

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Grantees eligible to receive funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) are required to complete a substantial amendment to their Consolidated Plan 2008 Action Plan. This form sets forth the required format for this substantial amendment. A completed form is due to HUD within 60 days of the publication of the HUD HPRP notice.

To aid grantees in meeting this submission deadline, the HPRP Notice reduces the requirement for a 30-day public comment period to no less than 12 calendar days for this substantial amendment. With this exception, HPRP grantees are required to follow their Consolidated Plan's citizen participation process, including consultation with the Continuum of Care (CoC) in the appropriate jurisdiction(s). Grantees are also required to coordinate HPRP activities with the CoC's strategies for homeless prevention and ending homelessness. To maximize transparency, HUD strongly recommends that each grantee post its substantial amendment materials on the grantee's official website as the materials are developed.

A complete submission contains the following three documents:

- 1) A signed and dated SF-424,
- 2) A completed form HUD-40119 (this form), and
- 3) Signed and dated General Consolidated Plan and HPRP certifications.

For additional information regarding the HPRP program, visit the HUD Homelessness Resource Exchange (www.hudhre.info). This site will be regularly updated to include HPRP resources developed by HUD and its technical assistance providers.

The information collection requirements contained in this application have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Information is submitted in accordance with the regulatory authority contained in each program rule. The information will be used to rate applications, determine eligibility, and establish grant amounts.

Public reporting burden for this collection of information is estimated to be 16 hours, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. To the extent that any information collected is of a confidential nature, there will be compliance with Privacy Act requirements. However, the substantial amendment to the Consolidated Plan 2008 Action Plan does not request the submission of such information.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

A. General Information

Grantee Name	New York State Program
Name of Entity or Department Administering Funds	Office of Temporary and Disability Assistance – Bureau of Housing and Shelter Services
HPRP Contact Person (person to answer questions about this amendment and HPRP)	Richard Umholtz
Title	Assistant Director
Address Line 1	40 North Pearl Street
Address Line 2	Section B
City, State, Zip Code	Albany, NY 12243
Telephone	518-474-3080
Fax	518-486-7068
Email Address	Richard.umholtz@otda.state.ny.us
Authorized Official (if different from Contact Person)	Scott Edwards
Title	Director
Address Line 1	40 North Pearl Street
Address Line 2	Section B
City, State, Zip Code	Albany, NY 12243
Telephone	518-473-2588
Fax	518-486-7068
Email Address	Scott.edwards@otda.state.ny.us
Web Address where this Form is Posted	www.nysdhcr.gov

Amount Grantee is Eligible to Receive*	\$ 25,527,382
Amount Grantee is Requesting	\$ 25,527,382

*Amounts are available at <http://www.hud.gov/recovery/homelesspreventrecov.xls>

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

B. Citizen Participation and Public Comment

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

Response: This amendment meets New York State's criteria for requiring 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.

In submitting this substantial amendment to the Consolidated Plan, New York State has followed its citizen participation plan. Before developing the proposed amendment, we met with Commissioners of local Departments of Social Services and representatives from not-for-profit agencies who serve homeless persons and those at-risk of homelessness to obtain input about how to most effectively utilize New York State's share of the funding. They were also asked for suggestions about how the New York State funding might be coordinated with funding to the twenty-eight other entitlement areas within New York State. After the amendment was developed, a twelve-day comment period was held to solicit responses from citizens and other interested parties. A public comment period notice, including a toll-free number for the public to request copies of the amendment, was placed in the *New York State Register*. In addition, the public comment notice was printed in newspapers with statewide circulation including minority newspapers and was also published in Spanish. The HPRP public comment notice was sent to DHCR's electronic mailing list as well as to the New York State Task Force on the National Affordable Housing Act (NAHA) and Partnership Advisory Committee (PAC). Interested parties were encouraged to mail or e-mail their written comments to NYS Division of Housing and Community Renewal's Office of Intergovernmental Affairs.

All comments and responses provided are described below.

2. Provide the appropriate response regarding this substantial amendment by checking one of the following options:
 - Grantee did not receive public comments.
 - Grantee received and accepted all public comments.
 - Grantee received public comments and did not accept one or more of the comments.

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

3. Provide a summary of the public comments regarding this substantial amendment. Include a summary of any comments or views not accepted and the reasons for non-acceptance.

Response: The following are comments received during the 12-day public comment period that commenced on April 24th. The substantial amendment to the Consolidated Plan of 2008 has been revised accordingly. Specifically, Section D has been revised to include the Office of Children and Family Services as one of the valued collaborators. Additionally, the response to question 2 of the same section has also been modified to indicate that OTDA is responsible for administering a majority of homeless funding.

Comment 1: In Paragraph 1, the Plan delineates a number of state collaborators yet fails to mention Office of Children and Family Services, which funds and certifies programs for homeless youth throughout New York. These programs offer essential services to both homeless youth and youth at-risk of homelessness. Some of these programs also receive funding through OTDA programs such as ESG and SHFYA, but most do not. It is essential to recognize these services because they offer specialized services that prevent chronic homelessness and long-term dependency on government aid. By mentioning these services in the Plan, it will also encourage local CoCs (referred to in Paragraph 2) to look to homeless youth providers as an essential part of the local service continuum.

Comment 2: In reviewing the OTDA plan, I would like to request that in section D-1 the NYS OCFS be listed as one of the other State agencies with which OTDA collaborates. Section D-1 may not necessarily provide an exhaustive list of every agency that OTDA collaborates with, but I know that OTDA has been supportive in collaborating with and in strengthening OCFS' runaway and homeless youth (RHY) shelter and support service system. A mention of OCFS might help to ensure that RHY is not inadvertently forgotten in the HPRP. Section D-2 opens with the sentence, "As the State agency through which all State funding for homeless housing and services is provided, OTDA has strong linkages with Continuum of Care Coordinating bodies throughout the State of New York". I know it doesn't change the point being made, but since OCFS does provide a small amount of State funding for RHY housing and services, it might be more accurate to say, "almost all" rather than "all". Thank you for your consideration.

C. Distribution and Administration of Funds

Reminder: The HPRP grant will be made by means of a grant agreement executed by HUD and the grantee. The three-year deadline to expend funds begins when HUD signs the grant agreement. Grantees should ensure that sufficient planning is in place to begin to expend funds shortly after grant agreement.

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

1. Check the process(es) that the grantee plans to use to select subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.

Competitive Process

Formula Allocation

Other (Specify): _____

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

Response: HPRP funds will be awarded by the New York State Office of Temporary and Disability Assistance (NYS OTDA) through a competitive Request for Proposals (RFP) process. Notification of the availability of funds will be published in the *New York State Register* as well as on the NYS OTDA website. Funds will be made available to local Departments of Social Services and not-for-profits for eligible activities as described by the American Recovery and Reinvestment Act and HUD's notice dated March 19, 2009.

NYS OTDA is uniquely qualified to disburse this funding because it is the State agency charged with providing financial assistance, housing, and support services to homeless individuals and families, and those who are at risk of homelessness. NYS OTDA will evaluate the proposals submitted on the merits of the documentation for need, program plan, degree of service delivery coordination, agency experience, and budget. Funding priority will be given to those areas that did not receive HPRP funds directly from HUD. Resultant awards will be for a two-year period with an option to extend for a third year should New York State achieve 60% spending and require the additional time to spend out the remaining balance.

The procurement of services related to HPRP is subject to the approval of the Governor's Office, the New York State Attorney General, and Office of the State Comptroller, all of whom have processes in place to expedite approval of this funding. Awards will be made by September 2009 with contracts commencing shortly thereafter.

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

Response: The solicitation for anticipated funds is expected to be released by the end of April 2009. Proposals will be accepted until June 5, 2009. Upon receipt, NYS OTDA will commence the review process with final award determinations made by the end of August. An internal review team comprised of legal counsel,

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

contract managers, budget analysts, and program coordinators will have oversight of the process to ensure adherence to HUD funding requirements as well as objective scoring of proposals. NYS OTDA has identified the procurement of HPRP services as a priority and will assign the necessary staff to meet all of the requirements and obligations.

As indicated in the proposed budget in Section E, approximately 70% of the funding will be allocated for financial assistance, with the remaining 30% to be allocated for housing relocation and stabilization services. This is reflective of the tremendous need for financial assistance and is also consistent with the legislation's intent of ensuring that more money flows into the economy. Approximately 60% of the funding will be targeted to homelessness prevention, while 40% will be allocated to re-housing activities. It is anticipated that an intensive effort to prevent homelessness will result in less need for re-housing activities.

It should be noted that these are NYS OTDA's best projections at this point. NYS OTDA requests the opportunity to adjust these cost allocations after the plan is implemented in order to ensure that the investment made by HUD has the maximum impact.

4. Describe the grantee's plan for ensuring the effective and timely use of HPRP grant funds on eligible activities, as outlined in the HPRP Notice. Include a description of how the grantee plans to oversee and monitor the administration and use of its own HPRP funds, as well as those used by its subgrantees (limit 500 words).

Response: NYS OTDA fully anticipates using the full amount made available under HPRP efficiently and effectively. New York State has developed an interagency workgroup whose purpose is to monitor use of funding received through the American Recovery and Reinvestment Act in order to ensure compliance with federal requirements. NYS OTDA will submit copies of HUD's required quarterly reports to this workgroup, as well as directly to the Governor's Office. NYS OTDA will integrate the program with monitoring and oversight that currently has been successful under the New York State-administered ESG and HOPWA programs.

Copies of all applicable federal rules and regulations for the program will be disseminated to subgrantees, along with materials to assist them with the vouchering and reporting process. Periodic conference calls and/or in-person training sessions will be held with subgrantees to address any questions they have with contract compliance and/or programmatic concerns with which they need assistance.

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

- review of quarterly reports
- review of year end reports
- periodic site visits, including view of randomly-selected case files

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

- on-going telephone contact with program staff

Awardees must ensure that books, records, documents and other evidence pertaining to costs and expenses under the grant are adequately maintained. NYS OTDA has legal right to direct access to any records relevant to the project, including books, documents, photographs, correspondence and records needed to complete an audit. All records pertaining to the grant including financial audits, budget, plans/drafts, supporting documents, statistical records, etc., are retained for a period of at least four years following submission of the final expenditure report. In the event that any claim, audit, litigation, or state/federal investigation is initiated before the expiration of the record retention period, the records must be 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. Significant obstacles or problems in carrying out the contractual obligations are identified, along with plans to overcome these obstacles. To meet HUD reporting requirements, statistical data are 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 and other data that is required to be captured in the Homelessness Management Information System (HMIS).

Site visits by NYS 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 several hours and consists of an overview of the agency and the program, observation of direct service provision, and meetings with accounting staff. Grantees are asked for back-up documentation pertaining to the information contained in quarterly reports.

D. Collaboration

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

Response: NYS OTDA is the primary State agency that coordinates services to the homeless and households at-risk of homelessness. NYS OTDA's mission is to enhance the economic security of low-income working families, assist work-capable public assistance recipients in achieving entry into the workforce, assist individuals with priority needs other than work-readiness in accessing appropriate benefits and services, and enhance child well-being and reduce child poverty.

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

NYS OTDA has well-established working relationships with other state agencies, including but not limited to: the New York State Department of Education, the New York State Health Department, the New York State Department of Labor, the New York State Division of Housing and Community Renewal, the New York State Office of Mental Health, the New York State Office of Alcoholism and Substance Abuse Services, the New York State Office of Children and Family Services, and the New York State Police, which serve homeless and low-income individuals and families. NYS OTDA will draw on these working relationships, as well as the coordination provided by the State's interagency workgroup convened to monitor utilization of American Recovery and Reinvestment Act of 2009 funding, to ensure collaboration with other agencies that are funded under the American Recovery and Reinvestment Act of 2009.

In addition, NYS OTDA will coordinate implementation of New York State HPRP funding with that of the twenty-eight entitlement areas that also receive it. This will be accomplished through linkages with local Departments of Social Services and local Continuum of Care coordinating bodies within those entitlement areas.

2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

Response: As the State agency through which a majority of State funding for homeless housing and services is provided, NYS OTDA has strong linkages with Continuum of Care coordinating bodies throughout the State of New York. Notification of the HPRP funding available through the Request for Proposal process will be sent to all Continuum of Care coordinating bodies throughout the State. Needs assessment data collected through local Continuum of Care planning processes will be utilized by NYS OTDA when making funding allocations to subgrantees within local areas. Ongoing participation with local Continuum of Care planning processes will be required of all subgrantees that are located in areas in which there are Continuum of Care coordinating bodies.

Since NYS OTDA is the State agency through which funding for mainstream benefits (TANF and other forms of temporary financial assistance, Food Stamps, and employment programs) is provided, NYS OTDA will be able to ensure that all subgrantees develop strategies for assisting program participants in accessing mainstream benefits. All subgrantees will be required to collaborate with local Departments of Social Services, the county agencies through which NYS OTDA mainstream funding is funneled to localities.

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Response: New York's Consolidated Plan indicates that the demand for emergency housing and homelessness prevention services far exceeds existing resources. HPRP grant funds will address that identified unmet need.

NYS proposes to utilize 60% of available HPRP funds to prevent homelessness. As stated in the Consolidated Plan, many localities, particularly rural areas, have an insufficient number of programs to combat homelessness. Resources to reduce homelessness have not kept pace with demand. Current economic conditions and job losses only exacerbate the demand for homelessness prevention programs.

The balance of HPRP available funds (40%) would support rapid re-housing activities. The need for additional emergency shelter beds was identified in the Consolidated Plan. Swiftly transitioning households from emergency settings into permanent housing and providing linkages to on-going supports will aid in offsetting the increasing demand for emergency beds.

The Consolidated Plan also identified a substantial unmet need for permanent supportive housing resources. The financial assistance and housing relocation/stabilization services provided by HPRP funding will allow at-risk New York state residents to remain permanently housed.

As a result of New York State's struggling economy, the current need is even greater than that identified in the Consolidated Plan. Homelessness among both single individuals and families has continued to increase in all regions of the state. Utilizing HPRP funds to mitigate this increasing demand will fully complement existing programs governed by New York State's Consolidated Plan and will strengthen New York's response during these challenging times.

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

E. Estimated Budget Summary

HUD requires the grantee to complete the following table so that participants in the citizen participation process may see the grantee’s preliminary estimated amounts for various HPRP activities. Enter the estimated budget amounts for each activity in the appropriate column and row. The grantee will be required to report actual amounts in subsequent reporting.

HPRP Estimated Budget Summary			
	Homelessness Prevention (60%)	Rapid Re-housing (40%)	Total Amount Budgeted
Financial Assistance ¹ (70%)	\$ 9,975,425	\$ 6,650,284	\$ 16,625,709
Housing Relocation and Stabilization Services ² (30%)	\$ 4,275,183	\$ 2,850,121	\$ 7,125,304
Subtotal (add previous two rows)	\$14,250,608	\$ 9,500,405	\$ 23,751,013
Data Collection and Evaluation ³			\$ 500,000
Administration (up to 5% of allocation)			\$ 1,276,369
Total HPRP Amount Budgeted⁴			\$ 25,527,382

¹Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

²Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

³Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

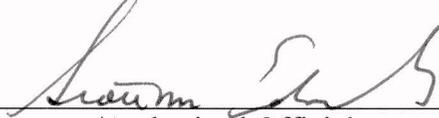
⁴This amount must match the amount entered in the cell on the table in Section A titled “Amount Grantee is Requesting.”

*Allocations are based on projections for uses of funds. New York State will administer available HPRP funds through a competitive bid process, percentages may vary based on applications received and awarded.

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

F. Authorized Signature

By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete, and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)



Signature/Authorized Official

5/7/09
Date

Director

Title