

NYS Housing Trust Fund Corporation RESTORE Program FAQ Sheet

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

A. Yes, at least one of the homeowners has to be age 60 years or more and live in the home.

2. Is there an income restriction for the RESTORE Program?

A. Yes, the household income cannot exceed 80% of the current Area Median Income as established by HUD.

3. If you do not own your home, are you eligible for the RESTORE Program?

A. No, this program is for owner-occupants only.

4. Are life leases an acceptable proof of home ownership?

A. Yes, life leases are acceptable under the RESTORE Program. The LPA must maintain a copy of the fully-executed lease agreement in a file for the entire records retention period of five years.

5. What constitutes an emergency repair?

A. The existing housing situation must pose a threat to the homeowner's life, health or safety.

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

A. The owner's unit and common areas would be eligible.

7. Can RESTORE funds be used on a mobile home?

A. Yes, but the occupant must own the mobile home. The lot may be rented, but a fully executed lot/land lease agreement with the lot owner is required and the LPA must file this paperwork for the retention period of five years.

8. Are reverse mortgages counted as income?

A. No, the LPA does not have to consider resources from a reverse mortgage as income when qualifying a senior for eligibility under the RESTORE Program.

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

- A. No, but the LPA must make sure that they use the same method for calculating income for all applicants regardless of household size. Please download the HUD “Technical Guide for Determining Income and Allowances for the HOME Program” available at: <http://www.hud.gov/offices/cpd/affordablehousing/library/modelguides/2005/1780.cfm>

10. Where can I find guidance on Determining Income?

- A. Please refer to HUD “Technical Guide for Determining Income and Allowances for the HOME Program” available at: <http://www.hud.gov/offices/cpd/affordablehousing/library/modelguides/2005/1780.cfm>

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

- A. Yes. From the date of the emergency referral, the LPA has up to 3 days to inspect the home; from the date of the assessment you have up to 7 days to start the repairs which then must be completed within 30 days.

12. What happens if we are not able to follow the program timeframes?

- A. We understand that there may be reasons why timeframes cannot be met but HCR does monitor the adherence to the time table for the RESTORE projects. Non-compliance may impact the current or future RESTORE awards.

13. Are the RESTORE timeframes in calendar days or business days?

- A. RESTORE timeframes are in calendar days.

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

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

15. Are contractor bids required?

- A. Yes, please see the RESTORE Program Agreement, Section 6. Supporting Documentation. Since this is an emergency program, you should start the bidding process once you are notified of an award.

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

- A. Please contact your HCR Project Manager. You must supply the address, county and the section/block/lot numbers.

17. What is the maximum we are allowed to spend on an individual property?

- A. All units can receive up to a total of \$7,500 dollars. If a property has previously been served but did not receive the maximum amount, they can be served again until they reach the \$7,500 maximum.

18. Can appliances be replaced with RESTORE funds?

- A. Yes, but only when the replacement eliminates an obvious health or safety hazard.

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

- A. No. But if a project is located in a Historic District and the repair is an exterior repair you will need to address local laws.

20. Does RESTORE fall under the EPA Renovation Final Rule?

- A. Yes, if there is a child under the age of six that lives in the home, lead paint hazard requirements apply in the area where you are doing work.

21. When will I receive my second payment?

- A. After 75% of the first half of your award is spent, as documented by submitted Project Detail Forms and photographs. You must submit an original signed Disbursement Request Form and an Administrative Funds Detail Sheet and a Building Log to your Project Manager. You must include all invoices/receipts.

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

- A. Yes, you may submit your payment requests electronically to your Project Manager but you are also required to submit an original signed copy as well. Please make sure you include all invoices/receipts with your second payment.

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

- A. It may vary, but normally you will receive payment two weeks from the time the approved request is received by the Office of Community Renewal's (OCR) Finance Unit.

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

- A. The draw can be requested after the contract expiration date; however, HCR will only reimburse LPA's for a project if construction started prior to the end of the contract.

25. What needs to happen if we recapture RESTORE funds?

- A. Recaptured RESTORE funds must be returned to the NYS Housing Trust Fund Corporation (HTFC). Please speak with your Project Manager regarding any "recapture" questions.

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

- A. No, the program is income-based and not asset-based. As long as the client remains in their home and has a fully executed agreement with the LPA, the LPA does not recapture RESTORE funds.

27. Can delivery costs be associated with the RESTORE projects?

- A. Yes, but they must be reasonable and not total more than 12% of the RESTORE award.

28. What would be considered delivery costs?

- A. Delivery costs are those costs related to staff delivering the services to a specific project, such as inspections and travel.

29. What about filing fees and attorney costs?

- A. Filing fees and attorney costs should be considered costs directly related to the work performed on the project and can be billed to that project.

30. What is the RESTORE retention period for our records?

- A. Records must be kept for a period of five years from the completion of the project.

31. Exhibit E is a new Exhibit in our contract. Can you please explain why this change was made?

- A. The standard contract always included a lien on the project property. HCR is requiring a Property Maintenance Agreement to be filed to ensure that you are notified regarding the transfer or sale of a project property.

32. Will we be required to file Exhibit E in the Office of the County Clerk?

- A. Yes, so you will be notified of a transfer or sale of a project property.

33. What will it cost to file the Property Maintenance Agreement?

A. It will cost between \$50 and \$60 to file the Property Maintenance Agreement.

34. Will costs associated with the filing be considered a project cost?

A. Yes, it is considered a project cost.

35. Given that construction is supposed to commence with 7 days, how can we ensure adequate procurement?

A. It is extremely difficult to produce a work scope, receive bids and evaluate all proposals and award a contract within this time period. We strongly suggest that you anticipate the types of services you will be providing under this emergency repair program, for example, furnace or roof repair or replacement, or septic replacement, and obtain bids from relevant trade's people in anticipation of these projects. Agreed upon prices would have to be honored for the contract period. Therefore, under the RESTORE Program, procurement is most effectively done in advance.