its appearance does not create a blighting influence. This condition requires no more than observable, normal maintenance; dwelling units which have no deficiencies, or only slight observable deficiencies.
2. **Substandard Condition but Suitable for Rehabilitation** – New York State considers a housing unit to be in “substandard condition but suitable for rehabilitation” when it does not meet HUD HQS. Further, a housing unit is in substandard condition but suitable for rehabilitation when it has one or more major and/or critical structural defects, but can still be repaired for a reasonable amount. The degree of substandard is either moderate or severe according to the number of defects and the degree of deficiency.
 - a. **Moderately Substandard** – Housing units that have less than three major defects and can be restored to a standard condition for a reasonable cost.
 - b. **Severely Substandard** – Housing units that have three or more major defects or at least one critical defect and can be restored to a standard condition for a reasonable cost.

For the purposes of this Consolidated Plan, New York State considers any household with a cost burden, which is overcrowded and/or in substandard condition to be a household with one or more identified housing problems.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – GENERAL NEEDS

ESTIMATING NEW YORK STATE'S GENERAL HOUSING NEEDS

The following sections estimate the general housing needs for New York State using the two types of HUD-defined housing problems, cost burden and overcrowding, as well as the condition of the housing stock.

Cost Burden

According to the 2000 CHAS Data Book, approximately 32 percent of New York State's total households spend 30 percent or more of their gross income on housing costs. Renters tend to be more cost burdened than homeowners. Nearly 39 percent of renters spend 30 percent or more of their gross income on housing costs (including rent plus utilities), compared to approximately 26 percent of owners that spend 30 percent or more of their income on housing costs (including mortgage payments, taxes, insurance and utilities). Nearly 16 percent of New York State's total households spend 50 percent or more of their gross income on housing costs. Just over 21 percent of renters and nearly 11 percent of owners spend 50 percent or more of their income on housing costs.

**EXHIBIT 1
Cost-Burdened Households in New York State***

Percent of Households Whose Housing Costs:	Renters	Owners	All Households
- Are More Than 30% of Their Household Income	38.8%	26.3%	32.2%
- Are More Than 50% of Their Household income	21.1%	10.9%	15.7%

*Based on data in HUD's CHAS Data Book for 2000.

Overcrowding

The 2006-2008 ACS indicates that three percent of New York State's households are overcrowded and 1.5 percent of households are severely overcrowded, as previously defined.

The rate of overcrowding and severe overcrowding is relatively low statewide but varies across the State. For example, in New York City there are higher rates of households living in overcrowded and severely overcrowded housing units (5.3 and 2.8 percent, respectively). Contrarily, in the City of Buffalo, 1.2 percent of households live in overcrowded housing units and 0.2 percent of households live in severely overcrowded housing units.

**EXHIBIT 2
Overcrowded Households in New York State***

Occupants Per Room	New York State	Buffalo	New York City	Rochester	Syracuse	Yonkers
1.01 to 1.50	3.0%	1.2%	5.3%	1.2%	1.6%	3.5%
More than 1.5	1.5%	0.2%	2.8%	0.4%	0.7%	1.6%

* Estimates (percent of households) based on 3 years of responses to the U.S. Census Bureau's American Community Survey 2006-2008.

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Substandard Condition

For the purposes of this Consolidated Plan, and as noted above, New York State considers housing units to be in “standard condition” when they meet or exceed HUD’s Housing Quality Standards (HQS). Unfortunately, there is no available data which quantifies the extent to which housing units in New York State meet or fail to meet HQS. The U.S. Census Bureau does not gather detailed information on the condition of the housing units. The only census data which addresses housing quality is the number of housing units lacking complete plumbing or kitchen facilities. The data shown below in Exhibit 3 is according to the 2006-2008 ACS.

**EXHIBIT 3
Substandard Housing Units in New York State***

Lacking Complete:	Renters		Owners	
	Number	Percent	Number	Percent
- Plumbing Facilities	26,645	0.8%	16,010	0.4%
- Kitchen Facilities	36,967	1.2%	16,191	0.4%

* Estimates based on 3 years of responses to the U.S. Census Bureau’s American Community Survey 2006-2008.

These criteria do not indicate the extent to which serious deficiencies exist in other building elements, such as heating systems, roofs, windows, foundations, insulation, etc. As a consequence, New York State believes that census data substantially underestimates the extent to which housing units in New York State are substandard and in need of major rehabilitation or demolition. In the absence of more direct information, the age of the housing stock is a widely used indicator of housing condition. As noted in “National Analysis of Housing Affordability, Adequacy and Availability: A Framework for Local Housing Strategies” (Urban Institute: 1994), “Older units tend to be more costly to repair or renovate, may not contain the amenities desired by households and are much more likely to contain lead-paint hazards

According to the 2006-2008 ACS, 34.6 percent of New York’s total housing units were built before 1940. Compared to other states, New York has the fourth highest percentage of housing stock built prior to 1940 in the Nation (following Massachusetts with 36.3 percent, the District of Columbia with 35.9 percent and Rhode Island with 35.2 percent).

Exhibit 4 shows New York State’s total housing units cross-tabulated by year of construction based on 2006-2008 ACS data.

**EXHIBIT 4
Age of Housing Units in New York State***

Built:	Number	Percent
Before 1940	2,746,684	34.6%
1940 – 1959	1,969,924	24.8%
1960 – 1979	1,800,190	22.7%
1980 – 1999	1,074,455	13.5%
2000 or later	352,068	4.4%
TOTAL	7,943,321	100.0%

* Estimates based on 3 years of responses to the U.S. Census Bureau’s American Community Survey 2006 - 2008.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – CATEGORIES OF PERSONS AFFECTED

Section 91.305(b) Categories of Persons Affected

- (1) *The Consolidated Plan shall estimate the number and type of families in need of housing assistance for extremely low-income, low-income, moderate-income, and middle-income families, for renters and owners, for elderly persons, for single persons, for large families, for persons living with HIV/AIDS and their families, and for persons with disabilities. The description of housing needs shall include a discussion of the cost burden and severe cost burden, overcrowding (especially for large families), and substandard housing conditions being experienced by extremely low-income, low-income, moderate-income, and middle-income renters and owners compared to the State as a whole. (The State must define in its consolidated plan the terms “standard condition” and “substandard condition but suitable for rehabilitation”).*
- (2) *For any of the income categories enumerated in paragraph (b)(1) of this section, to the extent that any racial or ethnic group has disproportionately greater need in comparison to the needs of that category as a whole, assessment of that specific need shall be included. For this purpose, disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the percentage of persons in the category as a whole.”*

Overview

This section presents an analysis of the housing needs of New York State’s households in a range of HUD-adjusted Area Median Family Income (HAMFI) categories who live in “Elderly 1 and 2 Person”, “Small Related”, “ Large Related” and “All Other” types of households as required in 24 CFR 91.305(b)(1) of the Consolidated Plan regulations. A discussion of the housing needs of persons with HIV/AIDS and their families and of persons with disabilities, as required by both 24 CFR 91.305 (b) and 24 CFR 91.305 (d), is provided in a subsequent section describing non-homeless special needs populations.

The tables in this section contain data from HUD’s 2000 CHAS Data Book, which analyzes housing need by income category. Information from the New York State Division of Housing and Community Renewal’s (DHCR) Statewide Affordable Housing Needs Study (Housing Needs Study), published in May 2009, and Housing Needs Study Regional Reports (Regional Reports), published throughout 2008 and 2009, is used in the text to supplement the CHAS data.

HOUSING NEEDS BY INCOME CATEGORY

In its CHAS Data Book, HUD calculates the HUD-adjusted area median family income (HAMFI) for each household and then assigns each household to one of the following income categories:

- **< = 30% of HAMFI;**
- **> 30% to < = 50% of HAMFI;**
- **> 50% to < = 80% of HAMFI; and**
- **> 80% to < = 95% of HAMFI.**

Wherever possible, this section of New York State’s Consolidated Plan will use these income categories in its analysis of housing needs.

Exhibits 5A and 5B represent a consolidation of the housing assistance needs of low- and

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – CATEGORIES OF PERSONS AFFECTED

moderate-income households. The data distinguishes renters and owners and differentiates between “Elderly 1 and 2 Person”, “Small Related”, “Large Related”, and “All Other” types of households. The exhibits illustrate the rate at which households in various income categories experience “any housing problems.”

EXHIBIT 5A
Renter Households in New York State
With “any housing problem”
By Household Type

Income Category (% of HAMFI)	Household Type				TOTAL Renter HHs with “any housing problem”
	Elderly 1 & 2 Member Households	Small Related (2 to 4)	Large Related (5 or More)	All Other Households	
≤ 30 %	68.1%	82.4%	94.0%	71.7%	76.5%
> 30% and ≤ 50%	65.4%	76.6%	88.1%	78.7%	75.5%
> 50% and ≤ 80%	42.6%	45.3%	74.1%	47.4%	49.2%
> 80%	11.9%	16.6%	61.6%	15.2%	19.4%

EXHIBIT 5B
Owner Households in New York State
With “any housing problem”
By Household Type

Income Category (% of HAMFI)	Household Type				TOTAL Owner HHs with “any housing problem”
	Elderly 1 & 2 Member Households	Small Related (2 to 4)	Large Related (5 or More)	All Other Households	
≤ 30 %	79.1%	81.5%	89.4%	72.2%	79.2%
> 30% and ≤ 50%	54.4%	78.6%	86.6%	74.1%	65.7%
> 50% and ≤ 80%	25.8%	58.6%	68.2%	54.1%	46.0%
> 80%	10.1%	15.4%	26.0%	19.3%	16.3%

HOUSING NEEDS OF SINGLE PERSONS

HUD regulation 24 CFR 91.305(b)(1) requires an assessment of the housing needs of “single persons.” However, HUD’s CHAS Data Book does not provide any information which directly applies to the housing needs of single persons. The closest category provided in the CHAS Data Book is “All Other.” This category includes households of single persons under age 62, as well as households with non-related individuals.

HOUSING NEEDS OF PERSONS WITH DISABILITIES

HUD regulation 24 CFR 91.305(b)(1) requires an assessment of the housing needs of “persons with disabilities.” HUD’s CHAS Data Book includes data which describe the housing needs of persons “with mobility and self care limitations” which include: “all households where one or more persons has 1) a long-lasting condition that substantially limits one or more basic physical activities, such as walking, climbing stairs, reaching, lifting, or carrying and/or 2) a physical, mental, or emotional condition lasting more than 6 months that creates difficulty with dressing, bathing, or getting around inside the home.” This data indicates that approximately 18 percent of

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all households in New York State (1,270,720 of 7,055,762) include one or more persons with a mobility or self-care limitation. Of these households, about half (625,455) are homeowners and half (645,265) are renters.

Noteworthy Findings

Exhibits 6A and 6B display the rates at which low- and- moderate income households, which include a person with a mobility or self care limitation, experience “any housing problems.” As income increases, the rate at which households experience “any housing problems” decreases. The 2000 CHAS Data Book reveals that total owner households with income less than or equal to 30 percent of HAMFI experience a higher rate of “any housing problems” (81.2 percent) than renter households (74.8 percent). All Other renter and owner households experience the highest rates of “any housing problems” across all income categories.

**EXHIBIT 6A
Renter Households in New York State
With “any housing problem”
By Household Type Which Include a Person With a
Mobility or Self Care Limitation**

Income Category (% of HAMFI)	Household Type			TOTAL Renter HHs with “any housing problem”
	Extra Elderly 1 & 2 Member Households	Elderly 1 & 2 Member Households	All Other Households	
≤ 30 %	65.2%	68.0%	81.4%	74.8%
> 30% and ≤ 50%	61.2%	63.2%	75.0%	68.8%
> 50% and ≤ 80%	42.0%	38.1%	48.8%	45.8%
> 80%	13.8%	10.5%	26.9%	22.8%

**EXHIBIT 6B
Owner Households in New York State
With “any housing problem”
By Household Type Which Include a Person With a
Mobility or Self Care Limitation**

Income Category (% of HAMFI)	Household Type			TOTAL Owner HHs with “any housing problem”
	Extra Elderly 1 & 2 Member Households	Elderly 1 & 2 Member Households	All Other Households	
≤ 30 %	78.7%	81.8%	83.3%	81.2%
> 30% and ≤ 50%	50.3%	59.8%	75.3%	61.4%
> 50% and ≤ 80%	21.7%	32.4%	54.9%	39.6%
> 80%	7.9%	12.6%	19.9%	16.9%

HOUSING NEEDS OF RACIAL AND ETHNIC MINORITIES

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HUD regulation 24 CFR 91.305(b)(2) requires an assessment of the housing needs of “any racial or ethnic group” to the extent that the group “has disproportionately greater need in comparison to the needs of that category as a whole.” HUD regulations state: “...disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the percentage of persons in the category as a whole.”

Noteworthy Findings

Exhibits 7A and 7B display the rates at which low- and moderate- income racial and ethnic minority households experience “any housing problems.” For households with income less than or equal to 30 percent of HAMFI, Hispanic owner households had the highest rate of “any housing problems” (82 percent), followed by Asian owner households (79.9 percent). Asian owner and renter households with incomes greater than 30 percent of HAMFI experience the highest rates of “any housing problems” (> 30% to < = 50% of HAMFI, 89.6 percent and 87.2 percent, respectively; > 50 to < 80% of HAMFI, 75 percent for both owner and renter households; > 80% of HAMFI, 37.6 percent and 34.5 percent, respectively). White renter and owner households tend to experience lower rates of “any housing problems,” compared to other racial and ethnic minority households across all income categories

**EXHIBIT 7A
Renter Households in New York State
With “any housing problem”
By Income Category and Racial or Ethnic Group**

Income Category (% of HAMFI)	Race/Ethnicity				TOTAL Renter HHs with “any housing problem”
	White	Black	Asian	Hispanic	
≤ 30 %	75.9%	74.7%	73.7%	79.9%	76.5%
> 30% and ≤ 50%	74.3%	71.0%	89.6%	78.1%	75.5%
> 50% and ≤ 80%	43.4%	45.8%	75.0%	57.9%	49.2%
> 80%	14.0%	18.2%	37.6%	33.1%	19.4%

**EXHIBIT 7B
Owner Households in New York State
With “any housing problem”
By Income Category and Racial or Ethnic Group**

Income Category (% of HAMFI)	Race/Ethnicity				TOTAL Owner HHs with “any housing problem”
	White	Black	Asian	Hispanic	
≤ 30 %	79.6%	75.7%	79.9%	82.0%	79.2%
> 30% and ≤ 50%	62.4%	77.8%	87.2%	83.8%	65.7%
> 50% and ≤ 80%	41.2%	64.1%	75.0%	70.6%	46.0%
> 80%	13.4%	28.9%	34.5%	32.5%	16.3%

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Section 91.305(c) Homeless Needs

“The plan must describe the nature and extent of homelessness (including rural homelessness) within the state, addressing separately the need for facilities and services for homeless individuals and homeless families with children, both sheltered and unsheltered, and homeless subpopulations, in accordance with a table prescribed by HUD. This description must include the characteristics and needs of low-income individuals and families with children (especially extremely low-income) who are currently housed but threatened with homelessness. The plan also must contain a narrative description of the nature and extent of homelessness by racial and ethnic group, to the extent information is available.”

Overview

This section describes the nature and extent of homelessness, including rural homelessness, within New York State. It includes characteristics and needs of low-income individuals and families threatened with homelessness as well as homeless subpopulations.

It describes the needs of homeless individuals, families and subpopulations in each of the following components of the Continuum of Care: homelessness prevention, outreach and assessment, emergency shelter, transitional housing, permanent supportive housing, permanent housing, and supportive services.

This section also describes State-administered programs available to homeless individuals and families within New York State.

Definition of Homelessness

The State’s definition of “homeless” has been the one contained in the Stewart B. McKinney Homeless Assistance Act of 1987, which stated that a homeless person is one who is:

- sleeping in places not meant for human habitation, such as cars, parks, sidewalks and abandoned buildings;
- sleeping in an emergency shelter;
- living in transitional or supportive housing after having originally come from the streets or an emergency shelter;
- staying for a short period (up to thirty days) in a hospital or other institution but who would ordinarily be sleeping in one of the above places;
- being evicted within a week from a private dwelling unit ;
- or being discharged within a week from an institution in which the person has been a resident more than thirty consecutive days without having an adequate place to live in subsequent to discharge.

In the future, New York is looking to follow the lead of the sponsors of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, signed into law by President Obama on May 20, 2009, which expands the definition to include individuals and families who are:

- in imminent risk of losing their housing and lack the resources and support networks needed to find housing, including those who are living in a hotel or motel or are “doubled up” with others and lack the resources to stay for more than 14 days
- fleeing or attempting to flee domestic violence
- experiencing chronic housing instability and will likely continue to do so because of disability, health problems, addiction, abuse, or multiple barriers to employment.

It should be noted that HUD has not yet finalized its regulations for the HEARTH Act, which is the

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legislation that replaced the McKinney-Vento Act. When it has done so, the State of New York will comply with HUD's definition of homelessness in utilizing funding from HUD's homeless programs.

Nature of Homelessness

New York State currently has limited ability to collect uniform statistical information about the numbers and characteristics of the various populations who are considered homeless within New York's 62 counties. HUD-funded Continuum of Care coordinating bodies throughout New York State are in the process of creating local Homeless Management Information Systems (HMIS) to collect these data but the current stage of HMIS development varies by locality. HUD is working with local HMIS to aggregate HMIS data for a statewide Annual Homelessness Assessment Report (AHAR), but thus far, data from only a handful of counties have been included in the AHAR. Therefore, statewide information about the racial and economic distribution of homeless individuals and families is not yet available. It is safe, to say, however, that communities of color are over-represented in the homeless population in relation to their distribution in the general population, just as they are over-represented in any measure of poverty.

Homelessness within New York State has many causes, with the most fundamental one being poverty. Unsubsidized, market rate housing is simply unaffordable for a significant percentage of the state's population. Other contributing factors to homelessness include domestic violence, mental illness, chemical dependency, release from incarceration, physical disabilities including HIV/AIDS and Traumatic Brain Injury, parental abuse and neglect, and traumatic life events, such as those experienced in military service or other settings in which physical or emotional violence occurs.

Extent of Homelessness

The *Homeless Populations Table* provides estimates of the number of homeless individuals and persons in families in 44 counties in New York State at the time of submission of the 2008 Continuum of Care application in October of that year, the latest time period for which data were obtainable. It should be noted that New York State does not have a "balance of state" Continuum of Care process, meaning that there are 18 counties for which information about homeless individuals and families has not been provided. However, it was possible to extrapolate data using incidence of homelessness in similarly-sized counties relative to population size in order to derive a rough estimate of the total number of homeless persons in New York State at a point-in-time in late January of 2008.

The *Homeless Populations Table* represents only those counties who conducted a "point-in-time" count of the number of homeless individuals and families during a particular night during the last week in January of 2008. It is meant to be a "snapshot" of those homeless at a specific "point-in-time", rather than a cumulative count of the total number of persons who are homeless on an annual basis. As stated above, HUD is working with localities within the State of New York to collect sufficient data to create an AHAR, which will provide a much more precise measure of the number of New Yorkers who are homeless on an annual basis.

According to the statewide summary of the *Homeless Population Table*, there were a total of 61,300 homeless New Yorkers at a "point-in-time" in the last week in January of 2008 in a combined total of 44 New York counties. Through extrapolation of data to estimate the numbers of homeless persons in the remaining 18 counties, it appears that there were 1,109 additional persons, or an estimated statewide total of 62,409 homeless persons. Of those homeless persons in the 44 counties in which an actual "point-in-time" count was conducted, 25,962 were single individuals (14,782 housed in emergency shelters, 6,702 in transitional housing, and 4,478 unsheltered) and 35,338 were persons within families (29,885 housed in emergency shelters, 5,311 in transitional housing, and 142 unsheltered.) It should be noted that unlike unsheltered single individuals, who tend to be more visible because they literally are living on the street or in other places open to public view, unsheltered families tend to remain more hidden. This may be due to a parental desire to protect children from harm and/or to avoid interaction with

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governmental agencies which may be perceived as attempting to separate the child from the parent. Therefore, the “unsheltered family” count is very likely understated.

Inventory of Existing Homeless Housing Resources

The *Housing Inventory Chart Report* provides a detailed listing of the emergency, transitional, and permanent supportive housing resources available within New York State in 2008, the latest time period for which this information is available. It is important to note that New York State has already invested a substantial amount of money in developing housing resources for homeless individuals and families. In 2008, there were 31,391 emergency beds available statewide for persons in families and 12,683 emergency shelter beds for individuals. There were 5,901 transitional housing beds for homeless persons in families and 7,099 for single homeless individuals. In 2008, New York State also had an impressive number of permanent supportive housing beds for formerly homeless persons in families (11,068) and for single individuals (20,713).

Needs within Each Component of the Continuum of Care

New York State has made a commitment to provide a full continuum of services and housing for homeless individuals and families which includes the following:

- homeless prevention;
- outreach and assessment;
- emergency shelter;
- transitional housing;
- permanent housing with supportive services; and
- other supportive services.

Within each of these components, housing and services targeted to special needs populations such as persons with mental illness, persons with histories of chronic substance abuse, persons with co-occurring mental illness and substance abuse, persons with mental illness and/or substance abuse who were formerly incarcerated, persons living with HIV/AIDS, victims of domestic violence, homeless youth, and veterans are provided. The following section describes the needs of homeless individuals and families for each Continuum of Care component as well as what is currently available to address these needs.

Homelessness Prevention

The primary cause of homelessness in the State of New York is lack of financial resources with which to pay for housing. Other causes include:

- **Disability** - such as mental illness, substance abuse or HIV/AIDS;
- **Danger** - from domestic violence, sexual abuse or neglect; and
- **Lack of access** - to sustained supportive services.

Homelessness prevention programs are designed to address these causes so that homelessness does not occur.

Estimate of Need

Unmet needs remain despite the wide range of homeless prevention services available in New York State. Many localities, particularly rural areas, have an insufficient number of programs to meet the need for services. In addition, due to funding limitations, nearly all of the existing programs are forced to limit the amount of assistance that can be provided to any one individual. Due to escalating housing and living costs, the amount of assistance provided may not be sufficient to ultimately prevent the recipient from becoming homeless.

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State Response

Local social services districts provide emergency assistance to those who are at risk of homelessness. Payment of outstanding rent costs can be made for those who, as a result of a financial crisis, are unable to make rental payments. Emergency assistance with utility bills or payment for overdue utility bills can also be provided by local social services districts.

In addition, five programs administered by the New York State Office of Temporary and Disability Assistance make grants to not-for-profit agencies for the provision of homeless prevention services. They are as follows:

Emergency Shelter Grants Program (ESGP) - Federally (HUD) Funded

Homelessness prevention is one of the four goals of the ESGP. In 2009, a total of nearly \$3.2 million was granted through the Office of Temporary and Disability Assistance to not-for-profits for operation of homeless shelters, provision of essential social services to homeless persons, and homeless prevention services, serving an anticipated total of 26,493 individuals.

Homelessness Prevention and Rapid Re-housing Program – Federally (HUD) Funded

The American Recovery and Reinvestment Act of 2009 (ARRA) provided funding for a new program, the Homelessness Prevention and Rapid Re-Housing Program (HPRP). HPRP provides financial assistance and services to prevent individuals and families from becoming homeless and to help those who are experiencing homelessness to be quickly re-housed and stabilized. The funds under this program are intended to target individuals and families who would be homeless but for this assistance. The funds support a variety of assistance, including short-term or medium-term rental assistance, landlord mediation, credit counseling, security and utility deposits, utility payments, moving cost assistance, and case management. An anticipated 14,671 individuals will benefit from HPRP activities.

Emergency Needs for the Homeless Program – TANF Funded

The purpose of the Emergency Needs for the Homeless Program (ENHP) is to support programs that meet the emergency needs of homeless individuals and families and those at risk of becoming homeless. Funds are used to augment existing programs that provide services to these individuals and families to assist them toward stabilizing their lives and moving toward self-sufficiency. Individuals and families served through ENHP are those at risk of becoming homeless or who are already homeless, are eligible for benefits under the State Plan for the Temporary Assistance for Needy Families (TANF) block grant, and whose incomes do not exceed 200 percent of the federal poverty level. Eligible applicants include not-for-profit corporations and charitable organizations in social services districts with a population in excess of 2,000,000. Currently, \$2 million in ENHP funding is available to these providers.

Homelessness Intervention Program (HIP) - State Funded

Grants for the Homelessness Intervention Program (HIP) are provided to eligible social services districts and/or not-for-profit organizations that provide services to single individuals and/or families who are homeless or at risk of becoming homeless. These services are comprehensive in scope, designed to prevent homelessness for those who are precariously housed and to facilitate the transition from homelessness to permanent housing for those who have already become homeless.

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HIP is a performance-based grant that allows for payment of various milestone achievements with the goal of maintaining the individual/household in stable housing for a minimum of one year. Eligible projects are reimbursed for the achievement of designated contract outcomes, including placement and/or retention in permanent housing and/or successful prevention of an eviction.

HIP uses two primary service strategies to effectuate stabilized housing: housing location and eviction prevention services. Housing location is the process by which the sponsor assists the household to locate and move into safe, affordable permanent housing. Eviction prevention is the service designed to address and resolve housing and service issues for those households who are in imminent danger of being evicted from their dwellings. In 2009, HIP provided \$3.68 million in funding to programs located throughout the state, serving a total of 2,786 households.

Supplemental Homelessness Intervention Program (SHIP) – TANF Funded

The Supplemental Homelessness Intervention Program (SHIP) uses Temporary Assistance for Needy Families (TANF) funding to pay for homelessness prevention and re-housing services to families that are similar to those provided by HIP. In 2009, New York State provided \$5 million in SHIP funding to serve a total of 3,845 households.

Other Prevention Programs

Many not-for-profit agencies have been able to obtain direct federal funding for homeless prevention services. For example, Emergency Shelter Grants Program funds received directly from HUD through local consolidated planning processes provide emergency financial assistance and supportive services to those at risk of becoming homeless. Similarly, larger jurisdictions received direct allocations of ARRA-funded Homelessness Prevention and Rapid Re-housing funding. Federal Emergency Management Agency funding is also used by not-for-profit agencies to provide emergency financial assistance in order to prevent homelessness.

In addition to prevention programs for the general population of homeless persons, there are homeless prevention programs targeted to specific populations. Some of the Housing Opportunities for Persons With AIDS (HOPWA) funding administered through the New York State Office of Temporary and Disability Assistance is used to pay for short-term rent; mortgage and utility payments for persons with HIV/AIDS who are at risk of becoming homeless; similar funding for persons with HIV/AIDS who are at risk of homelessness is provided to not-for-profit agencies throughout the state by the New York State Department of Health's AIDS Institute. The Human Resource Administration in New York City provides homelessness services targeted to victims of domestic violence including counseling, safety planning, information and referral services, advocacy and community education. Some not-for-profit agencies that serve homeless and runaway youth in New York State receive funding from the U. S. Department of Health and Human Services' Administration for Children and Families to provide homelessness prevention services to that population.

Outreach and Assessment

Outreach services are the means by which homeless persons are engaged in the Continuum of Care. There are a variety of different types of outreach, including street outreach, outreach to service providers, and hotlines. Once the outreach results in engagement of services, providers conduct an in-depth assessment of participant needs.

Estimate of Need

Although New York State has a wealth of outreach services for homeless individuals and families, more

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resources are needed. Because outreach is the means by which homeless persons enter the Continuum of Care, it is essential that sufficient outreach services are made available. Additional resources are needed in rural counties where homeless persons may be difficult to identify and connect with services. Additional outreach services are also needed in urban areas of the State where there are large populations of chronically homeless persons with multiple challenges, such as mental illness, histories of chronic substance abuse, developmental disabilities, physical disabilities and/or HIV/AIDS. Outreach efforts for specific populations such as homeless youth, victims of domestic violence, and veterans must be maintained and expanded. In order to be effective, it is essential that street outreach services targeted to specific populations be provided in a culturally competent manner by staff who understand the needs of those requiring services.

State Response

There is a wide array of street outreach programs in jurisdictions throughout the State. Many not-for-profit agencies that provide emergency services and/or shelter to homeless individuals and families have a street outreach component and also provide ongoing outreach to local social service agencies. State-administered Emergency Shelter Grants Program funds are often used for this purpose, as is funding obtained from HUD through the Continuum of Care Supportive Housing Program.

Street outreach is also provided to specific subpopulations of homeless persons throughout the State. For example, some county mental health departments have Assertive Community Treatment (ACT) teams that provide an emergency response to persons with mental illness who are in need of immediate treatment and/or housing. Local AIDS service organizations often provide street outreach services to homeless persons who have HIV/AIDS or are at risk of acquiring it. Some programs serving homeless and runaway youth receive funding from the U.S. Department of Health and Human Services' Administration for Children and Families and/or other sources to provide street outreach to at-risk youth. There is also a national hotline that can be used by homeless young people to acquire emergency shelter and services. Similarly, there is a statewide domestic violence hotline as well as local domestic violence hotlines in each county that link victims of domestic violence with needed housing and services. Domestic violence shelters throughout the state also receive funding from local social service districts for outreach services. Street and agency outreach for veterans are provided by not-for-profit veterans' organizations, as well as by the Veterans Administration. The Veterans Administration has an outreach program specifically targeted to homeless veterans and also makes use of its "Stand Downs", which are a sort of "resource fair" especially designed for veterans, to ensure that homeless veterans have access to housing and services.

Emergency Shelter

Emergency shelter is the initial housing component in the Continuum of Care. Emergency shelters sponsored by government and not-for-profit agencies offer immediate housing and supportive services to those without another place to live. They provide stabilization and support until movement along the Continuum to more permanent housing is possible.

Estimate of Need

The *Housing Gaps Analysis Chart* indicates the estimated need for additional emergency shelter beds in 41 counties of New York State in October 2008 when Continuum of Care funding applications were submitted. The table indicates that, within these counties, there was a need for an additional 427 emergency housing beds for homeless individuals and another 505 emergency shelter beds needed for homeless families. The counties in which there was a significant gap in emergency shelter resources for singles include Chautauqua (36 beds), Niagara (64 beds), Saratoga/Warren/Washington/Hamilton (88 beds combined), and Schenectady (32 beds). A significant addition of family shelter beds were needed in the following counties: Albany (62 beds), Columbia/Greene (45 beds combined), Erie (100 beds),

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Rensselaer (70 beds), Saratoga/Warren/Washington, Hamilton (65 beds combined) and Schenectady (63 beds).

It should be noted that this gaps analysis took place in October of 2008 before the impact of the recent economic downturn had begun to be felt, and also at a time in which many local *Plans to End Homelessness* called for decreasing emergency shelter capacity and redirecting funding to permanent housing instead. While the need has not yet been quantified, most local communities within New York State have report an increased need for emergency shelter capacity as a result of the current economic situation. The New York City emergency shelter system, for example, has found itself having to add substantial shelter capacity for both singles and families in order to meet the need for emergency shelter services. Several rural counties in New York State which have typically been able to meet the demand for emergency shelter services by providing hotel and motel vouchers are now considering opening up emergency shelter facilities for the first time in their history, due to the increased request for emergency housing.

In addition to the need for increased bed capacity, emergency shelter providers in all areas of the State have identified a need for enhanced resources for supportive services such as case management, assessment and treatment for mental illness and substance abuse, life skills training, employment services, benefits advocacy, legal services, housing placement, financial assistance, parenting support, HIV-related services, and domestic violence services. The provision of these services is essential in helping homeless persons move forward along the Continuum of Care.

State Response

The New York State Office of Temporary and Disability Assistance tracks data from the emergency shelters it certifies and collects data from as many other emergency shelter programs as possible. The State's emergency shelter system varies from county to county. Local social services districts provide funding for shelter services for the general population of homeless individuals and families through provision of per diem shelter rates to emergency shelters and/or reimbursement for overnight stays in local motels. Emergency Shelter Grants Program funding and other federal funding is used to pay for some of the costs of shelter operation. In addition, emergency shelter is provided for specific populations of homeless individuals and families such as victims of domestic violence and runaway and homeless youth. The New York State Office of Children and Family Services certifies emergency shelter facilities for these populations. Funding for emergency shelter for victims of domestic violence is provided by local social service districts and state and federal sources. Emergency shelters for runaway and homeless youth are funded through the New York State Runaway and Homeless Youth Act as well as through federal funding from the U. S. Department of Health and Human Services' Administration on Children and Families.

Transitional Housing

The next phase of the Continuum of Care is transitional housing, which provides housing for up to 24 months accompanied by the supportive services necessary to prepare homeless individuals and families for permanent housing or permanent housing with supportive services.

Estimate of Need

Although localities participating in the Continuum of Care process have focused largely on the creation of additional permanent supportive housing units as the ultimate solution to ending homelessness, there remains a need for transitional housing for some populations, including homeless persons with severe mental illness, persons with histories of chronic substance abuse, veterans, victims of domestic violence, and homeless youth. This is especially true for homeless persons with special needs who have lived in congregate environments for a large part of their lives and have little or no independent living skills and

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for homeless families in areas of the state in which market rate housing costs are particularly cost-prohibitive.

As indicated in the *Housing Gaps Analysis Chart*, there is a need for additional transitional housing units within New York State. In 2008, a need was identified for an additional 734 transitional housing beds for single homeless individuals, with the greatest needs being in Albany County (123 beds), Dutchess County (45 beds), Erie County (40 beds), Niagara County (120 beds), Oneida County (39 beds), Orange County (58 beds) Saratoga/Warren/Washington/Hamilton Counties (66 beds combined), Schenectady (42 beds), and Suffolk County (88 beds). A substantial need for transitional housing for homeless families was also identified. The county indicating the greatest need was Suffolk County (361 beds), followed by Orange County (238 beds), Erie County (60 beds), Oneida County (64 beds), and Schenectady County (60 beds). The extent of the need for transitional housing for homeless families indicated by Suffolk County and Orange County may reflect the high costs of housing in these two counties at the time in which the Gaps Analysis was done; these costs make it very difficult for impoverished families to move directly out of shelters into market rate apartments. Transitional housing provides an interim step, allowing families to obtain higher paid employment and the other supports needed to access permanent housing.

State Response

Transitional housing programs throughout the State of New York are targeted to special needs populations. For example, the New York State Office of Mental Health (OMH) funds or operates over 11,766 transitional housing beds/units in certified residential treatment programs throughout the state. The New York State Office of Alcoholism and Substance Abuse Services (OASAS) also provides transitional housing programs throughout the state. OASAS funds both alcoholism halfway houses and residential drug free programs, with a combined capacity of more than 2,300 transitional housing beds.

There are a total of 666 transitional housing beds for victims of domestic violence throughout the State. The New York State Office of Children and Families has certified 47 transitional housing programs for homeless youth with a total capacity of 259 beds.

With the exception of the domestic violence and homeless youth beds, most of the transitional housing beds available in New York State are not specifically targeted to homeless individuals and families, but rather, to the disabled populations that they are meant to serve. However, among these “special needs” populations, there is a great deal of homelessness and/or history of housing instability.

Permanent Housing with Supportive Services

Once stabilized in emergency and/or transitional housing, the majority of homeless persons are able to move along the Continuum of Care to permanent housing. Some homeless persons, especially those with special needs such as persons with mental illness and/or chronic substance abuse histories, persons living with HIV/AIDS, victims of domestic violence, homeless youth, and veterans, may require ongoing supportive services that are integrated with permanent housing. Permanent supportive housing programs provide affordable housing coupled with supportive services such as case management, substance abuse and mental health assessment and treatment, health care, employment training and placement, transportation, childcare, and other essential services.

Estimate of Need

The *Housing Gaps Analysis Chart* demonstrates that despite the substantial number of existing permanent supportive housing units in New York State, there is a need for even more. The chart indicates a statewide need for 12,187 additional permanent supportive housing beds for individuals and 8,252 beds for families. The localities that indicated the highest need for additional permanent supportive housing beds for individuals were Albany County (432), Broome County (113), Dutchess County (189),

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Nassau County (209), Niagara County (147), New York City (8,645), Orange County (323), Rensselaer County (180), Schenectady County (280), Chemung County (151), Suffolk County (290), Ulster County (137) and Westchester County (675). Jurisdictions that indicated the greatest need for additional permanent supportive housing beds for families included Albany County (149), Dutchess County (192), Erie County (150), Monroe County (127), Nassau County (238), New York City (4,252), Orange County (485), Schenectady County (216), Suffolk County (884), Ulster County (162) and Westchester County (999).

This documented need for additional permanent supportive housing resources reflects the recent research in the field of homelessness, which indicates that focus on development of permanent supportive housing resources results in a homeless services system which is not ‘bottlenecked’ at the emergency shelter or transitional housing phases, but rather, allows homeless individuals and families to move quickly back into the community while receiving the supports necessary for them to retain the housing they have acquired. Permanent supportive housing is the means by which homeless individuals and families achieve housing stability, enabling them to live as self-sufficiently as possible.

State Response

New York State provides a number of permanent housing programs that are described elsewhere in this document. Many of these programs can be accessed by homeless persons, especially those whose primary housing challenge is lack of income with which to pay for market rate housing. Several state agencies, including the Office of Mental Health (OMH), the Office of Alcoholism and Substance Abuse Services (OASAS), and the Office for Persons With Developmental Disabilities (OPWDD), provide transitional and permanent supportive housing programs for persons with special needs which can be used by homeless persons with these needs.

The New York State Office of Temporary and Disability Assistance (OTDA) allocates a portion of its Housing Opportunities for Persons with AIDS (HOPWA) funding to provide permanent supportive housing to persons with HIV/AIDS by contracting with local agencies who administer tenant-based rental assistance programs. In the current year, New York State expects to distribute more than \$1.9 million in HOPWA funding to localities within the State of New York, providing housing and supportive services to over 1,240 households.

OTDA also provides the only permanent supportive housing programs that are specifically targeted to the general population of homeless individuals and families. They are as follows:

Homeless Housing and Assistance Program (HHAP)-State Funded

HHAP provides funding to acquire, construct, and/or rehabilitate housing for homeless individuals and families. Over seventy-five percent of the beds funded under the program provide permanent supportive housing. Since its implementation 26 years ago, HHAP has awarded more than \$689 million in program grants and loans to 624 projects throughout the state to provide more than 13,700 housing units for over 23,700 homeless persons.

A portion of HHAP funding has been set-aside for the development of permanent supportive housing for persons with HIV/AIDS and their families. To date, over \$100 million of HHAP funding has been dedicated to the development of 64 AIDS projects with 1,167 housing units, housing a total of 1,710 individuals. The Office of Temporary and Disability Assistance also administers the Operational Support for AIDS Housing (OSAH) Program, which provides supplemental funding for operational costs for AIDS housing programs that have received capital financing through HHAP.

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Single Room Occupancy Supportive Services Program (SRO) - State Funded

The SRO program provides grants for the provision of supportive services to low-income tenants in Single Room Occupancy (SRO) housing operated by not-for-profit agencies. These services include case management, employment services, life skills training, security services and other services which assist SRO tenants in maintaining and/or enhancing housing stability and preventing homelessness. SRO funding for the 2009 Fiscal Year is \$20.43 million; this supports 14,802 units of SRO housing.

Supportive Housing for Families and Young Adult (SHFYA) – TANF Funded

SHFYA is similar to the Single Room Occupancy (SRO) program, but is targeted to families and young adults. Housing providers use SHFYA funding for the provision of supportive services to stabilize homeless young adults and families to prevent further episodes of homelessness. The current SHFYA budget is \$5,000,000, with the program serving 1,420 families and 245 young adults per year.

In addition to New York State-administered permanent supportive housing programs, there are numerous supportive housing programs funded through HUD's Continuum of Care Homeless Assistance Programs, including the Supportive Housing, Shelter Plus Care, and Section 8 Mod Rehab programs. In fact, most of the 31,781 permanent supportive housing beds listed in the *Housing Inventory Chart Report* were funded through this process.

Other Supportive Services

Supportive services assist homeless persons and families in moving forward along the Continuum of Care toward increased self-sufficiency. Supportive services include case management, assessment and treatment for mental illness and substance abuse, life skills training, employment services, benefits advocacy, legal services, housing placement, financial assistance, parenting support, HIV-related services, domestic violence services, and services that address other essential needs.

Estimate of Need

There is a consensus of opinion among policymakers, governmental agencies, and providers that homelessness will not be alleviated solely by the creation of additional housing resources, but will also depend upon the expansion of existing supportive services programs.

State Response

New York State governmental agencies and the not-for-profit agencies they fund provide an extensive array of supportive services. Additional funding for supportive services is received directly from the federal government as well as from local government, private foundations, corporations, and individual donors.

Housing Needs of Homeless Subpopulations

The following is a brief discussion of the particular housing needs of various subpopulations among those who are homeless.

Housing Needs in Rural and Suburban Communities

The preceding analysis of existing needs along the Continuum of Care relies heavily upon data obtained from the Continuum of Care funding applications submitted by jurisdictions throughout New York State. Currently, it is not possible to obtain quantifiable data from localities that do not participate in the local Continuum of Care process.

Anecdotal evidence suggests that, despite its relative invisibility, homelessness does exist in rural and suburban communities. Homeless persons in rural areas do not live "on the street" because there literally

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are no streets to live on. However, they may be forced to stay in substandard housing with inadequate plumbing and/or electrical systems or to live in dilapidated structures that lack insulation. In the summer months, many impoverished persons living in rural areas sleep in tents in local parks or campgrounds, or in their cars. In the winter months, they may move from one friend or relative's house to another, often splitting up their families in doing so. They may sleep in church basements or in other structures that are not meant to provide overnight shelter. Lack of resources and fear of social stigma keep many homeless persons in rural areas from obtaining needed services.

Homeless persons in suburban areas are equally invisible. They too may be forced to "double up" with family and friends, moving from house to house in order to find shelter. In suburban areas in which there are no emergency shelters, local social services districts provide funding for overnight stays in motel rooms.

Most of the housing and services for homeless persons in New York State are located in cities or large urban areas. In order to access these resources, homeless persons in rural and suburban areas often have to uproot themselves from their communities and move to locations where housing and services are more available.

Chronically Homeless Persons

Throughout New York State, localities have begun to focus on the needs of chronically homeless persons, who are defined by HUD as being unaccompanied adults with disabilities who have been homeless continuously for one year, or have had four episodes of homelessness in the last three years. Local Continuum of Care coordinating bodies have worked hard to create "low-demand" and "Housing First" models to move chronically homeless persons off the street and into permanent housing. A number of communities in New York State have developed or are in the process of developing *Ten Year Plans to End Homelessness* which address the needs of chronically homeless persons. Many of these Plans have resulted in the creation of additional bed capacity for chronically homeless persons.

The *Homeless Populations Table* indicates that Continuum of Care coordinating bodies across the State have identified a total of 2,783 sheltered and 3,231 unsheltered chronically homeless persons throughout the state in late January of 2008. As expected, urban localities reported having the most chronically homeless persons, both sheltered and unsheltered. These included New York City (3,885), Suffolk County (629), Orange County (238) and Erie County (213). It should be noted that due to intensive efforts on the part of the New York City Department of Homeless Services to target chronically homeless persons for permanent supportive housing, the number of chronically homeless persons in New York City decreased by nearly 50% from the time in which the last New York State Consolidated Plan was developed.

All localities that participate in the Continuum of Care process have developed strategies for ending chronic homelessness, which include some or all of the following: enhanced street outreach; development of better linkages with soup kitchens and other programs that serve chronically homeless persons; creation of day shelters and drop-in shelters for chronically homeless persons; development of "safe havens" and other "low-demand" housing models; use of a "Housing First" philosophy; provision of substance abuse and/or mental health services on demand; and redirection of funding to programs that serve chronically homeless persons.

Persons with Serious Mental Illness

Adults diagnosed with serious mental illness are persons age 18 or older, who currently meet the criteria for a Diagnostic and Statistical Manual of Mental Disorder mental illness diagnosis and experience substantial impairments in functioning due to the severity of their chronic condition. These adults currently experience substantial impairment in a number of areas of role performance or are dependent

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on substantial treatment, rehabilitation, and support services in order to control or maintain functional capacity. Furthermore, they have experienced substantial impairment in functioning due to mental illness for an extended duration on either a continuous or episodic basis.

Exhibit 8 displays data from the New York State Office of Mental Health's "Patient Characteristics in 2007", the most recent year for which data are available, which indicate, by region, the number of homeless persons served in a one-week survey period.

EXHIBIT 8
New York State Office of Mental Health
Patients Served During One-Week Survey Period
by Region

REGION	Number of Persons Served	Percentage of Total
New York City	5,301	74.8%
Hudson Valley	789	11%
Long Island	179	2.5%
Central New York	205	2.7%
Western New York	609	9%
Total	7,083	100%

Addiction and Homelessness Interactions

Homelessness can be chronic, episodic, or situational. Each pattern of homelessness can have addiction-related implications, both as cause and as effect. Addiction can lead to unstable housing and ultimately homelessness, and living in a homeless situation often leads to coping with stress and crisis through greatly increase abuse of alcohol and other drugs.

New York City and State-based estimates identify that among the homeless population which seeks shelter services, at least one-half of single men, one-quarter of single women, and one-quarter of adults caring for their children have alcohol and substance abuse-related problems.

OASAS Treatment Services for Homeless Persons

The OASAS treatment system serves homeless persons across our Continuum of Care. The Addiction Crisis Centers (ACCs) function as "Harm Reduction" emergency care programs whose primary mission is to ensure the safety of persons in acute intoxication or withdrawal. Their secondary goal is to consistently offer engagement, motivational counseling, and referral into the ongoing addiction treatment system. More than one-half of all admissions to ACCs statewide are chronically addicted and chronically homeless.

The short-term, Inpatient Rehabilitation programs, especially the OASAS Addiction Treatment Centers and other publicly-funded programs, have also historically served chronically homeless persons, usually accounting for 30-50% of total admissions. However, due to the short-term nature of these programs --- less than thirty days lengths of stay --- homeless patients leave this level of care still homeless.

The Long-term Residential Programs, Intensive Residential and Community Residential, are the level of care that historically has afforded the best opportunity to engage homeless addicted persons into treatment. Each year there are approximately 3,000 NYC and 1,000 Rest of State homeless admissions to this level of care. The NYC Homeless Shelters make more than 1,800 such referrals. This population is in the most immediate need of referral to Permanent Supportive Housing programs.

Referrals of homeless persons from Intensive Residential programs and Community Residential

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programs into Permanent Supportive Housing (PSH) programs are greatly enhanced because 15 OASAS PSH providers also operate Intensive Residential treatment programs and 13 operate Community Residential programs. Approximately 75% of all PSH sponsoring agencies (28-38) operate this level of residential treatment.

While reviewing Admissions data, an unanticipated result was found: over 4,000 homeless persons were admitted to NYC Outpatient Treatment programs. More than 3,900 of those individuals were referred by NYC Homeless Shelters. This is a powerful testament to effective systems collaboration. "I live in a Homeless Shelter that is designated as a Substance Abuse Special Needs Shelter; it is safe living space where Twelve Step meetings regularly occur, and I am encouraged to attend an OASAS-certified Outpatient Program that is in my neighborhood, if not on-site in the Shelter." Outpatient services are available for women living in Tier II Family Homeless Shelters as well as men and women living in Singles Shelters. *Women In Need* operates six Family Shelters and two Outpatient Clinics; *Camelot Counseling Center* has on-site Clinics in five *Homes for the Homeless Family Inns*.

OASAS Permanent Supportive Housing (PSH) Programs

As the New York state alcoholism and substance abuse governmental authority, OASAS has a mission to help all New Yorkers struggling with addiction issues. We believe that safe, affordable housing and stable living-wage employment are fundamental to successful long-term recovery. The vehicle to help individuals, families and communities facing addiction and homelessness is Permanent Supportive Housing. This is a program that concurrently addresses problems for individuals and families while strengthening economic development in communities.

The **OASAS Vision** --- Permanent Supportive Housing programs are the means by which our State agency is able to give hope to individuals, families and communities in recovery.

The **Services Package** includes:

- 1) Rental Subsidies at the full HUD Fair Market Rental for each community, with the expectation that individuals and families participating in the Program will contribute financially to the actual Rent due to landlords;
- 2) Leases held by the voluntary agency, with Program participants signing Occupancy Agreements;
- 3) Apartment leases can be "turn-keyed" to the recovering individual or family when their income is sufficient to assume full rental responsibility;
- 4) Case Management services not just during daytime hours, but in the evening and on weekends; and
- 5) Employment counseling services that include custom job development, job coaching, post-employment support groups, and access to skills training to aid career growth.

The **Program Model** emphasizes Scatter-site Rentals of apartments in clusters of 5-10 apartments in any given building, with the Case Management and Employment Counseling Services coming to the housing sites. Congregate sites will also be developed, especially in those buildings that provide permanent housing to several different special needs groups.

The **Program Scale** focuses on Projects with approximately 20-25 units in urban centers, 10-15 units in smaller cities, and 5-8 units in rural communities. This scale ensures that no one neighborhood becomes saturated, the staff can establish meaningful work relationships with Program participants, and job development and job placement can be accomplished not just with a few large employers, but with the many and diverse microenterprises and small businesses in each community.

Program Components include:

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- (1) HUD Shelter Plus Care Rental Subsidy Program (S+C) that OASAS operates in NYC, the New York metropolitan counties, and in Upstate communities (approximately 900 apartments) coupled with OASAS Case Management funding for all Sponsoring Agencies;
- (2) New York/New York III (NY/NY III) Scatter-site Rental Subsidy Program for homeless single adults who have completed some level of substance abuse treatment (approximately 325 units on line by October 2009); and
- (3) Upstate Permanent Supportive Housing (PSH) Initiative also uses a Scatter-site Rental Subsidy housing model for at least 50 units for Upstate cities and rural communities. Implemented through a Planning Supplement RFA released in November 2008, six grants were awarded in June 2009 that result in October 2009 operation of 55 apartment units in seven communities.

EXHIBIT 9 THE OASAS HOUSING PORTFOLIO: PERMANENT SUPPORTIVE HOUSING (PSH) APARTMENT UNITS (2007-08, 2008-09, 2009-10)

PSH Program	NYC	Long Island	Downstate Subtotal	Upstate Subtotal	Statewide Total
1. S+C					
2007-08	407	18	425	431	856
2008-09	445	18	463	431	894
2009-10	445	18	463	435	898
2. NY/NY III					
2007-08	0	N/A	0	N/A	0
2008-09	250	N/A	250	N/A	250
2009-10	325	N/A	325	N/A	325
3. Upstate PSH					
2007-08	N/A	N/A	N/A	0	0
2008-09	N/A	N/A	N/A	0	0
2009-10	N/A	N/A	N/A	53	53
TOTAL					
2007-08	407	18	425	431	856
2008-09	695	18	713	431	1,144
2009-10	770	18	788	488	1,276

NOTES:

- Apartment unit figures are cumulative. For example, NYC Shelter Plus Care increases from 407 units in 2007-08 to 445 units in 2008-09.
- The OASAS PSH Initiatives show dramatic growth between 2007-08 and 2008-09, increasing by 35% (1,144 units, up from 856 units). The two year increase is 49% (1,276 units up from 856 units).
- In NYC, the introduction of our NY/NY III Initiative represents a significant increase in OASAS state funding support; by 2009-10, the NY/NY III PSH Program accounts for 42% of the NYC subtotal (325-770).

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- In Upstate New York, Shelter Plus Care HUD grants still support the great majority of PSH apartment units --- 885 (435-490) units.
- While the Upstate PSH Program accounts for just 55 apartment units, this Initiative has brought OASAS programming to seven more communities, increasing our total market penetration from fifteen to twenty-two communities.

Persons Living with HIV/AIDS

Estimate of Number of Persons Living with HIV/AIDS and their Families

The New York State Department of Health's Bureau of AIDS Epidemiology reports that, as of December 31, 2007 (the most recent date for which data are obtainable), there were 113,282 persons in New York State living with HIV/AIDS. Approximately 81.8% (92,661) of these persons live in New York City, with the balance (20,621) living throughout the rest of the state.

Research indicates that over 50% of all persons living with HIV/AIDS will require housing assistance at some point during their illness.

Description of Supportive Housing Needs of Persons Living with HIV/AIDS and their Families

Due to new medications used to treat AIDS, the death rate of those living with HIV/AIDS has declined dramatically. However, this fortunate turn of events has resulted in an increased need for housing resources. Many persons with HIV/AIDS are living on Supplemental Security Income (SSI) or receive public assistance while awaiting determination of SSI eligibility. They lack the income necessary to pay Fair Market Rents. In addition, many persons living with HIV/AIDS require supportive services, such as home health care, case management, substance abuse and mental health evaluation and treatment, transportation, childcare, and other services. Supportive housing programs offer the combination of housing and supportive services needed by persons living with HIV/AIDS to maintain their health

New York City's HIV/AIDS Services Administration (HASA), currently provides housing assistance to approximately 20,000 persons living with HIV/AIDS and their families. According to a New York City HIV/AIDS Housing Needs Assessment funded by the New York City Department of Health and Mental Hygiene's Office of AIDS Policy administered by the Postgraduate Center for Mental Health, an estimated 10,000 to 14,000 additional units of housing assistance will be needed in New York City to meet the needs of persons living with HIV/AIDS.

Elsewhere in the State, it is estimated that an additional 6,000 to 9,000 housing units with supportive services will be needed by persons living with HIV/AIDS. Most of this need can be met through the provision of rental assistance subsidies coupled with supportive services. For this reason, New York State has allocated most of its HOPWA funding to tenant-based rental assistance and supportive services.

Victims of Domestic Violence

In 2008, the most recent year for which statistics are available, 15,396 New York State victims of domestic violence were sheltered in 160 residential programs licensed by the New York State Office of Children and Family Services. These programs have a total of 2,930 beds. In addition, 1,067 persons received transitional services, and over 42,000 received non-residential services. A total of 24,019 adults and children were denied residential services. Denial data does not take into account duplicate requests where a victim was denied admission to more than one residential program. The most frequently cited reasons for denials were: facility at capacity, unsafe location for family, lack of availability to meet the

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victim's special needs, and, outside of New York City, family too large. Providers report an increase in victims of domestic violence with more intensive service needs.

Homeless Youth

In 2008, there were 13,386 admissions to runaway and homeless youth programs, representing 9,965 individual youth. Of those admissions, 8,290 were to emergency, short-term programs funded under the New York State Runaway and Homeless Youth Act (RHYA), which provides funding and oversight for programs for runaway and homeless youth. A total of 1,255 admissions were to longer-term transitional residential programs. Another 3,841 admissions were to non-residential short- and long-term services. The majority of the youth (45%) were served in New York City. In addition, over 78,814 calls were received across the State by runaway and homeless youth hotlines and nearly 37,235 contacts were made through runaway prevention and outreach programs.

Runaway and homeless youth programs reported that 4,594 youth sought services but were not served. Of those, 45% did not follow through or did not arrive at the shelter. A total of 15.6% were not served due to unavailable shelter or interim home space, 13% were too old to be eligible, 8% had mental health problems too severe for program admission, 12.5% had severe behavior problems or were violent, 2% were not served because they were abusing drugs, and another 2% were too young for admission. One percent was pregnant youth or parents with children and ineligible. Less than one percent was too physically sick to be admitted.

Needs of Persons Threatened with Homelessness

It should also be noted that a significant number of at-risk households are living in doubled-up or tripled-up situations in order to keep a roof above their heads. This is not just an urban phenomenon; it exists in rural communities as well, particularly in places where there are no emergency shelters. There is no way to determine the exact number of households who are living in inappropriate, overcrowded conditions, but it is a problem in all regions of the State.

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Section 91.305(d) Other Special Needs

- (1) *The state shall estimate, to the extent practicable, the number of persons who are not homeless but require supportive housing, including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, and any other categories the state may specify, and describe their supportive housing needs.*
- (2) *With respect to a state seeking assistance under the HOPWA program, the plan must identify the size and characteristics of the population with HIV/AIDS and their families within the area it will serve.”*

Overview

This section focuses on six populations, each of which, though not homeless, has special needs for housing with supportive services:

- persons who are elderly or frail elderly
- persons with severe mental illness
- persons with developmental disabilities
- persons with physical disabilities
- persons and families who are in Long Term Recovery from Alcohol/Substance Abuse
- persons and their families living with HIV/AIDS

An estimate of the number of persons is presented below, followed by a description of each population's special housing and supportive services needs.

Older Adults and Frail Older Persons

Estimate of number of older adult and frail older persons:

The New York State Office for the Aging (NYSOFA) estimates there are approximately 2,448,327 non-institutionalized persons who are 65 years old or older living in New York State. Of that number, 979,331 (40%) are considered frail or disabled and 881,398 (36%) live alone. In New York City the number considered frail or disabled is 1,126,230 (46%) and the number of those living alone is 979,331 (40%).

A person is considered frail/disabled with one or more functional deficits in the following areas:

- physical functions;
- mental functions;
- activities of daily living [ADL] (eating, bed/chair transfer, dressing, bathing, toileting and continence); and
- Instrumental Activities of Daily Living [IADL] (meal preparation, housekeeping, shopping, medication, telephone, travel and money management).

Description of supportive housing needs of older and frail persons

As New York State continues its public policy shift in the provision of long term care services from institutional settings to both single-family and multi-unit housing environments, it becomes increasingly important that all housing options are able to accommodate the changing needs and preferences of all residents. An accommodating home should address affordability, physical design features, safety and security, cultural congruence and full integration into the community through access to amenities, employment and socialization opportunities, and other services and care.

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Persons with Serious Mental Illness

Estimate of number of persons with serious mental illness:

The New York State Office of Mental Health (OMH) estimates there are approximately 813,087 adults with serious mental illness living in New York State.

Adults diagnosed with serious mental illness are persons, ages 18 or older, who currently meet the criteria for a Diagnostic and Statistical Manual of Mental Disorder IV mental illness diagnosis and experience substantial impairments in functioning due to the severity of their clinical condition. These adults currently experience substantial dysfunction in a number of areas of role performance or are dependent on substantial treatment, rehabilitation, and support services in order to control or maintain functional capacity. Furthermore, they have experienced substantial impairment in functioning due to mental illness for an extended duration on either a continuous or episodic basis.

Description of supportive housing needs of persons with serious mental illness

OMH presently funds residential placements for over 31,800 individuals in a variety of program modalities and 8,675 additional units are in development and scheduled to open within the next one to five years. Approximately one-half of these units are, and will be, in Supportive Housing programs for which OMH provides a rental stipend for units rented on the open market in conjunction with services that are available on a flexible, as-needed, basis.

Various studies have confirmed that access to decent affordable housing of one's choice is a critical component in treatment leading to the rehabilitation of persons who are seriously mentally ill. However, due to their disability and the stigma that accompanies mental illness, many of these individuals have extremely low-incomes. Although many are eligible for Supplemental Security Income (SSI), this benefit is usually not enough for these individuals to secure safe, decent and affordable housing in most areas of the State.

Housing resources are needed for persons graduating from community based residential programs, State psychiatric centers, forensic settings, young adults aging out of children's facilities and elderly persons. Section 8 vouchers have been used successfully for these populations, but are severely limited. With access to additional Section 8 and other federal housing resources, more persons would be able to secure safe, affordable housing in their communities. Such additional resources would shorten stays in the service intensive mental health residential system, enable those programs to serve other needy individuals and lengthen community tenure for persons discharged from such programs.

Persons with Physical Disabilities

Estimate of number of persons with physical disabilities:

According to the 2007 American Community Survey, in New York in 2007, among the six types of disabilities identified in the ACS, the highest prevalence rate was "Physical Disability," with 1,606,510 or 9% of 17,839,000 individuals ages 5 and older reporting a physical disability as defined below*.

*The ACS definition of disability is based on three questions.

- (1) Does this person have any of the following long-lasting conditions?
 - (a) blindness, deafness, or a severe vision or hearing impairment [Sensory Disability];
 - (b) a condition that substantially limits one or more basic physical activities such as walking, climbing stairs, reaching, lifting, or carrying [Physical Disability].
- (2) Because of a physical, mental, or emotional condition lasting six months or more, does this person have any difficulty in doing any of the following activities?
 - (a) learning, remembering, or concentrating [Mental Disability];

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(b) dressing, bathing, or getting around inside the home [Self-Care Disability].

(3) Because of a physical, mental, or emotional condition lasting six months or more, does this person have any difficulty in doing any of the following activities? [asked of persons ages 16 and older]

(a) going outside the home alone to shop or visit a doctor's office [Go-Outside-Home Disability];

(b) working at a job or business [Employment Disability].

A person is coded as having a disability if he or she or a proxy respondent answers affirmatively for one or more of these six categories.

Description of supportive housing needs of persons with physical disabilities

While many people with physical disabilities require supportive housing, or homeless assistance services, there are many others with physical disabilities who do not require such services, but are nevertheless in need of decent, safe and affordable housing.

One of the functions of the Americans with Disabilities Act (ADA) of 1990 is to eliminate discrimination based on disability in employment. U.S. Census survey data confirm that employment, while gradually increasing, continues to be a challenge for persons with disabilities, forcing them to live on limited incomes, while struggling to find affordable, decent and safe housing of their own choosing in the community.

According to the Technical Assistance Collaborative, Inc. and the Consortium for Citizens with Disabilities Housing Task Force Report, entitled, "Opening Doors Priced Out in 2008: Housing Crisis Worsens for People with Disabilities," in 2008 SSI benefits in New York State were 19% of the median income for a one-person household. An average of 141.4% of SSI is needed to rent a one-bedroom unit and 129.4% of SSI is needed to rent a studio apartment in New York State. The gap between housing costs and income for people with disabilities, particularly when considered with rising rental housing costs, illustrates an important need for housing assistance.

There are many State-related planning initiatives that play an important role in expanding housing for people with disabilities. Foremost, New York State has encouraged over the last few years in particular, greater participation in the Consolidated Planning process by persons with disabilities. The New York State Independent Living Council, Inc. has taken an active role on the National Affordable Housing Act Task Force. In an effort to encourage participation by people with disabilities in the development of the Plan, greater citizen participation was sought, through live video teleconference public hearings held simultaneously on three occasions in four locations throughout the State.

In 1999, in the landmark case *Olmstead v. L. C.* (527 U.S. 581), the U.S. Supreme Court affirmed that people with disabilities must receive services in the most integrated setting appropriate to the individual's needs (28 CFR § 35.130(d)). Using this integration mandate held under Title II of the Americans with Disabilities Act, the Court concluded that unnecessary institutional segregation constitutes discrimination. As a result, Chapter 552 of the Laws of 2002 established creation of the Most Integrated Coordinating Council (MISCC) in New York State, which has served as a useful tool in developing strategies to increase housing opportunities for people with disabilities living in institutional settings, who desire to live in a more integrated setting. [A more complete discussion of MISCC is provided under "Coordination" in the Strategic Plan section of this document.]

In response to the needs of persons with disabilities and to the efforts undertaken by MISCC, the State has taken steps to increase affordable, accessible housing opportunities in New York State.

One such step is the Nursing Home Transition and Diversion Waiver Housing Subsidy Program. This program followed discussions with disability advocates and partner agencies in which the State

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recognized that for persons with disabilities and special needs living on Social Security Income (SSI) the cost of housing was often a barrier to fair housing choice.

Often times this barrier resulted in more costly nursing home placement and prohibited an individual from the choice of living in a more integrated setting. In response, New York State Division of Housing and Community Renewal (DHCR)/ Housing Trust Fund Corporation (HTFC) partnered with the NYS Department of Health (DOH) 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 (18) or over and seniors by assisting them with securing housing and at-home services appropriate to their needs.

A household may remain with the program as long as they are waiver eligible, even if they change residence. The NHTD Housing Subsidy receives an annual State appropriation of approximately \$2.3 million which has allowed the program to be offered in every county within the State. The average rental subsidy payment is \$771 per month.

This program has strengthened the partnership between housing and service delivery systems, as organizations have become more adept with developing plans that meet individual service and housing needs. It won the 2009 National Council of State Housing Agencies (NCSHA) Award for Program Excellence in Special Needs Housing.

Additional examples of actions to increase affordable, accessible housing opportunities in New York State are several changes that DHCR/HTFC made in its funding process to increase opportunities for affordable, accessible housing for a variety of populations. Several of these changes were included in the State's Qualified Allocation Plan (QAP). The QAP regulates how the State administers the Federal Low Income Housing Credit (LIHC) Program, which is an important tool to infuse private sector dollars into affordable housing.

These revisions in the QAP identified visitability standards as threshold review criteria. They also included rating criteria for fully accessible and adapted, move-in ready units and a set-aside of up to \$2 million in Low Income Housing Credits for supportive housing. The supportive housing set aside supports a continuum of promoting fair housing choice since projects funded under the supportive housing set aside may provide access to housing with supportive services, but services are not mandated.

DHCR implemented programmatic requirements that extend the provisions of Section 504 of the Rehabilitation Act of 1973 to certain State-financed housing projects. Under the State-funded Low Income Housing Trust Fund (HTF) program, DHCR requires that a minimum of 5% of the total units in a new construction multi-family project (five units or more), or one unit, whichever is greater, are made accessible for and marketed to persons with mobility impairments and that an additional 2% of the total project's units or one unit, whichever is greater, are made accessible for and marketed to persons with visual or hearing impairments. The project owner is responsible for the reasonable costs of any alterations necessary to accommodate an eligible tenant.

As the State actively encourages new housing opportunities for persons with disabilities, DHCR/HTFC's funding process includes rating and ranking criteria to increase opportunities for affordable, accessible housing for a variety of populations. 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

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persons with disabilities. This set-aside includes 15% or more of the total project's units and allows owners to reserve units outside of the application system, thereby providing access to units that may have otherwise been included in a lottery system.

Beginning in the 2008 funding round, DHCR/HTFC included a scoring incentive which provided maximum points for applicants exceeding 5% of the total projects units as fully accessible, move-in ready for persons with a mobility impairment and 2% of the units as fully accessible, move-in ready for persons who have a hearing or vision impairment to 10% and 4% respectively.

These enhanced criteria were continued in 2009 with a number of applicants taking advantage of the point incentive. Of the total awards announced in July 2009, approximately 70% met, or exceeded the 5% and 2% criteria and more than 50% met or exceeded the 10% and 4% criteria. The 2009 awards are creating more than 400 fully accessible units for persons with mobility, hearing or vision impairments.

People with Developmental Disabilities

Estimate of number of persons with developmental disabilities:

Using a widely accepted NYS population projection from the 2006, U.S. Census Bureau of 19,306,183 and a developmental disabilities prevalence rate of 1.58% based on a large, national health survey (see MR/DD Brief April 2000 from Research and Training Center on Community Living, University of Minnesota); there are an estimated 305,000 New Yorkers with a developmental disability.

Description of housing and non-housing needs of people with developmental disabilities

Over the last four decades a large institutional system (nearly 28,000 residents in 1968) has been dismantled by the New York State Office for Persons With Developmental Disabilities (OPWDD) and only 1,528 remained as of March 31, 2009. Most of the remaining residents reside in special units designed to address very challenging behavior. Along with institutional decline there has been an emergence of a vast, statewide system of community services, with a range of residential, day and family support options. OPWDD has reduced the average size of the homes in its community residential system, reflecting the desirability of delivering services in smaller and more individualized settings. OPWDD has, through the Home and Community-based Services (HCBS) waiver, expanded day services and paved the way for more individualized supports for the people we serve.

Please see Exhibit 10 below which describes the number of individuals with developmental disabilities currently living in an institutional setting and those who left in 2009.

EXHIBIT 10
Individuals with Developmental Disabilities Living in an Institutional Setting
Those Who Left in 2009 and Projected to Leave in 2010

Type of Setting	Current Census	Left in 2009*	Projected to Leave in 2010
Developmental Center**	434	132	50
Special Populations	1,018	95	54
Total	1,452	227	104
Nursing Facilities	1,258	234	68
Private Schools	539	44	32
Specialty Hospital	61	1	0
Other Institutional Settings	1,858	279	100

* Left in 2009 represents people who have permanently moved from the institutional setting to a less restrictive setting; deaths are not included. Data provided by DFAS, Budget Office and Information Management Solutions

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* *Current census figure includes Small Residential Units (19)

The decline of institutional living was accompanied by the creation, one home at a time, of a large, statewide network of community programs of various types. Community residential services have grown nearly 500%, from enrollment of 6,182 in 1975 to 36,122 in 2008. Over this period, the community sector added nearly 30,000 residential opportunities, significantly more than necessary to meet the demands of shrinking and closing institutions. These opportunities were created to address the desire of people with developmental disabilities and their families for a long-term living arrangement apart from the family home.

Requests for all types of residential opportunities within the OPWDD system continue at a steady pace. Although the total demand for residential services cannot be met immediately, the Executive Budget funds supports and services that foster greater independence and choice, as well as limited resources that can support more traditional capital intensive supports and services. OPWDD, in collaboration with its various stakeholders, will continue to prioritize access to these limited new opportunities, through a fair and equitable process.

Some non-housing needs include:

- In home Residential Habilitation
- Home Care/Home Maker
- Recreation
- Transportation
- Adult/Childcare (during working hours/after school)
- Respite (day/evening)
- Respite (overnight)
- Adaptive Equipment
- Environmental Modifications

Persons with Alcohol or Other Drug Addictions

The New York State Office of Alcoholism and Substance Abuse Services (OASAS) is an active member of New York's Most Integrated Setting Coordinating Council (MISCC), the entity responsible for ensuring that people with disabilities have meaningful access to housing, employment, transportation and other support services that maximize integration into communities of choice and maximize positive quality of life for individuals and families. The MISCC Housing Committee is led by the New York State Division of Housing and Community Renewal (DHCR). These over-arching goals are fully compatible with OASAS' commitment to developing and maintaining a Recovery Oriented System of Care which includes not only traditional prevention services focused on youth and traditional treatment services focused on adults, but also now includes a wide range of recovery services focused on all life stages.

There are three elements that are essential for long-term successful recovery:

- (1) a personal program of recovery (often involving active membership in Twelve Step and/or faith-based organizations);
- (2) safe and affordable permanent housing; and
- (3) stable employment at a living wage.

Given these two compatible perspectives --- maximizing community integration for persons with disabilities, and building a recovery-oriented system of care for persons with substance use problems --- OASAS develops, funds, and monitors both **Transitional Supportive Housing** (with expected lengths of stay (LOS) less than 24 months) and **Permanent Supportive Housing** (with expected lengths of stay of

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two years duration or more). See Exhibit 11 below.

EXHIBIT 11
OASAS-certified Long-term Residential Treatment Programs

Program Type	Number of Programs	Number of beds	Type of Setting	Level of Integration
Intensive Residential – LOS = one year	88 programs	6,948 beds	Congregate – all services in program	50-300 bed facilities – low integration
Halfway House – LOS = 6 months	83 programs	1,918 beds	Congregate – services in community	12-24 bed facilities – medium integration
Supportive Living – LOS = one year	36 programs	952 beds	Scatter-site, small clusters – services in community	Apartments – high community integration
TOTAL	207 programs	9,818 beds		

NOTES:

- Three-quarters of all Intensive Residential beds serve NYC residents. Approximately 500 beds are specialized programs for women and their children, and 500 beds are specialized residential programs partially funded by HUD-SHP homeless grants. There are no major expansions planned for this program type, with the exception of an additional 25 to accommodate Drug Law Reform mandated referrals to begin in 2010.
- Three-quarters of all Halfway House beds serve residents living beyond NYC and Long Island. Approximately 300 beds are specialized programs for women and women and their children. A total of 100 new beds are in development for Long Island, which currently has an inventory of less than 50 beds.
- Over 95% of all Supportive Living beds serve residents living beyond NYC and Long Island. Approximately 100 beds are specialized programs for women and their children (small clusters of apartments in one building).

OASAS Permanent Supportive Housing (PSH) Programs primarily serve individuals and families who are currently homeless (New York/New York III), began their current course of treatment and/or recovery when homeless (Shelter Plus Care), or are at high risk of becoming homeless (Upstate PSH program). The newest OASAS housing “brand” --- the Re-Entry PSH program --- is designed for Parolees and persons being diverted from prison through the Drug Law Reforms of 2009. Also, a new project was added to create 50 new beds for formerly incarcerated individuals who have co-occurring mental health and drug addiction problems using funding from the American Recovery and Reinvestment Act. Full details of OASAS PSH program development are found in the **Homeless Section** of this Report.

Persons Living with HIV/AIDS and their Families

Estimate of number of persons living with HIV/AIDS and their families:

The New York State Department of Health’s Bureau of AIDS Epidemiology reports that, as of December 31, 2007 (the most recent date for which data are obtainable), there were 113,282 persons in New York State living with HIV/AIDS. Approximately 81.8% (92,661) of these persons live in New York City, with the balance (20,621) living throughout the rest of the state.

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Research indicates that over 50% of all persons living with HIV/AIDS will require housing assistance at some point during their illness.

Description of supportive housing needs of persons living with HIV/AIDS and their families

Due to new medications used to treat AIDS, the death rate of those living with HIV/AIDS has declined dramatically. However, this fortunate turn of events has resulted in an increased need for housing resources. Many persons with HIV/AIDS are living on Supplemental Security Income (SSI) or receive public assistance while awaiting determination of SSI eligibility. They lack the income necessary to pay Fair Market Rents. In addition, many persons living with HIV/AIDS require supportive services, such as home health care, case management, substance abuse and mental health evaluation and treatment, transportation, childcare, and other services. Supportive housing programs offer the combination of housing and supportive services needed by persons living with HIV/AIDS to maintain their health

New York City's HIV/AIDS Services Administration (HASA), currently provides housing assistance to approximately 20,000 persons living with HIV/AIDS and their families. According to a New York City HIV/AIDS Housing Needs Assessment funded by the New York City Department of Health and Mental Hygiene's Office of AIDS Policy administered by the Postgraduate Center for Mental Health, an estimated 10,000 to 14,000 additional units of housing assistance will be needed in New York City to meet the needs of persons living with HIV/AIDS.

Elsewhere in the State, it is estimated that an additional 6,000 to 9,000 housing units with supportive services will be needed by persons living with HIV/AIDS. Most of this need can be met through the provision of rental assistance subsidies coupled with supportive services. For this reason, New York State has allocated most of its Housing Opportunities for Persons with AIDS (HOPWA) funding to tenant-based rental assistance and supportive services.

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Section 91.315(e) Non-Housing Community Development Needs

“(1) If the State seeks assistance under the Community Development Block Grant program, the consolidated plan must describe the State’s priority non-housing community development needs that affect more than one unit of general local government and involve activities typically funded by the State under the CDBG program.”

Overview

The State of New York is actively engaged in a variety of activities aimed at addressing non-housing community development needs statewide for the betterment of New York’s communities. Through the funding and/or services provided by several New York State agencies, non-housing community development activities are undertaken at both the State and local levels of government

The Office of Community Renewal

NYS CDBG funds played a vital role in addressing housing and non-housing community development needs in New York’s smaller and rural communities. Based on the demand for NYS CDBG funding for non-housing community development activities, significant funding was awarded for activities such as public infrastructure, public facilities and economic development activities.

Exhibit 12 below illustrates the demand for NYS CDBG funds for non-housing community development activities for Program Year 2006-2009.

EXHIBIT 12 NYS CDBG Funding Requests and Awards Non-housing Community Development Activities 2006- 2009 [in millions]

CATEGORY	REQUESTS		AWARDS	
	Amount	Number	Amount	Number
TOTAL PUBLIC INFRASTRUCTURE/FACILITIES	113,691,305	240	43,161,090	93
Water	50,551,412	103	18,523,287	41
Sewer	38,960,960	78	14,065,678	29
Community Facilities/Other	24,177,933	59	10,572,125	23
ECONOMIC DEVELOPMENT- Microenterprise Competitive Round (2006-2008)*	13,851,300	40	7,220,500	22
ECONOMIC DEVELOPMENT- Open Round	75,228,863	171	50,111,363	107
GRAND TOTAL	202,771,468	451	100,492,953	222

* In 2009, the Microenterprise program was moved from the Competitive Round to the Open Round Economic Development Program.

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**HUD TABLE 2B
Non-Housing Community Development
Priority Needs**

Priority Needs	Dollars to Address Unmet Priority Need
PUBLIC FACILITY NEEDS (projects)	13,605,808
Community Facilities/Other	13,605,808
INFRASTRUCTURE	56,923,407
Water	32,028,125
Sewer	24,895,282
ECONOMIC DEVELOPMENT	31,748,300
Economic Development Assistance	25,117,500
Microenterprise Assistance	6,630,800
TOTAL ESTIMATED DOLLARS NEEDED	102,277,515

As illustrated in Exhibit 12 (NYS CDBG Funding Requests and Awards) and HUD Table 2B (Non-housing Community Development Priority Needs) there is a significant unmet need for non-housing community development throughout New York. The percentage of unmet need is greater than 52% for public infrastructure and facilities projects. The unmet need for microenterprise activities is 48% and for economic development projects the unmet need is 33%. The overall unmet need for NYS CDBG non-housing community development is 50%.

Other Non-housing Community Development Agencies

In preparation of this plan, members of the National Affordable Housing Act (NAHA) Task Force and Partnership Advisory Council (PAC) were consulted, representing various state agencies and not-for-profit organizations that provide funding and/or services which address non-housing community development needs. In addition, various state agency websites were reviewed for information that may contribute to the non-housing needs of New York and a New York State county submitted its Consolidated Plan which outlines and represents some of the needs of New York's most rural communities.

- **Environmental Facilities Corporation (EFC)**

The New York State Environmental Facilities Corporation (EFC) plays a major role in the progress of preserving and protecting our environment. The Environmental Facilities Corporation is a public benefit corporation which partners with communities statewide in carrying out important environmental infrastructure projects. The impact of the EFC is especially visible through its largest programs, the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund (SRF's), which provide low-cost financing and technical assistance to both municipal and eligible private customers for environmental infrastructure projects that improve water quality. Although one of the primary funders, EFC is also the coordinator of the New York State Water and Sewer Infrastructure Co-Funding Initiative, this initiative is a coordinated multi-agency approach to allow communities to have access to all of the State and federal resources available for water and sewer projects. As costs of construction increase, the Co-Funding Initiative provides coordination of the increasingly competitive funding that is available.

The increasing demand for public funding for water and sewer projects propelled the New York State Clean Water and Drinking Water SRF Programs to reach almost \$2 billion in total financing between 2006 and 2008. Since the establishment of these funds, EFC has provided \$15.2 billion

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in financing to 1,863 projects.

In addition to financing for wastewater and drinking water projects, EFC also provides tax-exempt and taxable revenue bonds to help finance these projects. Some of these funding sources include the Clean Vessel Assistance Program, Pipeline for Jobs Program, Environmental Farm Assistance & Resource Management, Beginning Farmer and Industrial Finance, and Small Business Environmental Assistance Program.

- **Developmental Disabilities Planning Council (DDPC)**

New York State, through the Developmental Disabilities Planning Council (DDPC), supports many service areas for individuals and families including, personal assistance, day programs, recreation, technology and transportation, which are provided by State agencies. Over many years the Developmental Disabilities service system has successfully increased its emphasis on providing services in the community for persons with developmental disabilities particularly in the areas of community involvement, employment, and recreation.

The DDPC has developed its grant programs in direct response to concerns and ideas voiced by their consumers, families, service providers, policy makers, and other professionals. As a result of their contacts with these entities, the DDPC has identified several areas where there is an unmet need for services. Areas where service is lacking and funding is needed include the following:

- preparedness of first responders and emergency personnel
- promotion of inclusive recreational opportunities
- facilitation of inclusive congregations
- increase of assistive technology
- development of direct support workforce issues and needs and promotion of employment opportunities
- support of self-determination approaches
- support for parents with disabilities and support for the children with parents with disabilities
- support for the aging developmental disability population and their caregivers
- support of cross-system approaches that engage people with their communities

The above represent the unmet non-housing needs as identified by the Developmental Disabilities Planning Council. Although funding may be available for some these needs, the amount of funding is insufficient to address all of the above.

- **Office for Persons With Developmental Disabilities (OPWDD)**

The New York State Office for Persons With Developmental Disabilities (OPWDD) serves persons throughout New York State who have developmental disabilities by assisting those with developmental disabilities to live richer lives by fully participating in the communities within which they reside. OPWDD has identified several areas of unmet needs for the population which they serve. Although some funding is available to address these needs, the amount of funding available does not fully address the needs, and there is a gap in the following areas:

- in home residential habilitation
- home care
- availability and accessibility of recreation facilities
- availability of transportation systems
- adult Care and Childcare facilities and systems

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- respite care both overnight and day time
- availability of adaptive equipment
- affordability of environmental modification

- **Department of Labor (DOL)**

The New York State Department of Labor (NYSDOL) oversees New York's workforce development system under the Workforce Investment Act and under the American Recovery and Reinvestment Act of 2009. Priority for services is given to customers who meet low income guidelines promulgated under the Workforce Investment Act, which includes persons who are:

- In a family that receives cash assistance through a government program based on need such as [Supplemental Security Income \(SSI\)](#), [Temporary Assistance for Needy Families \(TANF\)](#), or General Assistance;
- Eligible for [Food Stamps](#) (or have been eligible in the past 6 months);
- Homeless;
- In government sponsored foster care; or
- Have annual gross income that does not exceed the current Lower Living Standard Income Level (LLSIL) Guidelines limits. Income is determined by looking at income for the six months prior to making application and multiplying by two.

In 2009, NYSDOL awarded \$15 million in competitive grants to 44 entities Statewide to provide emerging and transitional worker training to 3,665, and awarded \$5 million to 24 entities Statewide to provide training services to 1,737 disconnected youth. However, these programs are but one component of the aggregate need. Supportive services are often crucial in enabling jobseekers to participate. Barriers to participation include: limited English language skills; a lack of funding for training materials and related equipment; a need for reliable childcare services; a lack of reliable transportation and others.

Under the Workforce Investment Act, a provision exists for Supportive Services which typically include assistance with housing, transportation and child care. Services for youth expand these categories and can include linkages to community services, referrals to medical services, and funding for training materials, uniforms and tools. There is also a provision for Needs Related Payments, which provide financial assistance to enable individuals to participate in training. These payments are intended to prevent individuals from refusing or abandoning training due to unmet living expenses.

- **AIDS Institute**

The AIDS Institute is a division under the New York State Department of Health. The AIDS Institute provides leadership to alleviate the human toll of the HIV/AIDS epidemic through programs, policies and partnerships that exemplify compassion and empower individuals, communities and institutions.

In order to assess the greatest needs of its service population, the AIDS institute held regional listening forums for clinicians, consumers, and non-clinical health and human service providers. These forums resulted in the development of a report that outlined the unmet needs of its service population. The following is a summary of the needs identified:

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – NON-HOUSING COMMUNITY DEVELOPMENT NEEDS

Prevention

- enhanced education and outreach including social marketing, public service announcements, and outreach targeted to marginalized populations
- expanded and integrated HIV testing and STD services with other public health prevention activities. Barriers to testing include limited funding for test kits, limited shelf life of test kits, and competing priorities in emergency departments
- increased harm reduction, particularly the need for additional syringe exchange programs and increased availability of buprenorphine

Health Care

- need to increase the number of clinicians who are HIV Specialists
- increase the coverage of AIDS Drug Assistance Program (ADAP)
- integrated testing, better data for monitoring and planning services, and coordinated treatment for HIV and Hepatitis C
- increase access to dental services for persons with HIV
- increase access to mental health services including substance abuse services
- increase the number of Long Term Care beds available to persons living with HIV/AIDS
- increase the Treatment Adherence support and specialized treatment adherence for substance users and persons with mental illness

Supportive Services

- increase transportation systems in every region of the state to encompass both clinical and supportive services
 - improve Case Management services to incorporate culture and linguistic differences.
 - increase the access to Food and Nutrition services
 - increase access to substance use-related services
 - increase the availability of legal and advocacy services
 - increase translation and interpretation services for those who speak a foreign language or those living with a disability ((e.g., hearing impaired, or visually impaired)
- **New York State Office of Mental Health (OMH)**
The New York State Office of Mental Health provides assistance to persons with mental health issues through recovery programs. Through OMH's 2009-2013 Statewide Comprehensive Plan for Mental Health Services, the agency outlines the needs of the mental health communities as well as the goals of the agency to meet those needs.

Through their comprehensive plan OMH discusses the impacts that the current economic conditions have on providing decent and affordable care for its beneficiaries. OMH has identified the following goals in assisting in the recovery of persons with mental health needs:

- Improve the public health outcomes, wellness, and resiliency of all New Yorkers through an effective public and provider education function.
- Improve outcomes for children with serious emotional disturbance and adults with serious mental illness through the use of proven, effective treatments.
- Reduce the burden of illness through strengthened ties with the scientific and consumer communities engaged in basic, clinical and services research.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – NON-HOUSING COMMUNITY DEVELOPMENT NEEDS

- Improve the quality of mental health services currently available to all children with serious emotional disturbance and all adults with serious mental illness.
 - Increase access to appropriate and effective services, with an emphasis on access for vulnerable and/or underserved populations.
 - Improve the capacity of State and Local governments to achieve agency goals.
 - Increase State and Local accountability for improvements in access to services, quality and appropriateness of services, and cost of services.
- **Empire State Development (ESD)**

Empire State Development (ESD) is New York State's primary economic development agency, responsible for retaining and creating jobs and generating billions of dollars for local and state economies. ESD provides the most knowledgeable and professional level of assistance and service to businesses in order to encourage economic investment and prosperity in New York State.

New York State's economy has struggled in some areas. The recent national and global financial meltdown has at least temporarily damaged the critically important financial sector in New York City (as many as 100,000 jobs in the financial sector may be lost by 2012). New York City's financial sector contributes a significant share of the revenues that support government in New York City and the State as a whole. The following are some of the primary issues identified by ESD that impact the economic conditions on New York's residents.

- Erosion of the manufacturing base that traditionally supported the vitality of many small communities, small cities and upstate metropolitan areas.
- Increase in service sector jobs that are frequently at lower pay scales with fewer benefits and growth opportunities.
- Inability to attract and retain highly trained and skilled labor force participants suffering economically from net out-migration. This includes difficulty in attracting and holding people such as doctors and other critically important health care workers.
- Need for increased public safety, adequate and affordable housing stock and other real estate resources, and maintenance of a desirable quality of life despite increasing population densities.
- Assure that infrastructure systems can accommodate and reinforce population and economic growth without costly delays and energy-wasting congestion.
- Need for identifying, retaining and enhancing critical economic assets despite fierce domestic and international competition on cost, quality of life and labor force issues.
- In ability to maintain and create sufficient economic opportunity and overall community attractiveness to successfully attract and retain highly skilled labor forces challenges many upstate small communities and metropolitan areas.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – NON-HOUSING COMMUNITY DEVELOPMENT NEEDS

- Need to accommodate, support and gain advantages from an aging population.
- Need to identify, preserve and enhance critically important economic assets including agricultural and other resource-related businesses and related opportunities, manufacturing and service businesses and educational and research institutions.

In order to address the above, the following are ESD goals which represent the greatest area of unmet economic development needs:

- Create conditions that encourage work, investment in physical and human capital, and entrepreneurship.
- Position New York State businesses to participate fully in the global economy.
- Grow and enhance a skilled workforce ready to meet the demands of the New Economy.
- Invest in the state's transportation, energy and communications infrastructures to support economic growth while protecting the environment.
- Nurture the development of new technologies, ensuring that New York State remains a leader in innovation and commercialization.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – LEAD-BASED PAINT HAZARDS

Section 91.305(e) Lead-based Paint Hazards

“The plan must estimate the number of housing units within the state that are occupied by low-income or moderate income families that contain lead-based paint hazards, as defined by this part.”

Overview

The U.S. Centers for Disease Control and Prevention (CDC) calls childhood lead poisoning “the most common environmental disease of young children”. Lead-based paint is the principal source of lead in the home. Lead poisoning most often occurs when persons breathe lead contaminated paint dust or ingest lead contaminated paint chips. Young children are most at risk because they are more likely to chew on contaminated surfaces or ingest contaminated chips through hand-to-mouth activity. Among young children, the risks are even greater for those whose families are poor because they are more likely to live in older, more dilapidated housing where peeling and chipping lead-based paint may be within their reach.

In 1978, the U.S. Consumer Products Safety Commission banned the residential use of paint containing more than 0.06% lead (New York City acted earlier, banning lead-based paint in 1960). However, there are still an estimated 38 million pre-1978 dwellings nationwide that contain lead-based paint, and an estimated 24 million have deteriorated lead-based paint and dust and/or soil hazards. Many New York households continue to live in units where lead paint hazards exist.

Lead Poisoning in New York State

New York State has made significant gains in the prevention, early identification and effective management of childhood lead poisoning. The State and Local Health Departments, in collaboration with a wide range of partners, are working to continue the positive trends through the development and implementation of effective public health strategies.

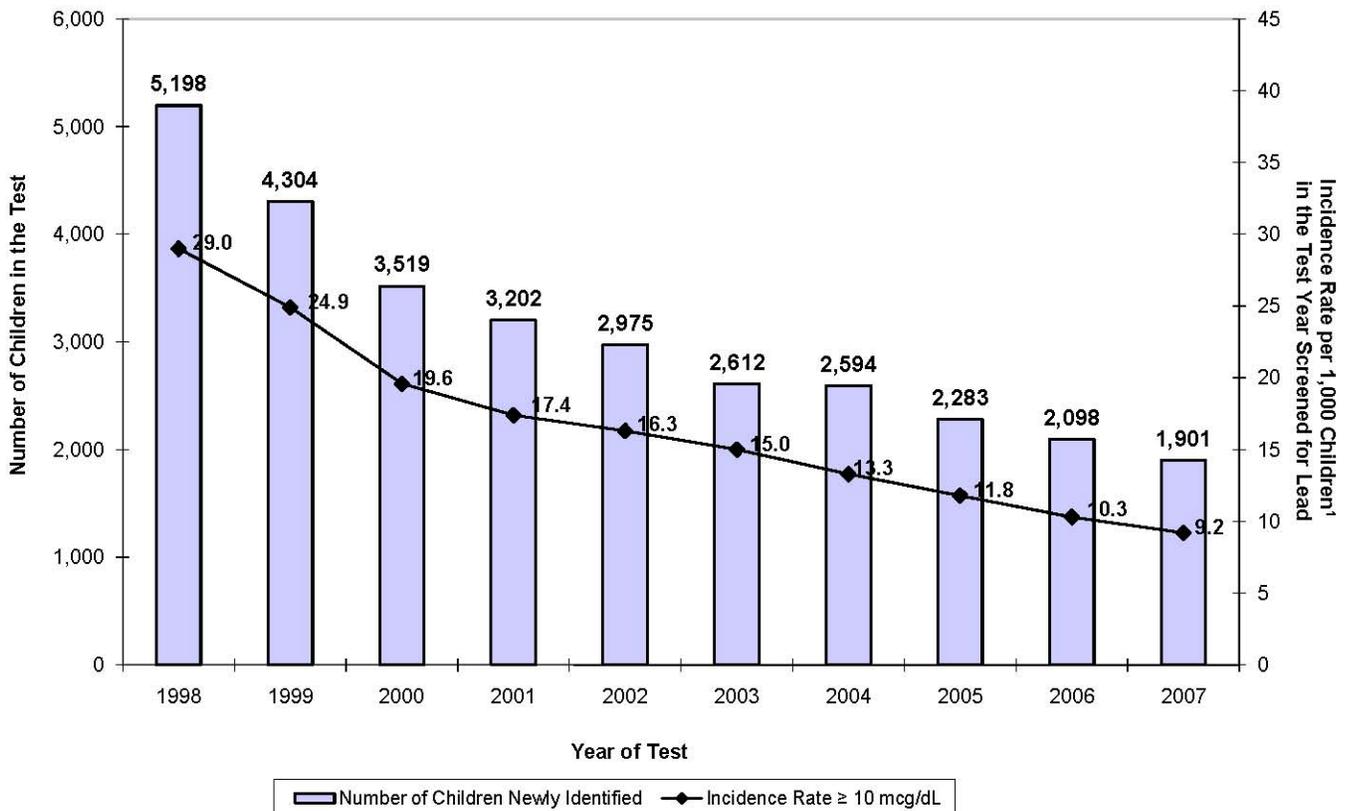
The incidence of elevated blood lead levels (EBLLs) among children under age six years is steadily declining across all blood lead level (BLL) categories. Incidence data reflect new cases of lead poisoning and first identified within a given year end data show the dramatic improvement in both the number and percent of children identified with confirmed BLLs \geq 10 mcg/dL, the current definition of lead poisoning established by the CDC. In 1998, 5,198 children less than six years of age were newly identified with BLLs \geq 10mcg/dL, compared to 1,901 children in 2007. This represents a striking 63.4 percent decline in the number of children with EBLLs since 1998. A 68.3 percent decrease in the rate of incidence of lead poisoning was observed over the same time period, from 29.0 per 1,000 children tested in 1998 to 9.2 per 1,000 children tested in 2007.

Exhibit 13 below shows the total number and rate of children under age six years newly identified with BLLs \geq 10 mcg/dL by year of testing. In 2007, a total of 1,901 children were newly identified with BLLs \geq 10 mcg/dL, corresponding to an incidence rate of 9.2 per 1,000 children tested for blood lead in that year (0.92 percent of children tested).

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – LEAD-BASED PAINT HAZARDS

EXHIBIT 13:

**Figure 3: Incidence of Blood Lead Levels \geq 10 mcg/dL Among Children Under Age Six Years; 1998 to 2007 Blood Lead Test Data
New York State Excluding New York City**



¹ Incidence Rate: Total number of children under age six years identified for the first time with confirmed BLLs \geq 10 mcg/dL divided by the total number of children under age six that had lead tests in that given year, multiplied by 1,000.

The prevalence of elevated blood lead levels among children under age six years continues to decline. Prevalence data reflect both new and ongoing cases of lead poisoning. Trend data show a significant improvement in both the total number and percentage of children under age six years with BLLs \geq 10 mcg/dL in NYS. In 1998, 10,155 children less than six years of age had BLLs \geq 10mcg/dL compared to 2,947 children in 2007, representing a 71.0 percent decline. A 73.7 percent decrease in prevalence rates was observed over the past seven years; from 53.3 per 1,000 children tested in 1998 to 14.0 per 1,000 children tested in 2007.

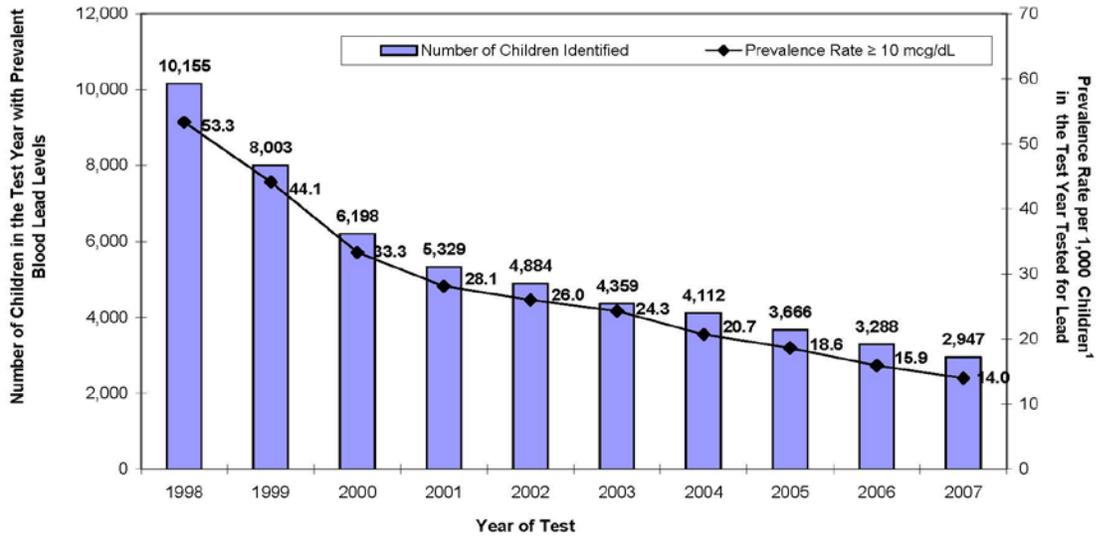
Exhibit 14 below shows the total number and rate of BLLs \geq 10 mcg/dL among children under age six years for each year between 1998 and 2007. In 2007, a total of 2,947 children had BLLs \geq 10 mcg/dL, corresponding to a prevalence rate of 14.0 per 1,000 children tested (1.4 percent of children tested). These measures include children who were newly identified with EBLLs in each

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – LEAD-BASED PAINT HAZARDS

of these years as well as those who were first identified with EBLs in previous years and continued to have EBLs on follow up testing during the year assessed. Because prevalence data include both incident and follow-up cases, they are higher than incident data for the same year shown in Exhibit 13.

EXHIBIT 14:

Figure 4: Prevalence of Blood Lead Levels \geq 10 mcg/dL Among Children Under Age Six Years; 1998 to 2007 Blood Lead Test Data New York State Excluding New York City



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Childhood Lead Poisoning Prevention Efforts

Despite substantial progress, childhood lead poisoning remains a major problem, both in New York State and across the nation. There are several key risk factors for lead exposure and lead poisoning, including number of age, race, poverty/socioeconomic status, age of housing stock and immigrant population. According to the 2006-2008 American Community Survey, New York State there are 1.2 million children under age five and 21.1 percent of related children under five live in poverty. Over 16 percent of the State’s population is African–American and over 24 percent of the population was born outside of the United States. New York State has the fourth highest percentage of housing stock built prior to 1940 in the Nation at 34.6 percent.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – LEAD-BASED PAINT HAZARDS

Lead poisoning prevention programs cannot solely rely on taking action to minimize children's further exposure to lead after a blood-lead test identifies a child as having an elevated blood lead level (EBLL). Housing-based primary prevention involves taking action to prevent children's exposure to lead before any harm is done by eliminating lead hazards and promoting improvements in the state's housing stock. Primary prevention complements other public health secondary prevention activities, including blood-lead screening and testing to identify elevated blood-lead levels (EBLL) and coordination of follow-up services for children with lead poisoning.

New York State Childhood Lead Poisoning Primary Prevention Program (CLPPPP)

In 2007, the State dedicated \$3 million in new State funding to the New York State Department of Health (DOH), with help from their partners at DHCR, to undertake a never-before-tried primary prevention initiative. Legislation added a new subdivision 3 to PHL § 1370-a, creating the CLPPPP as a pilot program (Pilot). Specifically, the amendment required DOH to "identify and designate a zip code in certain counties with significant concentrations of children identified with elevated blood lead levels for purposes of implementing a pilot program to work in cooperation with local health officials to develop a primary prevention plan for each such zip code identified to prevent exposure to lead based paint." In granting DOH authority to designate zip codes as "areas of high risk," the amended statute permitted DOH as well as local health departments (LHDs) to adopt a proactive approach to reducing children's exposure before harm occurred.

Childhood lead poisoning varies greatly across the state. Recent DOH reports indicate that the majority of new EBLL cases outside of New York City resided in seven upstate counties: **Albany, Erie, Monroe, Oneida, Onondaga, Orange, and Westchester**. These LHDs in the eight counties (treating the five counties within New York City for these purposes as a single county) with the highest number of annual incident cases of lead poisoning among children under age six received funding in Year One of the Pilot. Collectively, these eight counties accounted for 79 percent of all known EBLL cases between 2005 and 2007. In 2008, Governor David A. Paterson proposed, and the NYS Legislature committed, an additional \$1.9 million dollars for Pilot, bringing the total funded amount for Year Two to approximately \$5 million. This increased the funding allocated to the eight renewing grantees, and provided funds for four new grantees: **Broome, Chautauqua, Dutchess, and Schenectady Counties**. In 2009, based on the promising results of the Pilot, Governor Paterson successfully sought to make the Pilot permanent under an amendment to PHL § 1370-a(3) and funding was further increased to \$7.7 million. With the addition of three new grantees in 2009-10 (**Niagara, Rensselaer, and Ulster Counties**), 15 grantees will implement a housing-based primary prevention initiative. By November 2009, the Initiative has visited a cumulative total of 5,510 units and cleared 775 of all identified interior or exterior LBP hazards since inception (October 2007).

Governor's Task Force on the Prevention of Childhood Lead Poisoning

In June 2009, Governor Paterson issued Executive Order No. 21 to establish the Governor's Task Force on the Prevention of Childhood Lead Poisoning. The establishment of the Task Force was part of Governor Paterson's continuing effort to address New York State's childhood lead poisoning problem. The Task Force, comprised of representatives from 14 State Entities and Executive Chamber staff, was asked to consider, among other relevant matters, the following housing-related factors when making recommendations for the development and implementation of a coordinated strategy to reduce childhood exposure to lead:

- the feasibility of measures to ensure that public housing and housing supported by State assistance are free of lead-based paint hazards prior to occupancy by a child under six years of age;

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 NEEDS ASSESSMENT – LEAD-BASED PAINT HAZARDS

- how to ensure that housing renovations performed with public funding include lead-base paint hazard remediation;
- how to educate the owners, lessors and tenants of residential real property as to the importance of allowing access to authorized inspectors for purposes of identifying the presence of conditions conducive to lead poisoning; and
- how to encourage and/or mandate the use of lead-safe work practices in the renovation and maintenance of pre- 1978 housing by real property owners and by persons and entities engaged in the construction industry.

The Task Force was charged with issuing a preliminary report to Governor Paterson and to the New York State Advisory Council on Lead Poisoning Prevention (Advisory Council) on or before November 30, 2009. The report provides nine enhancements to current State agency activity that would aid in preventing childhood lead poisoning.

(http://www.health.state.ny.us/environmental/lead/exposure/childhood/task_force/docs/2009_preliminary_report.pdf)

A final report is due to be issued to Governor Patterson and the Advisory Council by November 30, 2010. The report will include the Task Force's findings and recommendations.

NEW YORK STATE

CONSOLIDATED PLAN

2011-2015

MARKET ANALYSIS

NEW YORK STATE CONSOLIDATED PLAN 2011-2015

MARKET ANALYSIS – GENERAL CHARACTERISTICS

Section 91.310 (a) General Characteristics

“Based on data available to the State, the plan must describe the significant characteristics of the state’s housing markets (including such aspects as the supply, demand and condition and cost of housing).”

OVERVIEW

This section of the New York State Consolidated Plan provides a brief description of the housing markets in the State. These descriptions rely upon direct housing indicators, such as housing supply and demand, affordability, cost and availability. Also included are measures which provide background as to economic conditions found in the State’s housing markets, such as demographic trends, labor statistics and residential construction activity.

New York State has been affected by an upsurge in home foreclosures. The incidence of foreclosure varies greatly by region. The foreclosure crisis, which has affected all economic groups in the State, is highlighted in this section of the Consolidated Plan.

In creating its **Statewide Affordable Housing Needs Study (Housing Needs Study) and Housing Needs Study Regional Reports (Regional Reports)** by holding a series of regional focus meetings, the New York State Division of Housing and Community Renewal (DHCR) used the ten regional boundaries established by the New York State Empire State Development Corporation (ESDC) - with minor adjustments to the Long Island and Mid-Hudson Regions. The regional boundaries in this Consolidated Plan will also be based on those used in the Housing Needs Study and Regional Reports. Although the regions are diverse in their social, demographic, housing and economic trends, the counties that are grouped into regions share certain inherent and innate characteristics which lend themselves to the aggregations developed by ESDC.

The tables within this section are based on data from the 1990 and 2000 U.S. Census, as well as the 2006-2008 American Community Survey (ACS). While the U.S. Census Bureau supports comparisons made between the ACS data and the Decennial Census data, users are cautioned due to the differences between the two data sets. Thus, there may be some specific outliers that are noted when comparing demographic and housing characteristics across these data sets, i.e. percent of housing built before 1940. Two of the differences are listed below:

- Reference Period: the Census is a point-in-time estimate, while the ACS estimate accumulates 12 months of surveys for a calendar year estimate (the 2006-2008 ACS estimates describe the average characteristics over the 36-month period of January 2006 through December 2008).
- Residency Rules: the Census uses a “usual residence” rule (where a person lives or stays most of the time), while the ACS considers a person a resident of an area if they are staying there two or more months when contacted.

Information from DHCR’s Housing Needs Study and Regional Reports is used in the text to supplement the data.

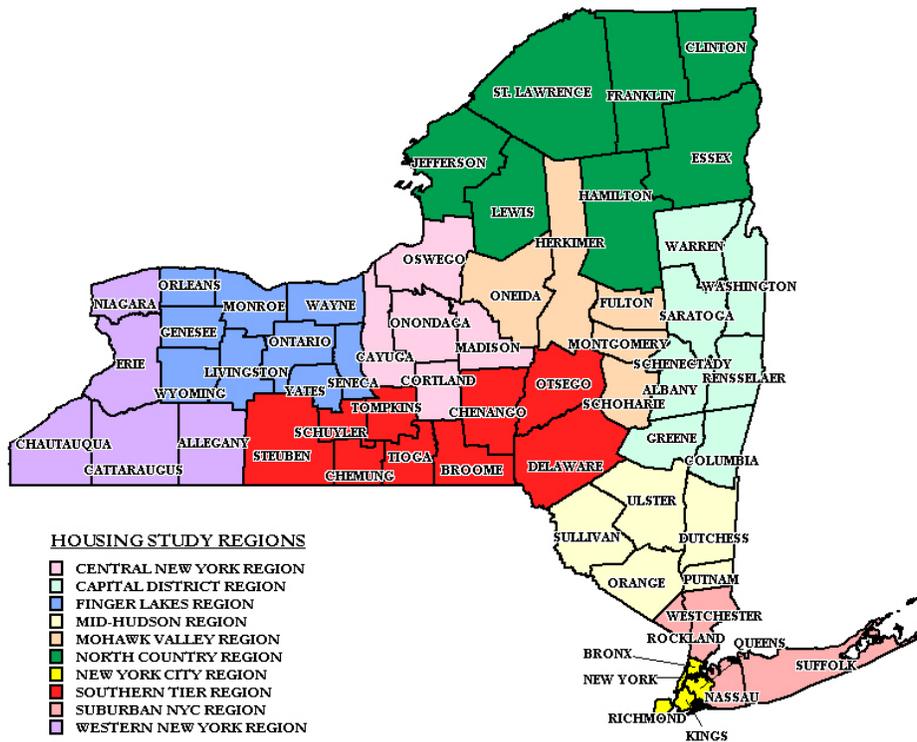
HOUSING AND ECONOMIC TRENDS

New York State

New York State is comprised of 62 counties. As stated above, these counties are combined into ten regions for this Consolidated Plan and include the Capital District, Central New York, Finger Lakes, Mid-

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 MARKET ANALYSIS – GENERAL CHARACTERISTICS

Hudson, Mohawk Valley, New York City, New York City Suburban, North Country, Southern Tier and Western New York. An overview of each of these regions will follow this statewide summary.



NEW YORK STATE CONSOLIDATED PLAN 2011-2015 MARKET ANALYSIS – GENERAL CHARACTERISTICS

EXHIBIT 15A New York State Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	17,990,455	18,976,457	19,428,881
Median Age	36.1	35.9	37.7
Median Household Income	\$32,965	\$43,393	\$55,401
Percent of Individuals Below Poverty Level	12.7%	14.6%	13.8%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

New York State's population grew eight percent (1,438,426) from the 1990 U.S. Census to the 2006-2008 ACS. According to Cornell University's Program on Applied Demographics (Cornell Demographics), the State's population is expected to grow by 1.3 percent (19,617,941 to 19,876,073) from 2010 to 2015, the years covered by this Consolidated Plan. The State's population aged 60 and up is expected to grow by 8.8 percent and comprise 19.7 percent of the population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age of State residents increased by 1.6 years from 36.1 to 37.7.

Median household income in the State increased by 68.1 percent (\$22,436) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in New York State living below poverty level rose during this timeframe by 8.7 percent, increasing from 12.7 to 13.8 percent.

EXHIBIT 15B New York State Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	35.7%	31.2%	34.6%
Percent of Owner Occupied Housing Units*	52.2%	53.0%	55.6%
Percent of Renter Occupied Housing Units*	47.8%	47.0%	44.4%

*Percentage based on occupied units only.

The percent of owner occupied housing units in the State increased from 52.2 percent to 55.6 percent between the 1990 U.S. Census and the 2006-2008 ACS. According to the DHCR Housing Needs Study, the percent of owner occupied units is much higher in rural and suburban areas, while renter occupied units are predominate in the large cities. New York State also has one of the oldest housing stocks in the nation, with over one-third of its housing built prior to 1940.

According to the DHCR Housing Needs Study, the following statewide affordable housing and community development needs were raised by focus group meeting participants:

Housing Quality and Stock

- *Quality Affordable Rental Units:* There is a need for rehabilitation and modernization funds for the existing rental housing stock. There is also a need for affordable/workforce housing education and outreach and zoning reform to encourage the development of additional affordable rental housing units.
- *Aged Housing Stock:* There is a need for rehabilitation and modernization funds for aged housing stock which has been subject to significant disinvestment.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015

MARKET ANALYSIS – GENERAL CHARACTERISTICS

- *Preservation and Rehabilitation of Units:* There is a need for additional funding for repairs or upgrades to modernize and preserve owner occupied and rental housing.
- *NIMBY Opposition:* There is a need to educate local officials, planning and school boards and community members about the benefits of affordable housing developments in order to mitigate NIMBY opposition.

Affordability

- *Housing for Very Low- Income Households:* There is a need for safe, decent and affordable housing and living wage jobs for residents earning 30 percent or less of area median income (AMI).
- *Affordable Homeownership:* There is a need for first- time homebuyer programs, living wage jobs that can support homeownership and “next generation” housing for young adults.
- *Other Housing Costs:* There is a need for increased funding for the Weatherization Assistance Program and a utility cost assistance program which would assist homeowners and renters with housing-related costs. (Note: The DHCR Housing Needs Study was published prior to the American Recovery and Reinvestment Act, which provided the agency with \$394 million in Weatherization stimulus funding.)
- *Foreclosure:* There is a need for increased funding for foreclosure prevention services including pre- and post- purchase counseling, as well as emergency funds for those in the throes of foreclosure.

Special Needs/Supportive Housing

- *Senior Housing:* Funding is needed to create rental housing for seniors, along with supportive services, sited close to support systems and public transportation. To meet the needs of senior homeowners, additional funding for home repairs and accessibility modifications is needed.
- *Homelessness:* There is a need for emergency shelters, particularly in rural communities, as well as additional funding for existing emergency shelters.
- *Supportive Service Delivery:* There is a need for timely and effective partnerships between those who develop affordable housing and those who provide social services to individuals and families living in affordable housing developments.

Rural Needs

- *Small Developments:* There is a need for further investment in and reformation of DHCR’s Small Projects Initiative in order to address the feasibility of such developments.
- *Manufactured Homes (Mobile Homes):* There is a need for a statewide mobile home replacement program that would focus on replacement rather than rehabilitation and recognize the financial burdens that new homeowners may face. (Note: In the 2010 Unified Funding Round, DHCR rolled-out a new initiative known as the Manufactured Home Replacement Initiative (MHRI). MHRI targets \$5 million in NYS HOME Program funds for the replacement of dilapidated owner occupied mobile and manufactured homes that are sited on land owned by the homeowner with new ENERGY STAR Qualified manufactured housing.)

Urban Needs

- *Vacant Residential Units:* Funding is needed for vacant property rehabilitation and demolition.
- *Targeted Neighborhood Revitalization:* There is a need for targeted revitalization efforts for blighted neighborhoods.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 MARKET ANALYSIS – GENERAL CHARACTERISTICS

The 2007-2009 national recession, the longest and most severe recession since the 1930s, has significantly impacted New York State's economy. According to the New York State Division of the Budget, though the State recession began nearly eight months after the nation as a whole, it is both catching up quickly and likely to last longer.

According to the New York State Department of Labor (NYDOL), the State experienced a decline in nonfarm employment between March 2009 and March 2010 of 1.3 percent or 112,700 jobs. Employment in the Securities and Commodity Contracts sector, which was implicitly associated with the national recession, experienced a job contraction of 12.0 percent or 14,800 jobs between March 2009 and March 2010.

The annual average unemployment rate in New York increased from 4.5 percent in 2007 to 8.4 percent in 2009.

Capital District Region

The Capital District Region is comprised of eight counties: Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren and Washington.

**EXHIBIT 16A
Capital District Region
Demographic Characteristics**

	1990 Census	2000 Census	2006 – 2008 ACS
Population	1,003,844	1,029,927	1,059,726
Median Age	31.3	37.5	39.1
Median Household Income	\$32,541	\$43,120	\$55,975
Percent of Individuals Below Poverty Level	8.4%	9.4%	10.1%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The Capital District Region's population grew by 5.6 percent (55,882) from the 1990 U.S. Census to the 2006-2008 ACS. Despite this region-wide increase in residents over the period, each of the Region's three largest cities, Albany, Schenectady and Troy, experienced a decline in their populations; 10.5 percent (10,571) for the City of Albany, 5.6 percent (3,652) for the City of Schenectady and 13 percent (7,040) for the City of Troy.

According to Cornell Demographics, the Region's population is expected to increase by 0.5 percent (1,061,162 to 1,066,991) from 2010 to 2015. Saratoga County, the fastest growing county in the Region, will see an increase in population of 3.7 percent (222,048 to 230,307). The Capital District Region's population aged 60 and up is expected to grow by 10.7 percent and comprise 22.6 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Capital District Region increased by 7.8 years from 31.3 to 39.1.

Median household income in the Region increased by 72 percent (\$23,434) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in the Region living below poverty level rose during this timeframe by 20.2 percent, increasing from 8.4 to 10.1 percent. The DHCR Housing Needs Study Capital District Regional Report states that the poverty rates in the Region's largest cities are higher than that found in the balance of their respective counties. According to the 2006-2008 ACS, the

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 MARKET ANALYSIS – GENERAL CHARACTERISTICS

percent of individuals living below the poverty level is 25.3 percent in Albany, 20.8 percent in Schenectady and 21.4 percent in Troy.

EXHIBIT 16B Capital District Region Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	36.9%	31.7%	32.6%
Percent of Owner Occupied Housing Units*	65.1%	65.7%	67.3%
Percent of Renter Occupied Housing Units*	34.9%	34.3%	32.7%

*Percentage based on occupied units only.

The Region's housing stock is primarily comprised of owner occupied units, hovering around 65 percent since the 1990 U.S. Census. Contrarily, in the Cities of Albany, Schenectady and Troy, the homeownership rates are much lower. According to the 2006-2008 ACS, the homeownership rates are 40.9, 50 and 41.6 percent, respectively.

According to the DHCR Housing Needs Study Capital District Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Rehabilitation and modernization funds for existing housing stock:* capital improvements and repairs of both homeowner and rental properties.
- *Smaller rental housing:* small affordable rental projects in rural communities with eight to twelve units for families and seniors.
- *Affordable homeownership:* affordable homeownership opportunities that match the economic realities of the existing populace.
- *Vacant property rehabilitation and demolition:* rehabilitate, preserve or demolish vacant and blighted properties.
- *Senior housing:* funding for repairs and accessibility upgrades of senior owner occupied homes to enable seniors and the frail elderly to age in place.
- *Very low- income housing:* rental opportunities for those who are being priced out of the rental market or living in substandard housing.

According to the NYSDOL, the Albany-Schenectady-Troy Metropolitan Statistical Area (MSA) (including Albany, Rensselaer, Saratoga, Schenectady and Schoharie Counties) experienced a decline in nonfarm employment from March 2009 to March 2010 of 1.5 percent or 6,700 jobs. During this same period, the number of nonfarm jobs in the Glens Falls MSA (including Warren and Washington Counties) increased by 1.2 percent or 600 jobs. In Columbia County, nonfarm employment declined by 3.0 percent or 400 jobs and in Greene County the nonfarm employment increased by 2.8 percent or 400 jobs, respectively.

The annual average unemployment rate for the Capital District increased from 4.1 percent in 2007 to 7.0 percent in 2009.

Note: NYSDOL data includes Schoharie County in the Albany-Schenectady-Troy MSA, although Schoharie is not included in the Capital District Region, but is part of the Mohawk Valley Region.

Central New York Region

The Central New York Region is comprised of five counties: Cayuga, Cortland, Madison, Onondaga and Oswego.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015

MARKET ANALYSIS – GENERAL CHARACTERISTICS

EXHIBIT 17A
Central New York Region
Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	791,140	780,716	772,640
Median Age	29.8	36.1	40.1
Median Household Income	\$30,488	\$39,415	\$49,028
Percent of Individuals Below Poverty Level	10.1%	12.3%	12.9%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The Central New York Region's population fell by 2.3 percent (18,500) from the 1990 U.S. Census to the 2006-2008 ACS. According to Cornell Demographics, the Region's population is expected to decline by 1.7 percent (763,236 to 750,065) from 2010 to 2015. The Central New York Region's population aged 60 and up is expected to grow by 8.3 percent and comprise 21 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Central New York Region increased by 10.3 years from 29.8 to 40.1.

Median household income in the Region increased by 60.8 percent (\$18,540) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in the Region living below poverty level rose during this timeframe by 27.7 percent, increasing from 10.1 to 12.9 percent. According to the 2006-2008 ACS, the percent of individuals living below poverty level in the City of Syracuse (Onondaga County), the Region's largest city, is 29.4 percent.

EXHIBIT 17B
Central New York Region
Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	35.7%	31.2%	31.0%
Percent of Owner Occupied Housing Units*	66.6%	67.4%	68.9%
Percent of Renter Occupied Housing Units*	33.4%	32.6%	31.1%

*Percentage based on occupied units only.

The Region's housing stock is primarily comprised of owner occupied units. The percent of owner occupied housing units increased from 66.6 percent to 68.9 percent from the 1990 U.S. Census to the 2006-2008 ACS. Contrarily, in the City of Syracuse, the homeownership rate is much lower. The 2006-2008 ACS indicates that the homeownership rate is 41.1 percent.

According to the DHCR Housing Needs Study Central New York Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Rehabilitation and modernization funds for existing housing stock:* capital improvements and repairs of both homeowner and rental properties.
- *Very low- income housing:* rental opportunities for those being priced out of the rental market or living in substandard housing.
- *Economic development opportunities:* employment opportunities with living wages.
- *Emergency and transitional housing:* emergency shelters, transitional housing and

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supportive services for the homeless population, including those suffering from mental illness or physical disabilities and youth aging out of foster care.

According to the NYSDOL, the Syracuse MSA (including Madison, Onondaga and Oswego Counties) experienced a decline in nonfarm employment between March 2009 and March 2010 of 1.1 percent or 3,400 jobs. In Cayuga and Cortland Counties, nonfarm employment declined by 1.6 percent or 400 jobs and 0.5 percent or 100 jobs, respectively.

The annual average unemployment rate in the Central New York Region increased from 4.5 percent in 2007 to 8.1 percent in 2009.

Finger Lakes Region

The Finger Lakes Region is comprised of nine counties: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates.

EXHIBIT 18A
Finger Lakes Region
Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	1,161,470	1,199,588	1,191,862
Median Age	30.0	36.5	38.8
Median Household Income	\$33,628	\$43,643	\$51,502
Percent of Individuals Below Poverty Level	9.3%	10.3%	12.6%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The Finger Lakes Region's population grew by 2.6 percent (30,392) from the 1990 U.S. Census to the 2000 U.S. Census. However, from the 2000 U.S. Census to the 2006-2008 ACS, the Region's population declined by 0.6 percent (7,726). This is the only region in the State where such fluctuation occurred.

According to Cornell Demographics, the Region's population is expected to decline by 0.5 percent (1,192,638 to 1,187,062) from 2010 to 2015. Ontario and Yates are the only counties in the Region where the population will increase - nearly two percent in each County. The Finger Lakes Region's population aged 60 and up is expected to grow by 9.9 percent and comprise 21.2 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Finger Lakes Region increased by 8.8 years from 30 to 38.8.

Median household income for the Region increased by 53.2 percent (\$17,874) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in the Region living below poverty level rose during this timeframe by 35.5 percent, increasing from 9.3 to 12.6 percent. According to the 2006-2008 ACS, the percent of individuals living below poverty level in the City of Rochester (Monroe County), the Region's largest city, is 29.4 percent.

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EXHIBIT 18B Finger Lakes Region Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	35.4%	31.8%	32.5%
Percent of Owner Occupied Housing Units*	68.5%	68.8%	70.6%
Percent of Renter Occupied Housing Units*	31.5%	31.2%	29.4%

*Percentage based on occupied units only.

The Region's housing stock is primarily comprised of owner occupied units, hovering around 69 percent since the 1990 U.S. Census. Contrarily, in the City of Rochester, the homeownership rate is much lower (42.5 percent per the 2006-2008 ACS).

According to the DHCR Housing Needs Study Finger Lakes Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Housing plan*: County-wide housing plans and need assessments including funding for such a study or studies.
- *Emergency Shelters*: emergency shelters and services for the homeless population, including homeless youth.
- *Rehabilitation and modernization funds for existing housing stock*: capital improvements and repairs of both homeowner and rental properties.
- *Very low- income housing*: rental opportunities for those being priced out of the rental market or living in substandard housing.
- *Low- income housing with services*: rental opportunities for families with support services, including after school care, job training and social services activities.
- *USDA Rural Housing Services 515 Program preservation funds*: capital improvements and repairs for 515 projects.
- *Larger units*: three or more bedrooms rental opportunities for families.
- *Foreclosure prevention*: funding for foreclosure prevention programs.

According to the NYSDOL, the Rochester MSA (including Livingston, Monroe, Ontario, Orleans and Wayne Counties) experienced a decline in nonfarm employment between March 2009 and March 2010 of 1.4 percent or 6,800 jobs. In Genesee, Seneca, and Wyoming Counties, the number of nonfarm jobs declined by 0.5 percent or 100 jobs, 0.9 percent or 100 jobs and 2.3 percent or 300 jobs, respectively. Yates County was the only county in the Region to experience job growth of 1.4 percent or 100 jobs.

The annual average unemployment rate in the Finger Lakes Region increased from 4.6 percent in 2007 to 7.9 percent in 2009

Mid-Hudson Region

The Mid-Hudson Region is comprised of five counties: Dutchess, Orange, Putnam, Sullivan and Ulster.

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EXHIBIT 19A Mid-Hudson Region Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	885,631	968,977	1,025,813
Median Age	29.5	36.5	37.5
Median Household Income	\$39,459	\$51,199	\$64,682
Percent of Individuals Below Poverty Level	7.4%	9.7%	9.9%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The Mid-Hudson Region's population grew by 15.7 percent (139,182) from the 1990 U.S. Census to the 2006-2008 ACS. According to the DHCR Housing Needs Study Mid-Hudson Regional Report, the Mid-Hudson Region depends to a great extent on employment opportunities in New York City and has seen a large in-migration of residents from this area.

Cornell Demographics projects that the Region's population will increase by 3.6 percent (1,056,824 to 1,095,059) from 2010 to 2015. Orange County, the fastest growing county in the Region, will see an increase in population of 5.4 percent (390,743 to 411,911). The Mid-Hudson Region's population aged 60 and up is expected to grow by 13.3 percent and comprise 19.3 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Mid-Hudson Region increased by eight years from 29.5 to 37.5.

Median household income in the Region increased by 63.9 percent (\$25,223) between the 1990 U.S. Census and the 2006-2008 ACS. According to the DHCR Housing Needs Study Mid-Hudson Regional Report, this wage growth may be attributable to the large in-migration of high wage earners from outside the Region. During this same timeframe, the percent of individuals in the Region living below the poverty level rose by 33.8 percent, increasing from 7.4 to 9.9 percent. According to the 2006-2008 ACS, the percent of individuals living below poverty level in the City of Newburgh, the largest city in Orange County, is 22.4 percent.

EXHIBIT 19B Mid-Hudson Region Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	27.2%	23.0%	23.5%
Percent of Owner Occupied Housing Units*	69.7%	69.3%	71.4%
Percent of Renter Occupied Housing Units*	30.3%	30.7%	28.6%

*Percentage based on occupied units only.

The Region's housing stock is primarily comprised of owner occupied units, hovering around 70 percent since the 1990 U.S. Census. Contrarily, in the City of Newburgh, the homeownership rate is much lower. The 2006-2008 ACS indicates that the homeownership rate in the City of Newburgh is 33.2 percent.

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According to the DHCR Housing Needs Study Mid-Hudson Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Affordable/workforce housing education and outreach*: funding for effective education and outreach tools for local officials and residents.
- *Rehabilitation and modernization funds for existing housing stock*: capital improvements and repairs of both homeowner and rental properties.
- *Mixed income development: flexible funding to allow for mixed income development*.
- *Very low- income housing*: rental opportunities for those being priced out of the rental market or living in substandard housing.
- *Foreclosure prevention*: funding for foreclosure prevention including intensive counseling.
- *Living wage jobs*: employment opportunities within the Region that offer wages that would align with rising home prices and rents.

According to the NYSDOL, the Poughkeepsie-Newburgh-Middletown MSA (including Dutchess and Orange Counties) experienced a decline in nonfarm employment between March 2009 and March 2010 of 1.7 percent or 4,100 jobs. During this same period, nonfarm employment in the Kingston MSA (Ulster County) and Sullivan County declined by 0.7 percent or 400 jobs and 1.6 percent or 400 jobs, respectively.

The annual average unemployment rate in the Poughkeepsie-Newburgh-Middletown MSA increased from 4.2 percent in 2007 to 7.7 percent in 2009. During this same timeframe, the annual average unemployment rate for the Kingston MSA increased from 4.4 percent in 2007 to 7.7 percent in 2009, and the annual average unemployment rate for Sullivan County increased from 5.3 percent in 2007 to 8.7 percent in 2009.

Note: NYSDOL data includes Putnam County in the Putnam-Rockland-Westchester area, although Putnam is not included in the New York City Suburban Region, but is part of the Mid-Hudson Region.

Mohawk Valley Region

The Mohawk Valley Region is comprised of five counties: Fulton, Herkimer, Montgomery, Oneida and Schoharie.

**EXHIBIT 20A
Mohawk Valley Region
Demographic Characteristics**

	190 Census	2000 Census	2006 – 2008 ACS
Population	454,664	436,259	429,541
Median Age	32.0	38.5	40.1
Median Household Income	\$25,469	\$34,771	\$44,580
Percent of Individuals Below Poverty Level	11.6%	12.7%	14.0%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The Mohawk Valley Region's population fell by 5.5 percent (25,123) from the 1990 U.S. Census to the 2006-2008 ACS. Oneida County, the Region's most densely populated county, lost approximately 7.7 percent (19,218) of its population during this same period. The City of Utica (Oneida County), the Region's largest city, lost approximately 12.6 percent (8,650) of its population.

According to Cornell Demographics, the Region's population is expected to decline by 2.7 percent

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(419,470 to 407,988) from 2010 to 2015. Oneida County will see a decrease in population of 3.3 percent (224,536 to 217,075). The Mohawk Valley Region's population aged 60 and up is expected to grow by six percent and comprise 24.9 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Mohawk Valley Region increased by 8.1 years from 32 to 40.1.

Median household income in the Region increased by 75 percent (\$19,111) between the 1990 U.S. Census and the 2006-2008 ACS. During this same timeframe, the percent of individuals in the Region living below the poverty level rose 20.7 percent, increasing from 11.6 to 14 percent. According to the 2006-2008 ACS, the percent of individuals living below the poverty level in the City of Utica is 28.6 percent.

EXHIBIT 20B Mohawk Valley Region Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	46.7%	40.2%	39.6%
Percent of Owner Occupied Housing Units*	67.6%	69.0%	68.6%
Percent of Renter Occupied Housing Units*	32.4%	31.0%	31.4%

*Percentage based on occupied units only.

The Region's housing stock is comprised primarily of owner occupied units, remaining around 68 percent since the 1990 U.S. Census. In contrast, in the City of Utica, the homeownership rate is much lower. The 2006-2008 ACS indicates that the homeownership rate is 45.9 percent.

According to the DHCR Housing Needs Study Mohawk Valley Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Rehabilitation and modernization funds for existing housing stock:* capital improvements and repairs of both homeowner and rental properties.
- *Competent property management firms:* property management firms which can competently manage the Region's rental housing stock.
- *Safe, decent and affordable rental units:* rental units of decent quality that would be available to the Region's Section 8 voucher holders.

According to the NYSDOL, the Utica-Rome MSA (including Herkimer and Oneida Counties) experienced an increase in nonfarm employment between March 2009 and March 2010 of 0.3 percent or 400 jobs. During this same period, nonfarm employment declined by 1.1 percent or 200 jobs in Fulton County and 0.5 percent or 100 jobs in Montgomery County.

The annual average unemployment rate in the Mohawk Valley Region increased from 4.8 percent in 2007 to 8.0 percent in 2009.

Note: NYSDOL data includes Schoharie County in the Albany-Schenectady-Troy MSA, although Schoharie is not included in the Capital District Region, but is part of the Mohawk Valley Region.

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New York City Region

New York City is comprised of five counties: Bronx, Kings, New York, Queens and Richmond.

EXHIBIT 21A
New York City Region
Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	7,322,564	8,008,278	8,308,163
Median Age	30.6	34.1	36.1
Median Household Income	\$29,805	\$38,398	\$52,077
Percent of Individuals Below Poverty Level	19.3%	21.2%	18.6%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The New York City Region is the most densely populated region of the State; 42.8 percent of the State's population resides there. New York City's population grew by 13.5 percent (985,599) from the 1990 U.S. Census to the 2006-2008 ACS.

According to Cornell Demographics, the Region's population is expected to increase by three percent (8,471,617 to 8,722,952) from 2010 to 2015. Queens and Richmond Counties are expected to see the largest population increases during this timeframe, four percent and 6.5 percent, respectively. The population aged 60 and up is expected to grow by 9.1 percent and comprise 17.6 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for New York City increased 5.5 years from 30.6 to 36.1.

Median household income for New York City increased by 74.7 percent (\$22,272) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in New York City living below the poverty level fell during this timeframe by 3.6 percent, decreasing from 19.3 to 18.6 percent. According to the 2006-2008 ACS, the poverty levels across New York City vary by county; from a low of 9.6 percent in Richmond to a high of 27.8 percent in the Bronx.

EXHIBIT 21B
New York City Region
Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	40.9%	36.1%	42.9%
Percent of Owner Occupied Housing Units*	28.6%	30.2%	34.0%
Percent of Renter Occupied Housing Units*	71.4%	69.8%	66.0%

*Percentage based on occupied units only.

New York City has a significantly lower homeownership rate than that found in other regions of the State, remaining under 35 percent since the 1990 U.S. Census. The City's housing stock is primarily comprised of renter occupied units (66 percent per the 2006-2008 ACS).

According to the NYSDOL, New York City experienced a decline in nonfarm employment between March 2009 and March 2010 of 1.4 percent or 53,000 jobs.

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The annual average unemployment rate in New York City increased from 4.9 percent in 2007 to 9.5 percent in 2009. The Bronx had the highest annual average unemployment rate, increasing from 6.6 percent in 2007 to 12.2 percent in 2009.

New York City Suburban Region

The New York City Suburban Region is comprised of four counties: Nassau, Rockland, Suffolk and Westchester.

EXHIBIT 22A
New York City Suburban Region
Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	3,749,553	3,964,125	4,110,929
Median Age	31.2	37.4	39.8
Median Household Income	\$50,951	\$67,286	\$86,444
Percent of Individuals Below Poverty Level	4.9%	6.6%	6.0%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

According to the DHCR Housing Needs Study New York City Suburban Region Regional Report, the Region is the most densely populated area in the State outside of New York City. The Region's population grew by 9.6 percent (361,376) from the 1990 U.S. Census to the 2006-2008 ACS.

Cornell Demographics projects that the Region's population will grow by one percent (4,153,047 to 4,194,011) from 2010 to 2015. Nassau is the only county in the Region where the population will decrease (0.6 percent or 8,545). The New York City Suburban Region's population aged 60 and up is expected to grow by eight percent and comprise 20.4 percent of the Region's population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the New York City Suburban Region increased by 8.6 years from 31.2 to 39.8.

Median household income in the Region increased by 69.7 percent (\$35,493) between the 1990 U.S. Census and the 2006-2008 ACS. According to the DHCR Housing Needs Study New York City Suburban Region Regional Report, Westchester County has the highest area median income in the State and one of the highest in the nation (\$105,300 – HUD, 2009). The percent of individuals in the Region living below poverty level rose during this timeframe by 22.4 percent, increasing from 4.9 to six percent. According to the 2006-2008 ACS, the percent of individuals living below poverty level in the City of Yonkers (Westchester County), the Region's largest city, is 13.1 percent.

EXHIBIT 22B
New York City Suburban Region
Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	21.0%	18.5%	19.0%
Percent of Owner Occupied Housing Units*	74.5%	74.5%	77.2%
Percent of Renter Occupied Housing Units*	25.5%	25.5%	22.8%

*Percentage based on occupied units only.

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The Region's housing stock is primarily comprised of owner occupied units. The percent of owner occupied housing units increased from 74.5 percent to 77.2 percent from the 1990 U.S. Census to the 2006-2008 ACS; the highest owner occupied housing rate of any region in the State. Contrarily, in the City of Yonkers, the homeownership rate is much lower at 48.1 percent according to the 2006-2008 ACS.

According to the DHCR Housing Needs Study New York City Suburban Region Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Next generation housing*: rental and homeownership opportunities for 18 to 34 year old young adults who are being priced out of the rental market and homeownership opportunities.
- *Foreclosure prevention*: foreclosure prevention funding including intensive counseling.
- *Mixed use and mixed income development*: flexible funding to allow for mixed use and mixed income development, particularly in downtown areas.
- *Zoning reform*: zoning reforms at the local municipal level which would facilitate affordable housing development.
- *Suburban community programs*: housing and community development programs which meet the needs of a mature suburban community, including programs that target low-income communities in high- income counties.
- *Rent administration*: capital improvements and repairs of rent stabilized projects and appropriate DHCR enforcement.
- *Rehabilitation and modernization funds for existing housing stock*: capital improvements and repairs of both homeowner and rental properties.
- *Very low- income housing*: rental opportunities for those who are being priced out of the rental market or living in substandard housing.

According to the NYSDOL, the Nassau-Suffolk Metropolitan Division experienced a decline in nonfarm employment between March 2009 and March 2010 of 0.4 percent or 4,900 jobs. In the Putnam-Rockland-Westchester area, nonfarm employment declined by 3.2 percent or 17,900 jobs.

The annual average unemployment rate in the Nassau-Suffolk Metropolitan Division increased from 3.8 percent in 2007 to 7.1 percent in 2009. The annual average unemployment rate in the Putnam-Rockland-Westchester area increased from 3.7 percent in 2007 to 7.0 percent in 2009.

Note: NYSDOL data includes Putnam County in the Putnam-Rockland-Westchester area, although Putnam is not included in the New York City Suburban Region, but is part of the Mid-Hudson Region.

North Country Region

The North Country Region is comprised of seven counties: Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis and St. Lawrence.

**EXHIBIT 23A
North Country Region
Demographic Characteristics**

	1990 Census	2000 Census	2006 – 2008 ACS**
Population	424,653	425,871	N/A
Median Age	29.0	35.4	35.9
Median Household Income	\$24,962	\$33,937	\$43,285
Percent of Individuals Below Poverty Level	13.1%	14.3%	15.3%*

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*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

**Data does not include Hamilton County.

The North Country Region’s population grew by 0.3 percent (1,218) from the 1990 U.S. Census to the 2000 U.S. Census. Cornell Demographics projects that the Region’s population is expected to decline by 0.8 percent (426,120 to 422,520) from 2010 to 2015, The North Country Region’s population aged 60 and up is expected to grow by 9.7 percent and comprise 20.7 percent of the Region’s population in 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the North Country Region increased by 6.9 years from 29 to 35.9.

Median household income in the Region increased by 73.4 percent (\$18,323) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in the Region living below poverty level rose during this timeframe by 16.8 percent, increasing from 13.1 to 15.3 percent. According to the DHCR Housing Needs Study North Country Regional Report, the Region’s median household income is the lowest of any region in the State and the poverty level is the highest of any region in the State.

EXHIBIT 23B North Country Region Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS**
Percent of Total Housing Units Built Before 1940	41.3%	35.1%	35.9%
Percent of Owner Occupied Housing Units*	66.3%	68.3%	68.2%
Percent of Renter Occupied Housing Units*	33.7%	31.7%	31.8%

*Percentage based on occupied units only.

**Data does not include Hamilton County.

The Region’s housing stock is primarily comprised of owner occupied units, hovering around 68 percent since the 2000 U.S. Census.

According to the DHCR Housing Needs Study North Country Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Very low- income housing:* rental opportunities for those who are being priced out of the rental market or living in substandard housing.
- *Emergency housing:* emergency shelters and services for the homeless population, including substance abusers, those suffering from mental illness, single mothers and young adults.
- *Code enforcement for rentals:* County-wide code enforcement to address the quality standards of rental properties.
- *Rehabilitation and modernization funds for existing housing stock:* capital improvements and repairs of both homeowner and rental properties.
- *Staff capacity:* additional staff needed for grant writing, research, legal assistance, etc. in order to fully address housing issues.

According to the NYSDOL, nonfarm employment declined for every county in the Region between March 2009 and March 2010: 4.3 percent or 1,500 jobs in Clinton, 2.1 percent or 300 jobs in Essex, 2.6 percent or 500 jobs in Franklin, 5.6 percent or 100 jobs in Hamilton, 3.1 percent or 200 jobs in Lewis and 2.9 percent or 1,200 jobs in St. Lawrence. In Jefferson County, nonfarm employment remained unchanged.

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The annual average unemployment rate in the North Country Region increased from 5.6 percent in 2007 to 9.1 percent in 2009.

Southern Tier Region

The Southern Tier Region is comprised of nine counties: Broome, Chemung, Chenango, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins.

EXHIBIT 24A
Southern Tier Region
Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	731,049	718,973	N/A
Median Age	30.8	37.0	38.1
Median Household Income	\$27,145	\$35,639	\$44,699
Percent of Individuals Below Poverty Level	11.9%	13.4%	14.3%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

**Data does not include Schuyler County.

The Southern Tier Region's population fell by 1.7 percent (12,076) from the 1990 U.S. Census to the 2000 U.S. Census. The Region is home to the City of Binghamton (Broome County), which experienced a more profound population decrease of 10.6 percent during this same timeframe.

According to Cornell Demographics, the Region's population is expected to decrease by 1.9 percent (699,738 to 686,488) from 2010 to 2015. In contrast, Otsego County's population is expected to increase by one percent (547) and Tompkins County's population is expected to increase by 0.3 percent (318). The Southern Tier Region's population aged 60 and up is expected to grow by 7.1 percent and comprise 23.2 percent of the population by 2015.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Southern Tier Region increased by 7.3 years from 30.8 to 38.1.

Median household income in the Region increased by 64.7 percent (\$17,554) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in the Region living below poverty level rose during this timeframe by 20.2 percent, increasing from 11.9 to 14.3 percent. According to the 2006-2008 ACS, the percent of individuals living below poverty level in the City of Binghamton is 23.7 percent.

EXHIBIT 24B
Southern Tier Region
Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	39.8%	35.4%	35.6%
Percent of Owner Occupied Housing Units*	68.6%	68.6%	68.5%
Percent of Renter Occupied Housing Units*	31.4%	31.4%	31.5%

*Percentage based on occupied units only.

**Data does not include Schuyler County.

The Region's housing stock is primarily comprised of owner occupied housing units, hovering around 68

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percent since the 1990 U.S. Census. Conversely, the 2006-2008 ACS indicates that the homeownership rate for the City of Binghamton is much lower at 48.1 percent.

According to the DHCR Housing Needs Study Southern Tier Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Rehabilitation and modernization funds for existing housing stock:* capital improvements and repairs of both homeowner and rental properties.
- *Very low- income housing:* rental opportunities for those who are being priced out of the rental market or living in substandard housing.
- *Transportation in rural communities:* public transportation to serve residents in rural areas of the Region.
- *Affordable homeownership:* affordable homeownership opportunities which match the economic realities of the existing populace.
- *Economic development opportunities:* employment opportunities with living wages.
- *Senior housing:* rental housing for seniors.
- *Diverse housing stock:* increased housing stock and options, including condominiums and townhomes, which meet current and future housing needs.
- *Mixed use and mixed income development:* flexible funding to allow for mixed use and mixed income development.

According to the NYSDOL, from March 2009 to March 2010, the Binghamton MSA (including Broome and Tioga Counties) experienced a decline in nonfarm employment of 2.3 percent or 2,600 jobs. The number of nonfarm jobs also declined in Chemung by 0.5 percent or 200 jobs, in Chenango by 1.8 percent or 300 jobs, in Delaware by 2.4 percent or 400 jobs, in Otsego by 0.8 percent or 200 jobs, in Schuyler by 2.2 percent or 100 jobs and in Steuben by 2.3 percent or 900 jobs. In the Ithaca MSA (Tompkins County), nonfarm employment remained unchanged.

The annual average unemployment rate in the Southern Tier Region increased from 4.5 percent in 2007 to 8.1 percent in 2009.

Western New York Region

The Western New York Region is comprised of five counties: Allegany, Cattaraugus, Chautauqua, Erie and Niagara.

EXHIBIT 25A
Western New York Region
Demographic Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Population	1,465,887	1,443,743	1,391,421
Median Age	31.8	37.9	39.7
Median Household Income	\$27,337	\$37,523	\$45,599
Percent of Individuals Below Poverty Level	12.0%	12.3%	14.1%*

*Percentage of households whose income in the 12 months before data collection was below the federal poverty level.

The Western New York Region's population fell by 5.1 percent (74,466) from the 1990 U.S. Census to the 2006-2008 ACS.

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Cornell Demographics projects that the Region’s population is expected to decline by 2.3 percent (1,375,465 to 1,343,855) from 2010 to 2015. The Western New York Region’s population aged 60 and up is expected to grow by six percent and comprise 22.9 percent of the population by 2015. According to the DHCR Housing Needs Study Western New York Regional Report, as young adults continue to leave the Region, senior residents make up a larger proportion of the populace, causing the Region to age much faster than the nation as a whole.

A comparison of the 1990 U.S. Census and the 2006-2008 ACS shows that the median age for the Western New York Region increased by 7.9 years from 31.8 to 39.7.

Median household income in the Region increased by 66.8 percent (\$18,262) between the 1990 U.S. Census and the 2006-2008 ACS. The percent of individuals in the Region living below poverty level rose during this timeframe by 17.5 percent, increasing from 12 to 14.1 percent. According to the DHCR Housing Needs Study Western New York Regional Report, the poverty rates in the Region’s largest cities, Buffalo and Niagara Falls, are higher than that found in the balance of their respective counties. The Report also states that according to U.S. Census figures, Buffalo is the third poorest city in the nation. The 2006-2008 ACS found that 29.9 percent of Buffalo’s population is living below poverty level compared to 20.8 percent in Niagara Falls.

EXHIBIT 25B Western New York Region Housing Characteristics

	1990 Census	2000 Census	2006 – 2008 ACS
Percent of Total Housing Units Built Before 1940	39.7%	33.8%	36.7%
Percent of Owner Occupied Housing Units*	65.6%	67.2%	67.7%
Percent of Renter Occupied Housing Units*	34.4%	32.8%	32.3%

*Percentage based on occupied units only.

The Region’s housing stock is primarily comprised of owner occupied units. The percent of owner occupied housing units increased from 65.6 percent to 67.7 percent from the 1990 U.S. Census to the 2006-2008 ACS. Contrarily, in the Cities of Buffalo and Niagara Falls, the homeownership rate is much lower at 42.9 percent and 57.5 percent, respectively, according to the 2006-2008 ACS.

According to the DHCR Housing Needs Study Western New York Regional Report, the following affordable housing and community development needs were raised by focus group meeting participants:

- *Rehabilitation and modernization funds for existing housing stock:* capital improvements and repairs of both homeowners and rental properties.
- *Vacant property rehabilitation and demolition:* rehabilitate, preserve or demolish vacant blighted properties; funds for acquisition, substantial rehabilitation and re-sale program as an additional activity carried out by Community Housing Development Organizations.
- *Very low- income housing:* rental opportunities for those who are being priced out of rental market or living in substandard housing.
- *Affordable homeownership:* affordable homeownership opportunities which match the economic realities of the existing populace.
- *Economic development opportunities:* employment opportunities with living wages and company sponsored fringe benefits.
- *Transportation in rural communities:* public transportation to serve residents in rural areas of the Region.

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According to the NYSDOL, the Buffalo-Niagara Falls MSA (Erie and Niagara Counties) experienced a decline in nonfarm employment between March 2009 and March 2010 of 0.9 percent or 4,900 jobs. In Allegany, Cattaraugus and Chautauqua Counties, the number of nonfarm jobs declined by 0.6 percent or 100 jobs, 0.6 percent or 200 jobs and 2.2 percent or 1,200 jobs, respectively.

The annual average unemployment rate in the Western New York Region increased from 4.9 percent in 2007 to 8.4 percent in 2009.

Some key findings from Exhibits 15A – 25B include:

- From the 1990 U.S. Census to the 2006-2008 ACS, the Capital District, Mid-Hudson, New York City and New York City Suburban Regions are the only regions in the State that have experienced population growth.
- From the 1990 U.S. Census to the 2006-2008 ACS, median age increased across all regions.
- According to the 2006-2008 ACS, the Capital District, Mid-Hudson, New York City and New York City Suburban Regions have the highest median household income in the State (\$55,975, \$63,682, \$52,077 and \$86,444, respectively).
- The largest cities (urban centers) in every region of the State have higher poverty rates than that found in the balance of their respective counties or regions. In the New York City Region, Bronx County has the highest poverty rate. (Note: The North Country Region does not have an urban center.)
- Every region of the State is primarily comprised of owner occupied housing units, with the exception of the New York City Region. According to the 2006-2008 ACS, 66 percent of the occupied housing units were renter occupied. Also, urban centers in every region of the State also have higher renter occupied housing units than that found in the balance of their respective counties or regions.
- The DHCR Housing Needs Study identified several statewide housing needs, such as rehabilitation and modernization funds for existing housing stock, very low- income housing, affordable homeownership and senior housing; however, housing needs unique to rural and urban areas were identified as well. The rural needs that were identified are small rental developments and manufactured housing, while urban needs were vacant residential units and targeted neighborhood revitalization.

RESIDENTIAL CONSTRUCTION ACTIVITY

Over the past several years the national housing market has experienced a rapid upturn and subsequent downturn. Residential construction has a profound impact on the national and state economy. According to the National Association of Home Builders' Report on the Impact of Home Building and Remodeling on the U.S. Economy, "residential construction-including the building of new structures as well as the remodeling of existing ones-has direct, positive impacts on the U.S. economy." According to a recent New York Times article, "the housing market's epic boom early this decade has turned into an epic bust whose effects may take years to shake off."

New York State has experienced a decline in residential construction employment in recent years. According to the NYSDOL, 40,300 persons were employed in "Residential Building Construction" in March of 2010. This represents a 9.8 percent decrease (4,400) from the previous year.

The New York State Empire State Development Corporation estimates that the value of residential construction (including hotels, motels and dormitories, as well as one- and two- family homes and

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apartment buildings) contracts in New York State to be 17.5 percent of the total value of construction contracts in 2009 (\$28,096,905). In 2006, the value of residential construction contracts made up 36.7 percent of the total value of construction contracts (\$30,483,248).

According to the U.S. Census Bureau, there were 54,382 housing units authorized by building permits in New York State in 2006. Of the units authorized for construction in 2006; 36.7 percent were for single family homes; 8.1 percent were for two unit buildings; 10.4 percent were for 3-4 unit buildings and 44.8 were for buildings with five or more dwelling units. In 2009, the Census Bureau estimates this number decreased by 66.3 percent to 18,344. Of these units authorized for construction in 2009; 52.6 percent were for single family homes; 5.6 percent were for two unit buildings; 3.9 percent were for 3-4 unit buildings and 37.8 percent were for buildings with five or more dwelling units.

HOUSING AFFORDABILITY AND COST

According to the DHCR Housing Needs Study, affordability was cited as an issue for owners and renters alike statewide. For the purpose of the Study, affordability refers to the cost of housing, including property taxes, utility and transportation costs. To illustrate the affordability issue by region, the exhibits below compare the change in housing values and owner/renter cost burden from the 1990 U.S. Census through the 2006-2008 ACS. The data is accompanied by findings from the DHCR Housing Needs Study and Regional Reports.

**EXHIBIT 26
Housing Values and Cost Burden
in New York State**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$130,400	\$148,700	\$311,700
Percent of Owners With a Cost Burden*	23.0%	26.3%	41.3%
Percent of Renters With a Cost Burden*	39.8%	40.5%	50.6%

*Housing costs which equal or exceed 30 percent of household income.

In New York State, the median value of owner occupied units increased by 139 percent (\$181,300) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 79.6 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 27.1 percent.

**EXHIBIT 27
Housing Values and Cost Burden
in the Capital District Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$99,623	\$103,624	\$185,280
Percent of Owners With a Cost Burden*	12.9%	20.4%	32.5%
Percent of Renters With a Cost Burden*	36.1%	36.8%	45.6%

*Housing costs which equal or exceed 30 percent of household income.

In the Capital District Region, the median value of owner occupied units increased by 86 percent (\$85,657) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 151.9 percent. Although renters have remained more cost burdened

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since the 1990 U.S. Census, the increase was much lower at 26.3 percent.

**EXHIBIT 28
Housing Values and Cost Burden
in the Central New York Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$73,931	\$80,701	\$109,412
Percent of Owners With a Cost Burden*	13.6%	20.3%	27.4%
Percent of Renters With a Cost Burden*	40.3%	40.5%	48.9%

*Housing costs which equal or exceed 30 percent of household income.

In the Central New York Region, the median value of owner occupied units increased by 48 percent (\$35,481) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 101.5 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 21.3 percent.

**EXHIBIT 29
Housing Values and Cost Burden
in the Finger Lakes Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$80,974	\$92,728	\$118,014
Percent of Owners With a Cost Burden*	14.8%	20.8%	30.0%
Percent of Renters With a Cost Burden*	41.4%	42.8%	53.1%

*Housing costs which equal or exceed 30 percent of household income.

In the Finger Lakes Region, the median value of owner occupied units increased by 45.7 percent (\$37,040) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 102.7 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 28.3 percent.

**EXHIBIT 30
Housing Values and Cost Burden
in the Mid-Hudson Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$140,190	\$143,119	\$312,602
Percent of Owners With a Cost Burden*	19.4%	25.8%	44.7%
Percent of Renters With a Cost Burden*	39.4%	39.9%	53.5%

*Housing costs which equal or exceed 30 percent of household income.

In the Mid-Hudson Region, the median value of owner occupied units increased by 123 percent (\$172,412) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 130.4 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 35.8 percent, the highest in the State.

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**EXHIBIT 31
Housing Values and Cost Burden
in the Mohawk Valley Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$66,225	\$70,362	\$97,433
Percent of Owners With a Cost Burden*	11.1%	20.2%	28.2%
Percent of Renters With a Cost Burden*	37.7%	38.3%	48.7%

*Housing costs which equal or exceed 30 percent of household income.

In the Mohawk Valley Region, the median value of owner occupied units increased by 47.1 percent (\$31,208) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 154.1 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 29.2 percent.

**EXHIBIT 32
Housing Values and Cost Burden
in the New York City Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$191,681	\$218,032	\$557,699
Percent of Owners With a Cost Burden*	26.3%	33.4%	50.2%
Percent of Renters With a Cost Burden*	39.0%	40.7%	50.3%

*Housing costs which equal or exceed 30 percent of household income.

In the New York City Region, the median value of owner occupied units increased by 190.9 percent (\$365,978) from the 1990 U.S. Census to the 2006-2008 ACS, the highest increase in the State. During this time, the percent of cost burdened owners increased by 90.9 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 29 percent.

**EXHIBIT 33
Housing Values and Cost Burden
in New York City's Suburban Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$208,356	\$225,026	\$497,647
Percent of Owners With a Cost Burden*	25.2%	31.9%	49.5%
Percent of Renters With a Cost Burden*	41.6%	40.7%	55.1%

*Housing costs which equal or exceed 30 percent of household income.

In the New York City Suburban Region, the median value of owner occupied units increased by 138.8 percent (\$289,291) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 96.4 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 32.5 percent.

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**EXHIBIT 34
Housing Values and Cost Burden
in the North Country Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$55,036	\$66,969	\$99,184
Percent of Owners With a Cost Burden*	9.8%	17.8%	27.7%
Percent of Renters With a Cost Burden*	34.2%	35.2%	46.1%

*Housing costs which equal or exceed 30 percent of household income.

In the North Country Region, the median value of owner occupied units increased by 80.2 percent (\$44,148) from the 1990 U.S. Census to the 2006-2008 ACS, the lowest increase in the State. However, the percent of cost burdened owners increased by 182.7 percent, the highest in the State. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 34.8 percent.

**EXHIBIT 35
Housing Values and Cost Burden
in the Southern Tier Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$64,417	\$72,483	\$103,348
Percent of Owners With a Cost Burden*	10.3%	18.1%	27.7%
Percent of Renters With a Cost Burden*	41.2%	41.6%	49.6%

*Housing costs which equal or exceed 30 percent of household income.

In the Southern Tier Region, the median value of owner occupied units increased by 60.4 percent (\$38,931) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 168.9 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 20.4 percent.

**EXHIBIT 36
Housing Values and Cost Burden
in the Western New York Region**

	1990 Census	2000 Census	2006 – 2008 ACS
Median Value of Owner Occupied Units	\$66,108	\$82,159	\$103,105
Percent of Owners With a Cost Burden*	12.1%	20.8%	28.5%
Percent of Renters With a Cost Burden*	43.2%	41.9%	49.0%

*Housing costs which equal or exceed 30 percent of household income.

In the Western New York Region, the median value of owner occupied units increased by 56 percent (\$36,997) from the 1990 U.S. Census to the 2006-2008 ACS. During this time, the percent of cost burdened owners increased by 135.5 percent. Although renters have remained more cost burdened since the 1990 U.S. Census, the increase was much lower at 13.4 percent.

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EXHIBIT 37
Regional Variations across New York State
in Incomes, Housing Values and Cost Burden

Region	Median Household Income	Median Value of Owner Occupied Unit	Percent of Households With a Cost Burden	
			Owners	Renters
Capital District	\$55,975	\$185,280	32.5%	45.6%
Central New York	\$49,028	\$109,412	27.4%	48.9%
Finger Lakes	\$51,502	\$118,014	30.0%	53.1%
Mid-Hudson	\$64,682	\$312,602	25.8%	44.7%
Mohawk Valley	\$44,580	\$97,433	28.2%	48.7%
New York City	\$52,077	\$557,659	50.2%	50.3%
New York City Suburban	\$86,444	\$497,647	49.5%	55.1%
North Country	\$43,285	\$99,184	27.7%	46.1%
Southern Tier	\$44,699	\$103,348	27.7%	49.6%
Western New York	\$45,599	\$103,105	28.5%	49.0%
New York State	\$55,401	\$311,700	41.3%	50.6%

*Figures are based on 2006-2008 ACS data.

Some key findings from Exhibits 26 – 37 include:

- According to the 2006-2008 ACS, the New York City Region had the highest median value of owner occupied units at \$557,659; an increase of over 190 percent from the 1990 U.S. Census. The New York City Region also had the highest percent of owners with monthly housing costs greater than or equal to 30 percent at 50.2.
- The New York City Suburban Region had the highest percent of renters with monthly rent greater than or equal to 30 percent at 55.1. The New York City Suburban Region had the second highest median value of owner occupied units at \$497,647; an increase of nearly 140 percent from the 1990 U.S. Census.
- The Mohawk Valley Region had the lowest median value of owner occupied units at \$97,433; an increase of 47.1 percent from the 1990 U.S. Census.
- The Central New York Region had the lowest percent of owners with monthly housing costs greater than or equal to 30 percent at 27.4.
- The Capital District Region had the lowest percent of renters with monthly rent greater than or equal to 30 percent at 45.6.
- According to the DHCR Housing Needs Study:
 - Housing affordability is a statewide issue; however, it was the primary housing issue in the New York City Suburban Region.
 - Several upstate regions have substantially lower median value of owner occupied housing units compared to downstate regions; however, the cost to properly rehabilitate and maintain the aged housing stock in these regions makes homeownership unaffordable.
 - Second home market has had a significant impact upon home prices and homeownership affordability in the Capital District and North Country Regions.

Fair Market Rents, Wages and Rent Affordability

To further illustrate the issue of affordability in New York State, Exhibit 38 shows the affordability gap that exists between wages and rents, particularly for low- income households. Exhibit 38 is based on housing affordability data from the National Low Income Housing Coalition's *Out of Reach* 2010 report. *Out of Reach* demonstrates the inability of low- wage employment to provide stable, decent housing for low-

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income families. The table shows the Fair Market Rent (FMR) for a two-bedroom apartment, the hourly wage necessary to afford such apartment, the mean renter wage, as well as the percent of renter households unable to afford the two-bedroom FMR. According to the report, affordable rents represent the generally accepted standard of spending not more than 30 percent of gross income on gross housing costs.

EXHIBIT 38
Affordability of Renter Occupied Units
in New York State*

Region	County	Two-bedroom		Estimated	
		Fair Market Rent**	Housing Wage***	Mean Renter Wage****	Percent of Renter Households Unable To Afford Two-bedroom FMR*****
Capital District	Albany	\$874	\$16.81	\$13.54	48%
	Columbia	\$869	\$16.71	\$10.23	50%
	Greene	\$822	\$15.81	\$8.98	55%
	Rensselaer	\$874	\$16.81	\$11.93	50%
	Saratoga	\$874	\$16.81	\$12.12	41%
	Schenectady	\$874	\$16.81	\$13.39	52%
	Warren	\$833	\$16.02	\$10.41	50%
	Washington	\$833	\$16.02	\$10.24	52%
Central New York	Cayuga	\$750	\$14.42	\$8.81	52%
	Cortland	\$771	\$14.83	\$9.10	55%
	Madison	\$759	\$14.60	\$9.79	48%
	Onondaga	\$759	\$14.60	\$10.96	52%
	Oswego	\$759	\$14.60	\$9.74	56%
Finger Lakes	Genesee	\$822	\$15.81	\$9.10	53%
	Livingston	\$803	\$15.44	\$7.96	56%
	Monroe	\$803	\$15.44	\$11.62	52%
	Ontario	\$803	\$15.44	\$9.93	50%
	Orleans	\$803	\$15.44	\$7.86	58%
	Seneca	\$805	\$15.48	\$8.81	57%
	Wayne	\$803	\$15.44	\$8.72	55%
	Wyoming	\$723	\$13.90	\$8.90	47%
Yates	\$741	\$14.25	\$8.22	51%	
Mid-Hudson	Dutchess	\$1,128	\$21.69	\$13.01	53%
	Orange	\$1,128	\$21.69	\$10.56	52%
	Putnam	\$1,359	\$26.13	\$11.78	49%
	Sullivan	\$907	\$17.44	\$9.09	57%
	Ulster	\$1,001	\$19.25	\$9.52	55%
Mohawk Valley	Fulton	\$755	\$14.52	\$9.27	55%
	Herkimer	\$750	\$14.42	\$7.91	59%
	Montgomery	\$699	\$13.44	\$10.21	49%
	Oneida	\$750	\$14.42	\$9.33	56%
	Schoharie	\$874	\$16.81	\$8.39	57%

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Region	County	Two-bedroom		Estimated:	
		Fair Market Rent**	Hourly Housing Wage***	Mean Renter Wage****	Percent of Renter Households Unable To Afford Two-bedroom FMR*****
New York City	Bronx	\$1,359	\$26.13	\$17.46	73%
	Kings	\$1,359	\$26.13	\$15.15	68%
	New York	\$1,359	\$26.13	\$46.51	51%
	Queens	\$1,359	\$26.13	\$17.47	57%
	Richmond	\$1,359	\$26.13	\$11.44	59%
New York City Suburban	Nassau	\$1,592	\$30.62	\$13.88	55%
	Rockland	\$1,359	\$26.13	\$12.26	56%
	Suffolk	\$1,592	\$30.62	\$14.16	57%
	Westchester	\$1,621	\$31.17	\$17.87	60%
North Country	Clinton	\$797	\$15.33	\$9.00	56%
	Essex	\$750	\$14.42	\$9.28	52%
	Franklin	\$684	\$13.15	\$8.80	54%
	Hamilton	\$757	\$14.56	\$6.93	53%
	Jefferson	\$783	\$15.06	\$10.68	51%
	Lewis	\$699	\$13.44	\$8.30	54%
Southern Tier	St. Lawrence	\$700	\$13.46	\$8.55	59%
	Broome	\$723	\$13.90	\$10.11	54%
	Chemung	\$793	\$15.25	\$9.97	57%
	Chenango	\$707	\$13.60	\$10.42	50%
	Delaware	\$715	\$13.75	\$11.40	51%
	Otsego	\$739	\$14.21	\$10.02	53%
	Schuyler	\$762	\$14.65	\$8.44	53%
	Steuben	\$744	\$14.31	\$14.37	55%
	Tioga	\$723	\$13.90	\$13.54	48%
Tompkins	\$958	\$18.42	\$11.84	61%	
Western New York	Allegany	\$690	\$13.27	\$8.78	57%
	Cattaraugus	\$702	\$13.50	\$9.43	52%
	Chautauqua	\$710	\$13.65	\$8.44	56%
	Erie	\$728	\$14.00	\$10.36	52%
	Niagara	\$728	\$14.00	\$8.80	53%

* All data is as calculated and compiled by the National Low-income Housing Coalition (NLIHC) and reported in its "Out of Reach 2010" report.

** Fiscal Year 2010 Fair Market Rent (FMR) [HUD, 2010; revised as of March 11].
FMR is defined by HUD as "...the 40th percentile of gross rents for typical, non-substandard rental units occupied by recent movers in a local housing market."

*** Hourly wage necessary to allow a household to rent an apartment at the FMR while paying only 30% of its income for housing costs. [Assumes full-time, year-round employment.]

**** Based on 2008 BLS data, adjusted using the ratio of renter to overall household income reported in Census 2000, and projected to April 1, 2010.

***** Estimated by comparing the percent of renter median household income required to afford the two-bedroom FMR to the percent distribution of renter household income as a percent of the median within the state, as measured using 2008 American Community Survey Public Use Microdata Sample housing file.

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Some key findings from Exhibit 38 include:

- Westchester County has the highest hourly housing wage necessary to afford a two-bedroom apartment at \$31.17, as well as the highest FMR for a two-bedroom apartment at \$1,621.
- Hamilton County has the lowest mean renter wage at \$6.93, while Franklin County has the lowest FMR for a two-bedroom apartment at \$684.
- Bronx County has the highest percent of renters unable to afford two-bedroom FMR at 73 percent, while Saratoga County has the lowest at 41 percent.
- Nassau and Suffolk Counties have the largest gap between their hourly housing wage and mean renter wage; \$30.62 versus \$13.88 and \$30.62 versus \$14.16, respectively.
- New York and Steuben Counties are the only counties that have a mean renter wage higher than the hourly housing wage (\$46.51 versus \$26.13 and \$14.37 versus \$14.31, respectively).
- The New York City Region has the largest affordability gap. The FMR for a two-bedroom apartment is \$1,313, while the rent affordable at 30 percent of AMI is \$462 (a difference of \$851). The hourly wage necessary to afford a two-bedroom apartment at FMR in New York City is \$25.25.
- Westchester County has the highest hourly wage necessary to afford a two-bedroom apartment at \$30.96, as well as the highest FMR for a two-bedroom apartment at \$1,610.
- Franklin County has the lowest hourly wage necessary to afford a two-bedroom apartment at \$12.67, as well as the lowest FMR for a two-bedroom apartment at \$650.
- St. Lawrence County has the lowest rent affordable at 30 percent of AMI at \$372.

HOUSING AVAILABILITY

Vacancy rates are a measure of the availability of housing. Statewide vacancy rates, as indicated by the 2006-2008 ACS data, are 4.8 percent for rental units and 1.8 percent for owner occupied units compared to the national rates of 7.8 percent and 2.5 percent, respectively. Since the 2000 U.S. Census, vacancy rates increased 4.3 percent for rental units and 12.5 percent for owner occupied units for the State, compared to 14.7 percent for rental units and 47.1 for owner occupied units for the nation.

Homeowner and rental vacancy rates are relatively low for New York State as a whole, indicating a relatively tight housing market statewide, but do vary across the State. For example, according to the 2006-2008 ACS, New York City and the City of Yonkers have higher homeowner vacancy rates than the State as a whole (2.2 percent for both cities), but lower rental vacancy rates compared to the State as a whole (3.6 percent and 4.3 percent, respectively). This indicates that both New York City and the City of Yonkers have tight rental housing markets. Contrarily, the Cities of Rochester and Syracuse have relatively high homeowner vacancy rates (3.9 percent for both cities) and rental vacancy rates (16 percent and 11.7 percent, respectively).

Exhibit 39 below compares the homeowner and rental vacancy rates for New York State to the State's largest cities.

**EXHIBIT 39
Vacancy Rates
in New York State**

	New York State	Buffalo	New York City	Rochester	Syracuse	Yonkers
Homeownership Units	1.8%	3.5%	2.2%	3.9%	3.9%	2.2%
Rental Units	4.8%	8.7%	3.6%	16.0%	11.7%	4.3%

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MARKET ANALYSIS – GENERAL CHARACTERISTICS

NEW YORK STATE FORECLOSURE CRISIS

Since 2007, the nation's foreclosure crisis has threatened the American Dream of homeownership for millions of Americans. In the first eight months of 2007 there were 1.7 million foreclosure proceedings across the nation. According to a 2007 report issued by the US Congress' Joint Economic Committee (JEC) entitled, "*The Subprime Lending Crisis: The Economic Impact on Wealth, Property Values and Tax Revenues, and How We Got Here*" revealed that families, neighborhood property values and state and local governments would lose billions of dollars as two million subprime mortgage homes are foreclosed upon.

There have been numerous speculations regarding what led to this housing crisis. Some have attributed the crisis to the housing bubble, whereby the lower interest rates being offered in residential real estate became an alluring investment tool, leading to an increase in loan refinancing and an increase in property values. Others have said that the innovative mortgage securitization process of investment banks on Wall Street, as well as their desire to seek higher rates of return, led to the increased number of loan products such as Payment Option Adjustable Rate Mortgages (ARMS), Interest Only Mortgages and Hybrid ARMS being offered. Another issue that has been cited is the increase in automated underwriting systems, which required little or no income verification and documentation, no down payment and no escrow accounts, leading to borrowers obtaining loans that they were unable to repay.

In a statewide economic snapshot issued by the JEC in November 2008, the impact that the foreclosure crisis is having on New York State was referenced. The briefing stated, "In New York, subprime mortgages in delinquency have increased from 33,400 in the second quarter of 2006 to 50,800 in the second quarter of 2008. According to 2008 analysis published by the Joint Economic Committee (JEC), the number of subprime foreclosures in New York will total 58,339 between the first quarter of 2008 and the end of 2009." The JEC estimated that home prices in New York will fall 12 percent between 2007 and 2009, resulting in a net loss in housing wealth of \$128 billion.

According to a press release issued by the State of New York Banking Department (State Banking Department) in July 2009, areas of the State are disproportionately impacted by the foreclosure crisis. Only 20 of the State's 62 counties represent 96 percent of the total foreclosure filings. The 20 counties are as follows, by region:

- Capital District Region – Albany
- Central New York Region – Onondaga
- Finger Lakes Region – Monroe and Ontario
- Mid-Hudson Region – Dutchess, Orange, Putnam and Ulster
- New York City Region – Bronx, Kings, New York, Richmond and Queens
- New York City Suburban Region – Nassau, Suffolk, Rockland and Westchester
- Southern Tier Region – Broome
- Western New York Region – Erie and Niagara

Queens County had the highest number of foreclosure filings in the second quarter of 2009 at 2,092, followed by Nassau, Suffolk and Kings County at 1,832, 1,738 and 1,579, respectively. Nassau County had an increase of 95 percent when compared to the number of filings in the first quarter of 2009. In fact, the State Banking Department found that only 25 of the 62 counties saw a decrease in foreclosure filings in the second quarter compared to the first quarter of 2009.

New York State's response to the foreclosure crisis was immediate and included measures such as legislation, the funding and administration of grant programs for counseling, legal services and outreach and loan modification events that bring homeowners face to face with lenders and servicers. Through the

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State of New York Mortgage Agency (SONYMA), refinancing and mortgage programs such as the introduction of the forty-year fixed rate mortgage have been created. Use of federal neighborhood stabilization funds to return foreclosed properties to productive use and enforcement actions through the creation of a Mortgage Fraud Unit within the State Banking Department were also part of New York State's response to the foreclosure crisis.

In May 2007, the Governor's Halt Abusive Lending Transactions (HALT) Task Force was created to take a comprehensive look at the subprime lending industry and recommend steps to protect borrowers, particularly minorities and the elderly. The Task Force was chaired by the State Banking Department's Superintendent and consisted of agency heads from the Department of State, SONYMA, the Division of Human Rights, the Consumer Protection Board, New York State Division of Housing and Community Renewal, the Governor's Office of Regulatory Reform and members of the Governor's Executive Chamber.

The 2008-2009 New York State Budget included \$25 million to create the Subprime Foreclosure Prevention Program. Administered by the New York State Housing Trust Fund Corporation/DHCR, in consultation with the State Banking Department and the Office of Court Administration, the Program funds not-for-profit organizations that provide outreach, education, counseling and legal services to homeowners at risk of default or foreclosure who entered into a subprime or unconventional mortgage. The 2009-2010 New York State Budget included an additional \$25 million to support the foreclosure prevention measures.

In August 2008, Governor David A. Paterson signed into law a subprime lending reform bill. A Governor's Program Bill (S.8143-A/A.10817-A), the bill was created to immediately help prevent New Yorkers from losing their homes by providing assistance to those facing foreclosure. It also addresses the flaws in the State's banking regulations.

In December 2009, Governor Paterson signed into law comprehensive foreclosure legislation (Governor's Program Bill No. 46). This bill provided additional protections to the State's homeowners, tenants and neighborhoods. Among other things, the bill requires the 90-day pre-foreclosure notice currently sent for subprime loans to be expanded to include all home loans; it expands the scope of the early mandatory settlement conference to include borrowers of all home loans and not just borrowers with subprime loans and it establishes protections for tenants in foreclosed properties by requiring that they receive written notification of the change in ownership of the property and be permitted to remain in their home for the remainder of their lease term or 90 days, whichever is longer.

Assisting homeowners and renters, developing lasting solutions to the foreclosure crisis and stabilizing New York State's neighborhoods will continue to be a focus of the State during the period covered by this Consolidated Plan.

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MARKET ANALYSIS – HOMELESS FACILITIES

Section 91.310(b) Homeless Facilities

“The plan must include a brief inventory of facilities and services that meet the needs for emergency shelter and transitional housing needs of homeless persons within the State.”

Overview:

This section describes programs and services that meet the emergency and transitional shelter needs and permanent supportive housing needs of homeless persons in New York State. According to the most recent Continuum of Care applications, there are currently in service:

- 12,683 Emergency Shelter beds for homeless individuals;
- 31,391 Emergency Shelter beds for homeless families with children;
- 7,099 Transitional Housing beds for homeless individuals;
- 5,901 Transitional Housing beds for homeless families with children;
- 20,713 Permanent Supportive Housing beds for individuals; and
- 11,068 Permanent Supportive Housing beds for families.

In addition, there are currently under development:

- 20 Emergency Shelter beds for homeless individuals;
- 182 Emergency Shelter beds for homeless families with children;
- 119 Transitional Housing beds for homeless individuals;
- 144 Transitional Housing beds for homeless families with children;
- 3,649 Permanent Supportive Housing beds for individuals; and
- 2,214 Permanent Supportive Housing beds for families.

Exhibits 40 and 41 summarize these resources by county. Detailed Information on specific resources can be obtained by contacting the appropriate local county department of social services.

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MARKET ANALYSIS – HOMELESS FACILITIES**

EXHIBIT 40: Brief Inventory of Homeless Facilities for Individuals

County	Emergency Shelter		Transitional Housing		Permanent Supportive Housing		TOTALS	
	Current	Future	Current	Future	Current	Future	Current	Future
Albany	182	0	89	6	359	6	630	12
Broome	55	0	172	0	89	0	316	0
Allegany*	35	0	203	0	232	0	470	0
Chautauqua	36	0	16	0	18	0	70	0
Chemung*	-	-	-	-	-	-	-	-
Columbia-Greene	79	0	79	0	59	0	217	0
Dutchess	74	0	108	0	59	3	241	3
Erie	333	0	246	0	511	0	1,090	0
Hamilton**	38	0	25	0	78	30	141	30
Jefferson***	21	0	74	0	37	0	132	0
Lewis***	-	-	-	-	-	-	-	-
Monroe	232	0	82	4	414	11	728	15
Nassau	104	2	80	0	237	71	421	73
Niagara	64	0	120	0	147	0	331	0
New York City	10,243	0	4,921	69	15,300	3,406	30,464	3,475
Oneida	34	0	288	0	151	0	473	0
Onondaga	278	0	293	8	664	86	1,235	94
Ontario****	6	0	0	12	8	0	14	12
Orange	63	0	0	0	222	0	285	0
Orleans	2	0	1	0	0	0	3	0
Rensselaer	23	0	11	0	178	4	212	4
Rockland	8	0	29	0	466	0	503	0
St. Lawrence***	-	-	-	-	-	-	-	-
Saratoga**	-	-	-	-	-	-	-	-
Schenectady	58	0	4	0	251	26	313	26
Seneca****	-	-	-	-	-	-	-	-
Steuben*	-	-	-	-	-	-	-	-
Suffolk	299	0	92	20	307	6	698	26
Tompkins	0	18	0	0	12	0	12	18
Ulster	33	0	106	0	120	0	259	0
Wayne****	-	-	-	-	-	-	-	-
Warren**	-	-	-	-	-	-	-	-
Washington**	-	-	-	-	-	-	-	-
Westchester	372	0	140	0	691	0	1,203	0
Yates****	-	-	-	-	-	-	-	-
TOTALS	12,672	20	7,179	119	20,610	3,649	40,461	3,788

* Total combined Allegany, Chemung and Steuben Counties

** Total combined Hamilton, Saratoga, Warren and Washington Counties

*** Total combined Jefferson, Lewis and St. Lawrence Counties

**** Total combined Ontario, Seneca, Wayne and Yates Counties

Data Source: jurisdiction's most recent Continuum of Care application

“Current” = currently in service

“Future” = now under development

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MARKET ANALYSIS – HOMELESS FACILITIES**

EXHIBIT 41: Brief Inventory of Homeless Facilities for Families with Children

	Emergency Shelter		Transitional Housing		Permanent Supportive Housing		TOTALS	
	Current	Future	Current	Future	Current	Future	Current	Future
Albany	82	0	27	16	190	23	299	39
Allegany*	14	0	16	0	68	0	98	0
Broome	40	0	24	0	77	0	141	0
Chautauqua	14	0	50	0	18	0	82	0
Chemung*	-	-	-	-	-	-	-	-
Columbia-Greene	89	0	16	0	4	0	109	0
Dutchess	178	3	116	0	75	7	369	10
Erie	137	0	236	0	32	0	405	0
Hamilton**	14	0	9	0	50	0	73	0
Jefferson***	18	0	0	0	25	0	43	0
Lewis***	-	-	-	-	-	-	-	-
Monroe	200	40	137	4	729	0	1,066	44
Nassau	275	45	128	0	486	10	889	55
Niagara	16	0	22	0	56	0	94	0
New York City	28,518	0	3,161	124	6,887	2,043	38,566	2,167
Oneida	54	0	69	0	180	0	303	0
Onondaga	54	0	74	0	337	37	465	37
Orange	45	0	45	0	257	0	347	0
Orleans	7	0	18	0	0	0	25	0
Rensselaer	42	0	16	0	165	0	223	0
Rockland	55	0	45	0	108	0	208	0
St. Lawrence***	-	-	-	-	-	-	-	-
Saratoga**	-	-	-	-	-	-	-	-
Schenectady	16	7	21	0	81	17	118	24
Steuben*	-	-	-	-	-	-	-	-
Suffolk	1,308	87	38	0	764	42	2,110	129
Tompkins	22	0	28	0	61	0	111	0
Ulster	36	0	3	0	72	19	111	19
Warren**	-	-	-	-	-	-	-	-
Washington**	-	-	-	-	-	-	-	-
Wayne	9	0	0	0	12	0	21	0
Westchester	119	0	1,596	0	258	16	1,973	16
TOTALS	31,362	182	5,895	144	10,992	2,214	48,249	2,540

* Total combined Allegany, Chemung and Steuben Counties

** Total combined Hamilton, Saratoga, Warren and Washington Counties

*** Total combined Jefferson, Lewis and St. Lawrence Counties

**** Total combined Ontario, Seneca, Wayne and Yates Counties

Data Source: jurisdiction's most recent Continuum of Care application

“Current” = currently in service

“Future” = now under development

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MARKET ANALYSIS – SPECIAL NEEDS FACILITIES AND SERVICES

Section 91.310(c) Special Needs Facilities and Services

“The plan must describe, to the extent information is available, the facilities and services that assist persons who are not homeless but who require supportive housing and programs for ensuring that persons returning from mental health and physical health institutions receive appropriate supportive housing.”

Overview

This section describes facilities and services that assist six populations, each of which, though not homeless, has special needs for housing with supportive services:

- persons who are elderly and frail elderly;
- persons with severe mental illness;
- persons with developmental disabilities;
- persons with physical disabilities;
- persons with addictions to alcohol or other drugs; and
- persons and their families living with HIV/AIDS.

Following is an overview of the State agencies whose missions are critical to serving persons with special needs, as well as an overview of the State’s initiative to ensure that people of all ages with physical and mental disabilities receive care and services in the most integrated settings appropriate to their individual needs.

Elderly and Frail Elderly

The New York State Office for the Aging (NYSOFA)’s mission is to help older New Yorkers to be as independent as possible for as long as possible through advocacy, development and delivery of cost effective policies, programs and services which support and empower the elderly and their families, in partnership with the network of public and private organizations which serve them.

NYSOFA administers various Titles under the Federal Older Americans Act of 1965 as amended, and a variety of State-funded programs which serve the elderly. In these programs preference is given to elderly people with the greatest economic or social need, with special emphasis on meeting the needs of low income minority elderly.

The majority of programs are administered through [local offices for the aging](#). There are 59 local offices which serve each county, the City of New York as well as the St. Regis Mohawk Indian Reservation, and the Seneca Nation of Indians which includes the Cattaraugus and Allegany Reservations. These are the only Indian Reservations with offices for the aging east of the Mississippi.

Persons with Severe Mental Illness

New York State has a large multi-faceted mental health system that serves more than 500,000 individuals each year. The Office of Mental Health (OMH) operates psychiatric centers across the State and also regulates, certifies and oversees more than 2,500 programs which are operated by local governments and not-for-profit agencies. These programs include various inpatient and outpatient programs, emergency, community support, residential and family care programs.

Persons with Developmental Disabilities

The mission of OPWDD is to help people with developmental disabilities live richer lives and enjoy meaningful relationships with friends, family and others in their lives, experience personal health and growth, live in the home of their choice, and fully participate in their communities. More specifically, OPWDD is committed to achieving the five following basic outcomes for people with developmental disabilities:

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- **Person First.** People who have developmental disabilities have plans, supports, and services that are person-centered and as self-directed as they choose.
- **Home of Choice.** People who have developmental disabilities are living in the home of their choice.
- **Work or Contributing to the Community.** People who have developmental disabilities are able to work at paying jobs and/or participate in their communities through meaningful activities.
- **Relationships.** People who have developmental disabilities have meaningful relationships with friends, family, and others of their choice.
- **Good Health.** People who have developmental disabilities have good health.

These five outcomes provide the framework for the OPWDD Comprehensive Plan for 2009-2013, which describes the key activities OPWDD will engage in to help people realize their personal goals related to home, community contribution, relationships and health. In addition, the OPWDD Comprehensive Plan lays out those cross-cutting supports and activities necessary to support these key outcomes regardless of outcome focus, whether home, work, relationships, or health.

Persons with Physical Disabilities

Persons with physical disabilities are served by multiple State agencies including: the Commission on Quality Care and Advocacy for Persons with Disabilities (CQCAPD); the Education Department's Office of Vocational and Educational Services for Individuals with Disabilities (VESID); and, the Developmental Disabilities Planning Council (DDPC).

The New York State Commission on Quality of Care and Advocacy for Persons with Disabilities serves people with mental, physical, and sensory disabilities by providing *independent* oversight of the quality and cost-effectiveness of services provided to individuals with mental disabilities, and by promoting public policies that meet the needs and advance the rights of all persons with disabilities in New York State.

The Commission also serves as the State's Protection and Advocacy agency, and administers eight federal programs which provide legal and other advocacy services to persons with disabilities to assist them in obtaining the services and protections of federal and state laws. The Commission is assisted by a 15-member Mental Hygiene Medical Review Board made up of volunteer physicians appointed by the Governor to provide expert advice on clinical issues and an Advisory Council, also appointed by the Governor, which assures broad stakeholder input to the Commission as it carries out its responsibilities under the Mental Hygiene Law. The functions, powers, and duties of the Commission are delineated in NYS Mental Hygiene Law Article 45.

VESID promotes educational equity for students with disabilities; assures appropriate continuity between the child and adult services systems; and provides vocational rehabilitation and independent living services to all eligible persons to enable them to work and live independent, self-directed lives.

VESID offers access to a full range of services that may be needed by persons with disabilities through their lives. Through its administration of both the special education and vocational rehabilitation programs, VESID coordinates policy and services relating to:

- transition services for infants and toddlers with disabilities (ages birth to two years);
- special education services for students with disabilities (3-21);
- transition services for students with disabilities from school to adult services;
- vocational rehabilitation services for individuals with disabilities, ages 16 and older; and
- independent living services for adults with disabilities.

VESID administers base funding for 39 Independent Living Centers (ILCS) throughout the state. ILCs are private, not-for-profit organizations, governed by a majority of people with disabilities and staffed

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primarily by people with disabilities. ILCs are resource centers that do not run residential programs or operate places where people live.

The philosophy of independent living is to maximize opportunities for choices and growth through peer driven supports and self-help. ILCs are the voice of people with disabilities and the disability rights movement in local communities across New York State and provide an array of services that assist New Yorkers with disabilities to live integrated and self-directed lives. ILCs assist with living learning and earning and work to remove barriers to full participation in to the local community and beyond.

The New York State Developmental Disabilities Planning Council is a federally funded state agency working under the direction of Governor David A. Paterson.

The DDPC is 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.

The DDPC affects positive systems change through grant programs that fund such activities as:

- Demonstration programs
- Training for families and staff
- Outreach to unserved and underserved populations
- Support to communities
- Interagency collaboration and coordination
- Systems design and redesign

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.

Persons and Families in Long Term Recovery from Alcohol/Substance Abuse

The mission of the Office of Substance Abuse and Alcohol Services (OASAS) is to improve the lives of New Yorkers by leading a premier system of addiction services through prevention, treatment, recovery.

OASAS:

- Oversees the nation's largest and most diverse addiction prevention and treatment system
- Provides accessible, cost-effective quality services
- Strengthens communities, schools and families through prevention
- Improves lives through treatment
- Meets individual needs through specialized services
- Fosters partnerships for improved services
- Links programs with research to improve results
- Plans for the future to improve and strengthen prevention and treatment
- Promotes a productive, well-trained workforce
- Provides hope for happier, productive lives

OASAS plans, develops and regulates the state's system of chemical dependence and gambling treatment agencies. This includes the direct operation of 12 Addiction Treatment Centers, which provide inpatient rehabilitation services to 10,000 persons per year. In addition, the Office licenses, funds, and

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MARKET ANALYSIS – SPECIAL NEEDS FACILITIES AND SERVICES

supervises some 1,300 local, community-based programs, chemical dependence treatment programs, which serve about 110,000 persons on any given day in a wide range of comprehensive services. The agency inspects and monitors these programs to guarantee quality of care and to ensure compliance with state and national standards.

OASAS also monitors gambling and substance use and abuse trends in the state; provides a comprehensive education and prevention program through more than 1,550 programs based in schools and communities; promotes public awareness and citizen involvement through community action groups; pursues state, federal and private sources of funding for services; establishes linkages of services for clients in other human service agencies and criminal justice system; provides education and training for persons dealing with clients; and administers the credentialing of alcoholism and substance abuse counselors as well as prevention practitioners and prevention specialists. OASAS is the designated single state agency responsible for the coordination of state-federal relations in the area of addiction services.

Persons and their Families Living with HIV/AIDS

The New York State Department of Health's AIDS Institute promotes, protects and advocates for health through science, HIV prevention and assurance of access to a coordinated system of quality health care and support services for persons with HIV/AIDS.

Most Integrated Setting Coordinating Council (MISCC)

The Most Integrated Setting Coordinating Council, established by Chapter 551 of the Laws of 2002, is responsible for developing a comprehensive statewide plan to ensure that people of all ages with physical and mental disabilities receive care and services in the most integrated settings appropriate to their individual needs.

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

NYS Agency Council members are: Office of Mental Health, Department of Health, State Office for the Aging, Office for Persons With Developmental Disabilities; Department of Education, 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 comprise: 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.

The MISCC holds quarterly meetings open to the public; meeting dates and locations are posted on the following Web page: <http://www.omr.state.ny.us/MISCC/index.jsp>.

The MISCC identified housing, transportation and employment as top priorities and committees were established to work on these issues to find solutions to improve community integration opportunities for people with disabilities. Membership of these committees included both MISCC and non-MISCC state agencies, providers, advocates and individuals with disabilities. These three committees continue to foster cross-system linkages and outcomes.

The member agencies formed internal stakeholder groups to advise them as they develop, implement and update their internal MISCC plan. The active participation of people with disabilities in helping to shape the plans of each member agency has been critical in ensuring that outcomes are responsive to the real needs of the people we serve.

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Through continued collaborative efforts the State and its partners continue to work to transform services so that they are individualized, flexible and integrated within the community, to help ensure that people with disabilities living in New York State can enjoy more person-centered, quality, community inclusive lives.

The most recent MISCC Plan covers the two year period of 2010-11. It creates measurable agency specific housing, employment, transportation, long term care and community based treatment goals which will assist New Yorkers with disabilities to live in the most integrated settings. Detailed implementation plans have been made available including specific goals, timetables and key performance data in order to monitor progress. The plan may be modified based upon the enacted budget for SFY 2010-2011.

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MARKET ANALYSIS – BARRIERS TO AFFORDABLE HOUSING

Section 91.310 (d) Barriers to Affordable Housing

“The plan must explain whether the cost of housing or the incentives to develop, maintain, or improve affordable housing in the State are affected by its policies, including tax policies affecting land or other property, land use controls, zoning ordinances, building codes, fees and charges, growth limits, and policies that affect the return on residential investment.”

Overview

Barriers to affordable housing may take many forms including, but not limited to tax policies local codes and land use controls, financial barriers, lack of coordination of resources, as well as lack of accessibility.

Lack of Financial Resources

A widely recognized, yet difficult to overcome barrier to affordable housing in New York State is the lack of adequate financial resources. Although nationally recognized for its innovative housing programs, New York faces a growing unmet demand within these programs. Similar to most states, the need for increased revenue for housing has to compete with other legitimate public priorities. Federal resources have not kept pace with demand, especially for programs such as HOME and CDBG which are the primary tools for constructing and/or rehabilitating affordable housing for low-income individuals. Section 8 resources have also been reduced, making it more difficult for renters with very-low incomes, including people with disabilities, to find affordable rental housing.

Zoning Ordinances and Land Use Controls

New York State’s Constitution grants jurisdictions the right to control land use on a local level. The State recognizes there are many different strategies to accommodate the land use needs of communities, and the best approach for each jurisdiction is to develop a plan to its unique characteristics. Zoning is the primary system by which jurisdictions maintain control over the land within their borders. Many jurisdictions understand the importance of land use laws as an important tool in facilitating the development of affordable housing.

Local land use controls may be a factor in the development of affordable housing, such as designated historic districts and local zoning codes and design restrictions. In most instances, such controls regulate development and may require an exception or variance. There is an appeals process for review of adverse decisions. The State encourages housing developers to pursue zoning approvals with jurisdictions early in the development process to limit delays later in the process.

Building Codes

New York State has adopted a Uniform Fire Prevention and Building Code based on the International Building Code. The basis of the State’s building code is to safeguard the health, safety and welfare of the public. The Department of State, Codes Division provides a variety of services related to New York’s Uniform Fire Prevention and Building Code and State Energy Conservation Construction Code. The Division provides technical assistance, administers variances, delivers educational courses, oversees the enforcement practices of local governments and serves as secretariat to the State Fire Prevention and Building Code Council.

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MARKET ANALYSIS – BARRIERS TO AFFORDABLE HOUSING

Accessibility

The lack of sufficient accessible housing poses a barrier to obtaining housing for persons with disabilities. Housing, both public and private must be physically accessible in order to accommodate the needs of people of all ages with disabilities.

As such the State has undertaken initiatives to promote the development of accessible housing. Recognizing that for those with physical disabilities the barrier to securing affordable housing may often be the cost of accessibility modifications, DHCR created the Access to Home program. This was the result of a unique collaboration between State agencies, Independent Living Centers, Housing Preservation Companies, disability advocates, and other stakeholders who identified a gap in housing opportunities for persons with disabilities.

Government Coordination

Lack of coordination among entities of government may create a barrier to affordable housing by delaying funding, creating conflicting priorities and adding to administrative burdens. In addition, varying program applications can lead to funding delays and added development costs. Streamlining operations, making greater use of technology and increasing coordination among agencies will ensure a more customer-friendly environment and help reduce costs for developers of affordable housing, building owners and tenants.

Since 2008, most of DHCR's funding applications are able to be filed electronically on-line, saving time and money for affordable housing developers while also reducing costs and the time needed to process applications. In collaboration with *nyhomes*, a joint application was developed between DHCR, the Affordable Housing Corporation and the Housing Finance Agency. A joint application review process was also established to review supportive housing developments with the Office of Temporary and Disability Assistance, further reducing costs and red tape between agencies.

Fees and Charges

Local building permits, filing and recording fees, fees for debris removal and fire/safety inspections are common fees applicable to housing development. Balancing a local jurisdiction's need for revenue against the impact of these fees on housing costs is an ongoing effort. Although each may serve a valid public purpose, the fees and other costs associated with meeting these regulations may add to the cost of housing.

Residential Energy Costs

While most of the analysis of affordability and housing cost burden emphasizes the direct housing cost of rent or mortgage payments, energy is also an essential part of overall housing-related expenses. The overall outlay of households for energy can cause many extremely low-income households to spend more than half their income for housing plus heat and utilities. With cold winters and high energy prices in the State, heating costs are an important concern.

DHCR administers the federal Weatherization Assistance Program (WAP) in New York and utilizes a network of community-based organizations to process applications from residents and conduct energy

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audits to determine the weatherization services each household requires. Subgrantees provide energy conservation services through their own trained crews and by subcontracting work to local contractors.

Since the inception of the Weatherization Assistance Program in 1977, more than 500,000 dwellings have been weatherized in New York. Weatherization reduces energy costs by an average of more than 20 percent, conserves oil, gas and other natural resources and reduces the State's carbon footprint.

Tax Policies

Article XVI Section 1 of the New York State Constitution provides the power to tax rests exclusively with the Legislature. It also permits the State to enact laws delegating to local government the power to impose specific taxes.

In New York State the property tax is based on the value of real property. Counties, cities, towns, villages, school districts, and special districts each raise money through the real property tax. A property's assessment is based on its market value, or how much a property would sell for under normal conditions. Assessments are determined by a Local Assessor who independently estimates the value of real property in an assessing unit, or within a municipal boundary, such as a county, city, town, or village. Property taxes, although not levied by the State, are authorized under the State Constitution, and may affect the cost of affordable housing.

Under New York's Constitution, exemptions from taxation may only be given pursuant to general laws approved by the State Legislature and the Governor. New York State has enacted several laws creating mandatory and permissive exemptions from taxes on real property, directed toward enhancing the affordability of housing.

Housing Discrimination

In recognition of the broad grants of authority to the Division of Human Rights (DHR) and New York State Division of Housing and Community Renewal (DHCR) to provide for the protection of individuals seeking adequate housing in the State, there is a mutual recognition that despite best efforts, barriers may still exist which prevent segments of the population from obtaining adequate housing. Through a Memorandum of Understanding (MOU) negotiated in August, 2010, DHR and DHCR will continue to commit to working collaboratively to develop and implement strategies and actions to overcome impediments to fair housing, eliminate and prevent discrimination in housing and enforce human rights laws.

Finding Housing

Individuals may opt to search for housing individually, or with the assistance of a housing advocate. Regardless, the process requires assembling an inventory of housing options for which an applicant might be eligible. While print housing directories and lists exist, finding such resources is labor intensive and arduous, as they are often out of date and include expired opportunities.

NYHousingSearch.gov is a free public service provided by the NYS Homes and Community Renewal, Department of Health and Office for Persons With Developmental Disabilities. The site allows people to locate available housing that meets their individual and family needs at a rent they can afford. It can be

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accessed online 24-hours a day and is supported by a toll-free, bilingual call center M-F, 9-8 Eastern Time.

Understanding Terminology

The housing process may be complicated by the use of inconsistent terminology between entities of government and the programs they fund, as well as housing providers. Terms such as accessible, adaptable, elderly, senior and affordable may take on different meaning depending on the administrating agency and source of funds.

Affordable Housing and Community Development Needs Study

The Agency's Office of Policy Research and Development has completed a study of Affordable Housing and Community Development Needs which reflects the barriers that impact on affordable housing in New York State. This study is especially significant during this economic crisis and provides guidance for DHCR to move forward in a positive direction with developing policies and in the implementation of its programs. The findings of the study and barriers to affordable housing include but are not limited to a lack of quality affordable rental units, aged housing stock and "not-in-my-backyard" (NIMBY) opposition.

Housing Quality and Stock

Quality Affordable Rental Units: There is a need for rehabilitation and modernization funds for the existing rental housing stock. There is also a need for affordable/workforce housing education and outreach and zoning reform to encourage the development of additional affordable rental housing units.

Issues

- Across the State, a significant portion of the affordable rental housing stock is of poor quality and in substandard condition.
- The presence of asbestos, lead paint, leaking roofs and inefficient heating systems are some of the ailments that plague the existing affordable rental housing stock.
- Poor rental housing conditions are attributed to years of deferred maintenance and the relatively low income levels of both tenants and property owners who cannot afford to make necessary repairs and improvements.
- Impediments to the creation of additional rental housing units, particularly family and special needs/supportive rental housing, include high taxes, high land acquisition and infrastructure costs, as well as "not-in-my-backyard" (NIMBY) opposition.

Needs

- There is a need for rehabilitation and modernization funds for the existing housing stock.
- There is also a need for affordable/workforce housing education and outreach and zoning reform which would encourage the development of additional affordable rental housing units.

Aged Housing Stock: There is a need for rehabilitation and modernization funds for aged housing stock which has been subject to significant disinvestment.

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Issues

- In some communities of the State, homes date back to the 19th century and may be plagued by significant disinvestment.
- Much of the aged housing stock is functionally obsolete, lacking energy efficient heating systems and basic livability and/or visitability features.
- Many aged single family homes in the State have been converted to multi-family rental housing. The increased density and transiency of tenants has led to the deteriorated conditions of these older structures.
- The preservation of existing housing stock, rather than the construction of new developments, was deemed more appropriate for a number of communities around the State.

Needs

- There is a need for rehabilitation and modernization funds for the existing housing stock.

Preservation and Rehabilitation of Units: There is a need for additional funding for repairs or upgrades to modernize and preserve owner-occupied and rental housing.

Issues

- Many homeowners and property owners cannot afford to make needed repairs or upgrades to their properties.
- Wait lists for existing home rehabilitation programs administered by local governments and not-for-profit organizations can be as long as three years and contain as many as 300 households.
- Rehabilitation and modernization costs are high and are often times nearly equal to the sales price of homes.

Needs

- There is a need for additional funding to modernize and preserve owner occupied and rental housing.

NIMBY Opposition: Social attitudes which include racism, fear of crime, lowered property values or economically integrated housing. There is a need to educate local officials, planning and school boards and community members about the benefits of affordable housing developments in order to mitigate NIMBY opposition.

Issues

- The development of affordable housing is often impeded by NIMBY opposition from municipalities and community members. Zoning ordinances adopted at the municipal level can thwart efforts to develop affordable housing.
- Some who oppose affordable housing fear such development may negatively impact “community character.” Special needs/supportive housing is frequently concentrated in blighted neighborhoods of urban centers due to NIMBY opposition in surrounding communities.

Needs

- There is a need to educate local officials, planning and school boards and community members about the benefits of affordable housing developments.

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- There is also a need to provide communities with incentives to make a connection between affordable housing and the planning process. This could include the provision of school, transportation or other infrastructure funds from the State and federal government in exchange for community support of affordable housing.

Affordability

Affordable Homeownership: There is a need for first- time homebuyer programs, living wage jobs that can support homeownership and “next generation” housing for young adults. housing and living wage jobs for residents earning 30 percent or less of area median income (AMI).

Issues

- The escalation of home prices has outstripped wage growth in many communities and homeownership is not within the financial reach of low- to moderate- income residents.
- Burgeoning second home markets in many upstate communities have impacted the affordability of homeownership.
- Throughout the State, many homes that are considered affordable are of poor quality and often require significant rehabilitation.
- In some communities, young adults with moderate incomes live at home with parents or take in renters in order to afford homeownership.

Needs

- There is a need for first-time homebuyer programs, living wage jobs that can support homeownership and “next generation” housing for young adults.
- There is also a need for homeownership opportunities which match the economic realities of the existing population.

Other Housing Costs: There is a need for increased funding for the Weatherization Assistance Program and for a utility cost assistance program which would assist homeowners and renters with housing-related costs.

Issues

- Housing-related costs such as property and school taxes, utility and transportation costs make renting as well as homeownership financially burdensome for residents who lack the income needed to meet these rising expenses.
- Transportation costs are inextricably tied to housing affordability. High gas prices as well as public transportation costs create housing cost burdens for residents. In rural areas, transportation costs are particularly burdensome due to the lack of access to public transportation.

Needs

- There is a need for affordable public transportation to serve residents in rural areas

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Foreclosure: There is a need for increased funding for foreclosure prevention services including pre- and post- purchase counseling, as well as emergency funds.

Issues

- The development of affordable housing is often impeded by NIMBY opposition from municipalities and community members. Zoning ordinances adopted at the municipal level can thwart efforts to develop affordable housing.
- Some who oppose affordable housing fear such development may negatively impact “community character.” Special needs/supportive housing is frequently concentrated in blighted neighborhoods of urban centers due to NIMBY opposition in surrounding communities.

Needs

- There is a need to educate local officials, planning and school boards and community members about the benefits of affordable housing developments.
- There is also a need to provide communities with incentives to make a connection between affordable housing and the planning process. This could include the provision of school, transportation or other infrastructure funds from the State and federal government in exchange for community support of affordable housing.

Special Needs/Supportive Housing

Senior Housing: Funding is needed to create rental housing for seniors, along with supportive services, sited close to support systems and public transportation. To meet the needs of senior homeowners, additional funding for home repairs and accessibility modifications is needed. DHCR encourages the development of special needs housing in its programs. Scoring points are awarded to applicants for developing these units. The Agency assists with financing project reserves for the purpose of making physical modifications to accommodate tenants with special needs. The Office of Fair Housing and Equal Opportunity requires outreach to special needs organizations as part of the marketing effort for all projects and the Design Services Unit reviews each project for compliance with accessibility design requirements of the Fair Housing Act and the NYS Building Code.

Issues

- Seniors make up an increasing proportion of the State's population, bringing to light specific affordable housing issues such as the need for supportive services and accessible and visitable housing that is affordable to seniors with fixed incomes.
- Many existing affordable senior housing developments are overwhelmed with long wait lists.
- Senior homeowners face barriers to aging in place, including rising property taxes and the costs of maintenance and accessibility modifications.

Needs

- Funding is needed to create senior rental housing with supportive services that are sited close to support systems and public transportation. To meet the needs of senior homeowners, additional funding for home repairs and accessibility modifications is needed.

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Homelessness: There is a need for emergency shelters, particularly in rural communities, as well as additional funding for existing emergency shelters.

Issues

- Homelessness has become more encompassing, as families that were once considered working or middle class find themselves in need of emergency housing due to job loss, illness, lack of affordable rental units, lack of Section 8 vouchers, change in family structure and/or foreclosure.
- Homelessness is not limited to those living on the streets, but includes individuals and families living in properties that are substandard and should be condemned. Such conditions are tolerated because of the lack of quality affordable alternatives.
- The “invisible homeless” or “couch surfers,” which includes those who are living with family or friends, are excluded from standard estimates of homelessness.
- Most rural communities do not have emergency shelters to house their homeless population. Instead, people are housed in local motels or temporary housing units or are given bus tickets to the nearest community that is believed to have emergency housing.
- Some communities with shelters are operating at maximum capacity and have to turn people away.

Needs

- There is a need for emergency shelters, particularly in rural communities, as well as additional funding for existing emergency shelters.

Supportive Service Delivery: There is a need for timely and effective partnerships between those who develop affordable housing and those who provide social services to individuals and families living in affordable housing developments.

Issues

- Property managers do not always consider the cost effectiveness of including social service organizations in the management and provision of services to tenants living in affordable housing developments.
- Some social service organizations find it difficult to link clients with available affordable housing, while some project managers are unable to fill vacant special needs housing units in a timely fashion.

Needs

- There is a need for timely and effective partnerships between those who develop affordable housing and those who provide social services to individuals and families living in affordable housing developments.
- There is also a need for supportive services, such as case management, job and life skill training (budgeting and personal housekeeping) and child care for special needs populations.

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Rural Issues and Needs

Small Development

Issues

- In rural areas, small developments of 12 units or less are desired.
- Small developments have a greater potential to draw community support, while large developments are often overwhelming to the community and become the focal point of opposition.
- It is difficult for developers to finance small developments, especially in rural housing markets.

Needs

- There is a need for further investment in and reformation of DHCR's Small Projects Initiative in order to address the feasibility of such developments.

Manufactured Homes (Mobile Homes)

Issues

- In many rural areas mobile homes are recognized as one of the most affordable housing options.
- Many mobile homes, in both parks and on scattered sites, are in poor condition and do not meet basic housing quality standards.
- Mobile home replacement programs often hit roadblocks such as bad or nonexistent credit history of potential homeowners, high administrative costs and the excessive time required to complete transactions.
- Public investment in the rehabilitation of manufactured homes is limited, as necessary repairs are costly and these homes do not retain their value and tend to depreciate.

Urban Issues and Needs

Vacant Residential Units

Issues

- Nearly all urban centers in upstate New York have witnessed an increasing number of vacant and abandoned residential units over the last few decades.
- The urban centers have lost a large portion of their populations resulting in more housing stock than households.

Needs

- Funding is needed for vacant property rehabilitation and demolition.

Targeted Neighborhood Revitalization

Issues

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- Some neighborhoods in the State's urban centers have remained stable over the years while others have witnessed extreme degradation.
- Very low-income and minority neighborhoods in urban centers generally have low homeownership rates, high crime rates, high residential vacancy rates and a large proportion of housing in substandard condition.

Needs

- There is a need for targeted revitalization efforts for blighted neighborhoods.

Housing Discrimination

DHCR's Office of Fair Housing and Equal Opportunity (OFHEO) monitors policies and handles agency housing discrimination complaints by providing counseling, mediation and referrals where appropriate. The agency also works closely with the NYS Division of Human Rights (DHR) and the U.S. Department of Housing and Urban Development in attempting to conciliate in matters alleging discrimination.

In August 2010, DHCR and DHR negotiated an updated Memorandum of Understanding (MOU). The MOU reaffirms the agencies' commitment to develop and implement strategies and actions to overcome impediments to fair housing. The agencies will work collaboratively to eliminate and prevent discrimination in housing on the basis of race, creed, color, national origin, sex, age, disability, familial status or any other characteristic protected by law. DHCR and DHR will work cooperatively on education and outreach activities geared to the general public, as well as provide technical training for housing industry representatives and other organizations.

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STRATEGIC PLAN - GENERAL

Section 91.315 (a) General

“For the categories described in paragraphs (b), (c), (d) and (e) of this section, the consolidated plan must do the following:

- (1) Indicate the general priorities for allocating investment geographically within the state and among priority needs;*
- (2) Describe the basis for assigning the priority (including the relative priority where required) given to each category of priority needs;*
- (3) Identify any obstacles to meeting underserved needs;*
- (4) Summarize the priorities and specific objectives, describing how the proposed distribution of funds will address identified needs;*
- (5) For each specific objective, identify the proposed accomplishments the State hopes to achieve in quantitative terms over a specific time period (i.e., one, two three or more years) or in other measurable terms as identified and defined by the State.*

Overview

As required by HUD regulations, Section 91.315 of New York State’s Consolidated Plan 2011– 2015 describes the State’s strategic goals and objectives and proposed actions to address issues related to:

- affordable housing;
- homelessness;
- other special needs; and
- non-housing community development needs.

In addition, this section of the State’s Consolidated Plan addresses issues related to:

- barriers to affordable housing;
- lead-based paint hazards;
- the State’s anti-poverty strategy;
- the State’s institutional structure;
- coordination among state agencies and with other interested parties, both public and private;
- low-income housing tax credit use; and
- public housing resident initiatives.

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Section 91.315 (b) Affordable Housing

“With respect to affordable housing, the consolidated plan must do the following:

- (1) The description of the basis for assigning relative priority to each category of priority need shall state how the analysis of the housing market and the severity of housing needs of extremely low-income, low-income, and moderate-income renters and owners identified in accordance with Section 91.305 provided the basis for assigning the relative priority given to each priority need category in the priority needs table prescribed by HUD. Family and income types may be grouped together for discussion where the analysis would apply to more than one of them;*
- (2) The statement of specific objectives must include how the characteristics of the housing market will influence the use of funds made available for rental assistance, production of new units, rehabilitation of old units, or acquisition of existing units; and,*
- (3) The description of proposed accomplishments shall specify the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined in Section 92.252 of this subtitle for rental housing and Section 92.254 of this subtitle for homeownership over a specific time period.”*

Overview

New York State's Strategic Plan is built on programs that address both supply and demand issues in affordable housing. The State's overall goals are to create both decent housing and a suitable living environment for low- and moderate-income New Yorkers. To achieve these goals, New York State proposes six objectives. Four of these objectives focus on preserving and increasing the supply of decent, safe and affordable housing while two focus on demand-side affordability issues for New Yorkers. Together, these efforts can begin to address the imbalance that has resulted in housing shortages, high costs, and substandard conditions in the State's existing housing stock. In addition, New York State's strategic objectives create more housing choices for low-income and minority households by emphasizing both home ownership opportunities and rental subsidies. It is noteworthy that approximately 15% of all units assisted with HOME funds (about 1,267 units) will be targeted to persons with disabilities and other special needs.

Affordable Housing Goals

Following is a discussion of the need factors that are the impetus for New York State's affordable housing goals, the groups that are most affected by these needs, and the proposed outcomes and accomplishments or indicators which will be employed to gauge using the four Federal programs (and, in particular, the HOME Investment Partnerships (HOME) Program) during the five-year strategic period.

Assumptions for HUD Priority Housing Needs -- HUD Table 2A

Assumptions in completing the following table, HUD Table 2A – Priority Needs Summary Table:

- The “Priority Need Level” is characterized as H (high), M (medium) or L (low), according to HUD's definitions.
- HUD's CHAS Data Book is the source for the number of units of “Unmet Need” column of HUD Table 2A.
- The “Goals”:
 - reflect proposed accomplishments for 2011 - 2015, the five-year period of this Strategic Plan;
 - include only those units expected to be completed and ready for occupancy during the five-year period (as per HUD regulation 24 CFR 91.520(a) which requires jurisdictions to report on the families and persons assisted -- hence, completed units);
 - are based on the approximate distribution of households types assisted in past years under the HOME Program; and
 - assume level funding for HOME (about \$40 million) for each of the next five years.

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Finally, and most importantly, **the goals in HUD Table 2A include only those units assisted with HOME funds.** Limiting the goals only to HOME-assisted units is based on regulation 24 CFR 91.315(b)(3) which limits reporting only to those housing units that meet the program definition of affordable (at 24 CFR 92.252 and 24 CFR 92.254).

It must be emphasized, however, that New York State also addresses the needs identified in this Consolidated Plan by assisting many additional affordable housing units with other federal and state funds. For example: the State-administered Emergency Shelter Grants Program will assist about 26,700 individuals with special needs in 2011; more than \$2.1 million in State-administered Housing Opportunities for Persons with AIDS funds will be used in 2011 to assist persons living with HIV/AIDS and their families; the NYS CDBG program will result in the rehabilitation of approximately 3,500 units of affordable housing and the creation of 575 low-income homeownership opportunities which will provide decent, safe and affordable housing for many persons with disabilities and special needs. The New York State-administered Section 8 Housing Choice vouchers will continue to assist more than 38,000 households each year, including many persons with disabilities and special needs. In addition, this Consolidated Plan describes a variety of state-funded programs which will assist many more households.

**HUD Table 2A
Priority Needs Summary Table**

PRIORITY HOUSING NEEDS (households)		Priority Need Level*	Unmet Need**	Goals	
Renter	Small Related	0-30%	H	291,680	330
		31-50%	H	182,740	330
		51-80%	M	233,315	200
	Large Related	0-30%	H	87,915	70
		31-50%	M	62,835	70
		51-80%	M	74,280	60
	Elderly	0-30%	H	245,680	350
		31-50%	H	136,050	330
		51-80%	M	100,590	100
	All Other	0-30%	H	237,850	430
		31-50%	M	117,850	275
		51-80%	M	579,830	225
Owner	0-30%	H	240,399	1,125	
	31-50%	H	298,534	1,725	
	51-80%	M	491,194	2,825	
Total Owners and Renters		0-80%		3,380,742	8,445 ****
Special Needs***		0-80%	H	513,905****	1,267*****
Total 215 Goals				8,445	
Total 215 Renter Goals				2,770	
Total 215 Owner Goals				5,675	

* HUD specifies 3 "Priority Need Levels": High, Medium and Low

** The estimates of "Unmet Need" in this table are derived from HUD's CHAS Data Book and are subject to all its limitations.

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- *** “Special Needs” is an attribute of some renter and owner households (i.e., those households which include one or more individuals with a “special need”) as well as of some individuals and families who are not included within the census definition of “household” (e.g., unsheltered homeless and those living in institutions such as nursing homes). “Special Needs” is not a tenure type in addition to owners and renters. The 513,905 “Special Needs” households are therefore a subset of, and are distributed among, the various income and family type subcategories of the 4,083,205 New York State renter and owner households with incomes at or below 80% of area median income. HUD Table 2A has been slightly modified to make this relationship clear to the reader.
- **** A HUD CHAS Data Book table on households with “mobility and self-care limitations” is the source of the number of “Special Needs” households with “Unmet Need” (i.e., 513,905). While this number may be a reasonable estimate of overall need, it should be used with care. Elsewhere in this Consolidated Plan there are discussions of the housing and supportive services needs of various subpopulations of the homeless and the non-homeless with special needs (e.g., the frail elderly, the mentally ill, those with addictions to alcohol or other drugs, etc.). The overall “Special Needs” estimate includes many, but not all, of these individuals and families. Because it is based on households, it doesn’t include those who have unmet housing needs but don’t live in households (e.g., the unsheltered homeless and those in institutions like nursing homes).
- ***** The 1,267 units of housing for “Special Needs” individuals and families is included within, and comprises 15% of, the overall 5-year goal of 8,445 HOME-assisted units of affordable housing. It should also be emphasized that, while only HOME-assisted units are counted in the “Goals” column of HUD Table 2A, New York State addresses many of the needs described in the “Unmet Need” column with other federal and state funds. For example: the State-administered Emergency Shelter Grants Program will assist about 26,700 individuals with special needs in 2011; more than \$2.1 million in State-administered Housing Opportunities for Persons with AIDS funds will be used in 2011 to assist persons living with HIV/AIDS and their families; and, over the next 5 years, the NYS CDBG program will result in the rehabilitation of approximately 3,500 units of affordable housing and the creation of 575 low-income homeownership opportunities which will provide decent, safe and affordable housing for many persons with disabilities and special needs. State-administered Section 8 Housing Choice vouchers will continue to assist more than 38,000 households each year, including many persons with disabilities and special needs. In addition, this Consolidate Plan describes a variety of state-funded programs which will assist many more households.

GOALS

CREATE DECENT HOUSING FOR LOW- AND MODERATE-INCOME NEW YORKERS

Improve availability and accessibility by preserving existing privately-owned affordable housing while eliminating health and safety hazards

The needs section of this Plan clearly identifies the affordable housing needs that exist in New York. But in many rural and non-metro areas, as well as in some low-income urban areas, a supply of privately-owned rental housing is available that is affordable to low-income households. There is also a significant stock of housing owned and occupied by low-income households, especially in rural and non-metro areas. In those cases, it can be more cost-effective to preserve existing housing than to build new housing. However, given the age of housing in New York, and the lack of resources available to low-income households for routine maintenance, much of the privately-owned stock that is occupied by low-income households is in need of repair to address health and safety issues, such as lead paint hazards, code violations, or other substandard conditions.

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While rehabilitating existing housing is typically less costly than building new housing, it does present challenges. Costs for energy and materials have both increased substantially in recent years, and the imposition of new mandates such as HUD's lead hazard control rule have added to the cost of rehabilitation work. The new EPA Lead-Based Paint Renovation, Repair and Painting requirements for contractors have made finding qualified contractors more difficult, especially in more rural areas of the state. Insurance costs for contractors have increased significantly, and the adoption of new building codes in the State has meant that some costlier measures, such as roof replacement, are now commonly required. Increased building costs also make it more likely that low-income owners defer maintenance on their unit, which often means that repairs, when finally made, are more costly. New York State's aging population is requiring more accessible units, but often has less cash income to support repairs and accessibility modifications. Also, a significant number of older manufacturing units that are occupied by low-income households are in need of replacement.

The situation in rural and non-metro areas is complicated by an uneven service delivery system, and, in some areas, a shortage of qualified contractors who are willing to work on these relatively smaller and less profitable jobs. Some administrative staff, and many of the contractors who are available don't have the specialized training necessary to meet federal requirements for lead-hazard abatement, or current building science skills needed to properly install energy conservation measures.

- **Proposed Activities**

Rehabilitation of renter-occupied and owner-occupied housing will be supported with HOME Program funds. According to the SOCDs CHAS data available on HUD's web site, in New York State jurisdictions that do not receive allocations of HOME Program funds directly from the federal government, there were more than 247,000 rental units occupied by low-income households, and more than 312,000 units owned and occupied by low-income households. While needs exist in each segment of this population, those with the lowest incomes have the fewest resources available to maintain privately owned housing, or to pay rents sufficient to cover owner operating costs. Accordingly, funds will be targeted to those units occupied by households with the lowest incomes, to the extent possible.

Manufactured housing is an important home ownership option in the rural areas of New York State and comprises a large percentage of the housing units in those areas. While the problem of dilapidated mobile (pre-June 1976) and manufactured homes (post-June 1976) can be addressed by offering HOME new construction funding, this approach does not work for all owners. To address this problem, the State began a Manufactured Home Replacement Initiative using HOME funding. HOME funds are being used to replace mobile and manufactured homes in dilapidated condition with new size-appropriate HUD certified, ENERGY STAR Qualified manufactured homes. The State anticipates the continuance of this program targeting up to five million dollars per year to assist up to 100 units per year. All units must be disposed of and may not be readopted for any use.

The State will also require that priority be given to addressing health and safety hazards that exist in assisted units when developing work scopes for buildings to be assisted. Lead paint hazards, building code violations (including electrical hazards, fire hazards, and other life-safety issues), mold and moisture problems, and environmental health concerns will all be addressed by local rehabilitation programs. The State may set aside a small amount of HOME funds each year to address lead hazards in existing housing.

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Training and technical assistance will be provided to local government and not -for-profit staff that administer HOME-funded rehabilitation programs. Training will focus on sophisticated construction management and cost estimating techniques, building science/building performance, techniques for disability access, and, increased contractor outreach and training to advance quality of work. To the extent that funds are available, training will also be provided to contractors likely to work on HOME rehabilitation projects. Contractor training will focus on the above areas, with particular emphasis on building science and health and safety issues, with special emphasis on the new lead-safe work practices requirements.

While the primary funding vehicle among programs covered by this Strategic Plan for infrastructure, services and economic initiatives is the New York State Community Development Block Grant Program (NYS CDBG), this program also allows New York State to provide resources to meet the housing needs of its non-entitlement and rural communities and to help identify and respond to trends and events that may affect the housing needs and economic characteristics of these communities. Also included in the State's goals is the ability to enable localities to strategically and comprehensively address their needs utilizing an array of community development programs.

The housing activities of the NYS CDBG Program will include the rehabilitation of existing housing units occupied by owners and renters. Statutory provisions generally require that rehabilitation efforts principally benefit low- and moderate-income households. The NYS CDBG program permits local communities to determine specific local needs and propose the forms of assistance by an RFP process, rather than by State-directed program activities and priorities. Therefore, it does not target specific household types by income (other than statutory objective), tenancy, household size or other categorical areas.

NYS CDBG funded projects that include the rehabilitation of tenant-occupied units improve the ability of low- and moderate-income individuals and families to access affordable rental housing in standard condition. For a specified period commensurate with the amount of CDBG funding, landlords benefitting from such assistance must ensure the affordability and accessibility of these units and to low- and moderate-income tenants. This type of assistance helps to stabilize the quantity of decent, hazard-free rental units available to lower income tenants.

- **Proposed Accomplishments**

In support of this objective, over the next five years New York State will use HOME funds to rehabilitate approximately:

- **3,450 homeownership units; and**
- **475 rental units**

Approximately 2,750 of the owner-occupied units and 400 of the renter-occupied units will be occupied by very-low and extremely-low income households.

Increased emphasis on health and safety, including lead hazard remediation, will result in fewer illnesses and other adverse effects that can result from substandard housing, and contribute to the State's goal of significantly reducing lead from housing by 2015.

An expanded pool of qualified contractors and enhanced administrative capacity will result in increased quality of work performed with HOME funds. While difficult to measure, this should result in more cost-effective and longer lasting repairs.

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The State also anticipates that the NYS CDBG Program will impact the preservation of existing affordable housing through the support of rehabilitation of existing rental and owner occupied units. The State reserves the right to utilize all available NYS CDBG assistance to preserve existing affordable housing. They include, but are not limited to: code enforcement; planning; counseling; and traditional rehabilitation activities.

In support of this objective, over the next five years New York State will use NYS CDBG Program funds to rehabilitate approximately:

- **3,500 housing units**

Proposed accomplishments under this objective will be classified as DH-1, increasing the availability of decent housing for the low and moderate income households through rehabilitation.

Objective:

Improve affordability by assisting the production of new housing for working families

Increasingly, the lack of housing affordable to working families is cited as a contributing factor in a number of social and economic problems. More than three quarters of low-income families renting units in non-participating jurisdictions encounter one or more housing problems. These families often experience associated problems, from childhood asthma and lead poisoning to longer commutes, poor schools, and inability to afford decent child care.

As described in the market section of this Plan, New York State includes some of the most expensive housing markets in the country. Even in less expensive markets, the supply of adequate, affordable housing is severely constrained, and rents are high compared to incomes. The primary tools available to New York State for housing construction are the State Housing Trust Fund and the Low-Income Tax Credit, but the HOME Program can be a useful tool for new construction in certain areas. However, the use of the HOME Program for new construction is being significantly limited by prevailing wage requirements, and by income targeting restrictions that make project viability difficult in areas with high operating costs.

Securing local approvals for affordable housing in rural and non-metro areas has proven particularly difficult in recent years. Especially for family housing, the “not-in-my-back-yard” phenomenon has slowed development and even blocked projects. Overcoming this trend requires public education and a shift in project focus. DHCR will increase outreach efforts in local communities and will promote mixed-income rental housing to lessen the impact of low-income projects on surrounding communities.

- **Proposed Activities**

HOME Program funds will be used to assist in the financing of new construction and substantial rehabilitation of rental projects affordable to working families. While HOME funds will be primarily invested in units intended for occupancy by very-low income households, mixed-income, mixed-use, and family housing will all be supported through this activity. HOME funds will typically be used in conjunction with Low-Income Housing Credits, or as a subsidy for projects developed by Community Housing Development Organizations (CHDO) and other not-for-profit developers. Other activities, including the financing of soft costs, mortgage guarantees, and construction of infrastructure, may also be undertaken, to help reduce project costs and make units more affordable to targeted income groups.

When HOME funds are invested in new workforce housing, the funding is typically made

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available to developers as permanent financing only. New York State Housing Development Fund assistance will be available as subsidized construction financing for some projects to ensure that adequate construction financing is available, especially in parts of the State where access to credit is difficult.

- **Proposed Accomplishments**

In support of this objective, over the next five years New York State will use HOME funds to produce approximately:

- **1,400 rental units affordable to working families and others.**

Approximately 1,000 of these units will be targeted to very-low and extremely-low income households. While these will primarily be units suitable for small and large families, projects will include a mix of unit types and sizes, including units accessible to persons with disabilities and other special needs populations.

These goals are dependent upon the State continuing to receive sufficient funding from State and federal sources. Some housing developed as part of the assisted projects will be market-rate rental and home ownership units as necessary to cross-subsidize lower-cost units and achieve mixed-income housing, although such market-rate units will not directly receive any Federal subsidies.

The Housing Trust Fund Corporation's electronic application system, Community Development On-Line (CDOL), has been in place for five years now. This system is in place for HOME Local Program Administrator applications and Capital project applications. Submitting applications for funding on-line reduces costs to applicants and facilitates processing and review by state staff.

Proposed accomplishments under this objective will be classified as DH-2, increasing the affordability of decent housing for low- and moderate-income households through assistance to the production of new rental housing.

Objective:

Improve affordability by assisting the production of new rental and homeownership opportunities

Many communities in New York State have struggled to redevelop low-income or economically stagnant areas. Concentrations of poverty and a high incidence of housing problems exist in many of these communities, including in many non-participating jurisdictions. At the same time, community-based housing organizations find it increasingly difficult to produce the needed volume of housing as costs rise and complexity increases.

Housing investments can be a catalyst for community renewal efforts. New housing construction and housing renovation generates economic activity beyond the actual construction expenditures. It often stimulates additional investment in the neighborhood or community, as other residents and owners gain confidence from seeing the improvements that are made. As new owners and more stable renter families establish social capital and become active participants in the community, crime rates may fall, participation in civic activities may increase, and even school performance may improve.

- **Proposed Activities**

HOME Program funds will be used as development subsidies for infill new construction and

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substantial rehabilitation of existing underutilized properties. Rental and home ownership projects will be developed or sponsored by CHDOs.

Rental housing developed with HOME funds as part of this initiative will primarily be intended for occupancy by very-low income households. Home ownership housing developed with HOME funds as part of this initiative will be primarily intended for sale to low income households.

The Housing Trust Fund Corporation will continue its Small Project initiative, where rental projects with fewer than 12 units that are sponsored by CHDOs receive selection preference, and it's CHDO Home Ownership Initiative, which provides development subsidies for acquisition and rehabilitation and new construction home ownership projects. This activity will also frequently be linked with the Corporation's New York Main Street program, which is funded with State funds and is intended to revitalize traditional mixed use districts through investments in housing, historic preservation, and support of district management activities.

- **Proposed Accomplishments**

In support of this objective, over the next five years New York State will use HOME funds to develop approximately:

- **500 new homeownership units; and**
- **250 new rental units.**

These units will be developed by Community Housing Development Organizations (CHDOs). Approximately 150 rental units and 75 home ownership units will be occupied by very-low income households.

Proposed accomplishments under this objective will be classified as DH-2, increasing the affordability of decent housing for low- and moderate-income households through assistance to the production of new rental and homeownership housing.

Objective:

Improve affordability by assisting the production of new senior housing

As New York's population ages, its housing needs change. More than 60,000 low-income elderly renters live in rural and non-metro jurisdictions of New York State and a significant portion of the 312,000 low-income owners living in those areas are seniors.

Seniors have distinct housing needs, including mobility limitations which create a greater demand for accessible housing. Some seniors prefer communities comprised only of seniors, while others prefer age-integrated housing options. Many low-income seniors have affordability issues. Renters living on fixed incomes need the security of safe affordable housing, while senior homeowners face rising taxes and maintenance costs. For those homeowners who choose not to remain in their homes, the State will continue to sponsor construction of affordable rental housing reserved for seniors in areas where the market can be expected to absorb additional units.

- **Proposed Activities**

HOME Program funds will be used to assist in the financing of new construction and substantial rehabilitation of rental projects affordable to seniors. While HOME funds will be primarily invested in units intended for occupancy by very-low income households, other housing types may also be supported through this activity. HOME funds will typically be used in conjunction with Low-Income Housing Credits or as a subsidy for projects developed by Community Housing Development

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Organizations and other not-for-profit developers. Other activities including the financing of soft costs, mortgage guarantees, and construction of infrastructure, may also be undertaken to help reduce project costs and make units more affordable to targeted income groups.

- **Proposed Accomplishments**

In support of this objective, over the next five years New York State will use HOME funds to develop approximately:

- **750 rental units reserved for low-income seniors.**

Approximately 525 of these units will be targeted to very low- and extremely low-income households. These projects will include a mix of unit types and sizes, including units accessible to persons with disabilities and other special needs populations.

Proposed accomplishments under this objective will be classified as DH-2, increasing the affordability of decent housing for low- and moderate-income senior households through assistance to the production of new senior housing.

Objective:

Improve affordability by creating new homeownership opportunities

Home ownership strengthens families and communities. Households that are provided with the opportunity to achieve home ownership typically enjoy greater financial stability over the long term, experience fewer housing problems, and accumulate wealth faster than renter households.

New York State has one of the lowest home ownership rates in the nation. Many low-income families in rural and non-metro areas of New York wish to become home owners and can succeed in home ownership with proper support. In higher-cost areas, low-income families typically do not have the 10%-20% required for down payments and closing costs and cannot afford conventional financing for housing priced near the median for the community. In other areas, housing prices are significantly lower but so are incomes and substantial down payment assistance is required to move families to home ownership. In all areas, low-income households are more likely to have poor credit or no credit history, making home ownership harder to attain. Housing that is affordable may need repairs to meet code requirements and applicable standards.

- **Proposed Activities**

For many households in the State, home ownership assistance can be a more cost-effective solution to affordability problems than creating additional rental units. The State will provide home ownership opportunities where feasible to low-income households, to extend the range of housing opportunities for low-income and minority households.

HOME Program funds will be used to provide down payment and closing cost assistance to first-time home buyers. Funds may also be used for minor repairs, for testing for health and safety hazards, and providing energy conservation assistance or other improvements to enhance long-term affordability. Home ownership assistance will be available for the purchase of single-family housing, condominiums, and cooperative units.

DHCR administers the Section 8 Housing Choice home ownership initiative. HOME-funded home buyer assistance programs may be coordinated with this initiative.

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The NYS CDBG Program also supports this objective by funding local programs which subsidize the purchase of homes making them affordable to low- and moderate-income persons. Typically, such proposals include home buyer counseling and minor rehabilitation of houses that are structurally sound, but need minor or moderate rehabilitation. Participants in such programs are typically expected to provide modest down payments and mortgages are provided by private local banks (which thereby address Community Reinvestment Act requirements), or through state and federal housing programs such as State of New York Mortgage Agency (SONYMA), Fannie Mae or U.S. Rural Development, at reduced lending rates. Home ownership assistance provided under the State's HOME Program follows similar models.

- **Proposed Accomplishments**

In support of this objective, over the next five years New York State will use HOME funds to assist approximately:

- **1,650 first-time home buyers.**

Approximately 75 of these homeownership opportunities will be targeted to very low-income households. An additional 75 additional homeownership opportunities (of the 1,750 total) will assist persons with disabilities and other special needs.

In support of this objective, over the next five years New York State will use NYS CDBG funds to assist approximately:

- **575 low- and moderate-income first-time home buyers.**

Proposed accomplishments under this objective will be classified as DH-2, increasing the affordability of decent housing for low- and moderate-income households through assistance to homeownership opportunities.

Objective:

Improve affordability by creating new rental assistance opportunities

The federal Section 8 Program is the primary means for providing rental subsidies to very-low income families in New York State. The Section 8 Housing Choice Voucher Program, which is administered by DHCR, assists thousands of families with paying their rent. However, in areas where an adequate supply of housing exists and Section 8 waiting lists are long, or where provision of rental subsidies will provide an opportunity for persons with special needs to obtain suitable housing, HOME funds may be needed for tenant-based rental assistance as a supplement to the Section 8 program.

In some parts of the State, it is not feasible to develop additional affordable rental housing due to the high cost of development compared to renter incomes or lack of available land that is suitable for additional rental development. In other areas, an adequate supply of standard housing exists but tenant incomes are too low to afford market rents. These conditions indicate that rental assistance may be needed especially for large families, extremely-low income households, or special needs populations.

People with disabilities frequently live on very low, fixed incomes. Approximately 30% of people with disabilities are employed; the majority of these are working at low wage jobs. People with significant disabilities have even few opportunities for employment. Many people with disabilities live below 20% of Area Median Income (AMI), making housing subsidies like Section 8 vouchers critical to housing affordability.

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- **Proposed Activities**

As noted previously, there are insufficient Federal capital subsidies to increase the supply of affordable housing to address the problems of all those with cost burdens. In addition, many households with the lowest incomes cannot afford operating costs of housing units even if capital subsidies eliminate all housing debt service payments. For these people rental subsidies or other income enhancements are needed to eliminate cost burdens. Therefore, the State also seeks to increase the ability of New Yorkers to afford rental housing by providing rental subsidies directly to tenants.

HOME Program funds will be used to provide grants to local program administrators to operate limited tenant based rental assistance programs. Programs targeted to extremely-low income families, large families, and special needs populations will receive preference.

- **Proposed Accomplishments**

In support of this objective, over the next five years New York State will use HOME funds to provide approximately:

- **125 units of tenant-based rental assistance.**

This rental assistance will be provided to very-low and extremely-low income families. Typically, recipients of HOME rental assistance will be large families or persons with disabilities or other special needs.

Proposed accomplishments under this objective will be classified as DH-2, increasing the affordability of decent housing for low and moderate income households through rental assistance.

DHCR and the State Department of Health began a partnership in 2008 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 (18) or over and seniors by assisting them with securing housing and at home services appropriate to their needs. The program is offered within every jurisdiction in New York State. DHCR and DOH will be working to increase enrollment and identify new avenues for outreach to potential participants.

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STRATEGIC PLAN – HOMELESSNESS AND OTHER SPECIAL NEEDS

Section 91.315 (c) Homelessness

“With respect to homelessness, the consolidated plan must include the priority homeless needs table prescribed by HUD and must describe the State’s strategy for the following:

- (1) Helping low-income families avoid becoming homeless;*
- (2) Reaching out to homeless persons and assessing their individual needs;*
- (3) Addressing the emergency shelter and transitional housing needs of homeless persons, and;*
- (4) Helping homeless persons make the transition to permanent housing and independent living.”*

Section 91.315 (d) Other Special Needs

“With respect to supportive needs of the non-homeless, the consolidated plan must describe the priority housing and supportive service needs of persons who are not homeless but require supportive housing (i.e., elderly, frail elderly, persons with disabilities, (mental, physical, developmental), persons with alcohol or other drug addition, persons with HIV/AIDS and their families, and public housing residents.”

Overview

As indicated in the Needs Assessment section of this document, New York State has done much to address the needs of homeless and at-risk individuals and families as well as non-homeless persons with special needs. However, because of the State’s size and the diversity of its population, more federal resources are needed.

GOALS

Address the Shelter, Housing and Service Needs of the Homeless, Those Threatened with Homelessness and Others with Special Needs

Objective:

Expand the availability of suitable living environments for homeless by maintaining and expanding the Continuum of Care system

New York State has a comprehensive Continuum of Care for addressing the needs of homeless individuals and families. As described in detail in the Needs Assessment section, New York State has all of the required Continuum of Care components: homeless prevention services, outreach/assessment, emergency shelter, transitional housing, permanent housing, permanent supportive housing, and supportive services.

- **Proposed Activities**

In the next five years, New York State will continue to utilize local, state and federal funding to maintain and expand resources for homeless individuals and families according to the following priorities:

- utilize funds to enhance services for those in housing crisis;
- improve and streamline the distribution of funding to provide increased accessibility of housing for the homeless population;
- distribute the annual ESGP federal allocation to areas throughout the state that

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STRATEGIC PLAN – HOMELESSNESS AND OTHER SPECIAL NEEDS

- demonstrate the greatest need for this funding to fill gaps in service provision;
 - continue to collaborate with not-for-profit agencies and units of local government in securing Continuum of Care Homeless Assistance funding for programs that maintain and expand local Continuum of Care systems throughout the state; and,
 - continue to work closely with units of local government, including New York City, to insure coordination and collaboration of efforts to serve homeless individuals and families.
- **Proposed Accomplishments**

Proposed five-year accomplishments under this objective will include 18,500 individuals assisted by the Emergency Shelter Grant (ESG) Program. Accomplishments will be classified as SL-1, increasing the availability of suitable living environments for homeless persons and households through assistance to shelters

Objective:

Expand the affordability of housing for persons and households at risk of becoming homeless by maintaining and expanding rental assistance and services

- **Proposed Activities**

In the next five years, New York State will continue to utilize local, state and federal funding to maintain and expand resources for individuals and families at-risk of homelessness according to the following priorities:

- utilize funds for services that improve housing stability for individuals and families who are at-risk of homelessness and assist them to move toward self-sufficiency;
- develop new accessible and affordable supportive housing;
- preserve and enhance services to those at-risk of homelessness;
- provide rental assistance to prevent homelessness;
- provide assistance in locating and securing affordable housing; and,
- provide administrative funds and planning grants to organizations that provide support services and operating subsidies.

- **Proposed Accomplishments**

Proposed five-year accomplishments under this objective will include: 430 new affordable supportive housing units will be developed; and 11,500 supportive housing units will receive state funded support services. Accomplishments will be classified as follows: homeless prevention services will be classified as DH-1, increasing the availability/accessibility of homeless prevention services; and rental assistance will be classified as DH-2, increasing the affordability of housing for persons and households at risk of becoming homeless by maintaining and expanding rental assistance.

Objective:

Expand the affordability of housing and services for persons and households with special needs by maintaining and expanding resources to assist with housing production and services to supportive housing

As indicated in the Needs Assessment section of this Consolidated Plan, the Continuum of Care system in New York State has targeted services to specific subpopulations such as: persons with mental illness and/or substance abuse problems; persons living with HIV/AIDS; victims of domestic violence; homeless youth; and veterans. The State of New York has dedicated a substantial amount of its own resources to serving these populations, and has also obtained funding from local and federal sources for services to non-homeless persons with special needs. The resources currently available to these subpopulations are detailed in the Needs Assessment

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section.

- **Proposed Activities**

In the next five years, New York State will continue to utilize local, state and federal funding to maintain and expand resources for individuals and families with special needs according to the following priorities:

- New York State's Office of the Aging, Department of Health, Office of Mental Health, Office of Substance Abuse and Alcoholism Services, Office for Persons With Development Disabilities, Division of Criminal Justice Services, Division of Parole, Homes and Community Renewal, and Office of Temporary and Disability Assistance will continue their efforts to serve homeless and non-homeless persons with special needs and to collaborate with units of local and federal government in doing so;
- continue its policy of assisting New Yorkers with special needs to reside in the least restrictive setting possible in a home of their choice while providing a range of flexible supports to meet individual needs;
- maintain and expand the variety of housing and service options available to those with special needs;
- distribute its annual HOPWA federal allocation to areas throughout the state that demonstrate the greatest need for this funding to fill gaps in service provision; and,
- maximize HOPWA funds to preserve safe, quality, affordable housing for persons with HIV/AIDS and their families.

Proposed Accomplishments

Assuming funding at current levels, New York State estimates that in each of the five years covered by this Consolidated Plan approximately:

- **540 new affordable supportive housing units will be developed;**
- **800 individuals will benefit from rental assistance from the Housing Opportunities for Persons with AIDS (HOPWA) Program;**
- **26,700 individuals will be assisted by the Emergency Shelter Grant (ESG) Program;**
- **31,800 people will be assisted by the Homelessness Prevention and Rapid Re-housing (HPRP) program (two-year projection); and**
- **12,500 supportive housing units will receive state funded support services.**

**Summary of Specific Homeless/Special Needs Objectives
(Table 1A/1B Continuation Sheet)**

Homeless Objectives	Performance Measures	Expected Units (annual estimates)
<p>Improve affordability, accessibility and sustainability by maintaining and expanding:</p> <p>the Continuum of Care system for homeless persons</p> <p>and</p> <p>services for those at risk of becoming homeless</p>	number of new affordable supportive housing units developed	540 new affordable supportive housing units developed
	number of individuals assisted by ESG	26,700 individuals assisted by ESG
	number of persons assisted by HPRP	31,800 persons assisted by HPRP*
	number of individuals assisted by state-funded services for supportive housing	12,500 state funded services for supportive housing units
Special Needs Objectives	Performance Measures	Expected Units (annual estimates)
Improve affordability, accessibility and sustainability by maintaining and expanding services for non-homeless persons with special needs	number of individuals receiving HOPWA-funded rental assistance	800 individuals will benefit from rental assistance

**HPRP projection is for a two-year period. HPRP funding is not anticipated to be recurring beyond the statutory limit.*

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STRATEGIC PLAN – NON-HOUSING COMMUNITY DEVELOPMENT

Section 91.315 (e) Non-Housing Community Development

- “(1) If the State seeks assistance under the Community Development Block Grant program, the consolidated plan must describe the State's priority non-housing community development needs that affect more than one unit of general local government and involve activities typically funded by the State under the CDBG program. These priority needs must be described by CDBG eligibility category, reflecting the needs of persons or families for each type of activity. This community development component of the plan must state the State's specific long-term and short-term community development objectives (including economic development activities that create jobs), which must be developed in accordance with the statutory goals described in Sec. 91.1 and the primary objective of the CDBG program to develop viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for low-income and moderate-income persons.*
- (2) A State may elect to allow units of general local government to carry out a community revitalization strategy that includes the economic empowerment of low income residents, in order to obtain the additional flexibility available as provided in 24 CFR part 570, subpart I. A State must approve a local government's revitalization strategy before it may be implemented. If a State elects to allow revitalization strategies in its program, the method of distribution contained in a State's action plan pursuant to Sec. 91.320(g)(1) must reflect the State's process and criteria for approving local governments' revitalization strategies. The State's process and criteria are subject to HUD approval.”*

Overview

Since 2000, the New York State Housing Trust Fund Corporation (HTFC) has been a key source of funding for non-housing needs in New York State. HTFC administers the New York State Community Development Block Grant Program (NYS CDBG) which provides housing assistance as well as non-housing assistance to communities and units of general local government for economic development and public facilities projects. Between 2006 and 2009, HTFC has provided \$100,492,953 in non-housing community development assistance to eligible communities. However, this amount represents just under 50% of the needs identified, leaving over 51% of the non-housing needs unmet. This significant level of unmet need demonstrates a need for continued CDBG funding.

Distribution of NYS CDBG Funds

Exhibit 42 displays NYS CDBG funds awarded during the five-year period 2006- 2009.

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STRATEGIC PLAN – NON-HOUSING COMMUNITY DEVELOPMENT**

**EXHIBIT 42
NYS CDBG Funding Requests and Awards
Non-housing Community Development Activities
2006-2009
[in millions]**

CATEGORY	REQUESTS		AWARDS	
	Amount	Number	Amount	Number
TOTAL PUBLIC INFRASTRUCTURE/FACILITIES	113,691,305	240	43,161,090	93
Water	50,551,412	103	18,523,287	41
Sewer	38,960,960	78	14,065,678	29
Community Facilities/Other	24,177,933	59	10,572,125	23
ECONOMIC DEVELOPMENT- Microenterprise Competitive Round (2006-2008)*	13,851,300	40	7,220,500	22
ECONOMIC DEVELOPMENT- Open Round	75,228,863	171	50,111,363	107
GRAND TOTAL	202,771,468	451	100,492,953	222

* In 2009, the Microenterprise program was moved from the Competitive Round to the Open Round Economic Development Program to better meet community needs.

As illustrated in Exhibit 30 (NYS CDBG Funding Requests and Awards) there is a significant unmet need for non-housing community development throughout New York. The percentage of unmet need is greater than 52% for public infrastructure and facilities projects. The unmet need for microenterprise activities is 48% and for economic development projects the unmet need is 33%. The overall unmet need for NYS CDBG non-housing community development is 50%.

**GOALS
CREATE ECONOMIC OPPORTUNITIES
AND SUITABLE LIVING ENVIRONMENTS
FOR LOW- and MODERATE-INCOME NEW YORKERS**

Two objectives have been established for the priority non-housing economic development and public facilities needs. These objectives are of equal importance and form the basis of New York State's non-housing strategy:

- *Improve availability/accessibility of economic opportunities by providing business assistance and job creation and retention assistance; and*
- *Provide assistance to help undertake community infrastructure, facility and service projects (public facilities) affecting public health, safety and welfare.*

Objective: Create Economic Opportunities

Outcomes: Availability/Accessibility and Affordability

Provide communities with assistance to undertake economic development initiatives that stabilize the economy and expand economic opportunity, specifically, for low and moderate income persons.

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STRATEGIC PLAN – NON-HOUSING COMMUNITY DEVELOPMENT

In recent years, New York State's economic climate, similar to the nation's economic climate, has been in decline due to the housing market crash. Although several national programs have been implemented to address the nation's economy, New York anticipates that the recovery will be slow and will continue for at least the next five years. As such, New York State and its communities must find solutions for an array of serious long-term economic development issues. The NYS CDBG program recognizes that New York's smaller communities must have an economy that encourages business development and promotes jobs for low- and moderate-income persons. The NYS CDBG program represents a life line for these communities as they seek solutions to problems often not of their own creation. The State's economic development objective furthers the federal objective to develop viable communities by expanding economic opportunities, principally for low- and moderate-income persons. NYS CDBG funds are the primary mechanism for meeting this objective, although private and additional public funding may also be leveraged.

- **Proposed Activities**

The Consolidated Plan regulation states that the non-housing community development priority needs must be described by NYS CDBG eligibility category. Because HUD's regulations for the NYS CDBG Program provide additional clarification on eligible activities, but do not list eligible activities, the State must refer to the programs authorization law, the Housing and Community Development Act of 1974, as amended. Section 105(a) of this Act lists separate eligible activities.

In the course of undertaking a project that supports a national objective, the State may permit a recipient to include any activity eligible under the NYS CDBG Program. The following list represents the range of activities that are eligible under Section 105 (a) and are described in the needs identification outreach and consultation process, and may not be inclusive of all activities that will be approved. Therefore, the following list of activities is set forth to serve as a broad response to the State's economic development needs:

- economic development loans to for-profit entities;
- activities to create and retain jobs;
- public infrastructure to promote economic development;
- upgrade/installation of utilities to attract/retain businesses;
- homeowner and tenant relocation assistance;
- acquisition of real property;
- disposition of real property;
- clearance, demolition, and removal of buildings and improvements;
- rehabilitation;
- new construction;
- land use and community economic development plans;
- comprehensive plans;
- neighborhood revitalization projects;
- community economic development projects;
- energy conservation projects;
- policy-planning-management-capacity building activities;
- technical assistance;
- training;
- Microenterprise support; and,
- Section 108 loan guarantees.

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STRATEGIC PLAN – NON-HOUSING COMMUNITY DEVELOPMENT

New York State believes that the long-term success of economic development efforts is highly dependent upon the informed involvement of community leaders and organizations in economic development decisions.

- **Proposed Accomplishments**

New York State estimates that 5,000 jobs will be created or retained over the next 5 years and 150 businesses will be assisted through various economic development activities.

Short-term, New York State will:

- support and fund economic development activities for all business types including small businesses and micro-enterprises,
- encourage activities/projects that will create and/or retain permanent, private sector job opportunities principally for low- and moderate-income persons, through the expansion and retention of business and industry in New York State; and,
- support low- and moderate- income persons in increasing their economic opportunities through development of microenterprises and increasing employment opportunities.

Long-term, New York State will:

- improve the economy of the State's communities and strive to achieve an enhanced quality of life;
- improve the vibrancy of our communities which will enhance the quality of life for the citizens of New York State;
- encourage and assist local governments in developing comprehensive economic development strategies to create viable communities by providing economic opportunities, principally for low- and moderate-income persons; and,
- develop and implement strategies which facilitate the coordination of CDBG funding with other federal/state/local community development resources.

Proposed five-year accomplishments under this objective will be classified as follows: job creation or retention will be classified as EO-1, while assistance to businesses will be classified as EO-2

Objective: Create Suitable Living Environments

Outcome: Affordability and Sustainability

Improve affordability and sustainability of a suitable living environment by assisting communities with public infrastructure and facilities improvements

New York State's non-housing objective to undertake community infrastructure, facility and service projects furthers federal objectives in that it aims to develop viable communities by providing projects and services to: benefit low- and moderate-income persons; aid in the prevention or elimination of slums and blight; and/or meet other community development needs that pose a serious and immediate threat to the health, safety and welfare of communities. New York State and its communities must address an array of serious long-term public facility needs.

The Consolidated Plan regulation states that the non-housing community development priority needs must be described by NYS CDBG eligibility categories. Because HUD's regulations for the State NYS CDBG program provide additional clarification on eligible activities, but do not list eligible activities, the State must refer to the programs authorization law: the Housing and Community Development Act of 1974, as amended. Section 105(a) of the Act lists eligible activities. All of the activities in the following section are eligible under Section 105(a) and are reflective of locally stated needs.

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- **Proposed Activities**

Therefore, the following list of activities is set forth to serve as a broad response to the States community infrastructure, facility and service needs:

- acquisition, construction, reconstruction, rehabilitation or installation of public works and facilities, and site or other improvements;
- Clearance, demolition, removal, reconstruction, and rehabilitation of buildings and improvements
- provision of public services;
- code enforcement;
- Special projects directed to the removal of material and architectural barriers which restrict the mobility of the elderly and handicapped persons;
- disposition of real property;
- relocation payments where appropriate;
- assistance to carry out a neighborhood revitalization or community economic development or energy conservation projects; and,
- activities necessary to the development of energy use strategies.

- **Proposed Accomplishments**

- **New York State intends to assist approximately 125 public facility projects over the next 5 years benefitting approximately 300,000 persons.**

Short-term, New York State will:

- support and fund public infrastructure projects which will assist in the creation of a safe and sanitary living environment which will benefit low--and moderate- income persons or aid in the elimination of slums or blight
- support and fund community facilities and services that provide services to assist low-and moderate-income persons.

Long-term, New York State will:

- improve the vibrancy of our communities which will enhance the quality of life for the citizens of New York State;
- encourage local governments to create and implement comprehensive public infrastructure and facility improvement strategies which are sustainable, affordable, energy efficient and help to develop viable communities which will primarily benefit low-and moderate- income persons; and,
- develop and implement strategies which facilitate the coordination of CDBG funding with other federal/state/local community development resources.

Proposed five-year accomplishments under this objective will be classified as follows: public infrastructure projects will be classified as SL-2, while public facilities projects will be classified as SL-3

The following required table, HUD Table 2C presents a summary of the specific housing and community development objectives, performance measures and expected accomplishments discussed above.

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**HUD Table 2C
Summary of Specific Housing/Community Development Objectives
(Table 2A/2B Continuation Sheet)**

Specific Objectives	Performance Measure	Expected 5-Year Accomplishments
Rental Housing Objectives		
improve availability by preserving existing privately-owned affordable housing while eliminating health and safety hazards	number of units rehabilitated	1,150 units rehabilitated
improve availability by building new affordable housing for working families	number of units built	1,400 units built
improve availability by expanding affordable housing production	number of units built	250 units built
improve availability by building affordable housing for seniors	number of units built	750 units built
improve affordability by creating new rental assistance opportunities	number of units of tenant-based rental assistance	125 units of tenant-based rental assistance
Owner Housing Objectives		
improve availability by preserving existing privately-owned affordable housing while eliminating health and safety hazards	number of units rehabilitated	4,000 units rehabilitated
improve availability by expanding affordable housing production	number of units built	500 units Built
improve affordability by creating new creating new homeownership opportunities	number of first-time homeowners assisted	2,650 first-time homeowners assisted
Community and Economic Development Objectives		
assist communities to undertake community and economic development objectives	number of jobs created or retained	5,000 jobs created or retained 150 businesses assisted
Infrastructure, Public Facilities and Services Objectives		
assist community infrastructure, facility and service projects affecting health, safety and welfare	number of projects assisted	125 projects 200,000 Persons assisted
Other Objectives		
N/A	N/A	N/A

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Section 91.315 (f) Barriers to Affordable Housing

“The consolidated plan must describe the State’s strategy to remove or ameliorate negative effects of its policies that serve as barriers to affordable housing, as identified in accordance with Section 91.310.”

Overview

DHCR’s Office of Fair Housing and Equal Opportunity is charged with monitoring equal access and opportunity to safe and affordable housing. The office monitors fair housing initiatives and works towards implementing measures to eliminate impediments to fair housing choice. In addition, the OFHEO reviews and approves the Affirmative Marketing Plans submitted by developers to ensure compliance with outreach, marketing/advertising, accessibility/adaptability requirements, special needs populations, LLA (least Likely to Apply) populations, community contacts, tenant selection procedures, staff training, future marketing strategies, record keeping and Title VIII of the Federal Fair Housing Act of 1968.

DHCR’s Office of Fair Housing and Equal Opportunity and Fair Housing Choice

New York State is committed to eliminating racial and ethnic segregation, illegal physical and other barriers to persons with disabilities and other discriminatory practices in housing. In order to ensure the State is aware of fair housing barriers and is engaged in a solution to overcoming them, DHCR created the Office of Fair Housing and Equal Opportunity (OFHEO).

Organized to respond to the Agency’s expanding role in monitoring the progress of access to Fair Housing initiatives, OFHEO is also responsible for implementing the agency’s Affirmative Action and Equal Opportunity programs for minority and women-owned business enterprises. OFHEO is responsible for ensuring that respective program areas are monitored for compliance with State and federal laws, rules and regulations governing equal opportunity in tenant occupancy in State-assisted housing, hiring, and contractual opportunities administered by DHCR/HTFC.

OFHEO seeks to promote fair housing and equal housing opportunity by requiring awardees of capital program funding and tax credits to comply with State and federal civil rights laws in the marketing of the low income housing they develop. These efforts are primarily guided by the Fair Housing Act and its amendments, Section 504 of the Rehabilitation Act and the NYS Human Rights Law. These statutes prohibit discrimination in the sale or rental of housing based on race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status. OFHEO affirmatively furthers fair housing statewide by ensuring that developers submit a marketing plan for approval prior to marketing and rental of units. OFHEO also provides technical assistance and training on civil rights issues to developers and DHCR/HTFC employees involved at the regional level.

OFHEO carries out its responsibilities pursuant to:

- Fair Housing Act of 1968 - Title VIII;
- Presidential Executive Order #11063 requiring equal opportunity in housing;
- Presidential Executive Order #11246 requiring affirmative action programs in federally-assisted construction projects;
- Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u, Section 3);
- Executive Order #6 which ensures equal employment opportunity for minorities, women, disabled persons and Vietnam veterans in state government employment;
- Executive Order #19 prohibiting sexual harassment and intimidation in the workplace; and

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- ▶ Executive Law Article 15-A requiring employment and business opportunities for M/WBEs in State agencies and contracted projects.

OFHEO is composed of three distinct units: Contract Compliance, Equal Employment Opportunity, and Fair Housing. Each unit is under the guidance of the Director who is responsible for ensuring that respective program areas are monitored for compliance with State and Federal laws, rules and regulations governing equal opportunity in tenant occupancy in State-assisted housing, hiring, and contractual opportunities administered by DHCR.

Contract Compliance Unit (CCU)

CCU implements Executive Law Article 15-A to ensure the participation of minority (Note: Minority is defined as Black, Hispanic, Asian/Pacific Islander, or Native American) and women-owned business enterprises (M/WBEs) in contracts for construction, commodities and professional services with housing entities under DHCR supervision. CCU monitors M/WBE participation goals in contracting and subcontracting opportunities and collects the affirmative action aspects of contractors' workforce utilization plans to ensure the hiring of minorities and women.

CCU assists M/WBEs in applying to the Empire State Development Corporation (ESDC) for State certification. The staff works to ensure that state certified firms listed in ESDC's database are notified of all relevant contracting opportunities. A directory of State-certified M/WBE firms is maintained by ESDC. OFHEO staff assists Awardees and Contractors in contracting with State-certified firms to meet specific project goals in construction and the procurement process. The use of State-certified M/WBE firms is encouraged on all projects and in the purchase of goods and services.

Outreach activities include providing information to M/WBEs on contracting opportunities available through DHCR's various housing programs such as the Mitchell-Lama Program, the Public Housing Modernization Program, Housing Trust Fund, Housing Development Fund, Weatherization Program and the HOME Program. The staff participates in project planning conferences, reviews Requests for Proposal (RFPs), and Notices of Funding Availability (NOFAs), and sets procedures for announcing contracting and bidding opportunities.

OFHEO has created specific contract compliance reporting forms to document the Awardees adherence to Article 15-A of the Executive Law. Awardees are required to submit utilization plans which document their intent to subcontract with and/or procure goods and services from M/WBE to address project goals. They must provide proof of payment to M/WBE once project work has commenced. OFHEO maintains records of compliance and submits quarterly reports to ESDC. In the past couple of years, DHCR has made great strides in improving the M/WBE program. We have not only met but exceeded goals through the efforts of the Director and OFHEO. It is expected that M/WBE goals will be exceeded in 2011-2015.

CCU also monitors compliance under **Section 3 of the Housing and Urban Development (HUD) Act of 1968** for programs receiving federal funds.

Overview of Section 3

Section 3 is a regulation enacted by HUD in 1968 to promote employment and other economic opportunities for low and very-low income persons. Its intent is to provide jobs for residents and award contracts for businesses located in the community or city where the project receiving financial assistance is located. This means that Section 3 applies to HOME and HOME Local Program Administrator (LPA) funded projects. Section 3 requires that "to the greatest extent feasible," a good faith effort must be made

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to train and employ Section 3 residents as new hires with a goal of at least 30% of the workforce and to contract with Section 3 businesses in an amount which is at least 10% of the total amount of the contract for building trades, housing construction or rehab and at least 3% of the total amount for all other contracts.

A Section 3 resident is a resident of public housing, a low income person (one whose income does not exceed 80% of the area income), a very-low income person (one whose income does not exceed 50% of the area income) or a homeless person living in the community where the federally-assisted contract is located. OFHEO created the "Certification for Resident Seeking Section 3 Preference in Training and Employment." This form can be used by the resident to certify that he or she is a Section 3 resident.

A Section 3 Business Concern is a business which is 51% or more owned by a Section 3 Resident or 30% of his/her employees are Section 3 Residents or were Section 3 Residents within 3 years of the date of first employment with the business. OFHEO also created the "Certification of Business Concerns Seeking Section 3 Preference." This form could be used by businesses to certify that they qualify for Section 3 preference.

The Section 3 dollar threshold is for contracts exceeding \$200,000 or a subcontract exceeding \$100,000. If the project is for a Public or Indian Housing Authority, there is no threshold and the entire project is subject to Section 3.

The Equal Employment Opportunity Unit (EEOU)

To ensure a diversified workforce, the EEOU's mission is to monitor DHCR's personnel policies and practices and its implementation of hiring goals to ensure appropriate representation of women, minority groups, disabled persons and Vietnam veterans in the workplace. It advises managers and supervisors on equal opportunity in hiring, training, promotion and other personnel actions and monitors such activities in light of the agency's affirmative action goals and objectives. The EEOU conducts special recruitment events for certain DHCR job titles and engages in SCOPE conferences with the Department of Civil Service to ensure that civil service examinations are relevant and fair.

Staff investigates and assists in resolving employment discrimination complaints based on an employee's race, sex, creed, religion, color, or national origin under Federal and State equal employment opportunity statutes. Complaints can be filed by an applicant for employment, a current employee, or a beneficiary of a DHCR service who believes that he or she has been the subject of discrimination. The unit provides training and technical assistance to agency staff on a range of equal opportunity matters including sexual harassment and reasonable accommodation under the Americans with Disabilities Act (ADA) in employment as well as access to services provided by DHCR.

EEOU's strategic goal is to eradicate discrimination from all areas within DHCR and include executive staff, administrators and DHCR office personnel in its action plan designed to remove barriers to equal access of employment and promote new initiatives in the area of equal employment opportunities. While addressing the challenges to developing respectful multiracial environments and the skills necessary to do so, EEOU's goal is to also ensure that all employees are treated with fairness and respect, given access to promotional opportunities on the basis of merit and are not subject to discrimination or harassment in the workplace.

The Office of Equal Employment Opportunity Unit annually reviews its effectiveness and efficiency and considers practical ways to improve the equal opportunity framework to deliver better outcomes for the DHCR workforce.

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Fair Housing Unit (FHU)

FHU seeks to promote fair housing and equal housing opportunity by requiring awardees of capital program funding and tax credits to comply with State and federal civil rights laws in the marketing of the low income housing they develop. These efforts are primarily guided by the Fair Housing Act and its amendments, Section 504 of the Rehabilitation Act and the New York State Human Rights Law. These statutes prohibit discrimination in the sale or rental of housing based on race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status. FHU affirmatively furthers fair housing statewide by ensuring that awardees submit a marketing plan for approval prior to marketing and rental of units. The plans must set forth how the project will be marketed and rented, so that the “least likely to apply” population, including those in the disabled community and persons with special needs, have an equal opportunity for housing.

FHU also provides technical assistance and training on civil rights issues to awardees and DHCR employees involved at the regional level. The Fair Housing Act Amendments of 1988 (the "Fair Housing Act") made it unlawful to discriminate against persons with disabilities. As part of its protections, the Fair Housing Act requires that multifamily housing consisting of 4 or more units must be designed and constructed to provide accessible and usable housing for individuals with disabilities. The rule applies to buildings with elevators and all first floor units in buildings without elevators.

In March 1991, HUD published accessibility guidelines (the "Accessibility Guidelines") to provide developers with technical guidance on how to comply with the accessibility requirements of the Fair Housing Act. The Accessibility Guidelines apply to all new multi-family housing consisting of 4 or more units built for first occupancy after March 13, 1991.

The Accessibility Guidelines are not mandatory, nor do they prescribe specific requirements which, if not met, would constitute violations of the Fair Housing Act. Developers may depart from the Accessibility Guidelines and use alternate ways to comply with the accessibility requirements of the Fair Housing Act. However, if complied with, the Accessibility Guidelines are intended to provide a safe harbor for compliance with the Fair Housing Act.

There are seven design requirement areas which should be addressed to be assured of the safe harbor:

1. An accessible building entrance on an accessible route
2. Accessible public and common use areas
3. Usable doors (usable by a person in a wheelchair)
4. Accessible route into and through the dwelling unit
5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations
6. Reinforced walls in bathrooms for later installation of grab bars
7. Usable kitchens and bathrooms

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The Fair Housing Act also requires reasonable modifications to units permitted for handicapped persons. The Act makes it unlawful to refuse to permit, at the expense of the disabled person, reasonable modifications to existing premises occupied by a disabled person if such modifications are necessary to provide the person use and enjoyment of the premises. In rental properties, the landlord may require the person to agree in their lease that they will restore the units' interior to the condition it was in before modification.

Another statute that guides the compliance program of OFHEO is the Rehabilitation Act of 1973, specifically Section 504 of the act ("Section 504"). Section 504 provides that "no otherwise qualified individual with handicaps... shall, solely by reason of his handicap, be excluded from the participation in or be denied the benefits or be subjected to discrimination under any program or activity receiving federal financial assistance". Thus, awardees receiving HOME funds or any other federal assistance will be subject to Section 504.

Section 504 applies to new construction or rehabilitation of housing after July 11, 1988. Section 504 requires that 5% of the units in covered multi-family dwellings (5 or more units) be accessible to persons with physical disabilities. In addition to the 5% requirement for persons with disabilities, Section 504 also requires that 2% of the units in a multi-family development be designed and constructed for the visually or hearing impaired. Section 504 also applies to rehabilitated properties if the project contains 15 or more units and the cost of the alterations is 75% or more of the replacement cost of the completed facility. If the 15 units, 75% replacement cost threshold is not met, Section 504 requires that to the maximum extent feasible the units be made readily accessible to and usable by persons with disabilities. The defining standard is that accessibility is not required in a rehabilitation project if it would pose an undue financial or administrative burden on the developer.

Accessible, when relating to the building, means that the facility, when designed and constructed can be approached, entered and used by persons with disabilities. *Accessible*, when referring to an individual unit, means such unit is located on an accessible route and when designed, constructed, altered or adapted can be approached, entered and used by individuals with handicaps. *Adaptable* means the ability of certain elements of a dwelling unit, such as, but not limited to, kitchen counters, sinks, and grab bars, to be added to, raised, lowered, or otherwise altered, to accommodate the needs of persons with or without disabilities, or to accommodate the needs of persons with different types or degrees of disabilities. For example, in a unit adaptable for a hearing-impaired person, the wiring for visible emergency alarms may be installed but the alarms need not be installed until such a time as the unit is made ready for occupancy by a hearing-impaired person. An adaptable unit on an accessible route is an accessible unit for purposes of Section 504.

Standards for design in federal programs are found in the Uniform Federal Accessibility Standards (UFAS). A building designed in accordance with UFAS is deemed to be in compliance with Section 504. In addition, a building which is in compliance with the New York State Building Code will also be in compliance with UFAS and therefore with Section 504.

The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, and its 1988 amendments, prohibits discrimination in the sale, rental or advertising of housing. The Fair Housing Act protects anyone from being denied equal housing opportunity based upon:

1. Race
2. Color
3. Religion
4. Sex

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5. Familial status
6. National origin
7. Disability

Collectively, these categories are known as "protected classes". In addition to the seven federal protected classes, New York State Human Rights Law protects the following additional classes from discrimination:

1. Age
2. Sexual orientation
3. Military status
4. Marital status

Housing Discrimination

DHCR's Office of Fair Housing and Equal Opportunity (OFHEO) monitors policies and handles agency housing discrimination complaints by providing counseling, mediation and referrals where appropriate. The agency also works closely with the NYS Division of Human Rights and the U.S. Department of Housing and Urban Development in attempting to conciliate in matters alleging discrimination.

DHCR and DHR are working to update and revise a memorandum of understanding (MOU). The MOU sets forth jurisdiction and complaint procedures relative to alleged discriminatory practices under DHCR programs. The MOU will be revised to reflect the common goals and respective jurisdictions of the two agencies.

Analysis of Impediments to Fair Housing

New York State continually reviews its Analysis of Impediments to Fair Housing Choice and takes appropriate actions to overcome barriers and increase housing opportunities. The following report summarizes impediments identified in the State's Analysis of Impediments and actions taken to affirmatively further fair housing choice.

New York State is at the beginning of a five-year planning cycle and intends to submit its 2011-2015 Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD) on November 15, 2010. The State is also updating its Analysis of Impediments to ensure that the goals and objectives identified in the Consolidated Plan are consistent with addressing impediments to fair housing choice and increasing affordable housing opportunities.

Statewide Affordable Housing Needs Study

In order to reduce impediments to fair housing choice the State recognized that it must continually analyze housing need and engage communities in order to promote effective strategies in the planning and development of affordable housing.

In 2007 New York State Division of Housing and Community Renewal (DHCR) created the Office of Policy Research and Development, in part to develop a Statewide Affordable Housing Needs Study. The Housing Needs Study was derived from information collected during forty-two focus group meetings convened throughout the State in 2007 and 2008. These focus group meetings included nearly 500 local officials and affordable housing and community development professionals to discuss the issues and

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needs they were facing in their respective communities. Discussion included a consideration of a range of fair housing choice-related issues.

A series of nine Regional Reports served as the foundation for the Statewide Housing Needs Study. These Regional Reports also included U.S. Census and American Community Survey data, as a basis for identifying the housing, demographic and related changes taking place in a region.

Promoting Accessible Housing

Access to Home

Survey data collected in conjunction with the development of the Analysis of Impediments identified a lack of sufficient accessible housing as an impediment to fair housing choice for persons with disabilities. As such the State has undertaken a new initiative to promote the development of accessible housing.

The State recognized that for those with physical disabilities the barrier to securing affordable housing was often the cost of accessibility modifications. DHCR created the Access to Home program in 2004 as a result of a unique collaboration between State agencies, Independent Living Centers, Housing Preservation Companies, disability advocates, and other stakeholders who identified a gap in housing opportunities for persons with disabilities.

Access to Home 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 will continue to be made to permit persons with physical disabilities to remain in their own homes, rather than enter a more costly and intrusive nursing home setting.

The Access to Home Program received the 2009 National Council of State Housing Agencies (NCSHA) Award for HOME Improvement and Rehabilitation.

Increasing the Supply of Affordable Housing

Changes to the Qualified Allocation Plan

DHCR/HTFC made several changes in its funding process to increase opportunities for affordable, accessible housing for a variety of populations. Several of these changes were included in the State's Qualified Allocation Plan (QAP). The QAP regulates how the State administers the Federal Low Income Housing Credit (LIHC) Program, which is an important tool to infuse private sector dollars into affordable housing.

These revisions in the QAP identified visitability standards as threshold review criteria. They also included rating criteria for fully accessible and adapted, move-in ready units and a set aside of up to up to \$2 million in Low Income Housing Credits for supportive housing. The supportive housing set aside will continue to support a continuum of promoting fair housing choice since projects funded under the supportive housing set aside may provide access to housing with supportive services, but services are not mandated.

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Enhancing Program Requirements

In 2004 DHCR implemented programmatic changes extending the requirements of Section 504 of the Rehabilitation Act of 1973 to certain State financed housing projects. Beginning with the 2005 funding round for the State funded Low Income Housing Trust Fund (HTF) program DHCR now requires that a minimum of 5% of the total units in a new construction multi-family project (five units or more), or one unit whichever is greater, are made accessible for and marketed to persons with mobility impairments and that an additional 2% of the total project's units or one unit, whichever is greater, are made accessible for and marketed to persons with visual or hearing impairments. The project owner is responsible for the reasonable costs of any alterations necessary to accommodate an eligible tenant.

Implementing Scoring Incentives

As the State actively encourages new housing opportunities for persons with disabilities, DHCR/HTFC's funding process includes rating and ranking criteria to increase opportunities for affordable, accessible housing for a variety of populations. 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. This set-aside includes 15% or more of the total project's units and allows owners to reserve units outside of the application system, thereby providing access to units that may have otherwise been included in a lottery system.

In the 2008 funding round, DHCR/HTFC included a scoring incentive which provided maximum points for applicants exceeding 5% of the total projects units as fully accessible, move-in ready for persons with a mobility impairment and 2% of the units as fully accessible, move-in ready for persons who have a hearing or vision impairment to 10% and 4% respectively.

These enhanced criteria were continued in 2009 with a number of applicants taking advantage of the point incentive. Of the total awards announced in July 2009, approximately 70% met, or exceeded the 5% and 2% criteria and more than 50% met or exceeded the 10% and 4% criteria. The 2009 awards are creating more than 400 fully accessible units for persons with mobility, hearing or vision impairments.

CDBG Program Improvements

Effective with Program Year 2006 funding under the CDBG Program applicants were encouraged to increase the affordability of housing and remove the potential obstacle of housing rehabilitation and homebuyer loans. This was accomplished by encouraging Recipient to issue grants in lieu of loans to owner-occupants seeking housing assistance. This allows for the Recipient to provide better service to the low-income resident by reducing the potential of a monthly financial burden that a loan, even if low interest, may have had. Additionally, applicants were encouraged to incorporate home-maintenance programs into their housing rehabilitation and homebuyer programs. Home-maintenance programs have the potential of reducing maintenance costs over the long term, which will translate into enduring affordability to the residents.

Those applicants who design their housing rehabilitation or homebuyer programs which incorporate mechanisms to ensure long-term affordability, will receive higher project assessment points for these assessment criteria.

In 2009 eligible communities were encouraged to address the needs of and provide services to persons with special needs. Applicants of CDBG funding are assessed on their efforts to market to and assist persons with special needs. Project assessment points are awarded to applicants based on the degree

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to which they meet the criteria.

Education, Outreach and Technical Assistance

Office of Fair Housing and Equal Opportunity (OFHEO)

Organized to respond to the Agency's expanding role in monitoring the progress of access to Fair Housing initiatives, OFHEO is also responsible for implementing the agency's Affirmative Action and Equal Opportunity programs for minority and women-owned business enterprises. OFHEO is responsible for ensuring that respective program areas are monitored for compliance with State and federal laws, rules and regulations governing equal opportunity in tenant occupancy in State-assisted housing, hiring, and contractual opportunities administered by DHCR/HTFC.

OFHEO will continue to seek to promote fair housing and equal housing opportunity by requiring awardees of capital program funding and tax credits to comply with State and federal civil rights laws in the marketing of the low income housing they develop. These efforts are primarily guided by the Fair Housing Act and its amendments, Section 504 of the Rehabilitation Act and the NYS Human Rights Law. These statutes prohibit discrimination in the sale or rental of housing based on race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status. OFHEO affirmatively furthers fair housing statewide by ensuring that developers submit a marketing plan for approval prior to marketing and rental of units. OFHEO also provides technical assistance and training on civil rights issues to developers and DHCR/HTFC employees involved at the regional level.

Affirmative Marketing Plans

The lack of education, materials and information on fair housing choice and affordable housing need was an issue raised in the development of the Analysis of Impediments.

To improve the quality of project marketing DHCR's Office of Fair Housing and Equal Opportunity (OFHEO) created a marketing plan guideline for Awardees using HUD's Fair Housing Marketing Guide.

DHCR/HTFC requires compliance with the Fair Housing Act's non-discrimination requirements at the marketing stage of the development it funds. Awardees are required to submit affirmative marketing plans, which must contain a marketing strategy to target minority groups including the disabled community. Each plan must list a community contact such as an Independent Living Center for the disabled community, which will assist with outreach and placement. Advertisements for rentals and sales must contain equal opportunity and accessibility logos, as well as language stating the accessibility of units.

OFHEO will continue to provide technical assistance to awardees in conjunction with its review of marketing particularly in the areas of advertising and outreach to least likely to apply populations.

OFHEO will continue to make annual presentations to new awardees in each of DHCR/HTFC's regional offices explaining marketing requirements, the Fair Housing Act, Section 504 requirements and the rights of persons with disabilities. The presentations are supplemented by numerous pamphlets and brochures OFHEO has prepared on these topics.

Affirmatively Furthering Fair Housing under the CDBG Program

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The CDBG Program will continue to work with recipients to ensure that efforts are undertaken to affirmatively further fair housing. Within the CDBG application, applicants can receive 20 bonus points for their efforts to affirmatively further fair housing by demonstrating that they have provided assisted housing in areas outside of minority or low- and moderate-income population centers. In addition, at the time of application, applicants are required to submit signed certifications that acknowledge that they will work to affirmatively further fair housing through a variety of activities. Specifically, recipients are required to designate a Fair Housing Officer to receive and address any complaints related to Fair Housing. Information on the Fair Housing Officer is obtained annually through the Annual Performance Report. Recipients are also monitored at least once during the life of the grant for regulatory compliance including compliance with the Fair Housing Regulations.

Training Opportunities

DHCR/HTFC hosted a series of Fair Housing and Accessibility Training Seminars, provided by Fair Housing Solutions, LLC, for internal staff and owner/managing agents on the requirements of the Fair Housing Act and the provisions of Section 504 of the Rehabilitation Act of 1973.

DHCR/HTFC contracted with Dr. Kathryn Nelson, author of The Hidden Crisis: Worst Case Housing Needs among Adults with Disabilities. Prior to her retirement Dr. Nelson worked at HUD and was the principal author of HUD's first eight reports to Congress on worst case housing needs for housing assistance for persons with disabilities. Dr. Nelson works with the Technical Assistance Collaborative. A stakeholder group of State agencies, disability advocates, and not-for-profit organizations participated in Dr. Nelson's presentation. The result was a facilitated discussion of data and needs that would improve the State's planning process.

Raising Awareness

The State Division of Human Rights and U.S. Department of Housing and Urban Development conducted a month-long Fair Housing Public Service Campaign targeting all regions of the State. Funded by HUD, the campaign began in November of 2008 and included 4,000 subway and 300 bus advertisements in New York City; 195 bus advertisements in Buffalo, Rochester, and Syracuse; 26 billboard ads throughout upstate New York; advertisements in numerous weekly publications around the state; and a statewide webcast. The theme of the campaign was "*For Rent/For Sale, Unless...*" The advertisements listed various categories protected under the Fair Housing Act. These include: race, ethnicity, creed, religion, familial status, and disability, among others. The goal of the campaign was to educate the public as to their rights and recourse.

The Governor's Smart Growth Cabinet

The Governor's Smart Growth Cabinet, created by Executive Order in December 2007, consists of representatives from several state agencies, including DHCR, that affect growth, development and land use. Cabinet members are pooling their resources and expertise to promote better land use practices on the state and local level. The Executive Order directs the Cabinet to ensure that state agency practices conform to Smart Growth principles and to develop a set of state policy initiatives that will help communities achieve Smart Growth on the local level.

As part of this effort jurisdictions are encouraged to develop a comprehensive plan that centers on Smart Growth principles that include housing. A Smart Growth Clearinghouse website was created to connect

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New Yorkers with state agency services that promote Smart Growth and other sources of information on Smart Growth. The Clearinghouse provides an easy-to-use directory of relevant state agencies, with brief descriptions of their services and links to appropriate agency web site pages (www.smartgrowthny.org).

Meeting the Housing Needs of Persons with Special Needs

Nursing Home Transition and Diversion Waiver Housing Subsidy Program

Through discussions with disability advocates and partner agencies the State recognized that for persons with disabilities and special needs living on Social Security Income (SSI) the cost of housing was often a barrier to fair housing choice. Often times this resulted in more costly nursing home placement and prohibited an individual from the choice of living in a more integrated setting.

DHCR/HTFC partnered with the NYS Department of Health (DOH) 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 (18) or over and seniors by assisting them with securing housing and at home services appropriate to their needs.

A household may remain with the program as long as they are waiver eligible, even if they change residence. The NHTD Housing Subsidy receives an annual State appropriation of approximately \$2.3 million which has allowed the program to be offered in every county within the State. The average rental subsidy payment is \$771 per month.

This program will continue to strengthen the partnership between housing and service delivery systems, as organizations have become more adept with developing plans that meet individual service and housing needs. It won the 2009 National Council of State Housing Agencies (NCSHA) Award for Program Excellence in Special Needs Housing.

Most Integrated Setting Coordinating Council

The State continues to engage in planning initiatives that play a significant role in expanding housing for people with disabilities. DHCR and the Office of Temporary and Disability Assistance (OTDA) serve as active members of the Most Integrated Setting Coordinated Council (MISCC). MISCC was created through Chapter 551 of the Laws of 2002 within the Executive Department to develop and oversee the implementation of a comprehensive statewide plan for providing services to disabled individuals in the most integrated setting possible.

The Commissioner of DHCR chairs a MISCC Housing Task Force which is comprised of consumers, representatives of not-for-profit and advocacy organizations, as well as entities of government whose work impacts the lives of people with disabilities. The Task Force was formed in 2007 to support the MISCC's goal of ensuring that people of all ages with disabilities are afforded the choice and empowerment to live in the most integrated setting that meets their individual needs and preferences.

New York/New York III Supportive Housing Agreement

In 2005 New York City and New York State entered into a homeless housing initiative to provide an additional 9,000 supportive housing units for individuals and families living on the streets or in emergency

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shelters in New York City. The New York/New York III Supportive Housing Agreement provides housing and related services to those New York City individuals and families most in need.

DHCR, OTDA, the Office of Mental Health (OMH) and Office of Alcohol and Substance Abuse Services (OASAS) continue to work in close collaboration to implement this initiative. Liaisons from each agency participate on a State/City Oversight Committee to ensure creation of necessary policies for implementation and monitoring to achieve targets.

Combating NIMBY

The Analysis of Impediments identified “Not in My Back Yard” (NIMBY) as a primary barrier to affordable housing. DHCR launched an ongoing campaign to dispel the myths associated with affordable housing and demonstrate the far-reaching benefits that it has on cities, towns, and villages. The support of municipalities on every level is critical to the State’s ability to create and preserve affordable housing opportunities in New York.

In 2008, a statewide Public Service Announcement (PSA) campaign was launched to promote the continued development of affordable housing in communities throughout New York State. The PSAs were part of a larger campaign, Affordable Housing Works, touting attractive and high quality affordable housing developments across New York State.

The PSAs aired on broadcast television stations and radio stations throughout the State. The ads ran for four weeks and featured filmmaker and green affordable housing advocate Edward Norton, former NFL football player and community developer Tiki Barber and former Major League baseball player and affordable housing developer Mo Vaughn. Additional ads ran in Spanish.

In conjunction with this effort DHCR also developed a stand-alone website: www.AffordableHousingWorks.org. The site showcases the PSAs, as well as features examples of attractive, quality affordable housing throughout the State. The PSA campaign garnered an Award for Excellence in Creative Media from the National Council of State Housing Agencies.

As part of this effort DHCR launched a video presentation entitled, “Municipal Leaders Speak Out-Affordable Housing Works!” The video was presented at the Association of Towns Annual Meeting and the New York Conference of Mayors (NYCOM) Winter Legislative Conference in February of 2009. It featured municipal leaders speaking out about the positive impact of affordable housing on communities and quality of life.

DHCR will continue to combat NIMBY to create and preserve affordable housing opportunities for all New Yorkers.

Increasing Opportunities for Homeownership

Section 8 Homeownership

Beginning in September 2000, Public Housing Agencies (PHAs) administering the Section 8 Housing Choice Voucher Program were authorized to utilize Voucher assistance to help Voucher Program participants purchase a home. DHCR was one of the first PHAs in the country and the first in NYS to participate in a pilot program involving Section 8 homeownership.

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Since 2000, DHCR has steadily built its home ownership program, and is now the number one ranking PHA in the country, with respect to mortgages closed utilizing Section 8 Voucher assistance. DHCR has combined Section 8 Voucher assistance with Family Self Sufficiency programming to help 294 families achieve homeownership in 38 of the 50 local program areas under DHCR Voucher Program authority.

HUD-VASH Voucher Program

Issues faced by veterans returning from the conflicts in Iraq and Afghanistan focused greater concern on the plight of homeless veterans. The current HUD-Veterans Affairs Supportive Housing (HUD-VASH) Program was authorized in the 2008 Consolidated Appropriations Act and is the only housing assistance program within the U.S. Department of Housing and Urban Development (HUD) targeted to any veteran population.

The HUD-VASH program is explicitly designed to provide permanent supportive housing to veterans with serious mental and addictive disorders. HUD-VASH combines HUD Housing Choice Voucher rental assistance for homeless veterans with case management and clinical services provided by the Veterans Affairs at its medical centers and in the community. Evaluations of the HUD-VASH program conducted by the U.S. Department of Veterans Affairs' Northeast Program Evaluation Center (NEPEC) indicate that HUD-VASH significantly reduces days of homelessness for veterans targeted by the program.

DHCR has been awarded HUD-VASH Vouchers in Suffolk and Westchester Counties in conjunction with VA Centers in those areas and to date has assisted 142 veterans in obtaining the affordable housing and case management services provided by the program.

Housing Opportunities for Families

Family Unification Program

The lack of adequate and affordable housing has been recognized as a key factor in the separation, or threat of imminent separation, of children from their families. The lack of such housing has also been identified as an obstacle in reunifying families whose children were placed in foster care. HUD Family Unification Vouchers enable these families to obtain and retain decent, safe, sanitary and affordable housing.

The Family Unification Program couples Section 8 Voucher assistance with services provided by other agencies to ensure that housing costs are affordable and that other family issues are appropriately addressed.

DHCR has the country's largest Family Unification Program with 877 families currently enrolled in 24 local areas under DHCR authority. Nearly \$800,000 is disbursed each month to help these families maintain their family structure.

Finding Affordable Housing

NYHousingSearch.gov

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The Analysis of Impediments identified access to available affordable housing, education materials and information as a barrier to obtaining affordable housing. The State launched an effort to find new and affordable ways to provide additional resources to those most at risk by developing tools that connect people to available housing in order to assure a safe, decent place to live.

In 2008 www.NYHousingSearch.gov was launched as a free public service provided by DHCR, the New York State Department of Health (DOH) and Office for Persons With Developmental Disabilities (OPWDD).

The site is funded in part through a Money Follows the Person (MFP) Rebalancing Demonstration Grant and a Real Choice Systems Change, Systems Transformation Grant from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services. These grants assist states with making effective and enduring improvements in community-based long-term care and support systems for seniors and people with disabilities.

The site uses software created by Socialserve.com, a national not-for-profit provider of housing locator services. Socialserve.com is responsible for maintaining the site and providing toll-free call center support.

This innovative service connects people with housing they can afford that meets their individual needs and is located in the communities of their choice. www.NYHousingSearch.gov can be accessed online 24-hours a day and is supported by a toll-free, bilingual call center M-F, 9-6 EST.

The easy-to-use, free search allows searchers to look for housing using a wide variety of criteria and special mapping features. 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.

DHCR requires as part of Affirmative Fair Housing Marketing Plans (AFHMP) that projects receiving subsidies register with www.NYHousingSearch.gov and report vacancies. The primary purpose of the affirmative marketing program is to promote an environment in which individuals of similar income levels in the same housing market area have available to them a like range of choices in housing, regardless of the individual's race, color, religion, sex, national origin, familial status, age or disability.

DHCR developed an extensive marketing and advertising campaign to promote www.NYHousingSearch.gov. An initial Google ad word search campaign was launched to raise on-line awareness of the site. Newspaper ads were placed in every county throughout the State in multiple editions. Email blasts were sent to interested stakeholders, as well as information to include in newsletters and publications. Various trainings and brown bag lunch seminars were conducted to engage DHCR staff, as well as the public.

The volume of listings and frequency of searches illustrates a success rate that exceeded initial projections. While numbers are a measure of success, the greatest tool to demonstrate worthiness is whether those searching for housing are successful as a result of the site. In exit surveys landlords report that over 35% of tenants find housing as a direct result of www.NYHousingSearch.gov.

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Increasing the Supply of Affordable Housing

New York State Housing Report

Affordable housing development increasingly requires complex financing structures, using a variety of federal, state and local resources to leverage private investment. This financing system makes it complicated to measure the State's efficiency in its use of these resources, which was the impetus for creating a State Housing Report.

Simply establishing the amount of resources committed and the number of units financed was not an easy task. Prior to this Housing Report, information about the State's different housing programs was not collected in one place. Layered on top of the State housing programs are intricate federal programs.

Lastly, in addition to capital dollars spent to finance the construction or preservation of affordable housing, there are immense operating and rental subsidies, as well as service dollars, spent and will continue to be spent to make housing more accessible or affordable for special need populations or for very low-income households.

The first report established a base line for housing production and resource commitment and is available at: <http://www.DHCR.state.ny.us/Publications/HousingReport/NYSHousingReport.htm#a3>

The ultimate goal for future housing reports is to measure New York's annual progress toward providing housing opportunities for all of its citizens.

Sub-prime Lending and Foreclosure Prevention

Foreclosure Prevention Program

The State's Analysis of Impediments identified sub-prime lending as an impediment to fair housing choice. The 2008-09 New York State budget provided \$25 million to the Housing Trust Fund Corporation (HTFC) for the development and administration of a sub-prime foreclosure prevention services program.

In June of 2008, HTFC released an open window Request for Proposals (RFP) seeking applicants that could provide a continuum of necessary foreclosure prevention services within a proposed service area. The required continuum of services included outreach, education, counseling, legal representation, and court-based services. From August of 2008 through May 2010, HTFC approved ninety (90) grant awards to foreclosure prevention programs across New York, which has resulted in services being available in every county within the State. The awardees were provided two-year contracts to provide the proposed services.

According to a New York State Banking Department Report released in July of 2009, tens of thousands of New York homes are in the foreclosure process, or at risk of foreclosure, thus homeowners are in urgent need of housing counseling and support. Yet the foreclosure crisis has strained the capacity of housing counselors, legal services, mediators and other advocates to provide borrowers with the necessary help to prevent foreclosures. The availability of trained counselors, mediators, and lawyers is an important element in supporting and educating New Yorkers facing default or foreclosure. As caseloads have grown, the sustained ability of these agencies to respond to this increasing demand for services is a critical issue.

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Due to the ongoing problems associated with foreclosure, the 2009-10 New York State budget appropriated an additional \$25 million to the Housing Trust Fund Corporation (HTFC) to continue the State's foreclosure prevention effort started in the previous budget year. The new funds were allocated from the Fiscal Stabilization Fund provided to the State under the American Recovery and Reinvestment Act (ARRA).

Manufactured Housing Replacement

DHCR/HTFC is responding to an important need in rural communities with a new initiative to provide safer, more affordable homes for low-income individuals and families by replacing severely substandard and dilapidated mobile and manufactured homes with new ENERGY STAR Qualified manufactured housing.

The new statewide Manufactured Home Replacement Initiative (MHRI) targets [NYS HOME Program](#) funds for the replacement of dilapidated owner-occupied mobile and manufactured homes that are sited on land owned by the homeowner.

DHCR's [2009 Regional Housing Needs studies](#) of the North Country, Finger Lakes, and Western New York Regions highlighted the critical role that mobile and manufactured homes play in affordable housing across the state. The studies also underscored the severe deterioration of many of these homes, particularly those built prior to 1976 when the use of tin roofs, metal siding, and inefficient windows was commonplace.

Improving Access to Public Transportation

The New York Main Street Program

New York Main Street provides financial resources and technical assistance to communities to strengthen the economic vitality of the State's traditional Main Streets and neighborhoods. An important goal of the NY Main Street Program is establishing the residential sector in existing downtown/neighborhood corridors, which have a mix of housing that is affordable to all income levels.

Expanding affordable housing opportunities in mixed-use districts, including accessible upper floor units, creates the critical density needed to attract or expand public transportation options in communities throughout the state. In addition, investing in mixed use neighborhoods lessens the need for private transportation units as employment opportunities and housing are located in close proximity to each creating further employment opportunities for low-income residents.

An example of the creation of the critical mass needed to expand public transportation offerings benefiting low-income persons may be found in the Hudson Valley Region of New York State. The revitalization of small to medium size cities such as New Rochelle and Yonkers have made these areas attractive to developers who wish to create Transit Orientated Development communities.

Conclusion

The State's success in improving programs and reforming policies is a reflection of input received from our public and private sector partners. We will continue to engage our partner agencies, housing advocates, supportive housing providers, developers, consumers and residents from across the State.

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Together we have researched and will continue to research best practices, examined barriers to safe, decent, affordable and accessible housing and implemented action steps to improve delivery of the State's housing resources.

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STRATEGIC PLAN – LEAD-BASED PAINT HAZARDS

Section 91.315 (g) Lead-based Paint Hazards

“The consolidated plan must outline the actions proposed or being taken to evaluate and reduce lead-based paint hazards, and describe how the lead-based paint hazard reduction will be integrated into housing policies and programs.”

Overview

In the previous Needs Assessment section of this plan, New York State estimated that 323,410 households statewide are at most serious risk from residential lead-based paint hazards because: they have incomes at or below 50% of the area median income; they have children less than six years of age living in the household; and, they occupy housing units built before 1980. Recognizing the dangers of lead-based paint, New York State has implemented a wide-ranging strategy to control those hazards. As part of this strategy, lead hazard identification and control protocols have been made an integral part of the State’s ongoing housing assistance programs.

New York’s Lead-based Hazard Control Strategy

To realize its goal of providing safe and adequate housing, the State will continue to implement the following measures to evaluate and reduce lead-based hazards over the next five years, including:

- **Lead Hazards Identification and Hazard Reduction Protocols**
DHCR, as a member of the Governor's Advisory Council on Lead Poisoning Prevention, has formulated lead hazard identification and lead hazard control protocols. To maximize the impact of limited resources, a three-tier hazard control system has been developed. The system is designed to prioritize lead hazard control activities according to dwelling-specific criteria. The intensity of lead hazard control activities corresponds to the observed and measured lead hazard that exists at a given site.
- **Technical Assistance to localities**
New York State provides technical assistance to local governments and community-based non-profit organizations interested in the development of affordable housing. The State provides assistance, where appropriate, through contracts with private technical assistance providers and consultants. The technical assistance that is provided includes the following ongoing Lead Training:
 - Lead Safe Practices for Renovators and Remodelers – One Day Training;
 - EPA 32 Hour Lead Abatement Supervisors Training; and
 - Lead Safe Practices for Weatherization Workers – One Day Training.

As part of its ongoing commitment to reduce lead based paint hazards, DHCR will continue to design and offer new training opportunities, based on new developments, such as the recently effective EPA Renovation Repair and Painting Rule.

- **Referral Process**
DHCR staff is working with the State Department of Health (DOH) to develop a referral process for HOME Program and Weatherization Assistance Program sub-recipients. These sub-recipient agencies visit more than 12,000 low-income units each year to perform inspections and evaluations related to routine program activities. When a sub-recipient becomes aware of a child who has not been tested for lead poisoning, the family will be referred to the county health department or to DOH for free testing. Through this initiative an educational component will be developed for the benefit of clients receiving HOME Program or Weatherization assistance.
- **CDBG Program**

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For Community Development Block Grant assistance, all local government grant recipients are required to comply with 24CFR 570.487 with respect to lead-based paint poisoning prevention. Grantees that have a housing component which includes housing structures constructed or substantially rehabilitated prior to 1978 shall include appropriate measures in their housing activities to control, as far as practicable, immediate lead-based paint hazards and shall provide for assured notification to the purchasers and tenants of such housing of the hazards of lead-based paint, of the symptoms and treatment of lead-based paint poisoning, and of the importance and availability of maintenance and removal techniques for eliminating such hazards. Prospective grant applicants are required to submit in their applications and, if awarded funds, in their local program guidelines, the specific methods they intend to use to meet these requirements. The State reserves the right to require stricter measures if it is deemed that the local program requirements are inadequate.

- **HOME Program**

Providing safe and healthy housing is an objective that will be partially met through the use of HOME Program assistance. The Affordable Housing section of the Strategic Plan describes the use of HOME Program funds for rental and owner-occupied housing rehabilitation programs. Operation of these programs is fully compliant with the requirements of the HUD lead hazard control regulations at 24 CFR Part 35. Applicants seeking funding for a local rehabilitation program will be required to demonstrate the capacity to administer the program in compliance with those regulations. Applicants that propose lead hazard control as a specific program focus may receive additional scoring consideration.

- **Other Housing Programs**

Lead-based paint hazard control is a requirement of all DHCR/HTFC housing rehabilitation programs. New York State HOME Program and the Housing Trust Fund requirements for lead hazard control are described in the [Design Handbook](#), which establishes minimum design and construction standards for projects funded under these programs. The Design Handbook states that projects involving the rehabilitation of buildings constructed prior to 1978 must comply with HUD rules and guidance for testing and abatement of lead-based paint. (Refer to *Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing*, HUD-1539-LBP, July 1995 and 24 CFR Part 35). The Design Handbook also states that certified third-party clearance examination reports must be provided for: each work area to demonstrate that the hazard reduction activities are complete; and, at the completion of the project, prior to occupancy, to demonstrate that no soil-lead hazards or settled dust-lead hazards exist.

DHCR's Capital Programs Manual states that a Phase I Environmental Site Assessment (ESA) will be required for all single-site projects when the project receives a funding award, to determine the likely presence on the site of hazardous materials, soil or water contamination, underground storage tanks, PCBs, asbestos, mold and lead-based paint. Suspected hazards must be characterized by follow-up testing and analysis. DHCR/HTFC will require remediation of identified hazards in accordance with regulations or guidance of agencies with jurisdiction over the hazard(s) present on the site.

Several DHCR programs administered through the Agency's Office of Housing Operations also plan to continue to address lead-based paint hazards. State-assisted public housing developments are DHCR's oldest housing stock and have a higher than normal expectation of the presence of lead-based paint. The Public Housing Modernization Program will continue to mandate lead-based paint inspections as well as lead hazard control in all capital improvement contracts in all funding cycles. The Office of Housing Operations will also continue to address lead-based paint hazards for its Mitchell-Lama portfolio. Federally assisted Mitchell-Lama

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developments must adhere to the HUD Management and Occupancy Review auditing procedures. The auditing procedure helps ensure that these developments are free of lead-based paint prior to occupancy by a child of less than six years of age by monitoring lead-based paint testing certification and the use of required lead-based paint disclosure forms for those units found to contain lead-based paint.

DHCR provides free Lead Safe Work Practices (LSWP) training statewide with local hosts as needed. These LSWP classes are open to the public and advertised through a network of DHCR staff, awardees, management agents, other New York State agencies, municipalities, Public Housing Authorities, contractors and other interested parties.

Primary prevention activities regarding lead hazard control are on-going in other state agencies as well. In 2007, the New York State Department of Health (NYS DOH) undertook a new primary prevention initiative known as the Childhood Lead Poisoning Primary Prevention Program (CLPPPP) as a pilot project (\$3 million was dedicated). Eight counties with significant concentrations of children newly identified with elevated blood-lead levels participated in the CLPPPP, including Albany, Erie, Monroe, New York City (the five boroughs were treated as one county), Oneida, Onondaga, Orange and Westchester. The local health departments in these counties were charged to develop and implement, in cooperation with local municipal officials, a housing-based primary prevention work plan which includes the following five goals:

1. Identifying housing at greatest risk of lead-paint hazards;
2. Developing partnerships and community engagement to promote primary prevention of childhood lead poisoning;
3. Promoting interventions to create lead-safe housing units;
4. Building Lead-Safe Work Practices (LSWP) workforce capacity; and
5. Identifying community resources from lead-hazard control.

In 2008, additional funding was added, bringing the total to nearly \$5 million, for four additional counties were added (Broome, Chautauqua, Dutchess and Schenectady. In 2009, based on the promising results of the pilot program, Governor David A. Paterson announced the program would become permanent under an amendment to Title X, PHL 1370-a(3). The budget for the program was increased to \$7.7 million and three additional counties were added (Niagara, Rensselaer and Ulster).

Exhibit 43 below shows a list of HUD Hazard Reduction Grants to local governments in New York State with a summary of units completed before and during 2009.

EXHIBIT 43 HUD LEAD HAZARD REDUCTION GRANTS TO LOCAL GOVERNMENTS IN NEW YORK STATE SUMMARY OF UNITS COMPLETED BEFORE AND DURING 2009 (Dollars in Millions)

GRANTEE		AWARD TYPE	AWARD DATE	AWARD AMOUNT	UNITS PROJECTED	UNITS COMPLETED		
						Before 2009	During 2009	TOTAL
CITIES	ALBANY	LHC	10/08	\$3.0	175	0	8	8
		LRD	3/07	\$3.0	195	141	0	141
	BUFFALO	LRD	3/07	\$1.1	90	30	33	63
		LRD	9/04*	\$1.5	88	102	0	102

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GRANTEE	AWARD TYPE	AWARD DATE	AWARD AMOUNT	UNITS PROJECTED	UNITS COMPLETED			
NEW YORK	LHC	11/05	\$3.0	220	239	39	278	
	LHC	*	\$3.0	252	24	136	160	
	LRD	11/07	\$2.6	300	306	0	306	
	LRD	3/07*	\$4.0	398	439	0	439	
	LRD	9/04*	\$4.0	306	247	86	333	
	LRD	11/05	\$4.0	360	41	143	184	
ROCHESTER	LHC	10/03	\$2.9	150	150	3	153	
	LHC	*	\$1.6	100	30	121	151	
	LHC	10/07	\$2.2	100	0	0	0	
	LRD	10/09	\$2.5	276	276	0	276	
	LRD	10/03	\$2.5	206	166	49	215	
	LRD	*	\$4.0	250	0	16	16	
SCHENECTADY	LHC	1/07	\$1.0	100	11	76	87	
SYRACUSE	LHC	9/04*	\$3.0	200	262	0	262	
	LHC	11/07	\$3.0	200	54	62	116	
	LRD	10/07	\$4.0	275	32	111	143	
	LRD	10/09	\$1.9	275	0	0	0	
UTICA	LHR	2/09	\$2.0	180	0	0	0	
COUNTIES	CHAUTAUQUA	LHC	9/05	\$2.1	175	110	0	110
		LHC	10/09	\$2.6	175	0	0	0
		LEAP	10/08	\$1.8	117	0	0	0
	ERIE	LHC	9/05*	\$3.0	200	179	25	204
		LHC	10/08	\$3.0	175	0	1	1
	MONROE	LHC	9/06	\$3.0	410	339	105	444
		LHC	10/09	\$3.0	350	0	0	0
	NASSAU	LRD	10/09	\$4.0	340	0	0	0
	ONONDAGA	LHC		\$3.1	225	246	0	246
		LHC	9/04*	\$3.0	210	184	32	216
		LHC	9/06	\$3.0	210	0	31	31
		LRD	10/08	\$3.6	240	0	36	36
	ORANGE	LHC	9/06	\$2.8	200	37	63	100
	WESTCHESTER	LHC	9/06	\$3.0	230	138	93	231
		LRD	9/06	\$2.0	204	97	115	212
		LHR	10/09	\$1.0	155	0	0	0
TOTALS			\$103.8	8,312	3,880	1,384	5,264	

LHC = Lead Hazard Control Grant
LHRG = Lead Hazard Reduction Grant
LRD = Lead Reduction Demonstration Grant
LEAP = Lead Elimination Action Plan
*Grant Completed

Also in 2009, the NYS DOH issued a Request for Applications (RFA) for its Healthy Neighborhoods Program (HNP). Nearly \$2 million was made available to award grant funds to

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city or county health departments to either develop or continue local Healthy Neighborhoods Programs. HNP is a door-to-door outreach program in targeted high-need areas that provides residents with practical information and tools to reduce environmental hazards in their homes, including risks for lead exposure. Awards were given to Clinton, Erie, Monroe, Onondaga, Orange, Rockland, Schenectady, Tompkins and Westchester Counties.

Governor Paterson continued to show his commitment to lead poisoning prevention by issuing Executive Order No. 21 which created the Governor's Task Force on the Prevention of Childhood Lead Poisoning in June 2009. The Task Force was born from the need to be as efficient as possible with state funding, as well as address concern that state agencies need to have more inter-coordination in order to aggressively prevent further lead-based paint exposure. The Task Force is comprised of representatives from 14 State Entities and Executive Chamber staff. In November 2009, the Task Force issued a preliminary report to Governor Paterson and the New York State Advisory Council on Lead Poisoning Prevention (Advisory Council). The report identified nine enhancements to current Agency activities which could be implemented in the near term without additional legislative or budget authority. The report can be viewed at the following link:

http://www.health.state.ny.us/environmental/lead/exposure/childhood/task_force/docs/2009_preliminary_report.pdf.

A final report, which will include the Task Force's findings and recommendations, will be issued to Governor Paterson and the Advisory Council by November 30, 2010.

HUD provides grants to evaluate and reduce lead-based paint hazards in priority housing that is not federally assisted housing, federally owned, or public housing. The grants are competitive for lead-based hazard reduction in target housing. The following exhibit details the substantial amount of work that is being performed under this grant program. Areas of high-risk across New York State continue to apply for these monies.

U.S. Environmental Protection Agency's (EPA) Renovation, Repair and Painting (RRP) Rule

On April 22, 2010, the EPA's new rule governing the work of professional remodelers in homes where lead-based paint is present took effect. The rule addresses remodeling and renovation projects that disturb more than six square feet (inside) and 20 square feet (outside) of potentially contaminated painted surfaces for all residential structures built prior to 1978. Firms working in pre-1978 homes must be EPA certified, and employees also need to be certified as a Certified Renovator.

In response to the new requirements DHCR is providing free RRP training to contractors working on DHCR-funded developments. DHCR will also require contractors to demonstrate that they are working in compliance with the EPA Lead Renovation, Repair and Painting Rule. DHCR's Office of Housing Operation's specifications for painting and window replacement are being revised to include compliance with EPA RRP, HUD's Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, as well as local laws in affected municipalities.

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STRATEGIC PLAN – ANTI-POVERTY STRATEGY

Section 91.315 (h) Anti-poverty Strategy

“The consolidated plan must describe the State’s goals, programs and policies for reducing the number of poverty level families and how the State’s goals, programs, and policies for producing and preserving affordable housing, set forth in the housing component of the consolidated plan, will be coordinated with other programs and services for which the State is responsible and the extent to which they will reduce (or assist in reducing) the number of poverty level families, taking into consideration factors over which the State has control.”

Overview

The four programs covered by the Consolidated Plan – CDBG, HOME ESG and HOPWA – directly support the overall State anti-poverty strategy by addressing the housing and/or non-housing community development needs of persons at or below the poverty level.

Anti-Poverty Strategy

The New York State Office of Temporary and Disability Assistance (OTDA) administers the ESG and HOPWA programs. In addition, OTDA oversees the New York State Temporary Assistance for Needy Families (TANF) program, which is designed to provide assistance to needy families with children while promoting both individual responsibility and family independence.

New York State’s CDBG program, through its housing rehabilitation, home ownership, public facilities and economic development funding, takes important strides to reduce the housing, sanitation and unemployment/underemployment conditions concomitant with poverty. Housing conditions for renters and homeowners are improved, tenants are empowered to become new homeowners, and projects are funded which provide safe drinking water to, and treat waste water for, low-income residents. Economic development projects create or retain jobs for low-income persons who may have been formerly unemployed or underemployed. Job training to skill levels that will raise employees out of poverty is often a component of CDBG-funded economic development and microenterprise projects.

While New York State’s HOME program does not provide income or operating assistance, the HOME program does serve households with extremely low-incomes (i.e., less than 30% of area median income) and supports initiatives that are designed to achieve or sustain self-sufficiency among extremely low income households.

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Section 91.315 (i) Institutional Structure

“The consolidated plan must explain the institutional structure, including private industry, nonprofit organizations, and public institutions, through which the State will carry out its Housing and community development plan, assessing the strengths and gaps in that delivery system. The plan must describe what the state will do to overcome gaps in the institutional structure for carrying out its strategy for addressing its priority needs.”

Overview

New York State delivers its housing programs through a vast array of public agencies, not-for-profit organizations and the private sector. Public agencies consist of State offices, public benefit corporations and local governments. The private sector includes banks and residential construction contractors both large and small. Not-for-profit organizations help deliver affordable housing in an efficient and effective manner. As described in the assessment of the existing institutional structure, this complicated and comprehensive network of organizations is a strength for the State.

State Agencies, Public Authorities and Public Benefit Corporations

- **New York State Division of Housing and Community Renewal (DHCR)**

New York State Division of Housing and Community Renewal is responsible for the supervision, maintenance and development of affordable low- and moderate-income housing in New York State. The Division performs a number of activities in fulfillment of this mission, including:

Community Development - Administration of housing development and community preservation programs, including State and Federal grants and loans to housing developers to partially finance construction or renovation of affordable housing;

Housing Operations - Oversight and regulation of the State's public and publicly assisted rental housing;

Rent Administration - Administration of the rent regulation process for more than one million rent-regulated apartments in both New York City, and those localities in the counties of Albany, Erie, Nassau, Rockland, Schenectady, Rensselaer and Westchester subject to rent laws; and

Policy Research and Development - Study the long-term housing needs of the State and help develop appropriate policies.

- **Housing Trust Fund Corporation (HTFC)**

The Housing Trust Fund Corporation was established by Chapter 67 of the Laws of 1985, specifically under Section 45-a of the Private Housing Finance Law (PHFL), as a subsidiary public benefit corporation of the New York State Housing Finance Agency (HFA). The Law conferred a number of privileges, tax exemptions and powers to HTFC including the authority to contract with New York State Division of Housing and Community Renewal (DHCR) to administer the Corporation's activities. HTFC was also authorized, among other things, to create its own by-laws for the management of its affairs, make and execute its own contracts, engage the services of consultants for professional and technical assistance services, and determine policies for the investment of its funds.

The Law also established the membership of the Corporation's three-person governing body. The Commissioner of Housing and Community Renewal was designated as the Corporation's Chairperson; the Chairman of HFA was named as a Member, while the third Member was to be appointed by HTFC's Chairperson.

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The mission of the Corporation, as originally established under Section 45-a and Article 18 of the PHFL, was to create decent affordable housing for persons of low-income by providing loans and grants for the rehabilitation of existing housing or the construction of new housing under the Low-Income Housing Trust Fund Program. This mission has reinforced since then by the adding many State and Federal programs to HTFC's portfolio, including these which are currently active:

State-funded Programs:

- Low-Income Housing Trust Fund Program
- Homes for Working Families Program
- HOPE/RESTORE Program
- Public Housing Modernization Program
- Public Housing Drug Elimination Program
- New York Main Street Program
- Access to Home Program
- Urban Initiatives Program
- Rural Area Revitalization Program

Federally-funded Programs:

- HOME Investment Partnerships Program
- Section 8 Project-based Contract Administration Program
- Community Development Block Grant Program

Office of Temporary and Disability Assistance (OTDA)

The Office of Temporary and Disability Assistance (OTDA) is one of two autonomous offices within the New York State Department of Family Assistance. With the passage of the 1997-98 State budget, the New York State Department of Social Services ceased to exist and was replaced by the Department of Family Assistance. Working in close collaboration with Office of Children and Family Services, the Office of Temporary and Disability Assistance (OTDA) helps vulnerable adults and families achieve their highest level of economic and personal independence through work, job training, supportive services, housing and child support enforcement. OTDA also provides economic assistance to aged and disabled persons who are unable to work and transitional support to welfare recipients while they are working toward independence. Core responsibilities of OTDA include providing policy and technical support to social services districts responsible for implementing welfare reform and administering programs serving the homeless and refugees. OTDA is responsible for supervising programs that provide cash assistance and other forms of support to eligible children, families and adults: the Family Assistance program (New York State's version of the federal Temporary Assistance to Needy Families, or TANF, program), the Safety Net program, Supplemental Security Income (SSI), Emergency Assistance for Families and Adults (EAF, EAA), Emergency Assistance and Food Stamps. The Office supervises the work of New York's 58 local social services districts (New York City and 57 counties) and apportions to localities funds which have been approved by the State Legislature or the federal government. The Office also provides fair hearings to persons who appeal the denial of benefits by local districts. The Office is designated as the State's TANF agency, which makes it responsible for ensuring the successful implementation of welfare reform. OTDA is implementing the federal TANF provisions as well as the requirements of the State's Welfare Reform Act of 1997.

OTDA has been designated as the administering agency for the Emergency Shelter Grants

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Program (ESGP) and the Housing Opportunities for Persons with AIDS (HOPWA) Program.

- **Department of State (DOS)**

The Department of State defends the public's safety, protects and develops a sustainable environment, strengthens local communities, and serves the business community. The Office of the Secretary of State was established in 1778, making it, other than the Offices of Governor and Lieutenant Governor, the oldest agency in the administration of New York State government. Known as the "Keeper of Records" for more than two centuries, the Department of State continues to perform its historic responsibilities, as well as oversee a wide range of additional functions and evolving programs.

The Department's customers include the financial community, corporations, and attorneys. It also licenses a variety of professions and occupations, including the real estate and cosmetology industries, private investigators, and notaries. More than 650,000 individuals are licensed through the Department. The Office of Business and Licensing Services interacts extensively with the state's business community. The Division of Corporations, State Records, and the Uniform Commercial Code; the Division of Cemeteries; the Division of Licensing Services; and the Division of Administrative Rules are all housed in this Office.

Through the Office of Local Government Services, our customers can obtain information and assistance about programs and policies affecting their communities. From implementing the state's building code to developing waterfront redevelopment plans or training firefighters and local government officials, much of the work of the Department is done in partnership with local governments. The Office of Local Government consists of the Division of Coastal Resources and Waterfront Revitalization, the Office for Fire Prevention and Control, the Division of Code Enforcement and Administration, the Division of Community Services, and the Office of Regional Affairs. Our customers can access important program information, publications, and training information online, 24 hours a day, seven days a week, and without charge.

The Department of State also provides administrative support for several other offices, including the State Athletic Commission, and the Committee on Open Government. Information about these organizations can also be found on the Department's homepage.

- **Department of Health (DOH)**

The Department of Health oversees licensed Article 28 and other medical facilities for persons with HIV/AIDS. Using state and federal funds, DOH also contracts with community-based organizations that provide direct housing and supportive services to persons with HIV/AIDS.

The Department of Health also provides leadership and direct oversight of the Childhood Lead Poisoning Prevention Program (CLPPP) activities throughout New York. DOH sets standards for local CLPPP including guidance for identification of high-risk areas, screening, medical management, environmental management, and risk reduction education. The Department also established rules and regulations for environmental assessment and control of lead hazards and provides training and technical support for local health departments to assure effective and timely environmental management.

- **Office of Mental Health (OMH)**

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Under the New York State Mental Hygiene Law, the State, and its local governments have joint responsibility for comprehensively planning a system of treatment, rehabilitation, and support for persons diagnosed with mental illness. These plans cover both residential and related services and include local priorities for addressing gaps in services. The Community Mental Health Reinvestment Act of 1993 provided a statutory change that supports the shift of the locus of services and funding from State inpatient care to a comprehensive, community-based system of care. Consistent with the legislation, OMH has shifted an increasingly greater part of the responsibility for planning and implementation of programs intended to serve persons diagnosed with serious mental illness to local government.

The Office of Mental Health supports the non-profit sector in the development of housing and residential services for the mentally ill. OMH currently provides more than 180 non-profits with direct funding, capital construction grants, program development grants, and ongoing property and program operating funding, as well as, directly providing architectural services, feasibility studies, and property appraisals. OMH has also developed expertise in working with the banking and construction industries and, where feasible, encourages joint private/non-profit ventures.

OMH works with other State agencies and local housing providers to encourage the integration of support services for the low-income mentally ill and affordable housing programs.

- **New York State Office for the Aging (NYSOFA)**

The New York State Office for the Aging was created by Executive Order of the Governor in 1961 and was one of the first State Units on Aging in the Nation. In 1965 the Office was made an independent agency in the Executive Department and became the central State agency to plan and coordinate programs and services for the aging at all levels in both the public and private sectors. Throughout its 40-year history, the Office for the Aging has been in the forefront of special initiatives for older people, and many of the concepts and programs which began in New York have been adopted nationally.

The New York State Office for the Aging administers various Titles under the Federal Older Americans Act of 1965 as amended, and a variety of State-funded programs which serve the elderly. In these programs preference is given to elderly people with the greatest economic or social need, with special emphasis on meeting the needs of low income minority elderly.

The majority of programs and services are administered through local offices for the aging. There are 59 local offices which serve each county, the City of New York as well as the St. Regis Mohawk Indian Reservation, and the Seneca Nation of Indians which includes the Cattaraugus and Allegany Reservations. These are the only Indian Reservations with offices for the aging east of the Mississippi.

Under Executive Order, the Office is empowered to review and comment on all State agencies' program policies and legislative proposals which would affect the aging. In addition, the New York State Office for the Aging:

- Advises and assists the Governor to develop policies to help meet the needs of older New Yorkers and to encourage their full participation in society;
- Coordinates State programs and services for the elderly;
- Stimulates community interest in problems of the aging;
- Promotes public awareness of resources available for the aging;

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- Ensures the development of local programs; and
 - Fosters and supports studies, research and education on the elderly.
- **Office of Alcoholism and Substance Abuse Services (OASAS)**

In 1992, legislation was enacted consolidating the Division of Alcoholism and Alcohol Abuse with the Division of Substance Abuse Services into a newly created agency, the Office of Alcoholism and Substance Abuse Services. The new agency was formed to improve the State's ability to respond to the needs of the hundreds of thousands of New Yorkers with alcohol and drug problems and to create a better, more coordinated service delivery system at the local level. While the legislation did not alter statutory requirements regarding licensing and reimbursement, OASAS studies ways to better integrate licensing and funding, and will make future legislative recommendations in these areas.

OASAS' roles in the State's housing network are: (1) to provide transitional housing for New Yorkers with alcohol and drug problems in a variety of settings; and, (2) to advise the State's various housing agencies on support services available at the local level for individuals who are living in other housing arrangements.

In cooperation with local governments, OASAS funds and regulates a network of alcohol and substance abuse treatment programs throughout New York State. These programs - which include alcohol crisis centers, alcoholism outpatient treatment, alcoholism inpatient care, alcoholism treatment, residential substance abuse treatment, chemical dependency treatment for youth, and methadone maintenance programs-- are operated under contract with OASAS or a local government, generally with a non-profit provider or a local governmental agency. OASAS also operates the State Alcoholism Treatment Centers, which provide inpatient care.

Section 5.07 of the New York State Mental Hygiene Law describes the process for planning alcoholism and substance abuse services in New York and stipulates that this process be undertaken in partnership with local governmental units. The local planning process results in a Local Services Plan that: identifies needs, resources and gaps in service delivery; develops long term goals, objectives, and strategies; prepares an annual implementation plan; and coordinates the development process. Proposed programs that meet a need defined in the local plans, are consistent with OASAS regulations, and are consistent with statewide funding priorities are included in Local Services Plans for the coming year, subject to the availability of funds.

- **New York State Division of Veterans' Affairs (DVA)**

The New York State Division of Veteran's Affairs (DVA) exists to serve those who served the country. The agency helps veterans, members of the armed forces, their families, and their dependents receive the benefits associated with military service. It provides counseling and assistance so that veterans and others can take advantage of health care, job training, housing assistance, and job location services. The DVA also advocates before local, state, and national government on behalf of veterans and active military personnel. The division was created in 1945.
- **Office for People With Developmental Disabilities (OPWDD)**

The Office for People With Developmental Disabilities is governed by the New York State Mental Hygiene Law requiring the State and its local governments to jointly plan a system of treatment, rehabilitation, and support. OPWDD, through its local Developmental Disabilities Services Offices, works with local governments to develop these plans, which are reviewed and approved by the Regional Office for New York City and the Central Office for the rest of the State. OPWDD issues a five-year plan that details its program of services.

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The Office for Persons With Developmental Disabilities (OPWDD) provides high-quality, person-centered services, supports and advocacy to approximately 125,000 individuals with developmental disabilities and their families. OPWDD works with a network of nearly 700 not-for-profit providers to help people with developmental disabilities lead richer lives that include meaningful relationships, good health, personal growth and productivity and homes in their communities. OPWDD also provides leadership and excellence in the field of research and in developing public policy in the field of developmental disabilities services. In keeping with its commitment to “Putting People First,” OPWDD invests heavily in enhancing its partnership with other state and local agencies. OPWDD is focused on seamlessly meshing its system of service provision with a broad network of state agencies whose work interconnects with the lives of people with developmental disabilities.

- **New York State Housing Finance Agency (HFA)**

The New York State Housing Finance Agency (HFA) was created in 1960 by Article III of the Private Housing Finance Act and is a corporate governmental agency, constituting a public benefit corporation. The legislation creating the Agency determined the purpose thereof to be, in part, the providing of safe and sanitary housing accommodations, at rental rates which families and persons of low income can afford and which the ordinary operations of private enterprise cannot provide. To accomplish such purpose, the Agency issues its bonds and notes to the investing public in order to encourage the investment of private capital through the Agency in mortgage loans to housing companies and eligible borrowers which, subject to state or federal regulations as to rents, profits, dividends and disposition of their property, supply housing accommodations, and other facilities incidental or appurtenant thereto to such families and persons.

HFA administers several housing loan and grant programs. The New York State Affordable Housing Corporation (AHC), a subsidiary of HFA, uses state appropriations to make grants to not-for-profit organizations and local governments to finance home improvements or to lower the purchase price of homes sold to low- and moderate-income homebuyers.

- **State of New York Mortgage Agency (SONYMA)**

The State of New York Mortgage Agency (SONYMA) was created in 1970, pursuant to Chapter 612 of the Laws of New York, 1970, being Title 17 of Article 8 of the Public Authorities Law, in order to alleviate shortages of funds available in the private banking system for residential mortgages within New York State. The State of New York Mortgage Agency's (SONYMA) programs are geared to first time home buyers of owner-occupied, one-to-four unit residences that are required to meet eligibility criteria established by the Agency, which criteria are required by applicable Federal law. SONYMA provides safe, low interest fixed-rate mortgages, down payment assistance and other programs specifically designed to help low- and moderate-income families become homeowners.

- **Project Finance Agency (PFA)**

The New York State Project Finance Agency (PFA) was created in February 1975 to provide long-term financing, not otherwise available, to assist in the completion of New York State Urban Development Corporation (currently the Empire State Development Corporation), to provide the marketing of obligations to finance the purchases, and to provide the payment of UDC debt service. PFA is authorized to channel funds acquired from State appropriations and from the sale of securities to the Empire State Development Corporation. PFA's notes and bonds are secured by a pledge of mortgages owned by PFA as a result of eligible purchases from the Empire State

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Development Corporation or pledged to PFA as a result of eligible loans made to the Empire State Development Corporation.

- **Mortgage Loan Enforcement and Administration Corporation (MLC)**

The Mortgage Loan Enforcement and Administration Corporation was created in 1979 as a subsidiary of the New York State Urban Development Corporation (UDC). MLC's primary responsibility is to service, enforce, and administer 113 residential mortgage loans originally financed by UDC.

- **Roosevelt Island Operating Corporation (RIOCI)**

The Roosevelt Island Operating Corporation of the State of New York ("RIOCI") is a public benefit corporation and a political subdivision of the State of New York. RIOCI was created by the New York State legislature, in 1984, to take responsibility, pursuant to a General Development Plan (GDP), for the development and operation of the 147 acres comprising the former Welfare Island, located in New York City's East River. RIOCI assumed the role of the New York State Urban Development Corporation as lessee under a 99-year Master Lease (running until 2068) from the City of New York.

The GDP, which has been amended from time to time, provides for the development of housing, shops and community facilities for a mixed income, handicap accessible, residential neighborhood. As an island community, Roosevelt Island requires specialized operations and capital infrastructure maintenance such as an aerial tramway, comprehensive garbage compacting system and seawall improvements. RIOCI supplements the very basic services provided by the City of New York, and provides specialized operations and capital improvements.

- **Development Authority of North Country (DANC)**

The Development Authority was created to institute a comprehensive, coordinated program of economic development activities in Jefferson, Lewis, and St. Lawrence Counties, which surround the United States Army base at Fort Drum, in order to provide the region with the capability to effectively plan and develop the infrastructure needs of the region required by the population increase due to the expansion at Fort Drum. The Development Authority is notable among public authorities in New York State because it serves multiple purposes - to address the infrastructure needs and promote economic development in the North Country.

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

Empire State Development (ESD) is New York State's primary agent for economic development, dedicated to making New York the most compelling place in which to live, work and do business.

ESDC has co-headquarters in Albany, Buffalo and New York City, and is supported by a network of additional ESD locations throughout the state and around the world.

ESD works in partnership with the public and private sectors to create an environment that spurs innovation and economic development while enhancing New York State's competitive advantage as the world capital for many industries, ranging from finance and media to technology and agriculture.

Services include:

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- Conducting targeted corporate outreach to companies in key industry clusters while providing retention, expansion and attraction services to the State's largest and most important employers.
- Providing hands-on technical assistance to help businesses, big and small, meet their goals.
- Helping companies identify the financial assistance that will most benefit their business. This includes direct loans, loan guarantees and grants that can help companies reduce the costs of undertaking a job creation or retention project in the State.

- **New York State Department of Labor (NYSDOL)**

The New York State Department of Labor is the State's primary advocate for job creation and economic growth through workforce development. It administers the statewide unemployment insurance (UI) program and assures the safety and health of employees in the workplace. The Department has four principal divisions that directly serve businesses, workforce and other constituencies: 1) Employment Security; 2) Workforce Development; 3) Wage Protection and Immigrant Services; and 4) Worker Protection.

The Division of Employment Security includes the UI program which provides temporary income for eligible workers who lose their jobs through no fault of their own. It encompasses the Shared Work program for businesses that want to retain employees at reduced hours, rather than downsizing. The Research and Statistics Division is also housed under Employment Security and is the premier source of labor market information for New York State.

The Workforce Development Division supports a wide range of workforce employment and training programs which are delivered through more than 80 One Stop Career Centers across the state. The One Stop Career Centers offer assessment and counseling services for adults, including Displaced Homemaker Centers and Disability Program Navigators. The Department also provides centralized administration for workforce programs funded by the US Department of Labor (e.g., Workforce Investment Act, Wagner-Peyser, Trade Act, Veterans) and supports promising practices around the state.

Wage Protection and Immigrant Services includes the Labor Standards division which enforces New York State's Labor Laws. It also administers the Employment Agency Law (Article 11 of the General Business Law) outside of New York City. The Bureau of Immigrant Workers' Rights works to ensure that the Labor Department is accessible to immigrant workers and responsive to their needs.

The Division of Worker Protection includes the Division of Safety and Health and the Bureau of Public Work. These programs use education and enforcement to assure the well being of workers and employer compliance with state labor laws. It also issues licenses that relate to working conditions and publishes Prevailing Wage/ Public Work schedules and updates.

- **The New York State Division of Human Rights (DHR)**

The New York State Division of Human Rights (DHR) enforces the New York State Human Rights Law and exists to ensure equal opportunity to residents in the jurisdictions of employment, housing, public accommodation, education, and credit. The State's Human Rights Law affords our citizens protection against discrimination based on: race; color; creed; national origin; disability; marital status; familial status; arrest and conviction records; and, genetics. The Division oversees the investigation and resolution of complaints of discrimination and seeks to promote

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human rights awareness, acting as a statewide resource in the prevention and elimination of discrimination. DHR was established in 1945, when it was called the State Commission against Discrimination (SCAD). It continues to play an on-going role in the development of human rights policy and legislation for the State.

- **New York State Department of Transportation (DOT)**

To attain its mission the responsibilities, functions and duties of the Department of Transportation include, coordinating and developing comprehensive transportation policy for the State; coordinating and assisting in the development and operation of transportation facilities and services for highways, railroads, mass transit systems, ports, waterways and aviation facilities; and, formulating and keeping current a long-range, comprehensive statewide master plan for the balanced development of public and private commuter and general transportation facilities.

DOT is also responsible for administering a public safety program for railroads and motor carriers engaged in intrastate commerce; directing state regulation of such carriers in matters of rates and service; and, providing oversight in matters relative to the safe operation of bus lines, commuter railroads and subway systems that are publicly subsidized through the Public Transportation Safety Board.

The Americans with Disabilities Act, enacted in 1990, prohibits discrimination against persons with disabilities by public entities in the course of their providing "services, programs and activities" to the public. DOT interacts with the public in a variety of ways and provides diverse services, programs and activities. Numerous ADA-related regulatory requirements are addressed by DOT to ensure ADA compliance.

Local Government

Local governments play a large and extremely important role in the State's housing delivery system. They administer local housing programs, as well as State-funded programs and projects. They are responsible for local planning, are knowledgeable about their local housing markets, and are acutely aware of housing issues and needs in their communities.

The size and capacity of local governments in New York State vary greatly, from New York City government, which operates some of the largest housing programs in the country, to the smaller towns in the State which operate no housing programs. The larger cities and counties directly administer CDBG, HOME, ESGP and HOPWA programs, along with other Federal programs, and have staff capable of administering local programs and projects, plus State-funded local projects. Smaller communities participate through the State's programs, and may apply for funding under the NYS CDBG Program. They combine local staff administrative capability with consultants and local non-profits to administer community development and housing program activities when intermittent grants are received.

The National Affordable Housing Act, the Consolidated Plan, and the CDBG, HOME, ESGP, and HOPWA Programs are built on the premise that local officials are most knowledgeable and capable of determining the activities that best serve local needs. The State recognizes that premise by operating its CDBG, HOME, ESG, and HOPWA Programs through competitive procurement in which local governments and other entities may propose projects and programs that are best suited to local needs.

A significant number of municipalities regularly participate as project sponsors in State-funded housing programs, including the HOME Program, the Housing Trust Fund Program, and the Affordable Home Ownership Development Program. Many operate as recipients, or local program administrators, for the State's HOME, ESG, and HOPWA programs. A significant portion of the State's HOME funds are

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awarded to locally administered programs.

In addition, the State looks to local governments to help identify local non-profits who are capable of developing housing or administering housing programs.

Participating Jurisdictions

According to HUD, a “Participating Jurisdiction” (PJ) is any State or unit of general local government that has been designated by HUD to receive and administer funds directly in accordance with the HOME Program Allocation Formulas. In New York State there are currently 20 Participating Jurisdictions: New York State; New York City; Albany; Babylon; Binghamton; Buffalo; Elmira; Town of Islip; Ithaca; Jamestown, Mount Vernon; Nassau County; New Rochelle; Niagara Falls; Rochester; Rockland County; Syracuse; Utica; Yonkers and Westchester County.

Under the HOME program, a “Consortium” is an organization of geographically contiguous units of general local government acting as a single unit of general local government to meet threshold eligibility levels for the purposes of the HOME Program. The consortia also receive funds directly from HUD. There are currently nine consortia: Amherst Consortium; Dutchess County Consortium; Erie County Consortium; Jefferson County Consortium; Monroe County Consortium; Onondaga County Consortium; Orange County Consortium; Schenectady Consortium and Suffolk County Consortium.

If a unit of general local government fails to obtain, or loses, its designation as a HOME participating jurisdiction, HUD will reallocate to the State, acting as a HOME participating jurisdiction, any HOME funds reserved for that jurisdiction or any remaining funds in the jurisdiction's HOME Investment Trust Fund. The State, in distributing these funds, must give preference to the provision of affordable housing in the jurisdiction to which the funds were originally allocated. The same reallocation procedure applies if a consortium, acting for this purpose as a unit of general local government, loses its designation as a PJ.

In the years following a loss of designation, units of general local government continue to be included in the formula allocation of local HOME funds. They can receive those funds directly, if they established anew their designation as participating jurisdictions. If they fail to do so, the funds reserved for them will be allocated to the State, as described above. The situation is somewhat different where consortia are concerned. Once a consortium loses its designation, it ceases to exist for the purposes of allocating subsequent local HOME funds. Those funds will, therefore, be allocated elsewhere, via the national pool, with no certainty that any portion will come to New York communities.

Community Housing Development Organizations (CHDOs)

Under the Federal HOME Program, New York State is required to reserve a minimum of fifteen percent of each year's allocation of HOME funds for projects developed, owned, or sponsored by community housing development organizations (CHDOs). Federal program regulations set forth the requirements that an organization must meet to qualify as a CHDO.

A CHDO is a community-based not-for-profit organization that has or intends to retain staff with the capacity to develop affordable housing for the community it serves.

A CHDO must maintain at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income neighborhoods, other low-income community residents, or elected representatives of low-income neighborhood organizations. It also must provide a formal process for low-income program beneficiaries to advise the organization in all of its decisions regarding the design, development, and management of all HOME assisted affordable housing projects.

A CHDO may be chartered by a State or local government; however, the State or local government may

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not appoint: (1) more than one-third of the membership of the organization's governing body; (2) the board members appointed by the State or local government may not, in turn, appoint the remaining two-thirds of the board members; and, (3) no more than one-third of the governing board members are public officials. If the CHDO is sponsored or created by a for-profit entity, the for-profit entity may not appoint more than one-third of the membership of the CHDO's governing body, and the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members. The CHDO must not be controlled by a for-profit entity or a local government.

Not-for-profit Organizations

Not-for-profits in New York State housing are the primary providers under New York State housing programs. These organizations are responsible for both providing housing services and for the actual physical development of affordable housing in all parts of the State, urban, suburban, and rural. Not-for-profits not only are eligible applicants for New York State's housing programs and most of its housing service programs, but also play a major role in leveraging private funds. An extensive network of non-profit neighborhood- or community-based organizations (CBOs) exist that are involved directly in the production and/or management of affordable housing.

The State supports a locally based network of these organizations. In large part as a result of two New York State programs, a network of not-for-profit organizations provide housing services in many localities across the State. The Neighborhood Preservation Program (NPP) was established in 1977 by Article XVI of the Private Housing Finance Law of New York State. Article XVI authorizes New York State Division of Housing and Community Renewal to contract with not-for-profit community-based housing corporations for the performance of neighborhood preservation activities. The Rural Preservation Program (RPP) was established in 1980 by Article XVII of the Private Housing Financing Law of New York State. Article XVII authorizes New York State Division of Housing and Community Renewal to contract with not-for-profit community-based housing corporations for the performance of community preservation activities. NPP and RPP program funds can only be used for administrative and planning costs including the payment of staff salaries, office rental, equipment, utilities, travel, and the hiring of technical or consulting expertise.

The NPP is limited to organizations serving areas where, in addition to other criteria, a substantial proportion of the population is of low income defined as not exceeding 90 percent of the municipal median income. The RPP is limited to organizations serving in rural areas having population of less than 25,000 which contain significant unmet housing needs of persons of low income defined as not exceeding 90% of median income for the region.

DHCR enters into three-year contracts with the organizations it selects for funding under the RPP and NPP. Administration of the program involves application review, contract negotiation and processing, monitoring for contract compliance through report review and site visits, and the provision of technical assistance to maximize the impact that funded companies have upon their communities.

State legislation has created special types of corporations called Housing Development Fund Companies (HDFCs), which are organized to own specific housing properties and are regulated by either the State or a municipality. A vehicle for bringing low-income tenant cooperators into the housing delivery network, HDFCs are eligible to apply for interest-free predevelopment loans from a State revolving loan fund and for special abatements of local property taxes.

A number of non-profit housing partnerships have been created specifically to blend the resources of the public and private sectors in the creation of affordable housing. Some of these partnerships are made up primarily of local lenders and act as a funnel through which conventional financing is made available for affordable housing projects; others are more broadly based and act as developers or sponsors.

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Private Sector

The private sector is an important component of the housing programs in New York State, including the construction of housing in New York in the form of public/private partnerships. Many private builders/developers participate by sitting on boards of directors of not-for-profit groups. Private construction companies are utilized to construct affordable housing. As a result, they are responsible for completion time lines, quality of construction and completion of the housing within a prescribed budget. In addition, private industry influences the cost of housing construction. As more efficient ways to manufacture goods for the housing industry are developed, construction time frames are reduced, and better ways to manage the construction process are developed by the private sector, the cost of housing will be affected.

Private corporations outside the construction industry have become major investors in low income housing through the Low-Income Housing Tax Credit program. That program, which is set forth in the Internal Revenue Code, allows investment in a housing project in exchange for tax credits. The developer of housing benefits through the infusion of equity funds to a project, while the investor benefits from the use of the credits. The credit is a dollar-for-dollar reduction in the investor's federal tax liability.

The private sector as well as government and not-for-profit organizations are important components in the institutional structure through which the State will carry out its housing plan. Clearly, without one of these components the structure could be weakened.

Assessment of Present Institutional Structure

The institutional structure of public, private, and not-for-profit agencies that presently implements the State's housing strategy is comprehensive. While many organizations are involved and the delivery of housing is targeted toward many specific populations, the multitude of organizations can work together to implement this Consolidated Plan.

- **Building on Assets**

State agencies have the ability and expertise to deliver services and programs to their clients efficiently and effectively. Staff possess years of experience in their respective fields. Agencies constantly review procedures and programs for ways to improve efficiency.

Good communication among State agencies is also a strength of the existing institutional structure. Through task forces such as the National Affordable Housing Act (NAHA) Task Force, not only do the heads of the member agencies periodically meet, but the liaisons appointed by the agencies also meet regularly. Meetings among agencies are used to discuss strategies to improve and better coordinate programs and projects. The Task Force promotes greater interagency coordination of mission related goals. This aids in the establishment of a presence at the national level aimed at influencing housing and community renewal policy.

Several State agencies are involved in the development of housing for special needs populations and employ experts in their respective fields. The Office of Temporary and Disability Assistance, which administers ESGP and HOPWA, and OASAS, OMH, the AIDS Institute, DOH, OPWDD, and NYSOFA are all very experienced in helping special needs populations.

HTFC administers the HOME Program, providing funding for the creation and preservation of affordable housing in the State. Consequently, HTFC and its actions impact the delivery of that housing. HTFC's recent improvements to the application and application review procedures for the HOME program provide housing funds through an improved process. HOME program funds and matching monies reach the communities faster and, because of a well-designed application, are directed toward higher quality projects.

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New York State's dependence on local governments and organizations is an important part of the State's efforts to expand affordable housing opportunities. This partnership provides the State with excellent information on the housing needs of their communities. This information can then be assembled to provide housing needs on a statewide comprehensive basis.

The extensive network of private and not-for-profit organizations that are involved in housing activities in the State helps to ensure that a wide variety of housing needs are being examined and served. These groups work closely with State staff to develop affordable housing.

Other State agencies are important to the implementation of the State's housing plan. Agencies such as SONYMA and HFA provide tools to housing providers in the delivery of housing across a broad spectrum of income levels. The wide ranging programs that these agencies are able to provide contribute to New York State's design to provide the needed tools to develop housing.

Housing programs in New York are administered by a number of State agencies, sometimes resulting in housing providers dealing with several agencies in order to undertake one proposal.

Public/private partnerships in the development of affordable housing have been expanded. The maximum participation by both sectors is the key to successfully building housing at the lowest possible cost that is affordable to low and moderate income people.

DHCR and the Housing Trust Fund Corporation have recently improved applications and review procedures; improvement will continue. This will help reduce the time between filing of a funding application and approval. Consequently, the funding will reach the local housing provider more quickly thereby improving the delivery of housing. The continuing effort to improve the application and review process will result in the development of higher quality housing projects. Grantees will become more efficient in their provision of housing activities to the community.

Closing Gaps in the Institutional Structure

The coordination of State, Federal, and private resources will improve access to housing and community development resources. The partnership of private, non-profit, and public groups should be able to find available resources. This easy access will help insure that the resources are efficiently and wisely used to meet the needs of New York's neighborhoods and communities.

New York State will continue to analyze the delivery system of affordable housing to identify areas of problem 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.

Agencies administering federal grant programs covered by the Consolidated Plan will build upon recent improvements in the application processes. Every aspect of the process will be re-examined to identify problems in processing applications or the application itself. The goal is to operate the most efficient and effective programs possible.

The private sector will be encouraged to continue to participate in the development of affordable housing. Local housing providers will be encouraged to solicit participation by the private business community whether it is financial, expert advice or sitting on boards of directors of not-for-profits. These public/private partnerships must be strengthened.

The efficiency of the government approval process, local, state or federal, should be examined.

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Coordination of these approval processes could shorten the time needed to review a project. Technical assistance to housing providers could help ease their frustration, help them design better projects, and improve relations with community leaders.

Another component was the sponsorship of statewide workshops such as *HUD's Lead Based Paint Final Rule Requirements in Federally Owned and Assisted Housing*. DHCR offered several full, 3-day courses patterned after the course sponsored directly by HUD, as well as condensed, one-day workshops across the state. The HUD grant also allowed the creation of virtual and physical libraries, and three videos on the HOME program titled *Selecting a Good HOME Project*, *Using HOME Funds to Develop Owner-Occupied Housing*, and *Using HOME Funds to Develop Affordable Rental Housing*. DHCR's Technical Assistance Unit is now investigating the use of CD-ROMs to improve distribution of HOME program videos.

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Section 91.315 (j) Coordination

“The consolidated plan must describe the state’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies. With respect to the public entities involved, the plan must describe the means of cooperation and coordination among the State and any units of general local government in the implementation of its consolidated plan.”

Overview

New York State emphasizes coordination with public and assisted housing providers and private and governmental health, mental health, and service agencies. It is a priority of the State's Homes and Community Renewal (DHCR), to strengthen and expand partnerships in housing and community development. These partnerships include all public and assisted housing providers as well as private and governmental health, mental health and service agencies that do business with the State's housing programs.

Vehicles for communication and coordination include the Consolidated Plan Partnership Advisory Committee; Task Forces; meetings with representatives of Public Housing Authorities, owners and agents of Mitchell-Lama Housing projects and tenant groups such as the NYS Tenant and Neighborhood Coalition and the Mitchell-Lama Residents Coalition; and State participation in conferences and training for housing and service providers and local governments. Assistance is also provided to enhance coordination among private and governmental health, mental health and service agencies for State-financed projects housing special needs populations. New York State also actively coordinates and cooperates with units of general local government in the preparation and implementation of its Consolidated Plan. A description of the various coordinating entities follows.

Consolidated Plan Partnership Advisory Committee

The Consolidated Plan Partnership Advisory Committee provides guidance to New York State in the development of the State's Consolidated Plan, including goals, priorities and strategies. The Partnership Advisory Committee is comprised of representatives of statewide not-for-profit, religious, charitable, service, banking and financial, governmental, and housing trade organizations and associations, as well as public and private partnerships engaged in providing or advocating for affordable housing and services. The Partnership Advisory Committee also assists in the communication of the Consolidated Plan development process and events to their membership and networks to encourage Citizen Participation, such as public hearings. These communications are designed to promote broad and in-depth outreach to all interested individuals and organizations regarding every aspect in the development of the Consolidated Plan.

Participating organizations in the Partnership Advisory Committee also interact with New York State's housing agencies on a routine basis regarding all housing programs and services provided by the State. These interactions are encouraged and fostered either in the development of the Consolidated Plan and in numerous other coordination and communication efforts.

New York/New York III Supportive Housing Agreement

In 1990, an historic agreement was established between the City of New York and the New York State Office of Mental Health to jointly fund and develop community-based housing units and support services for individuals who had a serious mental illness and were homeless. The purpose of that initiative, commonly known as the NY/NY Agreement, was to lessen the demands on the public shelter and psychiatric treatment system. Building on the success of the original initiative to provide safe and

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affordable housing to homeless persons with serious mental illness, a second city/state partnership was established in 1999. The NY/NY Agreements, in total, resulted in the creation of more than 5,300 units of supportive housing for persons with mental illness.

On January 19, 2005 the Interagency Advisory Task Force on Housing for People with Special Needs hosted a meeting that brought together Task Force Members and the New York City Commissioners of the Departments of Housing Preservation and Development, Corrections, and Homeless Services. At that landmark meeting an important discussion began on how the City and State might collaborate to provide increased opportunities for affordable housing and supportive services for people with special needs.

These discussions continued over the ensuing nine months and an agreement was constructed that will build upon the City and State's previous efforts. On November 7, 2005, the State and City announced agreement on another historic homeless housing initiative that will provide an additional 9,000 supportive housing units for individuals and families who are living on the streets or in emergency shelters in New York City. The New York/New York III Supportive Housing Agreement will provide 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. In addition to applying the lessons learned from earlier initiatives, NY/NY III will incorporate a greater understanding of supportive housing over the last decade in relation to models and access, recovery and hope, and implementation of evidence-based practices.

Current research shows that individuals placed in supportive housing experienced marked reductions in shelter use, hospitalizations, length of stay per hospitalization, and time incarcerated. Before placement, homeless people with severe mental illness used about \$40,500 per person per year in services (1999 dollars). Placement was associated with a reduction in services use of approximately \$16,000 per housing unit per year, including a decline in the use of public health services.

In comparison to previous homeless initiatives, the current proposal includes an expansion of the target population, and the service model. While NY/NY I and II focused solely on homeless single adults with serious mental illness, many of the individuals who are considered to be chronically homeless also include 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.

Through a newly incorporated focus on prevention, the target population is expanded beyond persons who are currently living in shelters or on the streets to also include persons who are considered to be at risk of becoming homeless, based on their current status or history. To ensure that those most in need of supportive housing are given preference within the new units, priority access will be given to those who have had extended stays in the City's shelter system.

The New York State Office of Mental Health (OMH), Office of Temporary and Disability Assistance (OTDA), Office of Alcohol and Substance Abuse Services (OASAS), and Homes and Community Renewal (DHCR) will work together to implement this initiative.

When fully implemented in 2016, the NY/NY III Agreement will represent an approximate investment of more than \$1 billion. This represents a Capital investment of \$953 million for 9,000 beds at a full annual operating cost of approximately \$160 million. Capital development will be shared equally by New York State and New York City. Operating costs for Seriously and Persistently Mentally III (SPMI) units will be covered in full by the State, and costs for non-SPMI units will be shared equally between the State and

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the City.

This successful agreement addresses a number of overlapping special needs, and integrates a variety of supportive housing models that will provide an opportunity for people to live independently in the community of their choice while addressing the problem of chronic homelessness.

NY/NYIII commits five New York State and five New York City agencies to develop a total of 9,000 supportive housing units within New York City over the next ten years. Supportive housing is defined as the pairing of rental assistance and supportive services in either a congregate building constructed or renovated for this purpose or in scattered-site apartments acquired for the purposes of housing. The target populations for housing developed under NY/NY III are individuals and families with serious mental illness, persons with disabling substance abuse disorders, persons with HIV/AIDS, medically frail and elderly persons, and young adults who have left the foster care system. All are chronically homeless or at risk of becoming chronically homeless. During 2007, a number of projects and units were funded and are in varying stages of development. During 2009, additional projects were funded bringing the total projects assisted by DHCR/HTFC to 11 projects, including 343 units for eligible NY/NYIII populations.

Most Integrated Setting Coordinating Council (MISCC)

The Most Integrated Setting Coordinating Council (MISCC) is a statutorily created council that is developing and implementing a plan to ensure that all people with disabilities receive services and supports appropriate for their needs in the most integrated setting. The MISCC is comprised of thirteen State agency representatives and nine public advocates and is chaired by the Commissioner of OPWDD. This collaboration provides the opportunity to address cross-system issues, including creating employment opportunities, access to affordable housing and access to transportation. These combined voices have informed the development of a draft 2010 MISCC plan and collection of housing and employment data.

The draft 2010 MISCC plan was a significant accomplishment for both council members and stakeholders. Since 2002, MISCC has produced retrospective annual reports focused on activities from the previous year. MISCC, however, did not provide a plan for moving forward until now. There is now a draft 2010 MISCC plan in addition to the annual report. The draft MISCC plan focuses on short term priorities that agencies will work on over a two-year period to assist individuals with disabilities to live in the most integrated setting.

Under the MISCC, DHCR chairs a Housing Committee to address barriers to affordable housing. Three workgroups were formed around Housing Subsidies, Data, and Education to address priority issues. The MISCC Housing Committee also served to support the Nursing Home Transition and Diversion Waiver (NHTD) Housing Subsidy and the Affordable Housing Registry project.

The NHTD Housing Subsidy is funded through an annual State appropriation of approximately \$2 million to the Department of Health (DOH) to be administered in partnership with DHCR. DHCR has been able to offer this housing opportunity in every county in the State by utilizing DHCR Section 8 Local Administrators (LAs) under contract in 50 counties in conjunction with Section 8 PHAs in counties outside of DHCR's Section 8 Jurisdiction. The NHTD Housing Subsidy is administered in a manner parallel to the Section 8/Housing Choice Voucher Program in coordination with the DOH Regional Resource Development Centers. In a historic partnership that evolved through the MISCC Housing Committee, DOH providers and DHCR housing experts are working together in a new and innovative manner to transition and divert individuals from institutional settings.

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Livable New York

The Livable New York Initiative was established to carry out the intent of a Chapter 58 of the Laws of 2007. The initiative is being implemented by the New York State Office for the Aging and the Department of State, together with assistance from professionals, community leaders, and consumer from across the State and with the collaboration several state agencies, including DHCR. It was designed to lead to local action by providing technical assistance tools for community leaders and stakeholders to plan and prepare for the challenges and opportunities presented by changing demographics. The initiative seeks to promote personal and community empowerment that allowing seniors to age in the community with dignity.

New York Makes Work Pay Initiative

The New York Makes Work Pay Initiative (NYMWP) is funded through the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services Comprehensive Employment Systems Medicaid Infrastructure Grant. The grant is administered on behalf of New York State by the NYS Office of Mental Health and Research Foundation for Mental Hygiene. NYMWP builds upon New York's rich history of engaging in employment systems change efforts to affect positive work outcomes for New Yorkers with disabilities. The New York State **Office of Mental Health** (OMH) and their management partners Cornell University's **Employment and Disability Institute** (EDI) and Syracuse University's **Burton Blatt Institute** (BBI), and the New York State **Department of Health** (DOH) work together with the state agencies, including DHCR, and organizations comprising the membership of the Governor's **Most Integrated Setting Coordinating Council's Employment Committee** (MISCC) in designing and implementing this comprehensive statewide strategy to close the employment gap for individuals with disabilities.

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 Division of Housing and Community Renewal (DHCR) is one of ten state agency members of the DDPC, which also includes persons with developmental disabilities or their parents/guardians and representatives of 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. DHCR participates on the Adult Issues Committee, which includes issues related to housing for adults with disabilities.

Coordination with Energy Assistance Programs

The Weatherization Assistance Program (WAP) is a federally-funded program administered by the DHCR Office of Community Development. New York operates the largest weatherization program in the nation, and has long been a leader in both the technical development of the program and in efforts to coordinate energy conservation activities with housing development and preservation programs.

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Funding for WAP is provided by formula allocation from the US Department of Energy (DOE), and through a set-aside of Home Energy Assistance Program (HEAP) funds, passed through the Office of Temporary and Disability Assistance (OTDA).

The program is administered through 66 non-profit subgrantees. Subgrantees perform outreach, accept applications and install energy efficiency measures (both with their own staff and through the use of sub-contractors) in the homes of eligible low-income families and individuals to reduce energy consumption, lower energy and fuel bills, and make the homes healthier, safer and more affordable to live in. Eligibility for Weatherization assistance in New York State is set at 60% of the State Median Income, which is the cutoff used in the HEAP.

Recently, program funding levels have increase significantly, from an average of \$60 million per year through 2008, to more than \$100 million in 2009, due to a supplemental appropriation of WAP funding from DOE and a significant increase in HEAP appropriations. Then, the American Recovery and Reinvestment Act (Recovery Act) provided an additional \$394 million in WAP funds to New York State for the period from 2009-12, in addition to regular program allocations.

Coordination of energy and rehabilitation programs with other Office of Community Development activities has enhanced DHCR's ability to pursue "whole-house" solutions, and has expanded the effectiveness of the both program areas. Availability of funding for non-energy related repairs helps secure energy conservation investments in assisted buildings, and providing WAP funds reduces operational costs to tenants and owners of assisted housing. WAP also ensures that strict health and safety protocols are followed, by improving indoor air quality, adhering to lead-safe work practices, and performing extensive heating system safety evaluations in assisted buildings. Finally, WAP protocols have helped foster acceptance of state of the art building science practices within the larger housing provider community in the State.

Recovery Act funds provided an opportunity to expand program activities to assist additional multifamily projects and to address the backlog of assistance throughout the State. Typically, subgrantees had waiting lists of households seeking assistance that exceeded of two years. Also, many subgrantees in Upstate New York had only limited experience in assisting multi-family housing (although overall, about 60% of units assisted by WAP are in multi-family buildings). Recovery Act funds were targeted to assist specific portfolios of multi-family housing (such as Section 8 Project-Based projects) and additional subgrantees with expertise in those portfolios were provided with funding.

Ultimately, more than 45,000 units will be assisted with Recovery Act funds, in addition to the approximately 12,000 units per year assisted with regular allocations.

Energy Conservation

DHCR's Office of Housing Management is actively involved with the New York State Energy Research and Development Authority's (NYSERDA) Publicly-Assisted Housing Program and others to develop and package projects to improve the energy performance of low-income housing developments. Measures under consideration or in progress include: heating system improvements; conversions of heating systems from electric to gas; lighting retrofits; water conservation; and, elevator upgrades.

During Program Year 2011, the Office of Housing Management will continue initiatives to strengthen monitoring procedures to make certain that energy utilization information is reported accurately and can be relied upon for analysis purposes. As part of this endeavor, the required reporting forms including the Utility Consumption Record (used to record all essential energy-related information) and the Report on

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Maintenance of Heating Equipment (a working tool in maintaining heating equipment throughout the year), are now available in an electronic format on the DHCR website, and may be submitted electronically by housing companies. The revised forms and the ease of access has greatly enhanced the effectiveness and accuracy of their utilization and reporting.

Based upon the information already provided through these reporting forms, the Office of Housing Management has developed a database containing comprehensive information on building systems, energy performance information, and expenditures for energy in all properties in the portfolio. Through this database, the energy performance of each property is profiled in terms of BTU/square foot/heating degree day; and properties identified as operating outside of normal parameters are targeted for special attention and for remedial action.

Neighborhood and Rural Preservation Programs

Since the establishment of the Neighborhood Preservation Program (NPP) in 1977 and the Rural Preservation Program (RPP) in 1980, Neighborhood and Rural Preservation Companies have been transforming communities throughout New York State. DHCR, which is authorized to administer both of these programs by Articles XVI and XVII of the Private Housing Finance Law, provides administrative funding to both Neighborhood Preservation Companies (NPCs) and Rural Preservation Companies (RPCs) through one year renewable contracts for the performance of housing and community preservation activities.

NPCs and RPCs are on the frontlines of the battle to increase affordable housing opportunities for low and middle-income families and persons with special needs. Whether it is assisting first-time homebuyers obtain low-interest mortgages, organizing tenant associations, or rehabilitating apartments in an old building, these community organizations are making a direct impact on the quality of life of New Yorkers in the inner cities, small towns and the more remote rural communities of our State. Preservation companies have formed partnerships with entities of federal, state and local governments, lending institutions and the private for-profit sector. Using grants and loans from various governmental programs to leverage private investment in thousands of projects of varying sizes, NPCs and RPCs are building new housing units, preserving old ones, and in so doing, creating an economic environment conducive to growth and the expansion of opportunity.

Smart Growth Cabinet

The Governor's Smart Growth Cabinet was created by Executive Order in December 2007. The Cabinet consists of representatives from several state agencies, including DHCR, that affect growth, development and land use. The Cabinet is Co-Chaired by the Governor's Deputy Secretary for the Environment and Deputy Secretary for Economic Development and Infrastructure. Cabinet members are pooling their resources and expertise to promote better land use practices on the state and local level. The Executive Order directs the Cabinet to achieve to ensure that state agency practices conform to Smart Growth principles; and to develop a set of state policy initiatives that will help communities achieve Smart Growth on the local level.

Children's Cabinet

The Governor's Children's Cabinet (referred to as Children's Cabinet) was established by [Executive Order](#) on June 12, 2007 to provide improved services to children in the areas of health, education, safety and general child welfare. Governmental programs collaborate to develop and implement effective, efficient and coordinated service delivery to ensure that all of New York's children are given an equal

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opportunity to reach their full potential.

New York Main Street Program

The New York Main Street program provides financial resources and technical assistance to communities to strengthen the economic vitality of the State's traditional Main Streets and neighborhoods. The NY Main Street grant program provides funds from the New York State Housing Trust Fund Corporation (HTFC) to municipalities, business improvement districts and other not-for-profit organizations that are committed to revitalizing historic downtowns, mixed-use neighborhood commercial districts, and village centers.

New York's Main Streets are in transition. While many downtown and neighborhood retail districts have seen new life, with significant investment in the development of civic, commercial and residential projects, others have not yet experienced this trend. Many of these communities can once again thrive with proper management and strategic investment of public and private resources.

Main Street grants are revitalizing downtowns through targeted commercial/residential improvements such as facade renovations, interior residential building upgrades and streetscape enhancements. Cultural anchors, such as theatres or museums, have also been renovated with Main Street funds.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 STRATEGIC PLAN – LOW-INCOME HOUSING TAX CREDIT USE

Section 91.315 (k) Low-Income Housing Tax Credit Use

“The consolidated plan must describe the strategy to coordinate the Low-income housing tax credit with the development of housing that is affordable to low-income and moderate-income families.”

Overview

The Low Income Housing Credit was enacted in 1986. In recent years a series of rule changes at the federal level have greatly facilitated the use HOME funds in LIHC projects.

Low-Income Housing Tax Credit Strategy

The State's strategy will continue to focus on combining the LIHC with available public subsidies on the Federal, State, and local levels. It is through this combination that most of the low-income rental housing developed by New York attains financial feasibility and viability. A predictable flow of LIHC allocated to New York will allow the State 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.

Pursuant to Executive Order 135, the LIHC program in New York functions under a multiple housing credit agency system. Tax credits allocated to the State are originally administered by DHCR as lead housing credit agency. The order further authorizes DHCR to apportion the LIHC to designated State and local housing credit agencies concerned with housing. DHCR solicits from each housing credit agency their Qualified Allocation Plan for use of the LIHC in order to facilitate a more efficient annual and future year apportionment of LIHCs.

Virtually all of the projects receiving an allocation of LIHC from DHCR have at least one other public subsidy as part of the project financing package. DHCR uses the LIHC to leverage private investment in projects using HOME and/or Housing Trust Fund monies. The LIHC reduces the need for HOME and/or Housing Trust Fund monies in projects, and thereby allows DHCR to produce additional affordable housing over and above what would be realized through the sole use of HOME and Housing Trust Fund dollars.

NEW YORK STATE CONSOLIDATED PLAN 2011-2015 STRATEGIC PLAN – PUBLIC HOUSING RESIDENT INITIATIVES

Section 91.315 (l) Public Housing Resident Initiatives

“For a state that has a State housing agency administering public housing funds, the consolidated plan must describe the State’s activities to encourage public housing residents to become more involved in management and participate in homeownership.”

Overview

New York State does not directly own or administer Federal public housing. Therefore the requirements of this section do not apply to New York State’s Consolidated Plan. However, New York State recognizes the additional statutory requirements of Section 105(b)(11) and Section 105(g) of the CHAS statute, as amended by the 1998 Appropriations Act. Although it must be recognized that these additional requirements place considerable and unique burdens on a State with 207 Public Housing Authorities (PHAs), the State of New York is complying with these additional requirements by conducting ongoing consultations with PHAs to determine the needs of the PHAs and to identify ways in which the State can assist in addressing these needs.

Public Housing

DHCR, in coordination with the State’s Housing Trust Fund Corporation, has engaged a group of private consulting firms to perform Physical Condition Surveys and Lead-Based Paint Surveys for 25 State-aided public housing projects located throughout New York State. The purpose of the surveys is to permit Housing Authority (HA) projects, which have not had updated surveys or recently received Public Housing Modernization funding, to develop long-range plans for the repair, replacement or renovation of defective, deteriorating or deficient structural and physical building systems. Separate reviews are also being conducted to detect the presence of hazardous materials (asbestos, lead paint) in HA projects

Through the implementation of this 2011 - 2015 Consolidated Plan, the State’s goals for these activities are to:

- identify all PHA(s) in New York State and determine how many are considered distressed by HUD; and
- request that PHA(s) submit a Physical Condition Survey summary or statement of need, with the data compiled, tabulated and reported in the State’s Consolidated Plan Needs Assessment.

The State does have a State public housing program. Tenant participation in the management of housing authorities is not only encouraged in this State, but mandated in New York’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. The underlying philosophy has been to ensure that tenants’ needs and concerns are effectively communicated to the governing body of the authority and, when necessary, to DHCR, as the supervising State agency.

The State also continues to explore the potential of restructuring public housing units in order to preserve the life of existing public housing units. DHCR has implemented a number of such proposals in recent years, and these efforts continue. Generally, resources committed include tax credit proceeds and State Public Housing Modernization funds. The housing remains as affordable housing, but is privately owned for low-income persons subject to tax credit compliance. The plan includes substantial rehabilitation and a reconfiguration of units to accommodate larger sized families.

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ACTION 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 2011.

Principal Federal Resources

During 2011, it is estimated that federal funding for these four (4) programs will be available as follows:

• NYS Community Development Block Grant Program	CDBG	\$ 52,000,000¹
• HOME Investment Partnerships Program	HOME	\$ 38,871,418
• Emergency Shelter Grants Program	ESG	\$ 3,207,498
• Housing Opportunities for Persons with AIDS Program	HOPWA	\$ 2,139,773

Other Resources - 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 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**

The newly-formed New York State Division of Housing and Community Renewal 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.

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.

The new alignment takes similar programs that 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 DDHCR and organizes them into three units led by one manager and a dedicated staff:

- **Finance and Development** unit will align 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.
- **Housing Preservation** will include 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.
- **Community Renewal** - will include all the programs geared toward community and economic development, job creation and downtown revitalization, including the NYS Community Development Block Grant Program, NY Main Street program, Affordable Housing Corporation, Neighborhood Stabilization Program and the Neighborhood and Rural Preservation programs.

Administrative and support services, including Communications, Legal affairs, Administration, Fair Housing, Policy Development, and Accounting and Treasury will fall within the Office of the President. The Mortgage Insurance Fund will continue to be administered as an independent office reporting directly to the Commissioner/CEO. This new 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 its 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.
 - **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.
 - **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, Grow New York, Agricultural Tourism, and Farmers' Markets programs.

- **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.
- **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 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.

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.

- **DH-1 Increasing the availability/accessibility of decent housing**
To pursue this objective and outcome, New York State will, in 2011 rehabilitate about 1,500 units of affordable housing and provide approximately 1,377 persons with services to prevent homelessness.
- **DH-2 Increasing the sustainability of decent housing**
To pursue this objective and outcome, New York State will, in 2011, produce approximately 530 units of affordable rental or home-ownership housing, provide purchase assistance subsidies to about 115 households, and help approximately 440 households with 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 2011, assist about 13,292 persons by funding essential services, assist approximately 12,044 persons by funding maintenance and 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 2011, 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 2011, 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 2011, fund economic development and small business assistance activities which will create or retain about 1,000 permanent, full-time equivalent jobs.
- **EO-2 Increasing the affordability of economic opportunity**
To pursue this objective and outcome, New York State will, in 2011, assist about 30 small 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 2011 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 (4) 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. HTFC is a public benefit corporation, created by statute, which acts through a Board of Directors chaired by the Commissioner of New York State Division of Housing and Community Renewal (DHCR). 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 HTFC 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.

NYS CDBG Program/Federal Resources

It is currently estimated that \$52 million will be available in 2011. 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 two percent (2%) of the gross allocation plus \$100,000 for program administration. Secondary funding may include up to one percent (1%) for technical assistance and capacity building, up to one percent (1%) for community planning, and up to three percent (3%) for 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 intends to allocate available funds to eligible non-entitlement grant recipients during the 2011 Program Year in the following manner:

Community Development Competitive Round	58%
Economic Development Open Round	33%
Innovative Projects and Special Assistance	3%
Imminent Threat	2%
Program Administration	2%
Technical Assistance and Capacity Building	1%
Community Planning	1%

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 funds is based on need, the manner in which the activities address the need, the overall impact to the community, and prior performance during the period of PY 2000-2010.

Method of Distribution

As stated, approximately \$52 million is anticipated to be made available for the 2011 Program Year. The description that follows outlines the fundamental rating methodology, identifies the funding categories, and summarizes the criteria used in making project selections for the competitive round of funding. Applications received under the open-round economic development program are reviewed following standard underwriting guidelines established by HUD and evaluation criteria established by the State. Applications within the funding categories of Housing and Public Facilities are rated against other projects of the same category and scored as outlined below with a maximum score of 600 points. For example, housing rehabilitation projects will only be rated against other housing rehabilitation projects, according to the applicable criteria.

• Project Scoring	
1. Municipal Poverty Points	150 points
<i>a. Absolute number of persons in poverty</i>	
<i>b. Percent of persons in poverty</i>	
2. Assessment Points	400 points
3. FHEO Points	30 points
<i>a. Provision of Fair Housing Choice</i>	
<i>b. Equal Opportunity Employment</i>	
4. New York State Initiatives Points	20 points
<hr/>	
Total	600 points

1. **Municipal Poverty Score**
 - a. **Absolute number of persons in poverty**
New York State will use 2000 census data to determine the absolute number of persons in poverty residing within the applicant’s unit of general local government. Applicants that are county governments are rated separately from all other applicants. Individual need scores are obtained by dividing each applicant’s absolute number of persons in poverty by the greatest number of persons in poverty of any applicant and multiplying by 75.
 - b. **Percent of persons in poverty**
New York State will use 2000 census data to determine the percent of persons in poverty residing within the applicant’s unit of general local government.

Individual need scores are obtained by dividing each applicant's percentage of persons in poverty by the highest percentage of persons in poverty of any applicant and multiplying by 75.

2. **Assessment Points**

Within each category, individual projects will be assessed based on the extent to which they meet the category-specific assessment criteria. Scoring will be based on a maximum of 400 points with the most points being awarded to projects that have demonstrated exceptional compliance with the assessment criteria identified for each category; 300 points will be awarded to projects that have substantially demonstrated compliance with the assessment criteria; 200 points will be awarded to projects that have moderately demonstrated compliance with the assessment criteria; and 100 points will be awarded to projects that have minimally demonstrated compliance with the 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 other program 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

3. **Outstanding Performance - Fair Housing/Equal Opportunity**

Applicants will receive 20 points toward their total score for demonstrating their efforts to provide assisted housing to low- and moderate-income families in ways that promote housing choice in areas outside of minority or low- and moderate-income concentrations. Strict documentation of such effort is required.

Applicants will receive 10 points towards their total score for demonstrating that their percentage of minority, full-time, permanent employees is greater than the percentage of minorities in the applicant's community. Strict documentation evidence is required, and HUD definitions of minority status apply.

4. **New York State Initiatives Points** – NYS Initiative Points will 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 green building, broadband, main street, or shared municipal services. Strict adherence to requirements outlined in the grant application is essential in order for an applicant to

receive the points.

- **Funding Limits for Eligible Applicants
Annual Competitive Round**

- **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.

- **Open Round 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

**Exceptions to these limits may be made 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 economic impact.*

- **Other Limitations**

- Applicants may submit more than one (1) application during the competitive round. However, the requested amount of funding for a town, village or city may not exceed a total of \$600,000, of which a maximum of \$400,000 may be requested for housing and public facilities activities. Counties may apply for a total of \$750,000 with a maximum of \$400,000 for public facilities.
- Joint Applicants may apply for more than one (1) application during the competitive round, but the total amount requested by each jointly and individually cannot exceed \$900,000 and the maximum amount allowable for the funding category.
- An applicant may apply for and be awarded an open round economic development grant in the same program year as it applies for and is awarded an annual competitive round grant.
- 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 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 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 New York State's Action Plan. New York State may use these to fund primary or secondary funding categories and/or administration, subject to 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 HTFC's Office of Community Renewal website at www.nysocr.org).
- Applications are reviewed to determine completeness, eligibility of applicant and activity, as well as compliance with threshold criteria.
- Applicants that submitted incomplete applications will be required to submit the required documentation within ten (10) working days from notification.
- Applications are evaluated, scored, and ranked.
- Grant awards are announced.

- **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 2011 Program Year, HTFC will provide opportunities for the primary categories of funding: housing; public facilities (including infrastructure); and economic development. At least seventy percent (70%) of the funds will be used to benefit low- and moderate-income persons. 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.

ANNUAL COMPETITIVE ROUND

Housing

There are two (2) types of housing projects eligible for CDBG funding: housing rehabilitation, including replacement or conversion from non-residential to residential and the replacement of deteriorated mobile and manufactured home units, and direct homeownership assistance. Each applicant determines the best approach to address the housing needs of low- and moderate-income persons based upon a needs analysis and detailed survey of housing conditions. Housing activities may include the acquisition or rehabilitation of property, replacement of severely substandard housing, and conversion of non-residential structures. At a minimum, 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 one hundred percent (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:**
Anticipated Objective – Decent Housing
Anticipated Outcome – Improving the availability and accessibility of housing
Objective-Outcome Category = DH-1 (See HUD TABLE 3C for CDBG on page 13)

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 are encouraged.

HTFC expects that approximately 700 units of housing will be improved through rehabilitation, replacement and/or conversion in Program Year 2011. (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:**
Anticipated Objective – Decent Housing
Anticipated Outcome – Improving affordability of housing
Objective-Outcome Category = DH-2

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.

HTFC expects that 115 households will be assisted in purchasing their own homes in Program Year 2011. (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

Anticipated Objective – Suitable Living Environment

Anticipated Outcome – Increasing the affordability of public facilities/infrastructure to low- and moderate-income persons

Objective-Outcome Category = SL-2

Public Facilities

Anticipated Objective – Suitable Living Environment

Anticipated Outcomes – Creating sustainability of communities through public facilities/infrastructure to low- and moderate-income persons

Objective-Outcome Category = SL-3

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.

HTFC anticipates the completion of twenty (20) public infrastructure projects serving 50,000 people and five (5) public facilities projects serving 10,000 people in Program Year 2011. (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 2011			
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 Created/Retained/Assisted	1,000	Economic Development Job Creation/Retention
EO-2	Total Businesses Assisted	30	Low- and Moderate-Income Business Assistance

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

Open Round Economic Development

Job Creation/Retention Assistance

Anticipated Objective – Creating Economic Opportunities

Anticipated Outcome – Increasing the availability/accessibility of economic opportunities

Anticipated objective-outcome category = EO-1

Low- and Moderate-Income Business Assistance

Anticipated Objective – Creating Economic Opportunities

Anticipated Outcome – Increasing the affordability of economic opportunities

Anticipated objective-outcome category = EO-2

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 under the Open Round Economic Development Program. There are three categories of funding under the Open Round Economic Development Program: Strategic Economic Development, Small Business Assistance, and Microenterprise Assistance.

Eligible applicants may submit applications for funding at any time throughout the year. Applicants applying for Open Round Economic Development may also submit an application for a project in the Annual CDBG Competitive Round.

HTFC expects to fund projects which create or retain 1,000 permanent full-time equivalent jobs in Program Year 2011 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.)

HTFC also estimates that a total of 30 low- and moderate-income businesses will be assisted through the Microenterprise Assistance Program.

- **Economic Development Application Process**

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.

- **Evaluating Economic Development Projects**

The Economic Development application kit provides specific guidance for the submittal of applications, including detailed descriptions of the evaluation criteria. 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 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

Secondary Funding Categories

- **Demonstrated Need Projects**
The State may use up to four percent (4%) of its allocation on a non-competitive open-round basis for projects that are innovative or demonstrate a significant need for community development funding. Such projects will be considered as well as projects that require a large scale concentrated effort to address a specific community development need. Potential applicants seeking funding under this category must consult with the HTFC and submit preliminary information prior to submitting an application for funding.
- **Imminent Threat**
The State reserves the right to set aside up to three percent (3%) of the annual allocation for imminent threat or contingency situations affecting the public health, welfare, and/or safety which require immediate resolution. Typically, eligible projects are located in a federal- or state-declared disaster area. Applications can be submitted throughout the year.
- **Technical Assistance and Capacity Building**
In accordance with Section 811 of the Housing and Community Development Act of 1992, up to one percent (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.
- **Community Planning**
The State may undertake community planning initiatives in accordance with CDBG rules, regulations, and guidelines that will result in strategies to effectively meet the community and economic development challenges of eligible communities.

In addition to traditional local government planning activities, the following types of community planning projects may be considered for funding including, but not limited to:
 - Developing plans and strategies for developing affordable and workforce housing; economic development, Main Street, downtown, or Neighborhood revitalization
 - Assessing infrastructure needs and developing plans for infrastructure development
 - Preparing a proposal by two or more units of local government to develop shared municipal services and local government efficiency plans. Conducting needs assessments and developing a plan to expand access to broadband or affordable high-speed internet service
 - Developing plans for sustainable neighborhoods and Smart Growth and sustainable initiatives.
 - Comprehensive Planning projects.
- **Section 108 Loans**
The 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. The 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
- yearly workshops to provide program and regulatory requirement information assistance
- meetings each year to review all contract conditions, requirements, and procedures for requesting payments

- detailed explanation of ways to improve grant administration procedures should a grantee be experiencing difficulty

HTFC must further be satisfied in regard to the following compliance 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

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 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. HTFC is a public benefit corporation, created by statute, which acts through a Board of Directors chaired by the Commissioner of New York State Division of Housing and Community Renewal (DHCR). 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's HOME Program funds will be used 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, the New York State HOME Program will 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. The following outcomes will be achieved through the HOME Program in 2011:

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 expanding the production of single and multi-family rental and homeownership housing, including workforce housing and senior housing, and by providing purchase assistance and rental assistance.

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 \$38.8 million in new HOME funds for FFY 2011. It is assumed that, excluding administrative funds, approximately \$34,900,000 million in HOME funding will be available to address housing needs for Program Year 2011. In addition, New York State anticipates receiving approximately \$1,000,000 in program income during Program Year 2011.

Additional Low-Income 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 2011.

The HOME Program generally attracts substantial private and other public dollars into its funded projects. It is anticipated that the \$41.3 million HOME and Housing Trust Fund matching funds to be invested during the coming year will generate an additional investment of approximately \$125 million – more than three dollars for every HOME dollar invested. These funds will come from other State and federal programs, from 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 regulation. Assistance may be provided for 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 1,450 affordable housing

opportunities during the program year beginning January 1, 2011. These opportunities will be supported by the expenditure of approximately \$38.8 million in HOME funds during Program Year 2010.

Approximately 800 units of existing owner-occupied housing will be rehabilitated, increasing availability of decent housing (DH-1) and approximately 530 units of rental and home-ownership housing will be produced, or provided with purchase assistance subsidies, 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 2011 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 2011 due to increases in acquisition and construction costs. The State reserves the right to revise these projections as additional cost information becomes available.

Methods of Distribution

New York State distributes HOME Program funds through a competitive process.

Funds are distributed 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 eighty percent (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 by HUD pursuant to federal HOME regulations within 180 days.

Participating jurisdictions may utilize up to ten percent (10%) of each allocation of funds as reimbursement for administrative costs, and up to five percent (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.

Applications that will produce a quality housing product that most efficiently provides the greatest number of units for the longest period of time for the lowest-income New Yorkers, and which respond to a strategy to address housing needs will have the greatest likelihood of being 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 section of this document by providing scoring preference for those applications which demonstrate a feasible approach to meeting one (1) or more objectives.

Depending on the identified needs, Applicants may receive additional scoring consideration for applications that address specific state priorities which may include 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.

It is anticipated that HTFC will issue a Notice of Funding Availability for Federal Fiscal Year 2011 HOME Program funds and any HOME Program funds from earlier years that are then available to the State.

HTFC HOME Program applications are classified as either: site-specific (capital) projects, to develop rental housing (usually a multifamily building or buildings); or local programs, which provide rehabilitation, homeownership, or rental assistance in an identified program service area.

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 practices, visitability and energy efficiency practices; or, which are submitted under the Mixed Income Family Rental Housing Initiative or the Senior Housing Initiative, may receive selection preference. Projects that will support community revitalization efforts, preserve existing affordable housing resources, or collaborate with other governmental agencies and the development community may also receive selection preference. Specific selection criteria will be included in a Request for Proposals that will be issued subsequent to the Notice of Funding Availability. Awardees that qualify as CHDOs may receive additional funds for operating expenses, subject to non-profit development allowance restrictions. 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. HTFC does not provide HOME funds as construction financing.

Local Program Administrators (LPA)

HTFC provides funds for 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 are referred to as Local Program Administrators, or LPAs. HTFC also provides funding for community housing development organizations (CHDOs) to develop single-family (1-4 unit) home ownership housing.

HTFC generally limits the amount of funds that will be awarded to LPAs. The limit amount varies depending on the anticipated local need. Applicants must have successfully administered similar programs in the past and must demonstrate the capacity to utilize the amount of funding requested. HTFC reserves the right to award less than the requested amount. Applicants may be awarded up to eight percent (8%) of the award to offset their administrative costs.

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

Community Renewal 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 must demonstrate significant housing and community development needs in the revitalization area, linkages to a well-defined community revitalization strategy, and clear impacts on housing affordability (including energy affordability), accessibility, preservation of historic properties, or traditional, pedestrian-oriented development to support mixed-income and mixed-use communities. Applicants must also demonstrate substantial experience and satisfactory prior performance with the HOME Program.

Applications proposing rental rehabilitation programs that provide assistance for moderate rehabilitation of small (10 units or less) investor owned rental projects must demonstrate that the proposal will support a community revitalization strategy, and meet the criteria described in the preceding paragraph. Local Program applicants may not request funding for rental property that they plan to own upon completion of the project.

CHDO Home Ownership Projects: A minimum of fifteen percent (15%) of available HOME Program funds will be reserved for community housing development organizations (CHDOs). CHDOs applying to develop single family (1-4 unit) home ownership projects to support a community renewal strategy are rated according to the criteria described above, and will receive selection preference. In particular, CHDO projects that will provide additional housing opportunities in community revitalization target areas are encouraged.

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

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

- The proposal must be for new construction or rehabilitation of vacant, substandard, single family housing (1-4 unit buildings).
- The CHDO must obtain project financing, rehabilitate, or construct the dwelling units, and have title to the property during the rehabilitation/construction period. The HOME loan obligation is transferred to an eligible home buyer upon project completion. If the CHDO will not hold title to the property, it must enter into a contractual obligation with another entity, such as a subsidiary organization, that will own the property until it is sold to the homebuyer.
- 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.

All CHDO applications to develop rental housing must be submitted using the project application. Please note that technical assistance and seed money are also available for CHDOs.

Homeownership Assistance Programs: Applicants, other than CHDOs, proposing to develop or assist non-targeted single family homeownership (1-4 unit) housing or condominiums for sale to first-time home buyers may also apply for HOME funds. Homeownership programs must include an effective homeownership counseling component to enable assisted buyers to avoid subprime and predatory lending and become successful home owners.

Non-targeted single family rehabilitation and tenant-based rental assistance (TBRA): Applications will continue to be accepted for these activities. 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, will receive priority. All rehabilitations and TBRA programs must also meet HTFC property standards.

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 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, of the expected project commencement date, expected completion date, and if appropriate, the anticipated schedule for closing and occupancy of units
- 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 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 requirements for visitability, and the Green Building, Energy Efficiency, and Health and Safety Initiatives

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 sources
- project readiness, status of financing, public approvals, applicant experience, and other factors that impact the likelihood of project completion
- whether the project meets certain energy efficiency criteria, 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 who are 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 four (4) or fewer units, will be designated as State recipients or sub-recipients. State recipients and sub-recipients may be permitted to set up projects and access project status on the Integrated Disbursement and Information System (IDIS).

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)

The State will reserve a minimum of fifteen percent (15%) of the total amount of HOME funds that it receives for CHDOs, in accordance with provisions of the National Affordable Housing Act of 1990. CHDOs 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. The organization must submit for review certain information (organizational documents, financial documents, etc.) as prescribed by HOME regulations. After a CHDO is found to meet qualifying criteria, it is notified of its approval as a CHDO by the State. 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. DHCR 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 due date for applications for the HOME program, program workshops are conducted at locations throughout the State. During the year, smaller seminars and clinics are held that focus on particular topics related to the HOME program. DHCR Regional Office staff maintains frequent contact with CHDOs, and when it is determined that a group may benefit from individual technical assistance (either from DHCR 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.

Home Buyer 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 resale and recapture requirements described in 24 CFR 92.254(a)(5).

Homeownership projects undertaken by a State recipient or sub-recipient will be secured by means of a note and mortgage given to the State recipient or sub-recipient by the low-income household being assisted. 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 form of the note and mortgage is provided to State recipients and sub-recipients by HTFC.

The note and mortgage permits reduction of the amount of HOME funds subject to recapture on a pro rata basis during the affordability period. It also allows for a method where any net proceeds from the sale are shared proportionally between the owner and the State recipient or sub-recipient. 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 HOME funds subject to recapture will be a share of the net proceeds (sale price minus loan repayments and closing costs) available to the project following the sale or transfer of the property. Where there are no net proceeds, or where the net proceeds are insufficient to repay the amount of HOME assistance that is otherwise due, the amount subject to recapture will be calculated by multiplying the net proceeds by the percentage of total equity represented by the HOME funds, where total equity is defined as the amount invested by the owner (down payment and capital investments made since purchase) plus the HOME investment. HOME funds used as a development subsidy instead of for home buyer assistance will not be subject to recapture.

HTFC will permit recaptured funds and program income earned by a State recipient or sub-recipient to be used to assist additional units, upon prior notification and approval by HTFC. If the State recipient or sub-recipient 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 to other State recipients or sub-recipients in accordance with the method of distribution of funds described elsewhere in this Plan.

When HOME Program funds are used for development of homeownership housing, as in CHDO home ownership projects, resale restrictions may be used instead of recapture restrictions described above. Resale restrictions will ensure that housing assisted with HOME funds is made available for resale only to low-income households. Resale provisions will be enforced by means of a deed restriction unless the project is located in an area that meets the conditions described in 92.254(a)(5)(i)(B). Generally, resale restrictions will be used when HOME funds are invested in a larger homeownership development, a condominium or cooperative project, or where a substantial per-unit investment of subsidy is provided.

In other cases, homeownership development will be secured by the recapture provisions described above. For home ownership projects developed by CHDOs that are secured by recapture provisions, the note and mortgage will be held by HTFC.

For multi-family rental projects, a regulatory agreement and mortgage are recorded against the title of each property assisted with HOME funds. The regulatory agreement is enforceable through the mortgage in the event of default by recourse to the project for non-compliance with any statutory or

regulatory requirements, including any unauthorized resale or refinancing of a project.

Tenant-based Rental Assistance

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 92.211 (Tenant-based Rental Assistance).

Administrative plans that are 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.

Other 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 Investment) 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 multifamily 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.

Minority- and Women-Owned Business Program

The HTFC is responsible for carrying out the mandates of Article 15-A of the Executive Law. Article 15-A of the Executive Law is the statute governing the award of contracts by State agencies and authorities to women- and minority-owned businesses. The New York State Empire State Development Corporation's (ESDC) Division of Minority and Women Business Development has overall statewide responsibility for overseeing State agencies and authorities in the administration of programs to assist minority- and women-owned business enterprises (M/WBE) in obtaining State awarded contracts. The New York State Department of Economic Development (DED) has promulgated rules and regulations for carrying out this program. These rules and regulations govern the HTFC's M/WBE program.

A directory of State-certified M/WBE firms has been created and is maintained by ESDC. DHCR staff assists State development awardees in contracting with State-certified M/WBE to meet specific project goals designed to include minority- and women-owned businesses in the construction and procurement process. The use of certified M/WBE is encouraged on all projects and in the purchase of goods and services.

Awardees for State funding are required to submit utilization plans which document their intent to subcontract with and/or procure goods and services from M/WBE. In addition, all awardees are required to meet project-specific goals set by HTFC for contracting with State-certified M/WBE. Proof of payment to M/WBE is also required once project goals have been assigned. Contract compliance records consistent with Article 15-A requirements are maintained by the HTFC. The HTFC is also required to report data quarterly to ESDC concerning the goal achievement.

The HTFC conducts workshops for awardees, attends project planning meetings to monitor program compliance, offers technical assistance to awardees, and continuously endeavors to develop and streamline the process.

Ongoing efforts of the M/WBE compliance program will include:

- work with all staff including awardees and in-house staff involved in the contract process to discover innovative ways to increase M/WBE participation
- maintain current databases and spreadsheets to expedite reporting requirements and generate appropriate results
- continue to establish appropriate goals for M/WBE participation
- provide training to regional staff, awardees, contractors and project sponsors at regular

intervals or as needed to communicate changes and/or updates

All HOME project awardees will be required to utilize local print media in their minority- and women-owned business utilization efforts and to take actions to facilitate local procurement opportunities.

DHCR's Office of Fair Housing and Equal Opportunity (OFHEO) oversees the Section 3 Program which is applicable to federally-funded projects. At DHCR, this initiative is relative to the HOME Program. DHCR as a recipient of federal funding distributes the funds to HOME and HOME LPA awardees that are required to comply with Section 3 regulations. The regulation states that "to the greatest extent feasible" a good faith effort must be undertaken to train and employ Section 3 residents as new hires with a goal of at least 30% of the workforce; and to contract with Section 3 businesses in an amount which is at least 10% of the total amount of the contract for building trades, housing construction or rehab and at least 3% of the total amount for all other contracts. OFHEO is required to monitor the performance in meeting these goals and report the achievements to HUD annually.

Monitoring

The State of New York has implemented two (2) different monitoring procedures for HOME projects and programs, based upon whether the recipient of funding is applying to the State as a project sponsor or as a local administrator. HTFC is responsible for monitoring awards made with federal HOME funds allocated to New York State.

- **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, drug-free environment, 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; federal and State environmental review; and prior audit history.
- **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 periodic 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-construction 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.

- **Monitoring Local Program Administrators**

DHCR/HTFC has implemented monitoring standards and procedures required for monitoring local 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 monitoring may take the form of either a desk audit or an on-site review. 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**

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, 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**

These serve to verify the accuracy of HUD's Integrated Disbursement and Information System (IDIS). 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" is provided to all

recipients to explain program monitoring requirements. 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, DHCR/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. DHCR also surveys recipients who have undertaken rental rehabilitation programs to collect information on recipients' monitoring activities.

- **On-site Monitoring**

DHCR staff monitors locally-administered programs for both fiscal and programmatic compliance. Periodic site visits are 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 HQS 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 Administrators**

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.

Section 91.320(k)(3) Emergency Shelter 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 Shelter Grants (ESG) Program for New York State and coordinates activities to enhance the quality and quantity of homeless facilities and services for homeless individuals and families.

Strategic Plan Objectives, Outcomes and Indicators

In its February 2008 Request for Proposals (RFP), the New York State Office of Temporary and Disability Assistance (OTDA) determined that funds awarded under the ESG program could be used to address the suitable living environment and the provision of decent housing objectives of the State's Strategic Plan. The 2011 Program Year will continue those objectives and projects a total of approximately 26,713 individuals will be served as follows:

Objective: Decent Housing

To provide decent housing for individuals and families at-risk of homelessness, the New York State Emergency Shelter Grants Program will continue to fund and administer homelessness prevention activities, as well as related services to alleviate potential homelessness and provide low-income households with the support services necessary to build housing stability. The following outcome will be achieved through the ESG program in 2011:

Outcome: Increase Availability/Accessibility

Increase availability/accessibility by developing and implementing homelessness prevention activities including, but not limited to, legal services, mediation programs, and short-term subsidies, for individuals and families at-risk of homelessness.

Objective-outcome category = DH-1 (see HUD Table 3C for ESG on page 34)

Key Indicator: Number of individuals or families at risk of homelessness receiving homelessness prevention services. It is estimated that 1,377 individuals will be served.

Objective: Suitable Living Environment

To provide a suitable living environment for homeless individuals and families, the New York State Emergency Shelter Grants Program will continue to 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 low-income households with the support services necessary to build self-sufficiency. The following outcomes will be achieved through the ESG Program in 2011:

Outcome: Increase Availability/Accessibility

Increase availability/accessibility by providing essential services to the homeless including, but not limited to, employment, physical health, mental health, substance abuse, and educational services.

Objective-outcome category = SL-1

Key Indicator: Number of individuals or families receiving essential services. It is estimated that approximately 13,292 individuals will be served.

Outcome: Increase Availability/Accessibility

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 shelter services from a program provided with maintenance and operation funding. It is estimated that 12,044 individuals will be served.

HUD Table 3C (Optional)			
Annual Action Plan 2010 ESG Program Planned Project Results			
Objective-Outcome Category*	Performance Indicator	Expected Number of Individuals	Activity Description
DH-1	Total Individuals Served	1,377	Homelessness Prevention
SL-1	Total Individuals Served	13,292	Essential Services
SL-1	Total Individuals Served	12,044	Maintenance and 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 2011, the period covered by this Action Plan, approximately \$3,207,498 will be used to support ESG activities. After deducting the State's 5 percent administrative share (\$160,375), a total of \$3,047,123 will be allocated to contracts, which will be required to provide an equal amount in match in support of program activities.

New York State once again requests a one-year waiver of the thirty percent (30%) limitation on essential services expenditures.

ESG Program Matching Funds

Grantees funded under the State's ESG Program must provide matching funds from other sources in an amount equal to their grant. 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 to the ESG Program, OTDA also 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)

- Single Room Occupancy Support Services Program (SRO)
- Homelessness Intervention Program (HIP)
- Supported Housing for Families and Young Adults Program (SHFYA)
- Supplemental Homelessness Intervention Program (SHIP)
- 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
- Homelessness Prevention and Rapid Re-housing Program (HPRP)

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 2011, 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, homeless re-housing assistance, post relocation services, support services, etc.
- **Permanent Housing** – legal interventions to prevent evictions, advocacy for entitlement benefits, cash assistance for security deposits, and support services in permanent housing programs, etc.

For Program Year 2011, ESG funds will be distributed among eligible service categories as follows:

- | | |
|-----------------------------|-----|
| • Essential Services | 56% |
| • Homelessness Prevention | 11% |
| • Maintenance and Operation | 28% |
| • Renovation/Rehabilitation | 0% |
| • Administration | 5% |

As discussed in the Needs Assessment section of the Consolidated Plan, when selecting proposals for funding, OTDA gave special priority to projects that would fill identified gaps in the continuum of care in various regions of the State. Projects were also selected that demonstrated an ability to expend ESG funds within the contract period. Finally, a special priority was given to applications that would 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

Since the start of its ESG Program, OTDA has distributed its funds through a biannual competitive bid process. The 2011 Action Plan will support activities for a third year of funding. A competitive Request for Proposals (RFP) under the ESG Program was issued by OTDA soliciting proposals from not-for-profit organizations in February 2008. In response, 77 applications were received requesting nearly \$8.7 million. Proposals received were subjected to a rigorous review and selection process. Proposals were selected for funding in the summer of 2008, for a two-year contract term which began October 1,

2008. These existing contracts will be renewed for a third year based on submission of appropriate renewal documents and satisfactory performance. Given the substantial changes to the ESG Program under the HEARTH Act, which will not be finalized in regulation until the fall of 2010, OTDA will not release a new RFP until early 2011. It is anticipated that OTDA will revert back to its standard two year cycle of ESGP funding with the release of the new RFP.

During 2011, New York State anticipates that approximately 26,713 individuals across 22 counties will benefit from activities funded by the ESG program.

The following are the criteria used to evaluate and select proposals for funding under New York State's ESG 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 ESG Program
- the reasonableness of the total project cost and the ESG 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 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 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:

- proposals that enable homeless individuals to have access to safe and sanitary shelter, and enable homeless individuals to receive supportive services in a safe and sanitary shelter
- projects that demonstrate accessibility for persons with disabilities and conform with the ADA Title III requirements
- projects that demonstrate the provision of materials in alternative formats for persons with disabilities as required by the ADA (i.e. Braille, audio recording)
- projects that provide Welfare to Work activities
- projects that have been developed with New York State capital funds and are deemed competitive and meet all eligibility criteria

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. Through the RFP issued in February 2008, ESG funds were made available statewide.

OTDA places priority on geographic areas demonstrating an urgent need for funding. In the past, approximately twenty-nine percent (29%) of the annual allocation has been awarded to projects in New York City. During 2011, approximately thirty-one percent (31%) of the funding will be committed to New York City, five percent (5%) to downstate suburban counties (Westchester, Nassau, and Suffolk), and sixty-four percent (64%) to counties elsewhere in the State. This allocation is consistent with ESG's most recent years of funding and may be representative of an increase in requests for funds from areas outside of the metropolitan area as they become more aware of funding opportunities. It may also be because a greater amount of ESG funds is already committed to these more densely populated geographical areas through direct entitlement grants.

Program Monitoring and Report Requirements

Periodically, recipients of ESG funds are invited to attend a one-day meeting 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 in the past. Major improvements in the contractor's adherence to the program requirements have been observed since this activity was initiated.

All ESG 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 two (2) weeks after the end of each quarter)
- review of final reports (due thirty (30) 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 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 (4) 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 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 two-year 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 renewal of their contracts, all grantees funded under ESG undergo a self-evaluation of the benefits realized by homeless and near-homeless households as a result of their ESG funding. This evaluation examines the expansion of service capacity, the utilization of services, and the impact of the project in quantifiable terms. It examines the overall homeless population within a given community and the continued need for the type of assistance being provided. This evaluation also helps to determine whether the project would be viable in other locations across the State.

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 440 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 40)

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 and their families, 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 282 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 158 households will be assisted.

HUD Table 3C (Optional)			
Annual Action Plan 2010 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	282	Tenant-Based Rental Assistance Congregate Housing
DH-2	Total Households Assisted	158	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 2011 Action Plan, FFY 2010 funds totaling \$2,139,773 will be used to support activities under Round Nineteen of this program. After deducting the State’s three percent (3%) administrative share, a total of \$2,075,580 will be allocated to contracts. Unexpended funds from previous rounds may also be allocated.

Please note that due to initial delays in starting up the program several years ago, New York State is approximately one year behind in the distribution of its annual HOPWA allocation. Thus, the Round Nineteen contracts that will begin in January 2011 will be supported with FFY 2010 funds.

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)
- Homelessness Intervention Program (HIP)

- Supplemental Homelessness Intervention Program (SHIP)
- Single Room Occupancy Support Services Program (SRO)
- Supported Housing for Families and Young Adults (SHFYA)
- Emergency Shelter Grants (ESG) Program
- Shelter Plus Care Program
- Emergency Shelter Allowance for Persons with AIDS
- Family Shelter Program
- Negotiated Rates Program

Two (2) 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 \$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 2011 round (Round Nineteen) of HOPWA, New York State will continue with priorities and fund applications proposing a number of different activities that were established in the 2000 round (Round Nine).

In the 2009 RFP, the State focused on seven (7) eligible activities grouped into two (2) 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 Fifteen contracts for 2007, and remained in effect in 2008 and 2009 (Rounds Sixteen and Seventeen). 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 (3) 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 (2) years. Now that the provider pool has attained some level of stability, an RFP is released every three (3) years.) Contracts funded under an RFP can be renewed without further competition in each of the subsequent two (2) years.

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 1n January 2010.

In 2001, OTDA initiated a new calendar year funding cycle for HOPWA in order to facilitate reporting to HUD in the State's annual progress report, which is also based on the calendar year. A January through December contract term represented a change in the annual funding cycle for OTDA-funded HOPWA contracts. Previously, HOPWA contracts had begun on April 1 and ended on March 31 of the following year.

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 (3) 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 440 households will be assisted across 41 counties with HOPWA funds during 2011 as follows:

Tenant Based Rental Assistance/Congregate Housing	282
Short-Term Rental Assistance	158
<hr/>	
TOTAL:	440

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 to be 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 (2) calendar weeks after the end of each quarter)
- review of final reports (due thirty (30) 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 (4) 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				
Contract Term: 1/1/10 – 12/31/10				
Contractor Title, Address	Contractor Contact	Contract Amount	Contract Description	Contract Service Area
AIDS Community Services of Western New York, Inc. 206 South Elmwood Avenue Buffalo, NY 14201	Ron Silverio	\$86,391	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	\$262,755	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	\$141,567	Long term rental assistance; Short term rent / utilities / mortgage assistance	Clinton, Columbia, Essex, Fulton, Franklin, Greene, Hamilton, Warren and Washington Counties.
AIDS Rochester, Inc. 1350 University Avenue, Suite C Rochester, NY 14607	Paula Silvestrone	\$70,364	Long term rental assistance	Schuyler, Seneca, Steuben, and Yates Counties
Central New York Health Systems Agency, Inc 701 Erie Boulevard West Syracuse, NY 13204	Timothy Bobo	\$294,490	Long term rental assistance; Short term rent / utilities / mortgage assistance	Onondaga, Jefferson, St. Lawrence, Cayuga, Oneida, and Otsego Counties
Chautauqua Opportunities, Inc. 17 West Courtney Street Dunkirk, NY 14048	Roberta Keller	\$80,704	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	\$90,616	Long term rental assistance; Short term rent/ utilities Resource identification to help establish housing for persons with AIDS	Statewide
Liberty Resources, Inc 1065 James Street, Suite 200 Syracuse, NY 13203	Michelle Manley	\$145,729	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	\$111,267	Long term: rental assistance	Ulster County

HOPWA Contracts				
Contract Term: 1/1/10 – 12/31/10				
Contractor Title, Address	Contractor Contact	Contract Amount	Contract Description	Contract Service Area
Rural Opportunities, Inc 400 East Avenue - Suite 401 Rochester, NY 14607	Velma Smith	\$171,449	Long term rental assistance; Short term rent / utilities / mortgage assistance	Sullivan County
Rural Ulster Preservation Company 289 Fair Street Kingston, NY 12401	Kathy Leahy	\$175,708	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	\$130,703	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 336PO Monticello, NY 12701	Steve White	\$78,347	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(e)

Overview

New York State has a broad array of programs and initiatives to serve individuals with special needs, 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 Homes 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 2010 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 Division of Housing and Community Renewal (DHCR) is one of ten (10) 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. DHCR 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 the New York State Division of Housing and Community Renewal (DHCR), the New York State Department of Health (DOH), and Office for Persons With Developmental Disabilities (OPWDD).

It is funded in part through a Money Follows the Person (MFP) Rebalancing Demonstration Grant and a Real Choice Systems Change, Systems Transformation Grant from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services. These grants assist states with making effective and enduring improvements in community-based long-term care and support systems for seniors and people with disabilities.

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 percent 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.

A Notice of Funding Availability (NOFA) was issued in January of 2009 announcing \$4 million in funding under the Access to Home Program. Sixty-two applications were received requesting a total of \$22 million and twenty-two applications were funded. Funding to these applications will make accessibility modifications to more than 300 housing units statewide.

In March 2010, a NOFA was issued announcing \$4 million in funding. Sixty-six applications were received requesting a total of more than \$22 million in funding.

Most Integrated Setting Coordinating Council (MISCC)

The Most Integrated Setting Coordinating Council, established by Chapter 551 of the Laws of 2002, is responsible for developing a comprehensive Statewide plan to ensure that people of all ages with physical and psychiatric disabilities receive care and services in the most integrated settings appropriate to their individual needs.

On November 20, 2006, the Council submitted its first report to the Governor and State Legislature. Entitled "[*Addressing the Service and Support Needs of New Yorkers with Disabilities.*](#)" the report sets an Operational Plan that serves as a starting point for achieving the Council's goals. State agencies are responsible for implementation of applicable sections of the plan. Their progress is reported subsequently at quarterly meetings open to the public.

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 (3) consumers of services for individuals with disabilities, three (3) individuals with expertise in the field of community services for people of all ages with disabilities, and three (3) 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 of all ages with disabilities 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 NIMBYism 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 2011 will help to coordinate the process through the MISCC.

Money Follows the Person (MFP) Rebalancing Demonstration Program

The Money Follows the Person (MFP) Rebalancing Demonstration Program is a successful federal Center for Medicare and Medicaid Services (CMS) grant received by the New York State Department of Health (DOH) in January 2007. MFP provides the State with enhanced Federal Medical Assistance Percentage (FMAP) reimbursement contingent on the transition of eligible individuals from nursing homes back into the community.

Within the State's MFP Rebalancing Demonstration Program application, increasing the supply of affordable, accessible and integrated housing was recognized as key to achieving successful transition from institutional settings. As a result, the MFP Housing Task Force was created in May of 2007 spearheaded by DHCR in coordination with DOH. The Task Force provides an opportunity for the State to collaborate with housing providers, the advocacy community and consumers to expand housing opportunities for persons with disabilities.

The Task Force is charged with exploring the feasibility of strategies for addressing housing need as identified in the State's MFP Rebalancing Demonstration Program application. This effort includes developing a needs assessment on affordable, accessible and integrated housing for the MFP target population, as well as recommendations to increase affordable housing opportunities.

Nursing Home Transition and Diversion (NHTD) Waiver Housing Subsidy

The NHTD waiver is administered by the NYS 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 DHCR 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 (18) 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 DHCR, 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 \$7 million to date.

Real Choice Systems Change Grant for Systems Transformation

In September 2006, OPWDD was awarded a five-year \$2.8 million grant from CMS. This grant will assist OPWDD in facilitating increased person-centered supports for persons with developmental disabilities by enhancing New York State's Options for People through Services (OPTS) initiative. The overall purpose of the grant is to further system transformation in New York and three (3) goals were selected and funded: Choice, Housing, and Funding. This grant is in its implementation phase and will be closed out by 2011.

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 ESG 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.
- **Single Room Occupancy (SRO) Support Services Program**
The SRO Support Services Program provides grants for the provision of support services to low-income tenants in Single Room Occupancy housing operated by not-for-profit agencies. The objective of these support services is to assist SRO tenants in maintaining and/or enhancing independent living and, in doing so, prevent recurrent homelessness.
- **Homelessness Intervention Program (HIP)**
HIP provides services to families and individuals who are homeless or at risk of homelessness for the purpose of stabilization and housing retention. Program categories include aftercare, housing location services, eviction prevention and placement services as well as other related support services to enhance household stabilization.
- **Supplemental Homelessness Intervention Program (SHIP)**
SHIP provides housing and related services to homeless and at-risk of homelessness individuals and families who are eligible for benefits under the State plan for the Federal Temporary Assistance for Needy Families (TANF).

- **Supported Housing for Families and Young Adults (SHFYA)**
The SHFYA program provides a supportive housing program for families and young adults age 18 to 25, who are eligible for benefits under the State plan for the Federal Temporary Assistance for Needy Families (TANF) block grant, whose incomes do not exceed 200 percent of the Federal poverty level and, unless in receipt of public assistance, whose participation in such a program would not constitute “assistance” under Federal TANF regulations.
- **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.
- **Homelessness Prevention and Rapid Re-Housing Program (HPRP)**
The HPRP program provides assistance to households that have been identified as at-risk and who otherwise without such assistance would experience homelessness. HPRP is also intended to rapidly re-house individuals and families who are homeless as defined by Section 103 of the McKinney Vento Homeless Assistance Act (42 U.S.C 11302).

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

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

Remove Barriers to Affordable Housing

- Still faced with extremely high heating costs, New York State will continue to administer several programs (e.g., the Low-income Home Energy Assistance Program and the Weatherization Assistance Program) which reduce the extent to which high energy costs are a barrier to affordable housing.
- The New York State Division of Housing and Community Renewal (DHCR) will continue to encourage the development of special needs housing in its programs by awarding extra points to applicants who seek funds to develop these units.
- DHCR will continue to work closely with the U. S. Department of Housing and Urban Development (HUD) to enforce all State Human Rights statutes and federal fair housing laws and to conciliate in matters alleging housing discrimination.
- DHCR will continue to assist with financing project reserves for the purpose of making physical modifications where necessary to accommodate tenants with special needs. The Office of Fair Housing and Equal Opportunity (OFHEO) will continue to require outreach to special needs organizations as part of the marketing effort for all projects, and the Housing Architecture and Engineering Unit (HAE) will continue to review each project for compliance with all accessibility design requirements of the Fair Housing Act and the NYS Building Codes.
- OFHEO 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.
- DHCR will continue to assess barriers to fair housing and will report the results of that assessment in an updated Analysis of Impediments to Furthering Fair Housing.
- DHCR will continue to offer foreclosure prevention counseling.

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 2011. The following is a brief description of some of the many other actions New York State will take to address eight (8) specific issues identified in Section 91.320(f) of HUD’s regulation for Consolidated Planning. [Please note the “other actions” described below are illustrative but not exhaustive.]

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, DHCR 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, DHCR has provided 217 loans statewide to agricultural producers totaling \$12.5 million without a single default. The Program’s success has been driven by the ongoing collaborative partnership between DHCR, the NYS Health Department and the Farm Credit East lending institution, which originates and services these streamlined loans.
Based on existing provisions of the Internal Revenue Code (Section 42 of the IRC) which authorizes the federal Low-Income Housing Credit, this tax credit may currently be utilized to finance farmworker housing provided its meets the other requirements of the IRC. Further, non-profit organizations may play a substantial role in all facets in the development, construction, ownership and management of projects financed by the Low-Income Housing Credit.
- **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, including new Tax Credit Assistance Program (TCAP) capital funding made available to New York State through the federal American Reinvestment and Recovery Act of 2009. 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 (5) years.
- Virtually all of the projects receiving an allocation of LIHC from DHCR will continue to have at least one (1) other public subsidy as part of the project financing package.
- DHCR 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 a leading recognized environmental poison for children in New York State (NYS). Early identification of children with lead exposure is key to reducing the likelihood of chronic health problems. Health care providers are required to test children at ages 1 and again at age 2 to detect and provide early intervention for elevated blood lead levels. Elevated blood lead level is defined as a blood lead level at or above 10 micrograms per deciliter (≥ 10 mg/dL) in children.
- In 2009, NYS Department of Health (DOH) lowered the intervention level for environmental investigations from a blood lead level of ≥ 20 micrograms per deciliter to ≥ 15 micrograms per deciliter. More children with elevated blood lead levels will receive comprehensive case management, including environmental inspections to identify the potential source(s) of lead to reduce or eliminate the exposure.
- NYS DOH will link the current 'LeadWeb' system – electronic case management database – with the electronic NYS Immunization Registry to help medical providers stay on top of administering immunizations while tracking children needing their required blood lead test at age one and again at age two. This integrated system will also allow for medical providers who conduct 'in-office' testing of blood samples for lead exposure to electronically report their results to the NYS DOH.
- To eliminate childhood lead poisoning, a “primary prevention” approach is used to reduce or eliminate lead exposures or risk factors before the onset of detectable diseases. The biggest source of lead for the children of NYS is the older housing stock containing lead-based paint. 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 DOH, in collaboration with DHCR and other members of the Governor’s Lead Poisoning Advisory Council, continue to pursue the goal of eliminating childhood lead poisoning. This Council support has proven valuable in building momentum toward reaching goals outlined in the NYS Lead Elimination Plan. Key initiatives with input from the Advisory Council have included:
 - Advising on the proposed regulations for PHL 67-2, environmental investigations for lead poisoning.
 - Proposed changes to the regulation amend certain definitions and adopt terminology for the certification of assessment and abatement firms to be consistent with Federal regulations.
 - The new regulations would also require a lead hazard remediation plan from property owners, the use of property trained contractors and workers for the safe remediation of lead hazards, and dust clearance testing of completed interior work space.
 - Sponsoring lead-based paint safe worker training of staff and contractors on HOME, Weatherization, and other federally-funded housing projects.
 - Ensuring adequately performed lead-safe interim controls and lead abatement during rehabilitation work.
 - Promoting 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.

- In 2008, the promising results of the Year #1 Pilot Program prompted the Governor to announce that the DOH housing-based "Lead Primary Prevention Program" was made permanent under an amendment to Title X, PHL 1370 (a)(3). The total investment for this childhood lead poisoning prevention initiative is up to \$17.5 million in State funds. Fourteen (14) targeted counties with housing at high risk of containing lead based paint are now funded through these dollars. Collectively, these counties accounted for more than 80% of all known cases of children age six and under with newly identified elevated blood lead levels. These selected counties develop and implement a housing inspection plan that supports our existing primary prevention activities. Some successes in year two include over 12,000,000 people reached through direct media campaigns and/or direct community outreach; 4,457 new units inspected for lead hazards, 3,698 units found to have potential lead hazards and 2,168 with confirmed lead hazards. The total number of units cleared of all hazards in year one and year two is 888. Within these inspected units with lead hazards, 1,558 children under age six resided. 881 of these children were referred for blood lead testing. Efforts in year two are further detailed in the National Center for Healthy Housing (NCHH) report titled "[New York State's Primary Prevention of Childhood Lead Poisoning Initiative: Implementation report for Year Two October 2, 2008 – September 30, 2009](#)".
- The Governor issued Executive Order # 21 establishing a Governor's Task Force on the Prevention of Childhood Lead Poisoning. The Task Force was born from the need to be as efficient as possible state funding, as well as to address grantees' and community concern that state agencies needed to have more inter-coordination in order to aggressively prevent further lead based paint exposure. The Task Force published 'preliminary report' in November 2009 on the potential collaborative efforts that could be under taken at the State level to continue to eliminating childhood lead poisoning. The final report is due in November 2010. This report can be found on the NYS DOH website at http://www.health.state.ny.us/environmental/lead/exposure/childhood/task_force/docs/2009_preliminary_report.pdf
- Federal American Recovery and Reinvestment Act (ARRA) Weatherization Assistance has been provided to DHCR to expand its Weatherization Assistance Program. Old, inefficient windows often contain lead-based paint and can be a significant source of lead in residential environments. In an effort to improve residential energy efficiency, and prevent childhood lead poisoning, a number of State and local agencies are exploring ways to fund the replacement of windows in older, residential buildings. NYS Energy Research and Development Authority (NYSERDA), NYS Weatherization Assistance Directors Association (NYSWADA) and others are exploring ways to coordinate funds earmarked for housing, weatherization, and lead poisoning prevention programs to replace windows. New York University's School of Medicine has received federal funding to pilot lead-safe window replacement and weatherization in Utica and NYC. The requirements controlling how weatherization-related funding can be used are an obstacle to this lead prevention effort. Essentially the prospective return on investment [specifically, the Total Resource Costs (TRC) and Savings to Investment Ratio (SIR)] most often 'rules-out' window replacement in most weatherization projection. A meeting for these agencies and organizations to discuss these and other issues, sponsored by the Partnership Workgroup of the Governor's Task Force on the Prevention of Childhood Lead Poisoning, was held in June 2010. Several options were discussed to facilitate the integration of energy efficiency- weatherization programs and lead poisoning prevention activities including administration changes and developing a 'health & safety co-efficient' to be used in SIR calculations.
- NYSDOH continues to provide code enforcement officers a lead-paint training course that includes 3 hours of continuing education credits. There have been 1358 code enforcement officers trained on lead, the hazards of lead and the methods to control or eliminate these hazards. Requests for the training continue with very positive reviews on the training.
- Four offerings of the two (2) day training entitled "Essentials for Healthy Homes Practitioners" were held throughout 2010. This training provided the 100 attendees with the knowledge and

- skills to begin assessing housing for multiple hazards that may negatively impact the health of the occupants. The goal is to offer this training state-wide to continue to build the capacity and knowledge of individuals on healthy housing solutions.
- DOH's active assistance to NYS recipients of federal HUD funding targeted lead hazard control activities is also continuing. Periodic phone conferences with Grantees were held. Grantees report on progress implementing their work plan deliverables for HUD, discuss barriers to implementation, and exchange information on how other grantees may have overcome similar obstacles. Their County Health Department partners are encouraged to participate to connect properties in need of lead hazard remediation to a HUD grant source. This interaction also gives the HUD grantees an update from NYS regarding activities to eliminate childhood lead poisoning. Broome and Niagara Counties have been invited to join in on these discussions, as both counties were recipients of HUD grants that allow them to building the capacity and be competitive in their community resources to apply for at Federal HUD Lead Hazard Control or Lead Demonstration Grant. These grants were the only two awarded in NYS under this notice of funding application.
 - **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.
 - The Most Integrated Setting Coordinating Council (MISCC) Housing Committee is comprised of consumers and leaders in not-for-profit organizations, local governments, and State and work together to positively impact the lives of people with physical or psychiatric disabilities. The Commissioner of DHCR chairs this Task Force.
 - Under the New York/New York III Supportive Housing Agreement, DHCR will work with the New York State Office of Mental Health (OMH), Office of Temporary and Disability Assistance (OTDA), Office of Alcohol and Substance Abuse Services (OASAS), and the City of New York to provide an additional 9,000 supportive housing units over the next ten (10) years, for individuals and families who are living on the streets or in emergency shelters in New York City. This Agreement will provide housing and related services to those New York City individuals and families most in need.
 - It is a priority of the State's Homes and Community Renewal (DHCR) to strengthen and expand partnerships in housing and community development.
 - These partnerships include all public and assisted housing providers as well as the private and governmental health, mental health, and service agencies that do business with the State's housing programs.
 - 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:**

- As noted in the Needs Assessment of the 2006-2010 Consolidated Plan, 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 (7) members, including two (2) 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.
- DHCR has recently 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 Albany and Middletown have recently been completed; construction is nearing completion at projects in No. Hempstead, Oswego, and Rockville Center. The Rome H.A. has recently selected its private developer partner.
- 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.

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.

Special Actions

Housing and Economic Recovery Act of 2008 (HERA) and the American Recovery and Reinvestment Act of 2009 (ARRA)

The **Housing and Economic Recovery Act of 2008 (HERA)** was signed into law on July 30, 2008. Provisions of Division B, Title III of the legislation, entitled *Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes*:

- created the **Neighborhood Stabilization Program Round 1 (NSP1)**;
- provided the Program with \$3.92 billion in supplemental CDBG funding;
- required that these funds be allocated to States and units of general local government with the greatest need.

The **American Recovery and Reinvestment Act of 2009 (ARRA)** was signed into law on February 17th, 2009. ARRA included \$13.61 billion for projects and programs administered by the U.S. Department of Housing and Urban Development (HUD), including resources to be used to stabilize and revive local neighborhoods and housing markets with heavy concentrations of foreclosed properties. Funds will also assist the vulnerable families and individuals who are on the brink of homelessness or have recently become homeless. The following two programs were created by ARRA:

- **Homelessness Prevention and Rapid Re-Housing Program (HPRP)**: \$1.5 billion invested in preventing homelessness and enabling the rapid re-housing of homeless families and individuals. The HPRP funds will provide much-needed services to New York families at-risk of homelessness while helping those already homeless to find stable housing. Services to be provided include short- and medium-term rental assistance, legal services, case management, locating available housing and financial counseling.
- **Community Development Block Grant Recovery Program (CDBG-R)**: \$1 billion in supplemental Community Development Block Grant (CDBG) Program funds to be used to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care through the creation of suitable living environments; provision of decent affordable housing; and creation of economic opportunities primarily benefiting persons of low- and moderate-income.

Several substantial amendments to the New York State Consolidated Plan 2008 Action Plan were required by grantees eligible to receive funds through NSP, HPRP, and CDBG-R. The following substantial amendments were filed with HUD:

- The Neighborhood Stabilization Program (NSP1) was filed in November 2008 and approved in January 2009.
- The Homelessness Prevention and Rapid Re-Housing Program (HPRP), filed in May, 2009 and approved in June, 2009; a revision to the substantial amendment was filed in November, 2009.
- The Community Block Grant Recovery Program (CDBG-R), filed in June, 2009 and approved in July, 2009; a revision to the substantial amendment was filed and approved in June, 2010.

These programs do not require grantees to report on uses of funds in their Consolidated Annual Performance and Evaluation Report (CAPER). Alternate reporting requirements have been stipulated in each program's notice of funding allocations and requirements.

Appendix I
Citizen Participation Plan
and
Public Hearing 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
Chairperson, NAHA Task Force
September 15, 2011*

*To comment or request additional
information, contact:*

**Office of Policy and Research
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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 September, 2011

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

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

*as of September, 2011

NOTICE OF PUBLIC HEARING NEW YORK STATE 2011-2015 CONSOLIDATED PLAN

To participate in certain federal community development and housing programs, the State of New York must prepare a 5-year Consolidated Plan and an annual Action Plan and provide opportunities for citizens to participate in its development. As part of this process, the State will conduct public hearings to obtain the views of citizens, public agencies, local governments, and other interested parties on the housing and non-housing community development needs of the State before a draft Consolidated Plan for 2011-2015 and a draft annual Action Plan for 2011 are prepared.

The Consolidated Plan and the annual Action Plan focus principally on four federal programs: the New York State Community Development Block Grant Program; the HOME Investment Partnerships Program; the Housing Opportunities for Persons with AIDS Program; and the Emergency Solutions Grants Program.

The Consolidated Plan will be a five-year strategy for addressing the housing and non-housing community development needs of New York communities. The Consolidated Plan will set forth long-term goals for the development of viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for low- and moderate-income persons. New York State must submit a completed Consolidated Plan to the U.S Department of Housing and Urban Development by November 15, 2010.

The annual Action Plan will describe the State's planned use of federal Fiscal Year 2011 funds to address the needs identified by its five-year Consolidated Plan and further the Consolidated Plan's objectives, and will also describe the State's methods for distributing these funds.

The Public is encouraged to offer oral and/or written comments at Public Hearings on January 12, 2010 and January 13, 2010. On January 12th, the first public hearing will be held from 9:00 am until 10:00 am and the second from 2:00 pm until 3:00 pm. On January 13th, the first public hearing will be held from 9:00 am until 10:00 am and the second from 2:00 pm until 3:00 pm. At these dates and times, hearings will be held concurrently at the following four New York State Division of Housing 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.** If needed, more time will be made available at each public hearing.

Each site is accessible to individuals with mobility impairments. Every effort will be made to accommodate persons with other special needs. To do so, it will be necessary to receive any requests no later than January 5, 2010. Individuals who seek additional information regarding the hearings may call DHCR's toll-free number, 1-866-275-3427.

Space may be limited in some locations: persons planning to attend a hearing are encouraged to pre-register by calling 1-866-275-3427 or sending an e-mail to DHCRConPln@nysdhcr.gov. Speakers will be limited to five (5) minutes of testimony. Attendees must present a driver's license or other government-issued photo ID upon entry.

All speakers are urged to provide a written copy of their testimony. Individuals who are unable to attend may submit comments to NYS DHCR, Attention: Brian McCarthy, 38-40 State Street, Albany, NY 12207, or e-mail them to DHCRConPln@nysdhcr.gov. Written comments must be received no later than January 21, 2010. E-mail comments must also be sent by this date.

**NEW YORK STATE DRAFT 2011-2015 CONSOLIDATED PLAN
DRAFT 2011 ANNUAL ACTION PLAN
AND UPDATE TO THE ANALYSIS OF IMPEDIMENTS
PUBLIC COMMENT PERIOD ANNOUNCEMENT**

To participate in certain federal community development and housing programs, the State of New York must prepare a five-year Consolidated Plan and an annual Action Plan and provide opportunities for citizens to participate in its development. As part of this process, New York State invites interested persons to review and comment on the five-year Consolidated Plan for 2011-2015 and the Annual Action Plan for 2011 during an upcoming public comment period.

The Consolidated Plan and the Annual Action Plan focus principally on four federal programs: the New York State Community Development Block Grant Program (CDBG); the HOME Investment Partnerships Program (HOME); the Housing Opportunities for Persons with AIDS Program (HOPWA); and the Emergency Shelter Grants Program (ESGP).

The Consolidated Plan will be a five-year strategy for addressing the housing and non-housing community development needs of New York communities. The Consolidated Plan will set long-term goals for the development of viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for low- and moderate-income persons. New York State must submit a completed Consolidated Plan, including the Annual Action Plan, to the U.S Department of Housing and Urban Development by November 15, 2010.

The Annual Action Plan will describe the State's planned use of federal Fiscal Year 2011 CDBG, HOME, HOPWA and ESGP funds it administers to address the needs identified by its five-year Consolidated Plan and further the Consolidated Plan's objectives, and will also describe the State's methods for distributing these funds.

In addition, New York State is updating its *Analysis of Impediments to Fair Housing* which will identify impediments to fair housing choice in New York State and what actions are being taken to overcome the effects of those impediments. Interested persons are also invited to review and comment on the draft update of the Analysis of Impediments to Fair Housing during the upcoming public comment period.

The 30-day public comment period will begin on Wednesday, September 8, 2010 and extend through close of business Thursday, October 7, 2010. Beginning on September 8, 2010, New York State's draft five-year Consolidated Plan for 2011-2015, draft Annual Action Plan for 2011, and draft update of the Analysis of Impediments to Fair Housing, may be viewed on and downloaded from the New York State Division of Housing and Community Renewal (DHCR) website at www.nysdhcr.gov. In addition, copies can be requested by email (DHCRConPln@nysdhcr) or by calling 1-866-275-3427.

Comments should be mailed to: NYS DHCR, Attention: Brian McCarthy, 38-40 State Street, Albany New York 12207 or emailed to DHCRConPln@nysdhcr.gov. Comments must be received by close of business Thursday, October 7, 2010.

Appendix II
Summary of Public Comments
and Responses

COMMENTS REGARDING NEW YORK STATE'S CONSOLIDATED PLAN FOR PROGRAM YEARS 2011-2015

In accordance with the Citizen Participation Plan, the following comments on New York State's Consolidated Plan for Program Years 2011-2015 were received following a series of public hearings and during the State's Public Comment period. The comments have been grouped based on content. The summaries of the comments are in bold text, followed by the State's response. Summaries of comments not directly related to the formula grant programs covered by the Consolidated Plan, are included below and will be taken under advisement in the appropriate context.

Access to Home

Comment:

The State needs to expand upon the success of the "Access to Home" program by increasing the dedicated State funding and by reforming the program to allow people in need to directly apply in addition to the not-for-profit organizations. Efforts must be made to address the significant unmet need for this program. DHCR should consider a line item for funding this program in amounts that more closely correspond to the demonstrated unmet need for the program.

The State should increase funding levels in DHCR's proposed program budgets to increase capacity in the Access to Home program and make the Access to Home program available to renters, so all people in need are eligible to apply directly to this program.

Response:

Since the Access to Home program was created in 2005, nearly \$40 million dollars in funding has been committed to administer local programs to make the homes and apartments of low- and moderate-income New Yorkers with disabilities accessible. Additional funding would be a function of the Executive Budget process.

DHCR funds eligible Local Program Administrators which 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 their experience and ability to administer the Program in a timely manner within the confines of the proposed budget.

LPA applicants must specify procedures for outreach and customer prioritization in their application. They must follow procedures that result in fair and equitable distribution of assistance. Successful applicants must also adhere to the income targeting goals proposed in their application in the selection of households.

Access to Home funding is available to renters and homeowners who have a permanent physical disability or have difficulty with daily activities. LPAs must ensure that Access to Home funds are not used to replace other resources available to building owners. Owners who are obligated to provide these improvements as a condition of receiving government assistance are not eligible for program funds.

Comment:

For homeowners in need of accessibility modifications, Access to Home is a wonderful program. However, one of the biggest barriers in approving homes for this program has to do with the overall condition of the home. Critical repairs, such as roofs, are not covered under Access to Home. Some people who really need the assistance are turned down because other funding for structural repairs is limited.

Response:

Health and safety measures are an eligible expense under Access to Home, but only with respect to the immediate work area where modifications are being installed. The LPA should locate other sources of funds, such as Weatherization Assistance or HOME funds, to provide energy conservation and/or to mitigate lead based paint or other health and safety hazards unrelated to the accessibility modifications to be made. Applicants must adopt a deferral policy that states that assistance will not be provided to units where serious health or safety issues are present that are beyond the scope of the Access to Home program.

Comment:

While Access to Home works well for homeowners, it does not work well for renters. According to the Fair Housing Act, renters are allowed to make accessibility modifications if they can pay for it and if they return the unit to its original condition when they leave. However, with Access to Home, the landlord must agree to provisions that may extend beyond the time that the qualifying tenant lives in the unit which many landlords are not willing to do. Many low-income people with disabilities who rent and need accessibility modifications cannot take advantage of the program.

Response:

Access to Home is available to renters, as well as owners but renters need to get approval from the landlord that may extend for the entire five year regulatory period. It is required that the landlord demonstrate that the rental unit remain affordable to low income households for the five year regulatory period, be affirmatively marketed to persons with disabilities, and be maintained in a safe and habitable condition during the regulatory term to allow that it remain available for persons with disabilities during the regulatory term.

Accessibility

Comment:

One of the greatest barriers to independent living faced by people with disabilities is the severe shortage of affordable, integrated, accessible housing especially for young people who use wheelchairs and wish to live in the community with their peers.

Response:

As the State actively encourages new housing opportunities for persons with disabilities, DHCR's funding process includes rating and ranking criteria to increase opportunities for affordable, accessible housing for a variety of populations. 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. This set-aside includes 15% or more of the total project's units and allows owners to reserve units outside of the application

system, thereby providing access to units that may have otherwise been included in a lottery system.

The LIHC program Qualified Allocation Plan (QAP) was amended in 2008 to provide, for the first time, additional rating points to applicants who meet or exceed certain percentages for providing fully accessible and adapted, move-in units. Specifically, the amended QAP rewards through points projects that provide that at least 5 percent of the project units are fully accessible and adapted, move-in ready, which includes a roll-in shower, for person(s) who have a mobility impairment and the unit(s) will be marketed to households with at least one member who has a mobility impairment; and at least 2 percent (rounded up to the next whole number) of the project units are fully accessible and adapted, move-in ready for person(s) who have a hearing or vision impairment and the unit(s) will be marketed to households with at least one member who has a hearing or vision impairment, with more points awarded to applicants proposing the percentage of units equal to or exceeding 10 percent and 4 percent, respectively.

Comment:

There is a need to renovate existing housing and NYS needs programs that enable the renovation of older living units, especially rental units.

Response:

Rehabilitation of existing housing is an eligible activity under both HOME and CDBG.

The State is also responding to an important need in rural communities with a new initiative to provide safer, more affordable homes for low-income individuals and families by replacing severely substandard and dilapidated mobile and manufactured homes with new ENERGY STAR Qualified manufactured housing. Outreach has underscored the severe deterioration of many of these homes, particularly those built prior to 1976 when the use of tin roofs, metal siding, and inefficient windows was commonplace.

The new statewide Manufactured Home Replacement Initiative (MHRI) targets \$5 million in NYS HOME Program funds for the replacement of dilapidated owner-occupied mobile and manufactured homes that are sited on land owned by the homeowner. It also increases the award limit under HOME by sixty-six percent, from \$30,000 to \$50,000.

Comment:

There is a need for more local onsite supervision and enforcement. When money is to be spent on new construction, there should be a local, hands-on expert to insure that the results are accessible living units.

It was noted that NYS funds 38 Centers for Independent Living but does not utilize the resources of these centers to monitor accessibility problems in these localities. These centers could act as the eyes and ears of DHCR and provide third-party inspections of planned and completed construction of accessible housing and other activities impacting the stock of accessible housing. Those inspections could be done by persons with disabilities.

Response:

DHCR provides on-site inspections to ensure that developers build units according to the design specifications identified in their applications. Projects are also required to follow the applicable codes, regulations and laws for accessibility which essentially provide that persons with physical disabilities must be provided safe access through a building and its spaces.

Comment:

There is a great urgency of need because of the immediate needs of the disabled to get assistance and accommodation to accomplish the activities of daily living.

Response:

There is a need for timely and effective partnerships between those who develop affordable housing and those who provide social services to individuals and families living in affordable housing developments. There is also a need for supportive services, such as case management, job and life skill training (budgeting and personal housekeeping) and child care for special needs populations. DHCR does not provide direct housing supports for persons with disabilities however, remains committed to working with supportive service agencies to ensure programs are available for tenants who need them.

Comment:

Disabled people should be involved in planning in the early stages of housing development to prevent mistakes that lead to the need to provide hours of aide services, or to tear down and renovate housing that was just built to minimal standards only.

Response:

Persons with disabilities are encouraged to participate during the different phases of the housing development process, including talking to developers/applicants as they prepare requests for funding to contacting owners of new and existing housing about leasing units. DHCR publishes information on www.nyshcr.org about new awards including details about accessibility.

Comment:

It is recommended that the definition of “accessible” under the applicable law be made widely available to disabled people looking for housing, so that they know what to expect when visiting units advertised as accessible.

Response:

*Interested parties can find information and definitions relating to accessibility in DHCR’s Design Handbook at:
http://nysDHCR.gov/Publications/DesignHandbook/UF2009_DesignHandbook.pdf*

Comments:

The State must ensure that all housing constructed with HUD funding meets the basic accessibility requirements as required by Section 504 of the Rehabilitation Act of 1973. A proposed State bill, A.7851, would fully empower DHCR to enforce these requirements and ensure that the State is in compliance with federal standards.

DHCR must ensure that accessible units are properly marketed and reserved for persons with disabilities. The State should establish a requirement that local housing authorities maintain a waiting list of eligible applicants with disabilities, requiring housing authorities to do outreach to income-eligible persons with disabilities.

The State should develop a system to identify and rectify violations of Section 504 and Fair Housing accessibility requirements across the State. Builders who receive funds for meeting accessibility standards must market and reserve the accessible units for people

with disabilities as required by federal regulations. The State should ensure that private builders make reasonable accommodations and publicize the rights of consumers to have reasonable modifications. A modification fund should be created in the State by fining violators of such federal and State mandates.

Response:

DHCR promotes fair housing and equal housing opportunity by requiring awardees of capital program funding and tax credits to comply with State and federal civil rights laws in the marketing of the low income housing they develop.

These efforts are primarily guided by the Fair Housing Act and its amendments, Section 504 of the Rehabilitation Act and the NYS Human Rights Law. DHCR also affirmatively furthers fair housing statewide by ensuring that developers submit a marketing plan for approval prior to marketing and the rental of units, provides technical assistance and training on civil rights issues to developers and DHCR employees involved at the regional level.

DHCR's Office of Fair Housing and Equal Opportunity is charged with ensuring that developers/project owners conform to the (ADA) Americans with Disabilities Act and Section 504 of the Rehabilitation Act. As such, developers are required to submit an Affirmative Marketing Plan (AMP) which adheres to these Acts. DHCR, in conjunction with its legal staff, has developed Marketing Guidelines to assist developers in making appropriate outreach and that accessible units are properly marketed and reserved for persons with disabilities. In addition, developers are required to ensure that before accessible units are temporarily rented to persons who do not need the special design features, there have been diligent marketing efforts to market the units to special need persons. The Plan requires that information is provided on how the efforts will be documented and must also state whether marketing efforts will continue after the rental of a unit to someone who does not need the special design feature.

DHCR projects developed with HUD funds meet the accessibility requirements of Section 504 of the Rehabilitation Act of 1973, as well as the New York State and New York City Building Code (where applicable) and the Federal Fair Housing Act. In a new construction of multi-family housing with four or more units and an elevator, all units are accessible and visitable. In new construction of multi-family townhouses, DHCR encourages the developers to make projects visitable, where technically feasible.

All DHCR funded projects are required to follow the applicable codes, regulations and laws for accessibility which essentially provide that persons with physical disabilities must be provided safe access through a building and its space.

Comments:

DHCR should utilize the incentives in the State LIHTC program to increase availability of accessible units in the State by offering additional points for applications that propose greater access on a scale up to 100% fully accessible construction.

The State should focus on making more of the affordable housing stock accessible to people with disabilities by establishing incentives to fund projects that make 15% of all rehabilitated and newly constructed affordable units accessible and targeted to people with disabilities.

Response:

The LIHTC program Qualified Allocation Plan (QAP) was amended in 2008 to provide, for the first time, additional rating points to applicants who meet or exceed certain percentages for providing

fully accessible and adapted, move- in units. Specifically, the amended QAP rewards through points projects that provide that at least 5 percent of the project units are fully accessible and adapted, move-in ready, which includes a roll-in shower, for person(s) who have a mobility impairment and the unit(s) will be marketed to households with at least one member who has a mobility impairment; and at least 2 percent (rounded up to the next whole number) of the project units are fully accessible and adapted, move-in ready for person(s) who have a hearing or vision impairment and the unit(s) will be marketed to households with at least one member who has a hearing or vision impairment, with more points awarded to applicants proposing the percentage of units equal to or exceeding 10 percent and 4 percent, respectively.

Comment:

The lack of accessible, affordable, integrated housing in NYS is a primary barrier for people with disabilities, especially people in nursing facilities who want to return to and remain in their communities. The 2011-2015 Consolidated Plan should be the plan that thrusts NYS forward in its efforts to meet the needs of people with disabilities in the community, with accessibility being a priority objective.

Response:

DHCR 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 DHCR'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, DHCR chairs the Most Integrated Setting Coordinating Council (MISCC) Housing Committee and which is responsible for submitting annual action plans to be included in the MISCC Plan.

Comment:

The State should establish a policy that local code officials be trained in accessibility guidelines and include access requirements in their inspection and enforcement procedures.

Response:

Policies related to the State's Uniform Fire Prevention and Building Code fall under the purview of the NYS Department of State. This comment will be forwarded to the Department of State.

Comment:

The State should offer additional points in the State LIHTC for applications that propose 100% fully-accessible construction.

Response:

DHCR invites comments to the LIHC QAP, which governs the allocation of credit, outside of the Consolidated Plan process.

Comment:

The State must require that applicants for new Emergency Shelters, Transitional Shelters, and non-housing facilities must ensure that their facilities are fully accessible to persons with and without disabilities.

Response:

The Emergency Shelter Grants Program's Requests for Proposal (RFP) requires applicants to conform or become compliant with the Americans with Disabilities Act.

Comment:

The State could use CDBG funds to provide grants to local housing authorities for accessibility modifications.

Response:

As per the Housing and Community Development Act, only municipalities are eligible for State administered CDBG funds. For CDBG funding, regarding competitive bids for housing rehabilitation and replacement, new housing construction, and direct home ownership assistance, the bidding process give priority to projects that demonstrate compliance with Section 504, requiring set asides for people with disabilities in all projects with 5 or more units.

Comment:

For CDBG funding, regarding competitive bids for housing rehabilitation and replacement, new housing construction, and direct home ownership assistance, the bidding process give priority to projects that demonstrate compliance with Section 504, requiring set asides for people with disabilities in all projects with 5 or more units.

Response:

The majority of housing rehabilitation and homeownership assistance projects funded by the NYS CDBG program is for single-family housing units as the municipalities have identified single-family housing rehabilitation as their greatest need. However, multi-family housing rehabilitation activities are required to meet the requirements established at 24CFR8.22 which require that at least 5 percent of the dwelling units in a substantial rehabilitation of multi-family structures of 15 or more units be accessible to individuals with mobility impairments and at least 2 percent be accessible to individuals with sensory impairments.

Comments:

Projects will be rated on how they assure that set-aside units for people with disabilities will be marketed to and occupied by people with disabilities. Projects should be required to outreach to ILCs and discharge planners at local hospitals, nursing homes, and mental health institutions. Projects should be required to include information about available accessible units when they advertise.

Local housing authorities should maintain a waiting list of eligible applicants with disabilities so that whenever an accessible unit becomes available, there is an eligible applicant with disabilities ready to rent the unit. This concept should be incorporated into the State's plans as it moves forward with the development of these HOME-funded units.

Response:

DHCR requires compliance with the Fair Housing Act's nondiscrimination requirements at the marketing stage of developments it funds. Awardees are required to submit affirmative marketing plans, which must contain a marketing strategy to target persons with disabilities. DHCR requires developers to provide extensive verification in their Affirmative Marketing Plans (AMPs) on how they will enforce accessibility for DHCR funded projects. Each plan must list a community contact such as an Independent Living Center, for persons with disabilities, which will assist with

outreach. Advertisements for rentals and sales must contain equal opportunity and accessibility logos, as well as language stating the accessibility of units.

Projects developed with HUD funds meet the accessibility requirements of Section 504 of the Rehabilitation Act of 1973, as well as the New York State or New York City Building Code and the federal Fair Housing Act. This means that in new construction of multi-family housing with four or more units and an elevator, all units are accessible and visitable. In new construction of multi-family townhouses, developers are encouraged to make those projects visitable, where technically feasible.

All projects are required to follow the applicable codes, regulations and laws for accessibility which essentially provide that persons with physical disabilities must be provided safe access through a building and its spaces. These regulations include the current edition of the New York State of New York City Building Code and the Federal Fair Housing Act. Projects funded with federal funds must comply with the requirements of Section 504 of the Rehabilitation Act of 1973.

In the State's Administrative Plan for the counties it oversees under the Section 8 Housing Choice Voucher Program the only preference on its waitlists are given to persons with disabilities.

DHCR does not have oversight for Local Public Housing Authorities or their plans. While special outreach to income eligible persons with disabilities is not required, a questionnaire is included with the application which requires individuals to indicate if they need an accessible unit.

All PHAs including DHCR are required by HUD to conduct standard public notification when their list opens, thereby offering everyone a fair chance to apply. Often these activities include informing organizations and agencies that serve special needs populations of a waitlist opening however, it is not required by HUD.

Comment:

The State is to be commended for instituting the 10%/4% criteria and is encouraged to expand upon the success of these scoring incentives by offering an enhanced score for applications for 100% fully accessible and move-in ready to people with disabilities. Although it is understood that this type of construction may not comprise a significant number of applicants, there is no harm to the State for including this scoring criterion in certain State-financed housing projects.

Response:

DHCR invites comments to the Low Income Housing Credit Qualified Allocation Plan, which governs the allocation of credit, outside of the Consolidated Plan process.

Comments:

The State (DHCR) should ensure structured coordination on issues of accessibility, particularly with local governments. Advancing accessibility measures must come from the top down, and therefore it is DHCR's responsibility educating other entities on accessibility. It is recommended that DHCR establish a policy that local code officials be trained in accessibility guidelines and include access requirements in their inspection and enforcement procedures.

DHCR must affirmatively enforce the requirement for minimal accessible units by holding back a certain percentage of funding from builders until the minimal accessible units have been verified by an independent source, such as the ILCs. At the very least, DHCR should commit to conducting an assessment of all 504 set-aside units to determine how many are currently occupied by individuals in need of the accessibility requirements.

Response:

DHCR projects developed with HUD funds meet the accessibility requirements of Section 504 of the Rehabilitation Act of 1973, as well as the New York State and New York City Building Code (where applicable) and the Federal Fair Housing Act. In a new construction of multi-family housing with four or more units and an elevator, all units are accessible and visitable. In new construction of multi-family townhouses, DHCR encourages the developers to make projects visitable, where technically feasible. All DHCR funded projects are required to follow the applicable codes, regulations and laws for accessibility which essentially provide that persons with physical disabilities must be provided safe access through a building and its spaces.

Affordable Housing

Comment:

There is a serious need for additional low to middle income and higher middle income housing to expand the number of units in place in Cortland County. Also needed:

- **Additional housing units to permit seniors to stay in their neighborhoods and homes**
- **Middle-income housing initially supported by grant money for construction**
- **Continuing care facilities from independent living through nursing units**
- **Funds to improve existing housing stock**
- **Initiatives to increase home ownership**
- **Development of housing for disabled persons**
- **Housing for an aging population**
- **Measures to be taken to further the coordination efforts of local agencies to address the housing needs of our communities**
- **Restoration of the enhanced STAR program**
- **Work relief programs through Social Services**
- **Community and faith-based volunteer service programs for home maintenance especially for aging and disabled populations**
- **Home energy audits to reduce utility charges and promote cooperation with utility companies with the assistance of the Public Service Commission**
- **Creation of a Senior Tax Relief program that gives qualified citizens the ability to have the property taxes on their residences paid or postponed by the state to and equity formula. (Cortland.EDU)**

Response:

During this economic crisis, the need for affordable housing has never been greater. With budget restraints it has become even more evident that we need to ensure that resources are tailored to better serve the people of New York State. DHCR has reached out extensively on the local level to ascertain the affordable housing and community development issues and needs of specific regions. By interviewing hundreds of local experts on their specific needs, DHCR will be able to improve program delivery to meet local needs.

DHCR is responsible for the development and supervision of affordable low- and moderate-income housing throughout New York State. This includes ensuring that housing is safe, decent and affordable and supporting localities with community revitalization. These tasks are accomplished through a myriad of programs that extend beyond the formula grant programs governed by the Consolidate Plan. Many of these efforts are detailed throughout the Consolidated Plan.

With respect to the CDBG program specifically, it is limited in assisting households earning less than 80% of the area median income. NYS CDBG program funds cannot be used to assist low to middle income and higher middle income persons. However, many of the needs identified Cortland County can be funded through the NYS CDBG program including improving housing stock, initiatives to increase homeownership, improving senior housing to allow the population to age in place, and conducting energy audits as part of a housing rehabilitation program to address energy needs.

Comment:

One comment commended DHCR for utilizing both qualitative and quantitative data to develop goals in addressing affordable housing and community development. In particular, the statewide focus groups conducted to obtain regional information on challenges and strategies.

Response:

DHCR appreciates the positive feedback and looks forward to continued progress in providing affordable housing and community development to all New Yorkers.

Comment:

There is a definite need for adequate and strategic funding to address the affordable housing and community development needs throughout the state. The concept of having targeted revitalization is agreed with but not at the expense of neighborhood revitalization efforts occurring in communities throughout the State.

Response:

Under the NYS CDBG program the needs and priorities are initiated by the local jurisdictions applying for the CDBG funds. Therefore, some communities may address their needs through targeted revitalization while others may opt to focus on neighborhood revitalization efforts. The 2010 HOME awards, while targeted, show a thoughtful approach to maximizing the impact of HOME funding. It is believed that this approach will not obstruct neighborhood revitalization efforts, but will instead bring the resources necessary to advance the programs that meet the needs of the community. Over half of all local program awards were made to preservation companies.

The neighborhood revitalization efforts occurring in communities are the very targets where DHCR seeks to make investments. In fact, within the past year, DHCR rolled out the Sustainable Neighborhoods Demonstration Program, to provide planning grants for emerging neighborhood revitalization efforts, and capital funding for emerging initiatives with plans already in place. And once again, the annual funding round (UF2011) targets DHCR investments in neighborhood revitalization efforts born at the local level.

Comment:

Local resistance to affordable housing (NIMBY) is a significant barrier to affordable housing production throughout the State. The tool used in this resistance is zoning ordinances. It is recommended that DHCR engage not only in educational efforts but also in policy change to address this issue. It is recommended that DHCR re-invigorate a Public Service Announcement (PSA) campaign on NIMBYism; share and promote model zoning ordinances statewide; speak on this topic at conferences/meetings convened by/for local officials, planning and school boards; incorporate incentives into the RFPs for transportation or other infrastructure funding opportunities led by DHCR; and look at the

recently enacted Smart Growth Act as an example of how to require communities to implement affordable housing plans in order to be eligible for DHCR funding.

Response:

An ongoing campaign was launched to dispel the myths associated with affordable housing and demonstrate the far-reaching benefits that it has on cities, towns, and villages. The support of municipalities on every level is critical to the State's ability to create and preserve affordable housing opportunities in New York.

A statewide Public Service Announcement (PSA) was created to promote the continued development of affordable housing in communities throughout New York State. The PSAs are part of a larger campaign, Affordable Housing Works, touting attractive and high quality affordable housing developments across New York State.

The PSAs aired on broadcast television stations and radio stations throughout the State. Additional ads ran in Spanish. In conjunction with this effort a stand-alone website: AffordableHousingWorks.org is available to showcase the PSAs, as well as examples of attractive, quality affordable housing throughout the State.

As part of this effort a video presentation was created entitled, "Municipal Leaders Speak Out-Affordable Housing Works!" The piece features municipal leaders speaking out about the positive impact of affordable housing on communities and quality of life.

These resources remain available and to the extent funding may be available opportunities for further Public Service Announcements will be considered.

In addition, DHCR does have policy which provides for the extension of Tax Credit reservations for projects which have encountered local resistance, and DHCR has extended HTFC funding commitments for projects to allow for additional time to secure local approvals.

The Smart Growth Public Infrastructure Policy Act was signed into Law in 2010, which requires State infrastructure funding to be consistent with smart growth principles, with priority given to existing infrastructure and projects which are consistent with local governments' plans for development. The State's Housing Agency will be working to align its funding programs consistent with the provisions of the new measure.

Comment:

One comment states that one barrier to affordable housing not mentioned in the Consolidated Plan is the reductions in State funding to the not-for-profits and agencies developing and preserving the affordable housing stock, particularly the preservation companies. State budget cuts caused programs to reduce hours, limit services, tighten their intake procedures, and implement furloughs and layoffs. This has a direct impact on the ability to meet the need and assist the State in meeting its Consolidated Plan goals and objectives.

Response:

The current state fiscal crisis has been extremely stressful on not-for-profits and agencies which rely on funding state operational funding. DHCR recognizes the vital role that these agencies play in delivering housing services, and DHCR will continue to collaborate with these agencies to reduce unnecessary paperwork, achieve cost savings, and develop other efficiencies to help these agencies to carry out their missions.

Comment:

One comment strongly recommends incorporating a public awareness campaign vital for addressing the local resistance and changing peoples, knowledge, attitudes, and behavior as they relate to affordable housing and community development. The two campaigns conducted in 2008 are acknowledged but a new campaign needs to be incorporated as part of the 2011-2015 Consolidated Plan.

Response:

The Public Service campaigns were valuable tools in raising the awareness of local officials and the general public, and DHCR may consider another campaign assuming funding is available for this use in the future.

Comment:

NYS's Constitution grants jurisdictions the right to control land use at the local level but that should not absolve NYS from its legal and moral obligation to insist those jurisdictions act in accordance with fair housing laws. This is particularly true when jurisdictions use State laws to obstruct the development of affordable housing. The State Environmental Quality Review Act (SEQRA) is often used as a device to discourage the development of affordable housing by being a tool of choice for NIMBY. SEQRA can easily be used to delay affordable housing proposals and to make them cost prohibitive. Changes need to be made to the Act by simply requiring a timeline for decision making which could prevent wasteful expenditures of time and precious public and private resources. Third party professional mediation services could also be considered as an effective tool to intervene in standoffs involving SEQRA review or other land use decisions and to help bring protracted land use battles to an end.

Response:

DHCR is not able to make changes to the State Environmental Quality Review Act. This would have to be taken up with the New York State Department of Environmental Conservation (DEC) and the New York State Legislature.

There are timelines in SEQR; in the General Rules clause "h" states: "Agencies must carry out the terms and requirements of this Part with minimum procedural and administrative delay...and must expedite all SEQR proceedings in the interest of prompt review."

The NYS DEC is the state agency with oversight of SEQR. If an action or SEQR classification/determination causes controversy or a "stand-off", DEC can be asked to intervene, review and rule on SEQR proceedings that have been found objectionable by NIMBYies or other obstructive actors.

Comment:

NYS has come to rely heavily on the private developers to deliver its affordable housing production by using State and federal resources to leverage low income house credits. It is not surprising that private developers avoid communities that put up resistance to affordable housing proposals. It is suggested that NYS articulates specific fair housing goals and act strategically to achieve these goals by identifying projects that will create affordable housing options for low income households in markets where jobs and economic opportunities exist.

Response:

The pending RFP includes a new Housing Opportunities initiative which is a funding preference for applications proposing workforce housing for families in areas experiencing economic and population growth and that are served by high performing schools. To be considered, projects must be located in areas that have stable or growing tax bases and must also be in close proximity to public transportation, child and health care, grocery stores and employment opportunities. Additionally, Housing Opportunity Projects must be located in areas that have low rental vacancy rates and a high percentage of renters paying 30% or more of their household income on housing.

Comment:

The Consolidated Plan does not identify reductions in the State workforce as a barrier to affordable housing but it is becoming increasingly clear that NYS is suffering from dramatic staffing shortages which adversely affect the management of programs and policies designed to address the State's housing crisis.

Response:

DHCR is confident it will meet all of the challenges of a reduced workforce and continue to deliver high quality level of services.

Comment:

HOME and CDBG Small Cities programs provide the vast majority of funds that go toward meeting the affordable housing needs of rural NY and to the advancement of fair housing in all of non-metro NYS. The Office of Community Renewal is commended for their ongoing commitment to affordable housing through scoring preferences for programs that promote housing choice in areas outside of minority or low- and moderate- income concentrations. All of the State's programs need this commitment.

Response:

With the creation of NYS Homes and Community Renewal, similarities among the different programs will be integrated and aligned to better meet the needs of New York State's communities and resulting in consistencies in thresholds, requirements and preferences.

Comment:

OCR does an outstanding job of informing applicants of its priorities and laying out a scoring system that reflects those priorities. Communities develop proposals using the scoring information provided by OCR and when their proposals are not funded, it is important to those communities to understand how they can improve their future applications. The traditional format for this feedback is the exit conference which officials from applicant communities and their designees need to be able to attend.

Response:

OCR will continue to allow for applicants to receive feedback on their applications. With the integration of the HOME, NY Main Street and NYS CDBG Programs under OCR, this practice will be applied to HOME Program. This practice has been determined to be an effective tool in improving applications and assisting applications in submitting complete applications.

Definitions/Descriptions

Comment:

The State needs to set a targeted deadline for amending the definition of “homeless,” as mandated by the Hearth Act of 2009. The disability community has been advocating for years to expand the New York State definition of “homeless” to include people in institutions because this population could benefit from homeless programs.

Response:

DHCR will forward this comment to the NYS Office of Temporary and Disability Assistance (OTDA). It is under the purview of OTDA that this definition is identified.

Comment:

The State needs to stop using antiquated language like “handicapped person” and use the term “person with a disability.”

Response:

The Consolidated Plan has been updated to replace the term “handicapped person” with “person with a disability” wherever relevant.

Comment:

One comment recommends DHCR broadens its description and explanation of the Americans with Disabilities Act (ADA) in the Needs Assessment section of the Consolidated Plan.

Response:

Further information is included in the Strategic Plan section of the Consolidated Plan. An excerpt from this section follows:

“The Americans with Disabilities Act, enacted in 1990, prohibits discrimination against persons with disabilities by public entities in the course of their providing “services, programs and activities” to the public.”

Farmworker Housing

Comment:

Several comments were received requesting that farm workers be considered as a special needs population in the 2011-2015 Consolidated Plan in order to allow non-entitlement towns and counties to access HOME and CDBG funding. Funding is needed to help farm owners provide quality farmworker housing to maintain agriculture’s large positive influence on economic development in many upstate New York communities. The lack of public funding available in New York State for farmworker housing forces farmworkers to live in overcrowded, often structurally unsound housing. Quality farmworker housing supports economic development and attracts and supports a vital labor force. There is a strong NIMBY attitude permeating many rural communities when the subject of building affordable housing for farmworkers is raised. The availability of HOME and CDBG funds for farmworkers will allow for the development of an on-farm farmworker housing with less

community opposition. Also, not-for-profit organizations need access to Low Income Housing Tax Credits for the development of farmworker housing off the farm.

Response:

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, DHCR 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, DHCR has provided 217 loans statewide to agricultural producers totaling \$12.5 million without a single default. The Program's success has been driven by the ongoing collaborative partnership between DHCR, the NYS Health Department and the Farm Credit East lending institution, which originates and services these streamlined loans.

Based on existing provisions of the Internal Revenue Code (Section 42 of the IRC) which authorizes the federal Low-Income Housing Credit, this tax credit may currently be utilized to finance farmworker housing provided it meets the other requirements of the IRC. Further, non-profit organizations may play a substantial role in all facets in the development, construction, ownership and management of projects financed by the Low-Income Housing Credit.

Home Modifications

Comment:

A change in building codes is needed statewide. Standards for the construction of a wheelchair ramp need to be flexible enough that they don't prevent the speedy construction of a safe ramp, but at the same time they need to be strict enough to prevent the construction of ramps that are eyesores. Ramps need to be promoted as permanent home improvements by using leadership, public education and financial incentives.

Response:

Policies related to the State's Uniform Fire Prevention and Building Code fall within the purview of the NYS Department of State. This comment will be forwarded to the Department of State.

HOME Program

Comment:

HOME's proposed activities associated with the objective "Improve affordability by creating new rental assistance opportunities" notes that HOME funds will be used to provide grants to local program administrators to operate limited tenant-based rental assistance programs with programs targeted to extremely-low income families, large families and special needs populations receiving preference. Several questions/comments:

How much HOME program funds will be available for this purpose?

Response:

Because the need for funds is locally driven, program funds are not specifically set aside for this activity. Rather, determinations are based on the number of applications received and their

competitiveness. In 2010, two applications for tenant based rental assistance (TBRA) were received and both applications were funded.

Will these funds translate into rental subsidies supplied directly to tenants, as is stated in the propose activity?

Response:

TBRA projects involve the payment of rental subsidies on behalf of eligible low-income tenants. Security deposit payments are also eligible expenses.

What are the guidelines under HOME for rental assistance programs?

Response:

It is recommended that applicants read the guidelines established under 24 CFR Part 92 (Final Rule) and NYS DHCR's Capital Program Manual and then propose an administrative plan that will be compatible with the applicant's project/community – looking, of course, at our scoring criteria.

What does the State mean by “limited tenant-based rental assistance”?

Response:

24 CFR Part 92 states that HOME TBRA rental assistance contract may not exceed two years.

How will the State score and track these funds to ensure that they are targeted to extremely-low income families, large families and special needs populations?

Response:

HOME contracts are monitored annually either through a desk audit or a site visit to ensure that the LPA is meeting all contract requirements.

Comment:

One comment strongly encourages the State to increase the target of developing 100 tenant-based rental assistance units over the next five years.

Response:

Targets are based on the historical response to the need as based on applications submitted. In Unified Funding 2010, two applications were received for TBRA – both of which were funded. Based on the needs in the service area, LPAs determine the type of program that best addressed the needs in the service area.

Comment:

It is noted in the “Proposed Activities” under the objective “Improve availability and accessibility by creating new rental and homeownership opportunities through expanded housing production” that rental housing and homeownership housing developed with HOME funds will be primarily intended for very low and low incomes households respectively. DHCR should target extremely-low income households in order to include people on SSI who are well below the 30% AMI.

Response:

The scoring preference for LPAs targets extremely-low income households. The applications for homeownership must demonstrate that the target population will ultimately be able to acquire financing for the home. Targeting too low of an income population may prove to be financially infeasible.

Comment:

If the State intends to develop 250 rental units through Community Housing Development Organizations (CHDOs) over the next five years, this means that 18 units must be built to move-in ready accessibility standards, set aside for people with disabilities, and aggressively targeted to persons with disabilities. The State must clearly outline these responsibilities to the CHDOs.

Response:

This requirement is project specific. The 250 rental units projected through CHDOs over the next five years will most likely be scattered sites completed by various CHDOs. At this time, it is unknown how many of the units will be single family and how many will be multi-family. All multi-family developments will be held to the requirement.

Comment:

Similarly, the 750 rental units targeted for low-income seniors, 525 of which will include a mix of low-income and extremely-low income, will be required to comply with Section 504 set asides for people with disabilities resulting in 53 units.

Response:

This requirement is project specific. The 750 rental units targeted for low-income seniors over the next five years will most likely be scattered sites. At this time, it is unknown how many of the units will be will be single family and how many will be multi-family. All multi-family developments will be held to the requirement.

Comment:

One comment stated that DHCR is out of touch with the needs of rural communities based on the recent announcement of HOME awards. A review of the HOME awards continue to show a plan that funds are given to areas that receive entitlement grants and politically-charged areas, and that there is a lack of interest in the rural communities which have no other options.

Response:

The 2010 HOME awards were made by evaluating the highest scoring applications. A look at all 2010 local program awards (HOME, Access to Home, and RESTORE) shows that approximately half of all awards were made to rural preservation companies, rural counties, villages, or towns. Technical assistance is available to potential applicants seeking funding opportunities with DHCR.

Comment:

All Rural Preservation Programs were required to submit a 3 year strategic plan in 2009 which were approved but did not result in the receipt of HOME grants, which the

commenter finds objectionable and outrageous. New York State needs better ideas in the 5 year plan to address the rural poor.

Response:

The three year strategic plan was not a guarantee of HOME funding; instead, it was an opportunity for preservation companies to look at the needs in their communities and develop plans to meet those needs. Part of the direction for the strategic planning was to develop contingency plans in case key funding was not received.

Comment:

DHCR's projection that 125 tenant-based rental assistance units will be developed in the next 5 years is wholly inadequate to meet the actual needs of very-low and extremely-low income families, especially when compared to the 750 units proposed for low-income seniors and 1,400 rental units affordable to working families.

Response:

The projection was based on the number of TBRA applications historically requested and awarded.

Comment:

One comment asked whether New York State will be able to use HOME funds for Homelessness Prevention and Rapid Reentry (HPRP) activities after HPRP programming ends.

Response:

HPRP assistance should be focused on stabilization, linking participants to community resources and mainstream benefits, and developing plans for future stability. Many of the HPRP expenses are not eligible under the HOME program (i.e. utility payments, moving costs, security deposits, rent, storage fees, etc.) so it may be difficult to utilize HOME funds for these activities.

Comment:

As HOME funds will typically be used in conjunction with LIHC, it is recommended that DHCR reviews its fair housing goals and develop strategic objectives beyond what is currently proposed to ensure that incentives are provided to overcome local resistance to affordable housing developments.

Response:

DHCR seeks to promote fair housing and equal housing opportunity by requiring awardees of capital program funding and tax credits to comply with State and Federal civil rights laws in the marketing of the low income housing they develop. These efforts are primarily guided by the Fair Housing Act and its amendments, Section 504 of the Rehabilitation Act and the NYS Human Rights Law. These statutes prohibit discrimination in the sale or rental of housing based on race, religion, color, national origin, sex, familial status, age, disability, sexual orientation, military status and marital status. DHCR affirmatively furthers fair housing statewide by ensuring that developers submit a marketing plan for approval prior to marketing and rental of units. FHU also provides technical assistance and training on civil rights issues to developers and DDHCR employees involved at the regional level.

Comment:

The 2011 Action Plan states that HOME funds are distributed on a competitive basis with funds awarded based on a “Performance-based Initiative.” There is concern that this approach does not always indicate the funds are going to the area of highest need but rather to a program who demonstrated a stellar performance.

Response:

As with any initiative, the Performance Based Initiative underwent a great deal of scrutiny prior to being included in the funding round. One thing discovered during our testing was that utilizing the LPA’s ability to expend funds had a direct correlation to a high need in their service area. This Initiative produced many advantages to our LPAs - such as the elimination of the need to submit a full application (LPAs’ previous contract was amended). Also, the amendment process allowed us to avoid a new program environmental review. PBI recipients have moved quickly through the process and are already serving their constituency. We will review this Initiative at the end of this funding round to determine its effectiveness.

Comment:

It is recognized that NYS’s plan to reserve 15% of the “Balance of State” HOME allocation for CHDO projects and 80% of the remaining funds for non-participating jurisdictions (PJs) is a recitation of HUD guidance on the issue of HOME distribution. The commenter objects to DHCR’s use of these percentages as targets rather than limits. In the 2010 Unified Funding round, about 25% of NYS’s HOME funds were directed to HOME entitlement communities with HOME resources of their own. NYS’s municipal and metropolitan county PJs received over \$165.5 million in HOME funds in 2010 with NYS receiving \$39 million to serve the balance of the State. It is pointed out that the State’s allocation is roughly proportionate to the non-metro, non-PJ population of our State and therefore the diversion of nearly “10 million of “balance of State” Home funds to other PJs is unfair and inappropriate. Rural communities have fewer alternatives for available resources to meet their needs and the practice of diverting HOME funds to entitlement-funded jurisdictions is particularly objectionable.

Response:

In order to achieve the required 15% CHDO set-aside in 2010, DHCR awarded HOME LPA funds of approximately \$9 million for programs located in other Participating Jurisdiction (PJs). However, almost half of these funds serve rural countywide PJ’s such as Jefferson, St. Lawrence, Onondaga and Erie Counties.

Comment:

NYS and DHCR are commended for investing in not-for-profit capacity through the Neighborhood and Rural Preservation programs, which have been essential in addressing housing needs in low income communities and continue to play a key role in the delivery of HOME and CDBG funds. NYS is urged to create a more stable, predictable approach to funding these organizations.

Response:

DHCR understands that funding provided to Neighborhood and Rural Preservation Companies allow them to access and administer programs which are crucial in times of economic distress. While Preservation Companies have indicated that cuts to their funding levels would disrupt the continuity of services to communities, this is a function of the Executive Budget process.

NYS CDBG does not directly fund not-for-profit organizations. Rather, eligible municipalities may elect to use a not-for-profit to assist them in the administration of their CDBG award as a consultant or a subrecipient. The CDBG program cannot mandate the use of these not-for-profit organizations, therefore, a more predictable approach to funding not-for-profits is not available.

Housing Registry

Comments:

A registry of accessible housing in NYS should have its units inspected by persons with disabilities and specific accommodations should be described.

The State's housing registry, NYHousingSearch.gov, should include an option to search for "Resources to make your home accessible" that would link to a list of local providers that do home modifications.

The State should focus its marketing and outreach efforts for the housing registry to include local ILCs, as well as discharge planners at local institutions.

Provide continued funding for the NYHousingSearch.gov web site that provides a searchable resource for rental housing in New York State using a variety of criteria, including senior housing and special mapping features.

Response:

NYHousingSearch.gov is a listing and locator service that allows owners to list and searchers to search for accessible, affordable rental housing. Searchers can also find links under "Resources" such as environmental modifications. DHCR is also working with the NYS Department of Health and the Housing Education program to include marketing efforts in that project.

Integration

Comments:

Integration should be considered during the construction phase of all single and multi-family housing developments with DHCR ensuring that accessible units are dispersed throughout the community.

The State must commit to shifting the locations where housing assistance can be used in order to increase integration.

Supportive housing is not the answer to housing needs for all people with disabilities. The State must shift its focus from creating more supported housing and address the need for funding for fully-integrated housing that is de-linked from services.

The State should support the national disability rights agenda by adopting State plans to end segregated housing for people with disabilities and tell HUD that people with disabilities in NYS do not want segregated housing.

Response:

DHCR recognizes that integration is the right of all people and encompasses housing, employment, education, recreation, social roles, peer support, health status, citizenship, self-

determination, and religion. DHCR works to identify and eliminate barriers to integration and provide supports which bring positive change to those persons living with disabilities.

The State continues to engage in planning initiatives that play a significant role in expanding housing for people with disabilities. DHCR and the Office of Temporary and Disability Assistance (OTDA) serve as active members of the Most Integrated Setting Coordinated Council (MISCC). The Commissioner/CEO of DHCR chairs a MISCC Housing Committee which is comprised of consumers, representatives of not-for-profit and advocacy organizations, as well as entities of government whose work impacts the lives of people with disabilities. The Committee was formed in 2007 to support the MISCC's goal of ensuring that people of all ages with disabilities are afforded the choice and empowerment to live in the most integrated setting that meets their individual needs and preferences.

Miscellaneous

Comment:

The State should establish a requirement that all projects receiving public funds ensure that all of their marketing and informational materials are available in alternative formats such as large print or Braille, as well as provide American Sign Language interpreters upon request.

Response:

Within the context of the Citizen Participation Plan for the 2011-2015 Consolidated Plan, all Public Hearing and Public Comment Period Notices included information that accommodations for persons with disabilities would be made available upon request. Interpreters would also be made available upon request to accommodate the needs of non-English speaking persons. Individuals who required other accommodations regarding the hearings were asked to call DHCR's toll-free number 1-866-275-3427.

With respect to other publications and materials, DHCR has and will continue to consider and facilitate any reasonable request to accommodate persons with both physical disabilities and sensory impairments.

Comments:

The State should make discrimination by landlords based on a tenant's source of income illegal under State Human Rights Law, as is done in NYC. DHCR should acknowledge and support the need for source of income legislation in order to eliminate landlord discrimination against people with fixed incomes, particularly SSI.

In addition to acknowledging source of income discrimination as a barrier to affordable housing, one comment recommends that DHCR should support legislation that adds protections against discrimination based on lawful source of income into New York State Human Rights Law.

Response:

DHCR and its Local Administrators provide written and verbal information on participants and may recognize and respond to any observed forms of discrimination they may encounter. In the City of New York, DHCR closely monitors Human Rights Law provisions which prohibit a landlord from discriminating on the basis of income source. In other areas of the State where there are not similar specific Human Rights Law protections, DHCR nonetheless encourages people to submit

discrimination complaints if they feel they are being unfairly or arbitrarily treated during their housing search.

Comment:

The State should conduct a needs assessment and collect data on the housing needs of people with disabilities to ensure they are receiving the housing assistance they prefer.

Response:

DHCR has worked diligently to develop a close, working relationship with the disability community in New York State in order to determine the needs and assistance required by all residents, including persons with disabilities.

Comment:

DHCR should explore the movement of universal design, examine emerging standards for universal design, and work with the disability community to develop a plan for implementation of universal design standards for units in the near future.

Response:

As part of aligning the work of several content areas across the agency DHCR has created Integration Committees, one of which is the Design Standards committee. This effort is intended to work strategically and holistically in support of the revitalization of New York State's communities and neighborhoods; and be a valued partner with varied stakeholders for housing and community success. The Design Standards Committee is examining universal design, green design, urban planning and other leading principles of sustainable, cost effective/quality design.

DHCR 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.

Comments:

The issue of second-hand smoke has been identified as a barrier to housing for many individuals with disabilities. The Center for Disease Control and Prevention indicates that smoking and second-hand smoke are a leading cause of heart attacks, stroke, lung cancer, COPD, emphysema, and other environmental illnesses, especially for people living below the poverty line in the US. Since developed properties by DHCR serve populations living below the poverty line, it is recommended that DHCR further examine this issue as a barrier to housing and consider clean indoor air policies for rental housing developments to protect the health of non-smoking residents.

DHCR needs to address the increasing issue of people with environmental sensitivities who require housing that is mold-free, fragrance-free, etc.

Response:

Consistent with a September, 2010 HUD issued bulletin encouraging smoke-free housing, DHCR is exploring the issuance of a similar bulletin toward its publicly assisted housing portfolio.

DHCR recognizes the increasing issue of people with environmental sensitivities and their need for mold-free and fragrance-free housing.

Comment:

There is a need for additional community residences for persons with significant mental illness in Ulster County.

Response:

This comment will be referred to the NYS Office of Mental Health.

Comment:

One comment complements DHCR for its efforts to gather information about the State's housing needs through outreach meetings conducted by DHCR's Policy staff. Although there has been a limited number of topics discussed, the meetings resulted in some good information and appropriate policy and programmatic responses. However, there is a limit to which policy should be informed by anecdotal information.

Response:

The State Affordable Housing Needs Study provided DHCR with insight on a variety of housing and community development issues. Although by no means inclusive of all needs, the Study will offer supplemental information as DHCR defines and develops future housing-related policies.

Rural Housing

Comment:

Available data in the discussion of affordable housing needs is particularly inadequate or outdated for rural communities. ACS data available for smaller communities and rural places is lacking as a result of less frequent sampling and small sample sizes in smaller communities. ACS data is thus likely to under-represent rural communities when viewed in statewide context and will be subject to very large margins of error when applied to smaller communities. NYS's housing agencies are encouraged to support efforts to improve the quality of empirical data about our smaller communities.

Response:

DHCR concurs that existing empirical data for smaller and rural communities is limited. We will continue to work with our partners at the Empire State Development's New York State Data Center, the State's primary and most comprehensive source for economic and demographic data, to ensure that the best quantitative data is used to illustrate affordable housing and community development needs in these areas.

Comment:

There is a need for further investment in small projects and NYS is urged to expedite the re-introduction of the Small Project Initiative. This activity has become increasingly important as private investment in rural communities has recently dried up.

Response:

The Small Project Program (SPP) has been an important program in rural areas, for the reason stated. In the most recent SPP funding round, DHCR awarded over 160% of funds initially made available for the SPP (\$13 million vs \$5 million). DHCR is working on SPP refinements to align

the program with its intended use and constituency, and has made tentative plans to roll out the program again in early 2011, assuming funding is available.

Comment:

The aging housing stock of rural communities needs to be improved through housing rehabilitation efforts. NYS has been struggling to find an approach to providing a rental rehab program to support the rehabilitation of smaller privately-owned rental housing and needs to devise an effective program to meet this goal.

Response:

The activities funded under the NYS CDBG program are driven by the needs identified by the applicants. As such, rental rehabilitation activities are undertaken by successful communities that have met the program and application requirements of the program and have demonstrated a need for this activity. Communities that can demonstrate a need for this activity should consider NYS CDBG as a funding source. There is concern about the decline of NYS's once highly productive partnership with USDA Rural Development. As a result of budget constraints and subsequent policy changes, contracts under the NYS Rural Rental Assistance program are being allowed to lapse. While many of these expiring contracts have been moved over to Section 8 project based assistance, there is concern that as the number of impacted units increase, the Section 8 solution will not be viable and very low income households may be displaced and valuable affordable housing projects put at risk. NYS and RD are urged to find a new method of developing rental housing in NYS's rural communities.

There is a great need for housing rehab in rural areas, and DHCR has been made aware through its Housing Needs Studies and other venues of the need for a rental rehab program for small privately owned rental housing.

Comment:

There is concern about the decline of NYS's once highly productive partnership with USDA Rural Development. As a result of budget constraints and subsequent policy changes, contracts under the NYS Rural Rental Assistance program are being allowed to lapse. While many of these expiring contracts have been moved over to Section 8 project based assistance, there is concern that as the number of impacted units increase, the Section 8 solution will not be viable and very low income households may be displaced and valuable affordable housing projects put at risk. NYS and RD are urged to find a new method of developing rental housing in NYS's rural communities.

Response:

Contracts have not lapsed. Expiring contracts have either been extended in one year increments, or have migrated to Section 8 through a highly successful and deliberate effort to move units to the Section 8 program as older Rural Rent Assistance Program contracts expire.

Regarding new development, the investment community has little or lukewarm appetite for tax credits in rural areas currently, so almost every new development in a rural area would need sole financing with state or federal capital funds, such as through the Small Projects Program. DHCR hopes that a refined SPP program, when rolled out in the future, would serve as one mechanism for meeting this demand.

Senior Housing

Comment:

Any entity receiving State funding or incentives to develop a senior living community should be required to locate that community near to essential services. The State should consider a surtax on any private senior community whose residents rely on taxpayer-funded transportation to help fund that transportation.

Response:

The QAP amendments of 2008 provide rating points for applicants which propose the development of projects consistent with smart growth principles including location and neighborhood fabric; in other words proximate to necessary services.

Under Unified Funding, DHCR conducts feasibility reviews of proposed project sites to review minimum site requirements including the suitability of the site with regard to the proposed occupants' accessibility to shopping, community facilities, transportation, etc.

Comment:

One comment commended the recent consolidation of several State housing agencies into one agency, New York State Homes and Community Renewal, and recommends the new structure begin to focus on the need to develop and preserve affordable senior housing.

Response:

The mission of DHCR is to create and preserve affordable housing for all New Yorkers, irrespective of age or household composition.

Comment:

A dedicated funding stream is needed in state resources along with interagency cooperation for senior housing development.

Response:

The integrated and consolidated housing agencies provide a new opportunity for interagency collaboration and effectiveness.

Comment:

There is a growing demand from both consumers and State government that subsidized housing for seniors become a platform to make supportive services available to help seniors remain in their homes longer, rather than move to a higher level of care in an adult care facility or nursing home.

Response:

DHCR recognizes the need for a continuum of housing opportunities for elderly persons. Examples of responding to this need include DHCR programs such as Access to Home Program, which assists with environmental modifications to allow individuals to return to or remain in their own homes. In addition, DHCR partnered with the NYS Department of Health (DOH) 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 (18) or over and seniors by assisting them with securing housing and at home services appropriate to their needs.

Comment:

While additional regulatory and operational hurdles exist in developing a housing-plus-services model into subsidized senior housing facilities, the HOME and CDBG programs could assist in developing the building features needed to incorporate supportive services such as health services, additional parking, community access, Internet access, etc for seniors.

Response:

Applicants considering such activities should refer to the CDBG regulations to determine if the activities being considered are eligible for CDBG funding and the OCR Annual CDBG Competitive Application to determine the competitiveness of the activities being proposed.

Comment:

New York State and local governments must plan for and support efforts by housing developers and operators to maintain seniors in the least restrictive and least costly setting. Allocating additional resources for senior housing through the HOME and CDBG programs will allow seniors to be assisted in maintaining their independence and assist in a main objective of the CDBG program to “develop and implement strategies that facilitate the coordination of NYS CDBG funding with other federal, State and local development resources.

Response:

Senior housing rehabilitation programs are eligible activities under the NYS CDBG program. However, because of the flexibility of the CDBG program, the need for assistance is locally driven. Therefore, municipalities must identify senior housing as a need and apply for funding for such programs.

Comment:

New York State and DHCR need to assist developers, providers and seniors with the funding, coordination and technical assistance in developing additional senior housing when needed.

Response:

The newly integrated housing agency provides new opportunities for efficiency, creativity, and responsiveness (“one stop shopping”) to meet local housing demand and needs. The newly created agency will explore and implement creative and efficient methods for development and preservation of affordable housing. For example, DHCR recently participated in a bond transaction which “bundled” four proximate projects in to one preservation and rehabilitation transaction, thereby achieving transactional cost economies.

Comment:

DHCR needs to create an Office of Senior Housing that focuses on the development, preservation and incorporation of supportive services into senior housing. This office will need to work closely with other state agencies, HUD, providers and seniors to address regional barriers to construction that will ensure there will be affordable, quality-driven

senior housing in the future. A separate office at DHCR focusing on senior housing will assist in developing public policy that ensures that funding will be acquired to create rental housing for seniors, along with supportive services, sited close to support systems and public transportation.

Response:

DHCR is poised to achieve all of these objectives, as the integration of the state's housing agency under one umbrella will provide new opportunities for efficiencies and responsiveness to the expanding elderly population. DHCR supports a holistic approach to senior housing preservation and development which is sited appropriately, near to public transportation and supportive services, as evidenced by the set-aside of Low Income Housing Credit for supportive housing projects in the annual Request for Proposals, and in the rating of applications for funding, which provides additional rating points for special needs populations, including the frail elderly.

Comment:

Incorporating technologies into senior housing, including broadband, monitoring technologies, telemedicine, and health medical records will be critical in assisting seniors to remain independent in their homes and prevent or delay institutional placement. The Consolidated Plan should address technologies with a specific section to recognize the evolutionary importance of technology over the next 5 years.

Response:

The Office of Community Renewal recognizes the need to improve technology services for all populations, not just seniors. However, limitations within the federal statute make funding such activities difficult.

Comment:

Funding for the HOME, CDBG, and LIHTC programs for new construction should be based on the need for affordable senior housing in specific regions within New York State.

Response:

Because CDBG funds can only be used in an extremely limited capacity to fund new construction activities and the demand for this activity was extremely low, this category was eliminated from the NYS CDBG program in 2009.

The Statewide Affordable Housing Needs Study developed by DHCR in 2009 identified certain regional needs in different areas of the State and may inform DHCR about where to target resources in the future.

Comment:

Detailed dated collection and interpretation is needed by DHCR to determine the need for senior housing in specific regions of the State and how to facilitate applications to develop affordable senior housing in those regions.

Response:

The Statewide Affordable Housing Needs Study was an unprecedented solicitation and gathering of data provided by local stakeholders and may serve as the basis for additional research and analysis.

Comment:

Senior housing needs a funding stream and target of affordable housing similar to New York/New York III to meet the needs of the elderly and frail elderly who often pay over 50% of their income for rent.

Response:

DHCR 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:

An emphasis on making available case management and supportive services in senior housing should be addressed in the Consolidated Plan.

Response:

As DHCR does not provide or develop any direct housing supports for persons who are elderly or have disabilities, this comment will be shared with State agencies that do provide these supports.

Comment:

Encourage “mixed-financing” deals of new construction and recapitalization of combining HUD Section 202 and LIHTC funding by analyzing the projects completed in New York State and across the nation and implementing needed changes to complete these projects.

Response:

DHCR supports “mixed financed” transactions involving new construction and preservation (“recapitalization”) of HUD Section 202 projects, and will continue to make investments of tax credits and soft financing in these transactions.

Comment:

Continue to track the application of a newly revised DHCR provision of the real Property Tax Law §581(a) to local property tax assessments for affordable senior housing.

Response:

DHCR is a member of a working group, comprised of representatives from the New York State Association for Affordable Housing and the New York State Department of Taxation and Finance, which meets periodically to address issues that arise from the application of RPTL 581-a throughout the State. Additionally, DHCR legal staff monitor applicable court decisions.”

Transitioning Out of Institutions

Comment:

The State needs to expand the options for subsidies to accompany more waivers other than the Nursing Facility Transition and Diversion and Traumatic Brain Injury Medicaid

waivers. The State could do this by creating a State Rental Assistance Program by shifting the Medicaid savings realized through reducing institutionalization to rental assistance.

Response:

DHCR recognizes the need for housing options for persons with disabilities. As chair of the MISCC Housing Committee The Commissioner/CEO of DHCR oversees a MISCC Housing Task Force which is comprised of consumers, representatives of not-for-profit and advocacy organizations, as well as entities of government whose work impacts the lives of people with disabilities. The Task Force also created a Housing Subsidy workgroup to address the need for rental assistance.

Comment:

DHCR should change its definition of “Homeless” to include people trying to transition out of nursing facilities and other institutions, allowing them to tap into the funding streams tied to homeless programs.

Response:

DHCR defers to OTDA’s definition of homeless persons for purposes of Unified Funding review and ranking. This definition is: an undomiciled person (whether alone or as a member of a family) who is unable to secure permanent and stable housing without special assistance, as determined by the Commissioner of OTDA.

Comment:

To further assist individuals wishing to transition out of or avoid nursing home placement, the State should establish an Affordable/Accessible Housing Trust Fund to provide funds for environmental modifications, security deposits, moving assistance, and rental subsidies.

Response:

There are a number of programs throughout the state that address these needs. For NYS programs for environmental modifications please see: the ‘Environmental Modification Directory’ at NYHousingSearch.gov. For moving and security assistance, individuals may contact OTDA through its Local Department of Social

In addition, the NHTD waiver/housing subsidy partnership between NYS DOH and NYS DHCR meets these needs for persons transitioning from nursing homes via ‘community transitional services’ (CTS). The subsidy itself and environmental modification assistance is also available to persons residing in the community who are at the nursing home level of care.

Also, the MISCC Housing Committee includes State agencies such as the New York State Office for the Aging (NYSOFA), the Department of Health (DOH), and the Office of Family and Children’s Services (OCFS) that provide supports to individuals and families to help them live independently in a home of their choice. DHCR will forward this comment to those appropriate agencies for their review.

Comment:

The State should set aside 15% of Housing Choice vouchers and continue to target 15% HOME rental assistance for people with disabilities who want to transition from nursing home facilities and other institutions to the community.

Response:

In DHCR's administrative plan for the counties it oversees in the Section/Housing Choice Voucher Program the only preference on its waitlists are given to persons with disabilities. As a result approximately 30% of DHCR's Housing Choice voucher holders are persons with disabilities.

Because the need for HOME funds is locally driven, program funds are not specifically set aside for this activity. Rather, the goal is to target 15% of HOME funds for rental assistance. However, the determination of funding is based on the number of applications received in a year and how competitive the application is. For example in 2010, only two applications were received for tenant based rental assistance (TBRA) and both applications were funded.

Comment:

The State could improve on the NHTD waiver, and ultimately increase the pool of potential subsidy users, by creating an expedited process for the waiver. An expedited enrollment process would allow people with new disabilities to transition directly from the hospital to a home; it would provide a mechanism for people who do go to a nursing facility for rehabilitation to quickly return to the community; and it would increase the number of enrollees on the waiver as well as allow the State to draw down federal Money Follows the Person (MFP) funds.

Response:

DHCR continues to work with the New York State Department of Health (DOH) on the implementation of the NHTD Housing Subsidy Program and will forward this comment to DOH.

Comment:

The Nursing Home Transition and Diversion Waiver Housing Subsidy Program's goal is to allow people to live in the community and avoid unwanted placement in a nursing home. However, a person must first reside in a nursing home to qualify for the program. It seems a contradiction that people who could benefit from NHTD services and live in the community must first leave their homes and move into a nursing home so that can apply for services and move back into the community.

Response:

In its statewide administration of DDHCR's Housing Choice Voucher II-1 Program, any vouchers specifically designated for persons with disabilities are allocated only to that target population. HUD Form 50058 (Certification of Eligibility) is the appropriate tracking mechanism and includes a field with advisability identifier.

DDHCR's Statewide administration of the Voucher Program is accomplished by and through a network of Local Administrators (LAs) under contract with DDHCR. In each respective local program area, DDHCR's LAs are working with Regional Resource Development Centers to assist persons in the Nursing Home and Transition Diversion (NHTD) Waiver Program. Persons assisted within that initiative are also put on local Voucher Program waiting lists and are converted to Voucher Program assistance when they reach the top of the waiting list.

DDHCR does not have direct oversight of other Housing Authorities who administer the Voucher Program under direct HUD supervision. However, In areas where DDHCR does not have a locally administered Voucher Program (example: City of Albany), DDHCR works closely with those Housing Authorities in the administration of the NHTD Waiver Program.

Visitability

Comments:

The State should mandate that all homes built with State funds meet minimum standards of visitability: a zero-step entrance at some point, doorway passages with 32" of clearance, at least a ½ bath on the main floor. Incorporate this mandate into State law, as proposed in A.9409 and S.1499.

The State should establish a State Visitability Tax Credit program comparable to the federal LIHC program to specifically increase the accessible housing stock in the State.

The State should work with private developers, particularly those who build private homes on spec, to advance visitability efforts.

The State should take the opportunity to use the Consolidated Plan as a way to identify programs where visitability thresholds could be incorporated.

A simple way to encourage visitability in the absence of regulations is through training and education. Since visitability has only three design elements and has a zero-to very-low cost impact, the State should use every opportunity to train developers who build on spec about visitability.

Response:

At each stage of processing LIHC-financed multi-family projects, (i.e., application, reservation, binding agreement or allocation) applications to Unified Funding are subject to a threshold eligibility review, which will include, but not necessarily be limited to, whether the project meets the following minimum visitability requirements:

A residential unit includes the provision of:

- at least one means of entry on an accessible route (no-step entrance),*
- a 36 inch or greater clear circulation path through the first floor of the unit, including all interior doorways,*
- and at least a half-bath on the first floor of the unit large enough to accommodate a person in a wheelchair and allow that person to close the door.*

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 antidisplacement 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.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant

officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

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.

Mind Herb 11/10/10
Signature/Authorized Official 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) ~~2001, 2002, and 2003~~ (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.



Signature/Authorized Official

11/5/10

Date

Deputy Commissioner

Title

Specific HOME Certifications

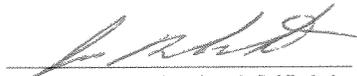
The State certifies that:

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.



Signature/Authorized Official

11/8/10

Date

Deputy Commissioner

Title

ESG Certifications

The State seeking funds under the Emergency Shelter Program (ESG) certifies that it will ensure that its recipients of ESG funds comply with the following requirements:

Major rehabilitation/conversion -- In the case of major rehabilitation or conversion, it will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 10 years. If the rehabilitation is not major, the recipient will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 3 years.

Essential Services and Operating Costs -- Where the assistance involves essential services or maintenance, operation, insurance, utilities and furnishings, it 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 as long as the same general population is served.

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

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

Matching Funds -- It will obtain matching amounts required under 24 CFR 576.51 and 42 USC 11375, including a description of the sources and amounts of such supplemental funds, as provided by the State, units of general local government or nonprofit organizations.

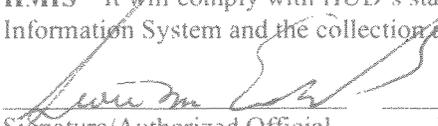
Confidentiality -- It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location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

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

Consolidated Plan -- It is following a current HUD-approved Consolidated Plan or CHAS.

Discharge Policy -- It has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

HMIS -- It will comply with HUD's standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.


Signature/Authorized Official

14/8/10
Date

Director
Title

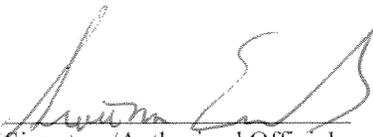
HOPWA Certifications

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 Date

 _____
Title

Appendix IV
Standard Form 424

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

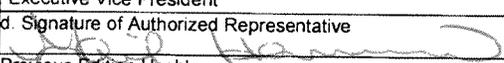
Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED November 15, 2010	Applicant Identifier B-11-DC-36001
			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: Office of Community Renewal		
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: Gail	
County: Albany		Middle Name		
State: New York	Zip Code 12207	Last Name Hammond		
Country: USA		Suffix:		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-6013200		Email: ghammond@nyshcr.org		
		Phone Number (give area code) (518) 474-2057	Fax Number (give area code) (518) 474-5247	
8. TYPE OF APPLICATION: If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)		<input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		
		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): Labor Management Cooperation 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		
13. PROPOSED PROJECT Start Date: January 1, 2011 Ending Date: December 31, 2011		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York b. Project Entire State		
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$ 44,032,414.00	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	\$ 44,032,414.00			
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 Ms.	First Name Gail	Middle Name		
Last Name Hammond	Suffix			
b. Title Executive Vice President	c. Telephone Number (give area code) (518) 474-2057			
d. Signature of Authorized Representative	e. Date Signed 6/17/11			

**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, 2010	Applicant Identifier M-11-SG-36-0100
<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	3. DATE RECEIVED BY STATE		State Application Identifier
5. APPLICANT INFORMATION Legal Name: State of New York		4. DATE RECEIVED BY FEDERAL AGENCY Federal Identifier	
Organizational DUNS: 004895517		Organizational Unit: Department: Office of Community Renewal	
Address: Street: 38-40 State Street		Division: Name and telephone number of person to be contacted on matters involving this application (give area code)	
City: Albany	Prefix: Ms.		First Name: Gail
County: Albany	Middle Name		Last Name Hammond
State: New York	Zip Code 12207	Suffix:	
Country: USA		Email: ghammond@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.)		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): Labor Management Cooperation 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, 2011		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York	
Ending Date: December 31, 2011		b. Project Entire State	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$	34,106,424	<input type="checkbox"/> Yes. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant	\$		<input checked="" type="checkbox"/> No. PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
c. State	\$	4,487,500	
d. Local	\$		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No
e. Other	\$		
f. Program Income	\$	1,000,000	
g. TOTAL	\$	39,593,924	
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: Ms.	First Name Gail		Middle Name
Last Name Hammond		Suffix	
b. Title Executive Vice President		c. Telephone Number (give area code) (518) 474-2057	
d. Signature of Authorized Representative 		e. Date Signed 6/17/11	

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, 2010	Applicant Identifier S-10-DC-0100
<input type="checkbox"/> Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE	State Application Identifier
5. APPLICANT INFORMATION Legal Name: New York State Office of Temporary and Disability Assistance		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
Organizational DUNS: 80-6781860		Organizational Unit: Department: Center for Specialized Services	
Address: Street: 40 North Pearl Street		Division: Bureau of Housing and Support Services	
City: Albany		Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: Mr.	
County: Albany		First Name: Richard	
State: New York		Middle Name	
Zip Code: 12243-0100		Last Name Umholtz	
Country: USA		Suffix:	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-8013200		Email: richard.umholtz@otda.state.ny.us	
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): Labor Management Cooperation 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: Emergency Shelter Grants Program (ESGP)	
13. PROPOSED PROJECT Start Date: October 1, 2011		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York	
Ending Date: September 30, 2012		b. Project Entire State	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 3,292,159.00	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	\$ 3,292,159.00	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 6/17/11	

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, 2010	3. DATE RECEIVED BY STATE	Applicant Identifier NYH10F999
5. APPLICANT INFORMATION Legal Name: New York State Office of Temporary and Disability Assistance		4. DATE RECEIVED BY FEDERAL AGENCY		State Application Identifier
Organizational DUNS: 80-6781860		Organizational Unit: Department: Center for Specialized Services		
Address: Street: 40 North Pearl Street		Division: Bureau of Housing and Support Services		
City: Albany		Name and telephone number of person to be contacted on matters involving this application (give area code)		
County: Albany		Prefix: Mr.		
State: New York		First Name: Richard		
Zip Code: 12243-0100		Middle Name		
Country: USA		Last Name: Umholtz		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 14-6013200		Suffix:		
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.)		Email: richard.umholtz@otda.state.ny.us		
Other (specify)		7. TYPE OF APPLICANT: (See back of form for Application Types) A. State Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 14-241		8. NAME OF FEDERAL AGENCY: U.S. Department of Housing and Urban Development		
TITLE (Name of Program): Labor Management Cooperation Program		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Housing Opportunities for Persons with AIDS (HOPWA)		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): State of New York		14. CONGRESSIONAL DISTRICTS OF: a. Applicant State of New York b. Project Entire State		
13. PROPOSED PROJECT Start Date: January 1, 2011 Ending Date: December 31, 2011		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
15. ESTIMATED FUNDING:		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
a. Federal	\$ 2,154,810.00			
b. Applicant	\$.00			
c. State	\$.00			
d. Local	\$.00			
e. Other	\$.00			
f. Program Income	\$.00			
g. TOTAL	\$ 2,154,810.00			
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 6/17/11		

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Prescribed by OMB Circular A-102

NEW YORK STATE
Consolidated Plan
Federal Fiscal Years
2011-2015
& Annual Action Plan

for the program year 2011

as approved by

U.S. Department of Housing
and Urban Development

December 30, 2010