

Unified Funding 2009
Request for Proposals

NYS Housing Trust Fund Corporation
New York State HOME Program (LPA)
Access to Home Program
RESTORE Program

I. INTRODUCTION

The NYS Housing Trust Fund Corporation (HTFC) invites you to apply for housing assistance through the 2009 Unified Funding (UF) process. This Request for Proposals (RFP) describes the application requirements and selection criteria for the programs for which you may apply. These programs (collectively, Local Program Administrator, or “LPA” programs) provide funds for the rehabilitation of rental or owner-occupied housing; emergency repair of housing owned and occupied by persons over 60; homebuyer assistance; accessibility modifications; and, tenant-based rental assistance. You should review the specifics of each program to find the appropriate funding source(s) to meet your needs.

Funding is available for the following programs:

- \$34 million for the New York State HOME Program (HOME LPA);
- \$4 million for the Access to Home Program;
- \$2 million for the Residential Emergency Services to Offer Repairs to the Elderly Program (RESTORE).

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

This RFP describes the requirements for local program administrator (LPA) applications. An RFP for HOME funding for capital projects has been issued separately from this RFP. Visit the DHCR web site at www.nysdhcr.gov or contact a DHCR regional office for more information about applying for HOME funds for capital projects.

This RFP also explains the process used by HTFC to evaluate applications requesting funding. While much of the application review process is the same for all programs, each program has its own evaluation criteria and the review steps may vary. After a funding round, unsuccessful applicants may request an exit conference to review their unfunded application and/or examine any other application submitted that round. Potential applicants may request technical assistance throughout the year, except when staff is reviewing applications (see Section III D, below).

Applicants apply for LPA funding using Division of Housing and Community Renewal’s (DHCR) Community Development On-Line System (CDOL). Applicants are strongly encouraged to submit applications using CD On-Line in order to expedite processing.

II. APPLICATION DEADLINES AND GENERAL REQUIREMENTS

A. Application Submission Deadlines

Applications for Access to Home and RESTORE program funding must be submitted to the CDOL by 5:00 PM, EST, Thursday, March 12, 2009. Applicants for HOME Local Program funding must be submitted to the CDOL by 5:00 PM, EST, Tuesday, March 17, 2009. Any application for one of these programs received after the stated deadline will be considered to be a late submission and will be returned to the applicant.

Applicants may make a special request, based on demonstrated need, to submit a paper application in lieu of CDOL. Requests for approval to submit a paper application must be sent to:

**NYS Division of Housing and Community Renewal
Office of Community Development
Hampton Plaza, 4th Floor
38-40 State Street
Albany, NY 12207
Attn: Energy and Rehabilitation Services**

All applicants must use the 2009 application. Only applications submitted electronically using CDOL or the 2009 paper application forms will be accepted for review. Technical Assistance is available to assist applicants in meeting the requirements of this RFP. See section IV, below.

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

NOTE: While the CDOL system accepts applications that jointly request NYS HOME Program funds and home improvement funding from the Affordable Housing Corporation's (AHC) Affordable Housing Program, AHC has not announced the availability of funding for the Affordable Housing Program. In the event that funding becomes available in time to permit joint applications, notice will be posted on the DHCR and AHC web sites. Please contact AHC directly at (212) 688-4000, or visit their website at www.nyhomes.org for more information.

B. General Requirements and Other Application Materials

This RFP provides only a portion of the information and materials needed by applicants. Other materials, available from the DHCR website, are:

1. HTFC HOME Local Program UF 2009 Application Instructions
2. RESTORE Local Program UF 2009 Application Instructions
3. Access to Home UF 2009 Application Instructions.
4. Community Development On-Line application system instructions
5. Capital Programs Manual (CPM) (rev. December, 2008)
6. HTFC Rehabilitation Standards (rev. June, 2006)

7. Access to HOME Frequently Asked Questions (rev. December, 2008)
8. Unified Funding 2009 Reference Materials

Staff of the regional offices listed at the end of this RFP are available to answer questions from prospective applicants about proposals and about this RFP. In addition, applicants may review funded applications from the prior funding round on the DHCR website at <http://www.dhcr.state.ny.us/Funding/Awards/uf08.htm>.

HTFC reserves the right to award all, a portion of, or none of the program funds based upon funding availability, feasibility of the applications received, the competitiveness of the applications, the applicant's ability to meet HTFC criteria for funding, and the applicant's ability to advance the State's housing goals. HTFC also reserves the right to change or disallow aspects of the applications received and may make such changes an express condition of its commitment to provide funding to a project. HTFC reserves the right to award higher amounts to further a public purpose, or to award less than the requested amount.

Applicants are encouraged to consider the housing and community development needs set forth in the available Housing Needs Study Regional Reports produced by DHCR when preparing applications this funding round. These reports are available on DHCR's website.

Equal Employment Opportunity/Minority and Women Owned Business - Under Article 15A of the New York State Executive Law, all award recipients and their contractors are required to comply with the equal employment opportunity provisions of Section 312 of that Article.

Also, all contractors and awardees are required to make affirmative efforts to ensure that New York State Certified Minority and Women-Owned Business Enterprises are afforded opportunities for meaningful participation in projects funded by HTFC pursuant to Section 313 of the Article.

III. PROGRAM INFORMATION

A. The New York State HOME Program

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

HTFC expects to make \$34 million in HOME funds available to fund capital project and local program applications submitted under UF 2009. **Funding for capital project applications is available through a separate RFP. This RFP describes the funding process for HOME LPA applications. Persons seeking information about accessing HOME Program funds for a capital project should contact the appropriate DHCR regional office.**

The maximum HOME LPA award will be \$500,000, except that awards for CHDO home ownership development will generally be limited to a maximum of \$600,000. Applicants must have successfully administered similar programs in the past and must demonstrate the capacity to utilize the amount of funding requested. Up to 8% of the award amount may be used by awardees for

administrative costs, except that CHDOs are not entitled to administrative reimbursement. The minimum amount that may be requested is \$100,000.

Federal requirements that apply to all HOME Program activities - It is one of the purposes of the HOME Program to give, to the greatest extent feasible, and consistent with existing federal, state and local laws and regulations, job training, employment, contracting and other economic opportunities to low- and very low-income persons and locally owned enterprises, pursuant to Section 3 of the Housing Act of 1937. Federal law and regulations require that recipients of federal funds in excess of \$200,000 for construction or rehabilitation projects and their contractors agree to comply with the provisions set forth at 24 CFR Part 135.

Applicants are also reminded that HOME funded projects with 12 or more units are subject to Federal Labor Standards regulatory requirements (Davis Bacon Related Acts).

HOME-assisted activities are subject to the provisions of the National Environmental Policy Act. **Please note that HOME applicants cannot commence construction of an awarded project until HTFC has approved the project's environmental review.**

Applicants requesting funds for the rehabilitation of partially or fully occupied properties must demonstrate that the proposed work will have the effect of correcting substandard conditions which preclude lawful occupancy of the units in their current condition (i.e. code violations, or health and safety hazards). All HOME-funded activities must meet HTFC rehabilitation standards upon completion.

Applicants may request HOME funds for the following activities:

1. Housing Rehabilitation Programs - Applicants may request funds for programs that provide moderate rehabilitation of single family (1-4 units) owner-occupied or investor-owned rental housing, using the LPA application. Applicants must also demonstrate substantial experience and satisfactory prior performance with the HOME Program, or with programs of similar complexity and scope. Applicants proposing to assist substandard manufactured housing units are encouraged to adopt and follow a strategy for replacement of mobile homes with modular or conventional construction, since rehabilitation opportunities in mobile homes are limited.

Applicants proposing rental rehabilitation programs that provide assistance for moderate rehabilitation of small (10 units or less) investor-owned rental projects are also eligible. Applicants may not request LPA funding for rental property that they plan to own upon completion of the project. Rental units receiving assistance with HOME funds are subject to additional regulatory requirements, and are primarily intended for occupancy by households with incomes at or below 50% of area median. Rental rehabilitation awards will be limited to \$25,000 per unit.

2. Homeownership Assistance Programs - Applicants proposing to provide down payment or closing cost assistance to first-time home buyers, with or without rehabilitation, may request HOME funds. HTFC requires that HOME-assisted units meet HTFC rehabilitation standards at project completion, so it is expected that most home-ownership assistance programs will involve a rehabilitation component. Home ownership programs must also include an effective homeownership counseling component to enable assisted buyers to avoid sub-prime and predatory lending and become successful home owners. Programs that target existing residents of public housing and manufactured housing (to assist in the purchase of non-manufactured housing) are encouraged. American Dream Downpayment

Initiative funds received by New York State may be used to partially or fully fund some home ownership program applications.

3. CHDO Home Ownership Projects - A minimum of fifteen per cent of total HOME Program funds made available to the State will be reserved for Community Housing Development Organizations (CHDOs). CHDOs applying to develop single family (1-4 unit) home ownership projects are rated according to the criteria described in Section IV (C), below.

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

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

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

All CHDO applications to develop rental housing **must** be submitted using the **capital project application**. Please note that technical assistance is available for CHDOs. See Section III (D), below, for more information on applying for CHDO technical assistance.

HTFC does not provide HOME funds as construction financing. CHDOs interested in applying for Housing Development Fund (HDF) Program loan funds for construction financing should contact their DHCR regional office for information on HDF application requirements.

4. Tenant-based rental assistance (TBRA) - Applicants may request funding for TBRA. All TBRA programs must also meet HTFC property standards upon completion.

B. The Access to Home Program

The Access to Home Program provides resources to make accessibility modifications to existing dwelling units occupied by low-income persons with disabilities, especially in cases where providing modifications will prevent a person with disabilities or mobility limitations from having to move to an

institution, or enable a person with a disability or mobility limitation who is currently institutionalized to return to his or her dwelling unit.

HTFC expects to make \$4 million available for the Access to Home Program under UF 2009. The maximum award amount will be \$500,000. The minimum amount of funds that may be requested is \$100,000. Up to 7.5% of each award will may be used by awardees for administrative costs. Assistance is limited to a maximum of \$25,000 per unit. Contract terms will be limited to three years.

Applicants must be a municipality, a not-for-profit community-based organization, or other entity incorporated pursuant to the not-for-profit corporation law that has been in existence for at least one year. Successful applicants will assume administrative responsibility for evaluating and selecting projects to be assisted, entering into contracts with participating owners, ensuring compliance with all state and local laws and regulations, and ensuring successful completion of all assisted projects.

Preference will be given to proposals that demonstrate a need for accessibility improvements in the service area and have the capacity to complete the proposed program in a timely manner.

The following activities are eligible for Access To Home funding:

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

Both rental and owner-occupied housing may be improved with program funds. LPAs providing assistance for rental units must ensure that Access to Home funds are not used to replace other resources available to building owners. Owners who are obligated to provide accessibility improvements as a condition of receiving other governmental assistance may not use Access to Home funds to pay for those improvements.

LPAs must ensure that modifications are done in compliance with all state and local codes and ordinances, and that all applicable health and safety standards are met. LPAs must not commence installation of modifications in units with known health and safety hazards (such as observable lead paint hazards in units occupied by children) until other funding can be identified to address the hazards. While LPAs are encouraged to utilize Access to Home funding with other funding sources, it is the applicant's responsibility to ensure compliance with design requirements, codes, ordinances, and requirements of other funding sources.

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

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

HTFC expects to make \$2 million available for the RESTORE Program under UF 2009. The amount requested may not exceed \$75,000. Funds are distributed to meet the need for emergency repairs on a statewide basis. For non-profit organizations, up to 7.5% of each award may be used for administrative costs. For municipalities, up to 5% of each award may be used for administrative costs. Assistance is limited to a maximum of \$7,500 per building. Awardees are generally allowed one year to expend all funding.

Preference will be given to proposals that demonstrate a need for an emergency repair program in the service area and have the capacity and resources to complete the proposed program in a timely manner.

IV. TECHNICAL ASSISTANCE

Applicants are encouraged to request technical assistance from their DHCR regional office to discuss a proposal at any time prior to submission of application. Applicants seeking assistance with CDOL should contact DHCR's Management Systems and Research unit at (518) 473-2525. Any assistance with, or specific questions regarding the funding process (with the exception of DHCR's completeness review) is only available prior to submission of the applications.

After submission, all contact by outside individuals or groups, including elected officials and lobbyists, should contact Deputy Commissioner Lorrie Pizzola at (518) 474-9553. No contact with other DHCR staff is permitted after applications are submitted.

V. EVALUATION AND SELECTION

A. General Review Criteria

1. Goals and Objectives - All proposals will be selected through a competitive process. To the extent feasible HTFC will allocate resources to meet housing needs and achieve a geographic distribution of funding across the State. When making awards, HTFC will take into consideration the following objectives, including but not limited to: preservation of affordable housing, community revitalization, energy conservation, "green" building, occupant health and safety and collaboration with other governmental agencies and programs.

All awards made as a result of this RFP must be in conformance with the State's Consolidated Plan and further one of its Strategic Plan objectives. The Consolidated Plan can be accessed by using the "Publications" link on the DHCR website (www.nysdhcr.gov).

2. Applicant Past Performance - An applicant's past and current performance in State programs and contracts will be considered in HTFC decision-making. The Corporation reserves the right to not fund any applicant if it has been determined that the applicant is out of compliance with existing State contracts and has not taken satisfactory steps to remedy such non-compliance.

B. Unified Funding Processing Steps

1. Application Receipt - Applications are assigned an identification number and undergo a series of reviews depending upon the type of assistance and the program from which the funds are requested.

2. Completeness Review - Applicants who submit incomplete applications will be notified by fax or by email, within 10 business days from the deadline for applications. Applicants will then have 10 business days from the date of first receipt of the notification to provide all missing or incomplete documentation. Applications deemed incomplete after the 10-day period allowed for providing missing or incomplete documentation will not be reviewed further. After awards are made, applicants that submitted incomplete applications, and did not resolve all deficiencies, will receive an application review letter listing the reason the application was not funded (see Step 8, below).

An incomplete application is one that is missing required exhibits or attachments or that contains unsigned certifications. Application exhibits and attachments used primarily for rating purposes will not be requested in a notice of incomplete application. It is solely the applicant's responsibility to make sure that applications address all relevant selection criteria.

Note: HTFC in its sole discretion will discontinue processing of those applications that it determines to be substantially incomplete. Substantially incomplete applications are those in which a minimum of 30% of the required exhibits and attachments are missing from the initial application submission.

3. Eligibility Review - Applications are reviewed according to statutory eligibility criteria, which are summarized in the matrix on the following page. **Applications that fail to meet all of the eligibility criteria will not be reviewed further**, and an Application Review Letter will issued to the applicant.

Unified Funding Programs Eligibility Matrix

| Category | HOME | RESTORE | Access to Home |
|------------------|--|---|--|
| Applicant | LPAs: Units of general local government (counties, cities, towns, and villages) that are not HUD-designated participating jurisdictions; not-for-profit corporations, and housing authorities; CHDOs applying to develop home ownership projects. | Not-for profit corporations and municipalities, including counties. | Not-for-profit community-based organizations, municipalities, and other entities incorporated pursuant to the Not-For-Profit Corporation Law which have been in existence for at least one year prior to contract execution. |
| Area | Entire State: a minimum of 80% of the funds available (after the 15% CHDO set-aside) to projects located in non-participating jurisdictions. | All areas of the State are eligible. | All areas of the State are eligible. |
| Project | Residential dwellings only; new construction, substantial or moderate rehabilitation; home ownership assistance and tenant-based rental assistance. Applicants requesting home ownership or tenant-based rental assistance must apply as LPAs. | Any repairs to 1-4 unit residential dwellings owned by an elderly homeowner that correct any emergency housing condition. | Residential dwellings only; accessibility modifications to units occupied by low- and moderate- income persons with disabilities, especially when such modifications would allow a disabled person to remain in, or return to, the unit, rather than being institutionalized. Both rental and owner-occupied residences are eligible for assistance. |
| Costs | Any customary development hard costs, acquisition, related soft costs, relocation costs, and costs related to tenant-based rental assistance. If more than one source of HOME funds, total HOME funds from all participating jurisdictions must be within published HOME subsidy limits. HTFC assistance is limited to \$30,000 per unit. For CHDO home ownership development, assistance is limited to \$50,000 per unit. | Work can only include repairs to correct an emergency housing situation. Typical repairs include furnace, roof, electrical and water problems. Assistance is limited to \$7,500 per building. | Actual and necessary cost of accessibility improvements such as ramps, lifts, handrails, grab bars, relocation costs, testing for environmental, health and safety purposes and related soft costs. Assistance is limited to \$25,000 per unit. |
| Occupants | All HOME funds must benefit households at or below 80% of area median income; 90% of all rental units (including rental assistance) must benefit households with incomes at or below 60% of area median income. | Homeowners aged 60 or over. Recipient must occupy the building and have a household income of less than 80% of the area median family income. Tenants not restricted by age or income. | Assisted units must be occupied as the permanent residence of a household with income at or below 80% of area median income (120% of median for veterans with a disability), and include individuals who have a physical disability or have substantial difficulty with daily living activities due to aging. |

4. Rating and Ranking - Each application is scored on criteria derived from the statutory, regulatory and policy considerations of the program(s) from which funds have been requested, including the application's consistency with the NYS Consolidated Plan. Application ratings are based only on the application materials received by the submission deadlines. The rating criteria used for specific programs are presented in Section V.

5. Feasibility Reviews - A feasibility review will be conducted when an application requests HOME CHDO funds. In order to be considered for feasibility, an application must identify an eligible site for the proposed project and provide evidence of site control in compliance with Section 5 of the Capital Programs Manual.

Underwriting reviews will also be conducted for all complete and eligible HOME CHDO applications. Underwriting reviews are intended to ensure:

- a. that the applicant has established that sales prices are reasonable for the neighborhood where the project is located;
- b. that the applicant has established that market support exists at the sales price structure proposed;
- c. that the applicant demonstrates that all proposed projects will be affordable to buyers at the targeted income level, given proposed principal, interest, taxes, insurance (PITI) and utility costs;
- d. that the applicant has documented that the projected PITI and utility costs are reasonable, based on similar type projects;
- e. that the applicant proposes HOME financing for project costs which are eligible under the source(s) cited in the application (24 CFR, Part 92, Subpart E);
- f. that, if the project includes rental units, the proposed rents meet the requirements of the HOME Program (24 CFR, Part 92, subpart F); and
- g. that the proposed costs do not exceed the HOME Program valuation and subsidy limits. (24 CFR, Part 92, Subpart F.

6. Funding Recommendations – Staff makes recommendations to the HTFC Board of Directors to fund feasible applications from available funds in rank order on the basis of rating criteria described above.

The following steps are also followed in recommending HOME program applications:

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

7. HTFC Board Approval - Awards must be approved by the HTFC Board of Directors prior to entering into a Program Agreement.

8. Application Review Letter – An Application Review Letter will be issued approximately **90 calendar days** after the last application submission deadline.

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

- a. Selected for Funding: applications which are complete, eligible, competitive and feasible, and an award has been approved by the HTFC Board of Directors.
- b. Placed on a Wait List: applications which are complete, eligible, competitive and feasible, but for which there are insufficient funds. An application will remain on a wait list until the next RFP is issued for the program under which applicant requested funds or until the wait list is discontinued.
- c. Not Selected for Funding: applications which are non-competitive, incomplete, ineligible, or not feasible.

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

9. Program Agreement - LPAs selected for funding may be asked to revise parts of their proposal prior to issuance of a program agreement. After any required revisions are submitted and approved, an agreement will be issued. However, for HOME and Access to Home program awards, HTFC will not execute the contract or process disbursement requests until all required environmental reviews are completed. Applicants are reminded that construction activity must not begin until they are notified of HTFC environmental approval for the proposed activity.

10. Implementation Meeting – LPAs may be asked to attend a program implementation meeting. Any concerns about the application will be discussed, and applicants will be given instructions on further processing requirements. Awardees not attending will receive implementation instructions by mail.

11. Processing Time Frames - HTFC expects to enter into a program agreement within 45 business days of the LPA's compliance with all submission requirements, including HTFC environmental review.

VI. PROGRAM-SPECIFIC RATING CRITERIA

A. HOME LPA Rating Criteria

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

1. Average income level served– Applications are rated on the extent to which they propose deeper income targeting than required by statute.

a. State recipient and subrecipient applications (15 points) – To achieve the maximum score on this criteria, applicants must propose to only assist households with incomes below 50% of area median income. Those that target an average below 60% will receive an intermediate score. Those that do not target below the statutory minimum will not receive any points. Please be advised that additional income targeting is required for rental units assisted with HOME funds.

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b. CHDO home ownership applications (5 points) – To achieve the maximum score on this criteria, applicants must propose to only assist households with incomes below 60% of area median income. Those that do not target below the statutory minimum will not receive any points. Please be advised that additional income targeting is required for rental units in CHDO projects assisted with HOME funds.

2. Persons with special needs targeted (5 points) – Programs that target 15% of assisted units to households which include members of one of the eight targeted groups-listed in Unified Funding Reference Materials (available on the DHCR web site), but do not provide evidence of a service contract or written referral agreement with a local service provider that serves persons with special needs, will receive three points. Programs that propose targeting 15% or more of units to a targeted group, and provide evidence of a service contract or written agreement, will receive five points.

3. Percent below federal poverty level in program service area (10 points) - Programs in areas with the highest percentage of persons below the poverty level compared to service areas of other applications, will receive the most points. Programs in areas with the lowest percentage of persons below the poverty level compared to service areas of other applications, will receive the least points.

4. Number of persons below federal poverty level in program service area - (10 points) Programs in areas with the greatest number of persons below the poverty level, compared to service areas of other applications, will receive the most points. Programs in areas with the least number of persons below the poverty level compared to service areas of other applications, will receive the least points.

5. Housing age, tenure, and affordability – Need for rental and owner-occupied housing rehabilitation programs is evaluated in part based on the age of housing in the service area. Need for home ownership programs is evaluated in part based on the rate of homeownership in the service area and the relative affordability of for-sale housing in the service area. Need for tenant-based rental assistance programs is evaluated in part based on the percentage of renter households in the service area that are rent-burdened and the relative affordability of rental housing in the service area.

a. Age of housing (10 points) – Rehabilitation programs in areas with the highest percentage of housing units built before 1960, compared to other applications received, will receive the most points.

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b (i). Homeownership rate in program service area (5 points) - Programs in areas with the lowest percentage of owner-occupied units, compared with other applications received, will receive the most points.

b (ii) Affordability index (5 points) - The home buyer affordability index is based on median incomes and median sales prices across the state. Programs in areas where home ownership is more expensive relative to incomes, as compared with other applications, will receive the most points.

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c (i). Tenant Rent Burden (5 points) - Programs in areas where more than 80% of renter households pay more than 30% of their income for rent will receive the most points. Programs in areas where between 41% and 80% of renter households pay more than 30% of their income for rent will receive an intermediate score. Programs in areas where less than 41% of all renter households pay more than 30% of income for rent will receive the lowest score.

c (ii). Affordability index (5 points) - Programs in areas where very low-income tenants have less than 85% of the income needed to rent a unit at the federal Fair Market Rent level will receive the most points. Programs in areas where very-low-income tenants have 85-105% of the income needed to rent a unit at the federal Fair Market Rent level will receive an intermediate score. Programs in areas where very low-income tenants have more than 105% of the income needed to rent a unit at the federal Fair Market Rent level will receive the fewest points.

6. Leveraging (5 points) - Measures the ratio of DHCR/HTFC funds required for permanent financing. Owner-occupied rehabilitation programs where 50% or less of total program costs will be provided by DHCR/HTFC funds will receive the most points. Rental rehabilitation programs that require owners to provide a match equivalent to 25% of total project costs will receive maximum credit. Home ownership and rental assistance programs where 20% or less of total program costs will be provided by DHCR/HTFC funds will receive the most points.

7. Administrative plan (10 points) - Administrative plans will be reviewed to assess the adequacy of the proposed staffing plan, outreach and selection procedures, construction management procedures, and procedures for compliance with other federal requirements. Plans determined adequate in each of these respects will receive the most points. Those with major deficiencies, or where not all required elements have been addressed, will receive a lower score.

8. Experience and prior performance – Applicant experience with the HOME Program and similar housing programs will be evaluated as an indication of the likelihood of successful program completion.

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

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

- Any fiscal year 2004 or earlier contract not fully expended – minus four points;
- Any fiscal year 2005 or earlier contract not fully committed – minus four points;
- Any fiscal year 2006 or earlier contract less than 50% expended – minus four points;
- Any fiscal year 2007 or earlier contract less than 50% committed – minus four points.
- Any fiscal year 2008 or earlier contract that is not executed or has not received environmental clearance – minus four points.

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

- or -

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

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

- Any UF 2003 or earlier CHDO contract not fully expended – minus four points;
- Any UF 2004 or earlier CHDO contract not fully committed – minus four points;
- Any UF 2005 or earlier CHDO contract less than 50% expended – minus four points;
- Any UF 2006 or earlier CHDO contract less than 50% committed – minus four points,
- Any UF 2008 or earlier contract that is not executed or has not received environmental clearance – minus four points.

9. CHDO funding commitments/readiness (10 points) CHDO applications are rated based on project readiness.

- Projects where all required public approvals are in place and all financing required to construct the project is committed (as evidenced by executed funding commitments) will receive 10 points.
- Projects where either firm commitments or public approvals are in place (but not both) will receive 5 points.
- Projects where financing is applied for but not committed, and that require public approvals that are not yet secured, will receive 0 points.

10. Energy Conservation – applications that propose to follow a comprehensive plan for reduction of energy use in assisted units will receive up to 5 points. Points will be awarded based on the adequacy of the Energy Use Reduction Plan included with the application for funding and the extent to which energy reduction measures will be incorporated into all units. See Attachment 2 for guidance on format of energy reduction plans and a list of elements that must be included.

a. Housing rehabilitation, home ownership and rental assistance (5 points) – Applicants must submit a comprehensive energy use reduction plan to receive points for this criterion. Applicants that provide a plan to include energy conservation measures in workscopes of all assisted units will receive five points if the plan addresses all required elements. Those that propose that at least 60% of assisted units receive energy modifications according to the plan, or which have some minor deficiencies, will receive 3 points. All other applications, including those where the plan is determined to have significant deficiencies, will receive 0 points.

- or -

b. New construction (5 points) CHDO home ownership applicants proposing a new construction project will meet this criteria by demonstrating that all assisted units either qualify

as ENERGY STAR labeled homes or, for multifamily cooperative or condominium projects, meet the requirements of the New York State Energy Research and Development Authority (NYSERDA) Multifamily Building Performance - New Construction program.

Applicants proposing single-family (1-4 unit) development will receive five points if they submit an executed agreement between the applicant and a builder that is participating in the NY ENERGY STAR Labeled Homes Program that is conditioned upon issuance of the Energy Star label and compliance with all other requirements of that program. The NY ENERGY STAR Labeled Homes Program is administered by NYSERDA in most parts of the State, and by the Long Island Power Authority (LIPA) in Nassau and Suffolk Counties.

Applicants proposing multifamily home ownership development will receive five points if they submit an executed agreement between the participant and an approved performance partner that is conditioned upon NYSERDA approval upon completion of the project and compliance with all other requirements of that program.

Projects in areas not eligible for participation in LIPA or NYSERDA programs will be required to submit evidence that the energy efficiency of the project is 30% or greater than that required by the NYS Energy Conservation Code, as evidenced by the completion of the NYS version of REScheck (www.energycodes.gov/web_tools.stm).

Note: NYSERDA technical assistance funding may also be available to applicants in non-SBC municipalities. Applications which incorporate energy efficiency measures in the proposed project but do not meet the criteria set forth in the Energy Efficiency criteria will not receive these incentive points. Contact your regional office for more information.

11. Green rehabilitation/green building practices – LPAs and CHDOs proposing to use HOME funds for rehabilitation or construction activities will receive points based on the extent to which their plan to follow “green” construction practices addresses all required elements. See Attachment 2 for guidance on format of Green Rehab and green building plans and a list of elements that must be included.

a. Rehabilitation and home ownership applications (5 points) – Applicants proposing programs that will involve rehabilitation of existing buildings will receive up to five points if they submit a plan to incorporate “Green Rehab” practices into their program activities. Green Rehab practices must be followed for all work, whether funded by HTFC or not, in all assisted buildings.

Points will be awarded based on the extent that elements of the plan are addressed in a satisfactory manner.

- Plans that adequately address indoor air quality, moisture control, construction waste management, and other required elements will receive five points;
- Plans that address most, but not all required elements, and do not have other serious deficiencies, will receive three points.
- Plans that address five or fewer of these elements, or which are determined to be significantly deficient in other respects, will not receive any points.

- or -

b. CHDO new construction applications (10 points) –

Up to seven points will be awarded to an applicant who documents that their project will meet the mandatory criteria and standard criteria listed in the Green Building Criteria Checklist. Points will be awarded according to the following schedule:

Integrated Design Process - Mandatory

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

Energy Efficiency - Mandatory

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

Operations and Maintenance - Mandatory

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

Site Planning/Environmental Impacts – 1 point

- Applicant certifies that a surface water management plan was completed– Mandatory
- Applicant certifies that a Phase I Environmental Site Assessment was completed – 1 point;

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

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

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

- Low/no volatile organic compounds (VOC) paints, primers, adhesives and sealants;
- Formaldehyde-free composite wood or any composite wood containing urea-formaldehyde with exposed particleboard must be sealed;
- If providing floor coverings; use the Carpet and Rug Institute's Green Label certified (or equivalent) carpet and pad.
- Energy Star labeled bathroom fans that exhaust to the outdoors with a humidistat sensor or timer or continuous operation;

- Ventilation system for each unit providing 15 cubic feet per minute of fresh air per occupant;
- If included, size cooling equipment in accordance with the Air Conditioning Contractors of America Manual, Parts J and S;
- Tankless hot water heaters, or if using conventional hot water heaters, install in rooms with drains or catch pans piped to the exterior and with non-water sensitive floor coverings;
- Combustion sealed water heaters or heaters direct vented to the outside, if heater is located in a conditioned space;
- Cold water pipe insulation;
- Moisture-resistant materials in wet areas;
- Clothes dryers vented directly to the outside; or
- Integrated pest management.

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

Location and Neighborhood Fabric

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

Energy Efficiency

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

Materials Beneficial to the Environment

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

Specific information on each all of the above requirements criteria can be found in the DHCR Green Building Criteria Reference Manual. In addition, the Green Building Criteria Checklist, must be completed and submitted as part of Attachment 2 of your application.

12. Environmental Health and Safety - Applications that will only assist units that have been identified as at-risk for lead paint hazards, radon, asbestos, indoor air quality problems or other environmental health and safety issues will receive up to five points.

a. Rehabilitation programs (5 points) - Applicants that propose targeting all assisted units to housing units that have been identified as unsafe/unhealthy due to the presence of one or more of the following hazards will receive five points. Applicants that target at least 60% of assisted units to remediate these hazards will receive three points. No points will be awarded for applications that propose lower targeting, or which exhibit significant deficiencies in this area. The hazardous conditions that will be considered are:

- Lead based paint;
- Asbestos;
- Moisture-related health problems, such as mold;
- Other indoor air quality issues (i.e. CO problems related to faulty heating systems);
- Other immediate threat health and safety issues (cited by code for dangerous electrical hazards, lack of potable water, etc.).

b. Tenant-based rental assistance and down-payment assistance programs (10 points) – Applicants that propose a program that will not use HOME funds for rehabilitation will receive up to 10 points if they propose to target assistance only to housing units that have been identified as unsafe/unhealthy due to the presence of one or more of the hazards listed above, **and** provide commitments for a separate source of funds to correct the hazardous conditions. Those that target 60% of assisted units will receive six points. No points will be awarded for applications that propose lower targeting, or which exhibit significant deficiencies.

B. Access to Home Program Rating Criteria

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

1. Number of persons with disabilities in poverty in the service area (10 points) – based on the number of persons with disabilities in the service area with incomes below the poverty level. Maximum points will be awarded to proposals that show the highest number of persons with disabilities in the service area.

2. Percentage of persons with disabilities in poverty in the service area (10 points) – based on the percentage of persons with disabilities in the service area that have incomes below the poverty level. Maximum points will be awarded to proposals that show the highest percentage of persons with disabilities in poverty in the service area.

3. Transition and diversion need (20 points) – based on the number of households in the service area that could be diverted from or transitioned out of institutional care with installation of accessibility modifications. Maximum points will be awarded to proposals that document high need for transition and diversion assistance.

4. Administrative plan (10 points) – Administrative plans will be reviewed to assess the adequacy of the proposed staffing plan, outreach and selection procedures, construction management procedures, and procedures for transitioning/diverting assisted clients from institutional care. Plans determined adequate in each of these respects will receive the most points. Those with major deficiencies, or where not all required elements have been addressed, will receive a lower score.

5. Income targeting (10 points) – based on the average income level to be served by the proposed program. The maximum points will be awarded to applicants that will only serve households with incomes at or below 30% of the HUD median income for the area.

6. Housing rehabilitation experience (10 points) – based on the experience of applicants and identified partners in administering housing rehabilitation programs. Applicants that have administered at least two other housing rehabilitation, emergency repair, or environmental modification programs

during the past three years, with funding amounts equal to the proposed program, and who demonstrate an adequate staffing plan, will receive the most points.

7. Housing rehabilitation capacity (5 points) – based on an analysis of the applicant’s staffing plan with regard to housing rehabilitation activities. Applicants that demonstrate adequate staff capacity to successfully complete housing rehabilitation activities within 24 months of contract start will receive the most points.

8. Special needs experience (10 points) – based on the experience of applicants and identified partners in administering programs targeted to persons with disabilities. Applicants that demonstrate substantial experience in working with persons with disabilities during the past three years will receive the most points.

9. Special needs capacity (5 points) – based on an analysis of the applicant’s staffing plan with regard to special needs programs. Applicants that demonstrate adequate staff capacity, including staff that have experience with special needs programs that included a construction component, will receive the most points.

10. Housing/Service Partnership (10 points) – based on the applicant’s plan for managing required construction activities and for providing related client services. Proposals that include a firm commitment of resources, including cash or in-kind services, sufficient to properly perform both of these roles, will receive maximum points. Partnerships between experienced housing agencies and service providers can meet this requirement. An executed agreement outlining partner responsibilities will be required.

C. RESTORE Program Rating Criteria

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

1. Community Needs (20 points) - Measures the extent of need in the proposed target area. Proposed programs in target areas with the most need (measured by number and percent of income eligible elderly homeowners in the area living in substandard housing conditions) will receive the most points.

2. Leveraging (15 points) - Measures the ratio of non-State funds to RESTORE funds requested for the proposed program. For this criterion, funds from DHCR and NYS Affordable Housing Corporation are considered State funds, while Weatherization and HOME programs are considered federal funds. Applications which identify sources of matching administrative or capital funds other than State funds equal to 100 percent or more of the RESTORE request will receive the most points.

3. Program Design (25 points) - Measures the extent the proposed program describes a comprehensive program design that addresses all program requirements including documentation for delivery of emergency repair services.

4. Organization Experience/Program Readiness (20 points) - Measures the applicant's staff capacity and organization's experience with programs similar to the RESTORE program and the likelihood that the program can be quickly implemented and completed in the time frame projected in the application. Applications listing experience in home repair and rehabilitation services will receive the most points.

5. Coordination of Housing and Aging Services (15 points) - Measures the extent to which the proposed program has demonstrated links to other senior citizen service providers in target area and the extent to which those links are documented in the application. Applications which attach referral agreements from service providers will receive the most points.

6. Persons with special needs targeted (5 points) - Programs that propose to target 15% or more of units to be assisted to households which include **persons with special needs** (see listing in Unified Funding Reference Materials 2009) will receive three points. Programs that propose targeting 15% or more of units for **persons with special needs** and provide evidence of a service contract with or written referral agreement with a local service provider that serves the special population will receive five points.

Regional Office Service Areas

Any questions regarding this RFP or the application process should be directed to the Regional Office with jurisdiction for the proposed program. Regional Directors and the counties served by their offices are:

Capital District Regional Office Lynn Kopka, Regional Director
Hampton Plaza, 2nd Floor, 38-40 State Street, Albany, New York, 12207 (518) 486-5012
Counties Served: Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Fulton, Greene, Hamilton, Montgomery, Orange, Otsego, Putnam, Rensselaer, Saratoga, Schenectady, Schoharie, Sullivan, Ulster, Warren and Washington.

Buffalo Regional Office Thomas Van Nortwick, Regional Director
Electric Tower, Suite 105, 535 Washington Street, Buffalo, New York 14203, 716-847-7955
Counties Served: Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming and Yates.

Syracuse Regional Office Daniel Buyer, Regional Director
620 Erie Boulevard West, Suite 312 Syracuse, New York 13204, (315) 478-7179, ext. 200
Counties Served: Broome, Cayuga, Chenango, Cortland, Franklin, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, St. Lawrence, Tioga and Tompkins.

New York City Regional Office Gregory Watson, Regional Director
25 Beaver Street, 7th Floor, New York, NY 10004, (212) 480-4543
Counties Served: Bronx, Kings, New York, Queens, Richmond, Nassau, Suffolk, Rockland and Westchester.