

New York State

Federal Fiscal Year 2021 Annual Action Plan Substantial Amendment

HOME-ARP Allocation Plan

FINAL FOR HUD SUBMISSION

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## HOME-ARP Allocation Plan Template

### Guidance

- To receive its HOME-ARP allocation, a PJ must:
  - Engage in consultation with at least the required organizations.
  - Provide for public participation including a 15-day public comment period, and one public hearing, at a minimum: and,
  - Develop a plan that meets the requirements in the HOME-ARP Notice.
- To submit: a PJ must upload a Microsoft Word or PDF version of the plan in IDIS as an attachment next to the “HOME-ARP allocation plan” option on either the AD-26 screen (for PJs whose FY 2021 annual action plan is a Year 2-5 annual action plan) or the AD-25 screen (for PJs whose FY 2021 annual action plan is a Year 1 annual action plan that is part of the 2021 consolidated plan).
- PJs must also submit an SF-424, SF-424B, and SF-424D, and the following certifications, as an attachment on either the AD-26 or AD-25 screen, as applicable:
  - Affirmatively Further Fair Housing.
  - Uniform Relocation Assistance and Real Property Acquisition Policies Act and Anti-displacement and Relocation Assistance Plan.
  - Anti-Lobbying.
  - Authority of Jurisdiction.
  - Section 3; and,
  - HOME-ARP specific certification.

**Participating Jurisdiction:** New York

**Date:** 7.28.2022

## Consultation

### **Summarize the consultation process:**

To begin preparation of the HOME-ARP Allocation Plan, the State participated in all HUD HOME-ARP trainings and reviewed CPD Notice 21-10 “Requirements for the Use of Funds in the HOME ARP Program.” The trainings and notice outlined the requirement for the State to consult with proposed HOME-ARP partners to determine needs statewide and how to best serve eligible Qualified Populations (QPs). The consultation process assisted the State with understanding current barriers and gaps in the delivery systems that serve QPs. Engagement with proposed partners was integral to forming the State’s intent and potential scope for HOME-ARP funds.

The State conducted consultation meetings by WebEx video conference and telephone. These remote consultations made access and participation simple and accessible for all attendees. Consultation meetings took place from mid-January 2022 through April 2022 with fifteen Continuums of Care and many not-for-profit organizations that provide housing and supportive services for QPs as defined in the HOME-ARP notice across rural, suburban and urban geographies.

The State also hosted two meetings in partnership with the New York State Public Housing Authority Directors Association (NYSPHADA) to solicit input from seventeen Public Housing Authorities and held meetings with multiple offices within NYS Homes and Community Renewal as well as the Office of Temporary and Disability Assistance (OTDA) & The Office for the Prevention of Domestic Violence (OPDV). To complete the consultation process, the State met with not-for-profit and for-profit housing developers and civil rights organizations.

As New York City (NYC) received its own allocation of HOME-ARP funds, the State focused outreach and consultations in upstate New York to ensure under resourced areas outside of NYC had an opportunity to inform the State’s proposed HOME-ARP program.

The feedback during the consultation process focused primarily on the single issue of a severe lack of affordable housing units. Specifically, for those households making under 30% of AMI, and persisting for those making between 30-50% and beyond. This lack of inventory is problematic throughout the State leaving many people in housing that is unsuitable, unsafe, unsanitary, overcrowded, or unstable. Finally, it became clear that even though NYS has an expansive supportive service housing infrastructure, some QPs still find it difficult to gain access, finding themselves on the street or in housing that is unstable or unsafe. New Yorkers need access to low or no barrier services as well as housing to stabilize their lives.

The consultation process clearly demonstrated the need for the State to allocate HOME-ARP funds to increase the supply and preserve the stock of affordable housing units serving QPs especially those households that are extremely low and very low-income.

**List the organizations consulted, and summarize the feedback received from these entities.**

**Table 1: Consultations Table**

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Long Island Coalition for the Homeless	COC HMIS Lead-Homeless Service Provider-Non-Profit Community Based Organization working with HOME-ARP Qualified Populations	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Disconnect between unit location and available supportive services</li> <li>• Motel-Non-Congregate Shelter Possible</li> <li>• Lack of landlord participation.</li> <li>• Housing vouchers hard to utilize</li> </ul>
Rochester/Monroe County Homeless CoC	COC HMIS Lead-Homeless Service Provider-Non-Profit Community Based Organization working with HOME-ARP Qualified Populations	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Street homeless increased during Covid</li> <li>• Increase in youth homelessness (18 to 24 years of age)</li> <li>• Disconnect between unit locations and available supportive services</li> <li>• Rent too high to utilize vouchers</li> </ul>
MOHAWK Valley Housing and Homelessness Coalition	COC HMIS Lead-DV Service Provider-Non-Profit Community Based Organization working with HOME-ARP Qualified Populations	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Street homeless increased during Covid.</li> <li>• Disconnect between unit locations and available supportive services</li> <li>• Need for low barrier or no barrier access to housing</li> <li>• Concern of a lack of developer capacity in the area</li> <li>• Rents too high to utilize vouchers</li> </ul>
Human Services Coalition Ithaca and Thompkins County	COC HMIS Lead-Homeless Service Provider-Non-Profit Community Based Organization working with HOME-ARP	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Lack of landlord participation.</li> <li>• Housing vouchers hard to utilize</li> </ul>

	Qualified Populations		<ul style="list-style-type: none"> <li>• Increase in youth homelessness (18 to 24 years of age)</li> <li>• Disconnect between unit location and available supportive services</li> <li>• Social Services already well-funded</li> <li>• Need for low barrier or no barrier access to housing &amp; services</li> <li>• Concern for a lack of developer capacity in area</li> <li>• Rents too high to utilize vouchers</li> </ul>
Housing and Homelessness Coalition of Central NY	COC HMIS Lead-Homeless Service Provider-Non-Profit Community Based Organization Working with HOME-ARP Qualified Populations	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Lack of landlord participation.</li> <li>• Housing vouchers hard to utilize</li> <li>• Social Services already well-funded</li> <li>• Street homeless increased during Covid.</li> <li>• Need for low barrier or no barrier access to housing &amp; services</li> <li>• Rents too high to utilize vouchers</li> </ul>
Homeless Alliance of Western NY	COC HMIS Lead-Homeless Service Provider-Non-Profit Community Based Organization. Focus on Youth. Youth Task Force/Action Board	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Disconnect between unit location and available supportive services</li> <li>• Motel-Non-Congregate Shelter Possible</li> <li>• Concern for a lack of developer capacity in the area</li> </ul>
Veterans & Community Housing Coalition	COC member-Veterans/ Homeless Service Provider-Non-Profit Community Based Organization, Housing Developer, Housing Provider		<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Disconnect between unit location and available supportive services</li> <li>• Motel-Non-Congregate Shelter Possible</li> <li>• A need for employment, homeless and homeless</li> </ul>

			prevention services and food support.
The Office for the Prevention of Domestic Violence (OPDV)	Government Agency working to end Domestic Violence, Human Trafficking & Gender Based Violence	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Lack of inventory keeping people in DV situations or returning to DV situations</li> <li>• Housing vouchers hard to utilize</li> <li>• Capacity building for NFP service providers to take on development of DV housing needed.</li> <li>• Need access to no barrier services like job placement, life skills, legal support etc.</li> </ul>
<p>CARES of New York Meeting:</p> <p>Southern Tier Homeless Coalition</p> <p>Saratoga-North Country COC</p> <p>Points North Housing Coalition</p> <p>Homeless Services Planning Board Albany County Coalition on Homelessness</p>	Four Continuums of Care-HMIS Lead-Shelter Providers working with all HOME-ARP Qualified Populations	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Disconnect between unit location and available supportive services</li> <li>• NCS Motel Adaptive Reuse</li> <li>• Lack of landlord participation.</li> <li>• Housing vouchers hard to utilize</li> <li>• Increase in youth homelessness (18-24 years of age)</li> <li>• Street homeless increased during Covid</li> <li>• Need for low barrier or no barrier access to housing</li> <li>• Rents too high to utilize vouchers</li> </ul>
Dutchess County Community Development	Govt Agency/COC Member	WebEx Conference	<ul style="list-style-type: none"> <li>• Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>• Lack of Landlord participation</li> <li>• Rents too high to utilize vouchers</li> <li>• Increase in youth homelessness (18-24 years of age) participation</li> <li>• Housing vouchers hard to utilize</li> <li>• Social Services well-</li> </ul>

			<ul style="list-style-type: none"> <li>funded</li> <li>Concern of a lack of developer capacity in the area</li> </ul>
Finger Lakes Area Counseling & Recovery Agency	COC HMIS Lead-Homeless Service Provider-Non-Profit Community Based Organization/ Focus on Substance abuse disorder		<ul style="list-style-type: none"> <li>Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>Need for low barrier or no barrier access to housing &amp; services</li> <li>Disconnect between unit locations and available supportive services</li> </ul>
NYS PHADA Public Housing Authority Meeting #1  Rochester, Albany, Elmira, Harritstown, Tonawanda, Binghamton, Geneva, New Rochelle, Norwich, Newburgh, Gloversville, Saratoga Springs, Glen Falls, Huntington & Herkimer	Public Housing Authorities	WebEx Conference	<ul style="list-style-type: none"> <li>Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>Lack of landlord participation</li> <li>Connect housing with Social Services to keep families in place</li> <li>Development of new PHA owned housing through development and acquisition/rehab of rental housing in the market</li> <li>PHAs have capacity for development</li> <li>Need for non LIHTC funded projects smaller in scale</li> <li>Voucher waiting list varies some have 5 year waiting lists some have availability now or are opening lists soon</li> </ul>
NYS PHADA Public Housing Authority Meeting #2  Rochester, Amsterdam, Albany, Saratoga & Yonkers	Public Housing Authorities	WebEx Conference	<ul style="list-style-type: none"> <li>Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>Lack of Landlord participation</li> <li>Voucher waiting list varies some have 5 year waiting lists some have availability now or are opening lists soon</li> <li>Rents too high to utilize vouchers</li> </ul>
New York State Civil Liberties Union	Organization that addresses civil rights, fair housing, and people with disabilities	Telephone Conference Call	<ul style="list-style-type: none"> <li>Lack of affordable units for 30% AMI and 30%-50% AMI</li> <li>Lack of Landlord participation</li> <li>Getting properties in the hands of not for profits or mission</li> </ul>



			<p>driven for profits is a way to get around lack of landlord participations, high market rents &amp; discrimination</p> <ul style="list-style-type: none"> <li>• Ready to support with technical assistance for developers that run into legal issues over zoning and NIMBYism</li> </ul>
Developer Discussions	<p>Mid-Hudson Not for Profit Developer &amp; Supportive Service Provider</p> <p>Western NY For-Profit Developer</p> <p>Capital Region For-Profit Developer (National Presence)</p>	Telephone Conference Calls	<ul style="list-style-type: none"> <li>• Looking for subsidy levels to make projects work without LIHTC</li> <li>• LIHTC has become too competitive, needed projects are not getting built</li> <li>• Preference for project wait lists to increase access over Coordinated entry</li> <li>• Comfort with COCs</li> </ul>

**Public Participation:**

In accordance with Section V.B of the Notice (page 13), PJs must provide for and encourage citizen participation in the development of the HOME-ARP allocation plan. Before submission of the plan, PJs must provide residents with reasonable notice and an opportunity to comment on the proposed HOME-ARP allocation plan of **no less than 15 calendar days**. The PJ must follow its adopted requirements for “reasonable notice and an opportunity to comment” for plan amendments in its current citizen participation plan. In addition, PJs must hold **at least one public hearing** during the development of the HOME-ARP allocation plan and prior to submission.

PJs are required to make the following information available to the public:

- The amount of HOME-ARP the PJ will receive, and
- The range of activities the PJ may undertake.

Throughout the HOME-ARP allocation plan public participation process, the PJ must follow its applicable fair housing and civil rights requirements and procedures for effective communication, accessibility, and reasonable accommodation for persons with disabilities and providing meaningful access to participation by limited English proficient (LEP) residents that are in its current citizen participation plan as required by 24 CFR 91.105 and 91.115.

**Template:**

**Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:**

- *Date(s) of public notice:* June 7<sup>th</sup>, 8<sup>th</sup> & 9<sup>th</sup> 2022.
- *Public comment period:* Start Date: June 22<sup>nd</sup>, 2022, End Date: July 22<sup>nd</sup>, 2022
- *Date(s) of public hearing:* July 12<sup>th</sup>, 2022

**Describe the public participation process:**

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

**Describe efforts to broaden public participation:**

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

- Held a series of stakeholder and community consultation sessions at the beginning of the program development process to solicit public input prior to the preparation of the draft Consolidated Plan,
- Consulted a wide range of public agencies (both State and local) and private organizations and individuals to solicit input prior to the preparation of a draft the Allocation Plan
- Public participation notices were published in Spanish news outlets, as well as English. Translations of the draft plan were available upon request for the following languages: Spanish, Chinese, Russian, Yiddish, Bengali, Arabic, Korean, Italian and Polish.
- Published a summary of the draft to make the information more accessible
- Provided internet access of the draft via DHCR's web portal [www.hcr.ny.gov](http://www.hcr.ny.gov);
- HCR conducted a 30-day public comment period rather than the 15-day expedited comment period permitted under HOME-ARP.
- HCR also notified stakeholders of the public comment period through emails and phone calls to make sure those who participated in the consultations would have an opportunity to review and encourage others to participate.
- Notice of participation opportunities was sent to a large distribution list that includes disability advocates, and all public participation opportunities are accessible to individuals with disabilities.

**Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:**

- 1) **In many rural parts of the State more than 90% of rental units are owned by private owners. Funding for acquisition, development and rehab of affordable units needs to be accessible to these private citizens. Developer lead housing construction takes a long time, and we will lose housing during that time.**
  - a. HCR encourages eligible and capable entities with capacity to apply for HOME-ARP funding to develop and preserve qualified projects under HOME-ARP. This includes private owners through LLCs, for profit developers as well as not-for profits and public housing agencies.
- 2) **Priority needs to be given for those individuals transitioning out of emergency shelter.**
  - a. HCR encourages all eligible and capable entities with capacity to apply for funding to develop, preserve and operate HOME-ARP projects that will support local needs.

**Summarize any comments or recommendations not accepted and state the reasons why:**

N/A

**Table 2: Housing Needs Inventory and Gap Analysis**

<b>Housing Needs Inventory and Gap Analysis Table</b> Non-Homeless (At Risk of Homelessness & Housing Instability)			
	<b>Current Inventory</b>		<b>Gap Analysis</b>
	# Of Units	# Of Households	# Of Households
Total Rental Units	3,373,180		
Rental Units Affordable to HH at 30%AMI (at-risk of homelessness)	164,375		
Rental Units Affordable to HH at 50%AMI (other population)	167,385		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (at-risk of homelessness)		658,820	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (other population)		252,785	
Current <b>Gap</b> or Surplus			(494,445) < = 30% AMI
			(85,400) 30-50% AMI
			<b>-579,845</b>
Data Sources: 1. American Community Survey (ACS); 2. Comprehensive Housing Affordability Strategy (CHAS)			

**Table 3: Homeless Needs Inventory and Gap Analysis**

<b>Homeless Needs Inventory and Gap Analysis Table</b>									
	<b>Current Inventory</b>			<b>Homeless Population</b>				<b>Gap Analysis</b>	
	Family	Adults Only	Vets	Family HH	Adult HH	Vets	Victims of DV	Family	Adults Only
	# of Beds	# of Beds	# of Beds					# of Beds	# of Beds
Emergency Shelter	48,794	34,002	243						
Transition al Housing	1,376	4,473	412						
Permanent Supportive Housing	12,126	34,671	8,008						
Sheltered Homeless				47,982	38,611	1,214	6,836		
Unsheltered Homeless				6	4,547	37	44		
Current <b>Gap</b> or Surplus								1,182	<b>-4,683</b>
Data Sources: 1. Point in Time Count (PIT); 2. Continuum of Care Housing Inventory Count (HIC); 3. Consultation									

The available data in Table 2 & 3 illustrate what NYS found through consultation. There is some need for shelter especially in areas without any shelter system, but the greatest gap is in affordable rental units. There is a Statewide deficit of approximately 580,000 rental units, for Very Low Income (VLI) and Extremely Low income (ELI) households. These populations are often considered at risk of being homeless or are “other populations” experiencing housing instability.

**Describe the size and demographic composition of qualifying populations within the PJ’s boundaries:**

Through consultations with COCs, it became evident that 2021 HMIS data may be less illustrative of the current actual size, demographics and needs of QPs in the State. The eviction moratorium and lack of an unsheltered Point in Time (PIT) count was highlighted throughout the consultation process and is the reason the State used the 2020 HMIS data as well as the 2021-2025 Consolidated Plan to produce the HOME-ARP Allocation Plan.

**Table 4: NYS Homeless Demographics 2020**

<b>New York State Homeless Population</b>	<b>91,271 (sheltered &amp; unsheltered)</b>
<b>Race</b>	
Black or African American	70%
White	20%
Multiracial	5%
Native Hawaiian/other Pacific Islander	2%
Asian	1%
American Indian/Alaska Native.	.5%
<b>Gender</b>	
Male	53%
Female	46%
Transgender or Gender Non-Conforming	1%
<b>Families</b>	
Households with Children	53%
Households without Children	47%
<b>Sub Populations</b>	
Severely Mentally Ill	17%
Chronic Substance Abuse	10%
Victims of Domestic Violence	8%
HIV/AIDS	4%
Unaccompanied Youth	3%
Children of Parenting Youth	3%
Parenting Youth	2%
Veterans	1%
Data Source: 2020 PIT	

In addition to the actual unsheltered Homeless there are those that are At Risk of Homelessness and experiencing Housing Instability. This is defined further in the Other Populations section of the HOME-ARP allocation plan but can simply be defined as those that are Extremely Low income (<30% of AMI) and/or those Very Low income (30-50% AMI) living in insufficient or unsafe housing (domestic violence, illegal activity etc.). According to the CHAS Data & the Consolidated for the State of NY, there are 1,341,845 households with income below 30% of AMI and another 920,035 households experiencing Housing Instability.

**Table 5: Demographics, Those at Risk.**

<b>At Risk of Homelessness Demographics</b>	
<b>30% of AMI and Under</b>	
White	47%
Hispanic	24%
Black or African American	21%
Asian	6%
American Indian/ Alaska Native	< 1%
Pacific Islander	< 1%
<b>30% of AMI-50% of AMI -Housing Instability</b>	
White	56%
Hispanic	19%
Black/African American	16%
Asian	7%
American Indian/ Alaska Native	<1%
Pacific Islander	< 1%
Data Source: NYS 2021-2025 Consolidated Plan	

**Describe the unmet housing and service needs of qualifying populations, including but not limited to:**

- Sheltered and unsheltered homeless populations.
- Those currently housed populations at risk of homelessness.
- Other families requiring services or housing assistance or to prevent homelessness
- Those in unstable housing situation

Feedback provided during consultation with COCs made it apparent that the lack of available rental housing units is paramount. The reasons for the lack of supply include units not meeting Housing Quality Standards (HQS), non-participation by private property owners (landlords), high rents and a shortage of mission driven non-profit housing providers. These factors have also reduced the ability for QPs to use housing vouchers and have increased the length of time QPs stay in emergency shelters.

According to the Housing and Homelessness Coalition of Central NY, the waiting time to secure housing has increased by an average of 7 days from 2019 to 2020. COCs in Western NY, Thompsons, and Monroe Counties (rural communities with fewer housing resources) stated QPs have been waiting for months to locate a unit and utilize a voucher. The Rochester/Monroe County Homeless COC noted they were providing routine extensions to the voucher 120-day requirement to find a unit as QPs are earnestly looking but are unable to find housing.

The most common housing problem for residents of the State is housing cost burden. This coupled with a lack of affordable units for Extremely Low Income (ELI, under 30% of AMI) and Very Low Income (VLI, 30%-50% AMI)

QPs contributes to the high number of individuals and families at risk of homelessness or experiencing housing instability.

**Table 6: Cost Burden**

<b>Cost Burden By AMI</b>							
Income AMI %	Total # of Households	Households with Cost Burden (30-50%)	CB%	Households with Severe Cost Burden (50% +)	SCB %	Total Cost Burden	Total%
0-30%	1,393,050	198,355	14.2%	894,380	64.20%	1,092,735	78.4%
30-50%	940,205	359,270	38.2%	313,495	33.30%	673,215	71.6%
50-80%	1,149,385	364,460	31.7%	140,605	12.20%	505,065	43.9%
80-100%	695,250	153,000	22%	40,305	5.80%	193,305	27.8%
100+%	3,088,295	270,465	8.8%	36,795	1.20%	307,260	10%
Population Totals	7,266,185	1,345,550	18.5%	1,425,580	19.6%	2,771,580	38.1%
Data Source: NYS 2021-2025 Consolidated Plan/CHAS DATA							

For Extremely Low-Income households (those making under 30% of AMI) cost burden is ubiquitous in New York State. Almost 80% of this population experience some form of rent burden with the majority (64%) experiencing severe cost burden. The situation is not much better for those who are Very Low Income (30-50% of AMI) with just over 70% of these households experiencing some amount of cost burden.

**Table 7: Other Populations/Housing Instability**

<b>Other Populations: Households Experiencing Housing Instability</b>			
	0-50% of AMI	50-100% of AMI	Total Population
Experiencing at least one issue associated Housing Instability	82%	18%	1,730,005
Not experiencing issues associated w/ Housing Instability	21%	37%	2,408,015
Data Source: NYS 2021-2025 Consolidated Plan/CHAS DATA			

The lack of safe, decent, affordable housing keeps individuals and families living in unsafe, unhealthy conditions. NYS Office of Temporary and Disability Assistance reports that 35% of individuals who are at risk of homelessness are a special population (as defined by the Emergency Shelter Grant Program Consolidated Annual Performance and Evaluation Reports), the majority being those with severe mental illness, victims of domestic violence or having an “other disability.”

For Domestic Violence (DV) survivors permanent supportive housing is often not necessary or prescribed, yet there exists a strong need for affordable (permanent) housing beyond the immediate emergency housing need while fleeing violence. DV advocates stress the need for diverse housing options rather than relying solely on permanent

supportive housing (e.g., National Network to End Domestic Violence “*One Size Does NOT Fit All: Diverse Housing Options for Survivors in the United States*”, August 2016).

COCs and DV service providers noted through the consultation process that the lack of housing options can lead to lack of anonymity. This is especially true in rural areas where a single development quickly becomes known as the property where survivors are staying, and abusers can stalk the property and harass the residents.

This point highlights the need for permanent units that can serve all the Qualified Populations with permanent affordable housing access. Focusing on rentals without barriers or preferences will help achieve more anonymity and responsiveness especially in rural settings where issues for QPs may change over time.

**Identify and consider the current resources available to assist qualifying populations:**

NYS Office of Temporary and Disability Assistance (OTDA) leads the coordination of State social service agencies in determining the housing and service needs of the homeless and those at risk of homelessness. The following programs are currently offered through OTDA in NYS:

**Table 8: Services**

<b>Service</b>	<b>Program Description</b>
<b>Emergency Needs for the Homeless Program (ENHP)</b>	Supports programs that meet the emergency needs of homeless individuals and families and those at risk of becoming homeless through eviction prevention, emergency feeding and summer youth services
<b>New York State Supportive Housing Program (NYSSHP)</b>	Provides supportive service to eligible residents of supportive housing to assist single adults, young adults (18-25) and families in achieving a self-sufficient life
<b>Solutions to End Homelessness Program (STEHP)</b> <b>Homeless Housing and Assistance Program (HHAP)</b>	Helps individuals and families obtain or remain in permanent housing and assists with supportive services, eviction, and housing stabilization Capital grants and loans to acquire, construct or rehabilitate housing for persons who are homeless and are unable to secure adequate housing without special assistance.
<b>Empire State Supportive Housing Initiative (ESSHI)</b>	Provides supportive service and operating funds to sustain newly developed permanent supportive housing for persons identified as homeless with special needs, such as but not limited to DV, mental health and substance abuse issues
<b>The New York State Emergency Rental Assistance Program (ERAP)</b>	Provided significant economic relief to help low and moderate-income households at risk of experiencing homelessness or housing instability by providing rental arrears, temporary rental assistance and utility arrears assistance
Data Source: <a href="https://hcr.ny.gov/">https://hcr.ny.gov/</a>	

**Shelter Units:**

The State currently has approximately 90,000 year-round beds available in Emergency Shelter, Safe-Haven and Transitional Housing programs. Of the available beds, 56% are reserved for families, approximately 2% are reserved for people under 24 years of age and the balance, 42% are reserved for single adults.

**Permanent Supportive Housing:**

Of the 54,440 beds available, the majority, 68% or 36,808 are reserved for single adults only. Most of the adult

only units, 25,597 are further reserved for the chronically homeless (homeless for over a year and often struggle with mental health or substance abuse issues). Three percent (3%) of the permanent housing stock is reserved for youth under 24 and the balance is set aside for families.

### **Tenant Based Rental Assistance (TBRA):**

The State regularly provides various sources of rental assistance as detailed in the Annual Action Plan. Overall, almost 3,000 households were supported through various State tenant based rental assistance resources. The annual HUD allocation of approximately \$3 million in Emergency Shelter Grant (ESG) funds combined with an additional \$10 Million in State funds from the Solutions to End Homelessness Program (STEHP) provides State resources to provide TBRA and Rapid Rehousing vouchers. In 2021, NYS served 2,123 households with rental assistance through these programs. Funds target various populations, generally equivalent to HOME-ARP QPs, such as chronic homeless, homeless veterans, mentally ill individuals, victims of domestic violence, youth, and rural homeless. In addition, about \$3 million in HUD Housing Opportunities for Persons with AIDS (HOPWA) funding assists over 250 HIV/Aids impacted households to avoid homelessness annually by providing tenant based rental assistance and short-term rental, mortgage, and utility assistance. TBRA is also offered as a standard activity by the State's HOME Program. While only about \$1 million of the State's HOME allocation is used annually for TBRA, the State does not allocate funding by specific activity and allows for new TBRA awards based on need and applicant capacity. In addition, many areas in the State directly received the one-time federal Emergency Rental Assistance Program (ERAP) funding to provide rental assistance. The State provided \$2 billion in rental assistance to over 130,700 applicants with 31,400 applications still pending as of March 2021. The State also administers approximately 44,081 Section 8 Vouchers resulting in payments of \$523,882,008 in the past year. Based on these resources, the State will not fund TBRA under HOME-ARP.

### **Identify any gaps within the current shelter and housing inventory as well as the service delivery system:**

As illustrated above, the State has robust supportive services and rental subsidies available to HOME-ARP Qualified Populations. Though barriers can still exist, and HOME-ARP could be used to reduce barriers to service and provide more universal supports to NYS QPs, supportive services is not where the largest gap exists. Nor is its Shelter.

The greatest need is for rental units. The Housing Needs Inventory and Gap Analysis Table (Table 2) demonstrates this need explicitly. According to the data presented for this qualified population there is at least a 579,845 housing units' deficit in NYS. Units are desperately needed to serve the Qualified Population of New Yorkers making less than 50% AMI.

### **Identify the characteristics of housing associated with instability and an increased risk of homelessness if the PJ will include such conditions in its definition of "other populations" as established in the HOME-ARP Notice:**

Characteristics of housing associated with instability and increased risk of homelessness is defined in the State Consolidated Plan as:

"Housing that is unsafe, unsanitary, or substandard, where cost burdens exist, is overcrowded and where illegal activity may be taking place." These factors exist across all income bands, but individuals and families making less than 50% of AMI that experience these conditions most acutely."

Housing Cost Burden is defined as:

Simple Housing Cost Burden: a housing cost burden of more than 30% but less than or equal to 50% of the household income.

Severe Housing Cost Burden: a housing cost burden of greater than 50%.

Overcrowding is defined as:



- Simple Overcrowding: more than one person but less than or equal to 1.5 people per room
- Severe Overcrowding: more than 1.5 people per room.

Substandard Housing Conditions are defined as lacking one of the following:

- a complete kitchen
- plumbing facilities.

As stated above, in the State, 78.4% of households earning 0%-30% of AMI report being cost burdened, paying at least 30% or more of their income for housing. As household income decreases, the likelihood of having one of the identified characteristics of housing instability increases dramatically. Sixty-five (65%) of ELI households (0%-30% AMI) experience one or more severe characteristics compared to 6% at the 80%-100% AMI level. More than half of households experiencing substandard housing (lacking complete plumbing or kitchen facilities) made less than 50% of AMI.

**Identify priority needs for qualifying populations:**

The State’s data analysis and consultation process demonstrate the top priority for QPs is access to housing. Specifically housing units that accept rental assistance vouchers or are priced affordably for very low and extremely low-income households. Most formerly homeless households require some support at one point or another and need these types of services. The evidence collected shows a system that is ready to provide supportive services if more housing units are made available. Without a unit to call home, it is very difficult to get appropriate supportive services to QPs. For example, Dutchess County has been awarded many more ESSHI subsidy awards than they have units to deploy this subsidy. These subsidies expire and need to be renewed annually if not used. Some have already been renewed at least once.

COC’s as well as PHA’s specified, due to the increasingly tight housing market in the State, private landlords are not accepting housing vouchers or participating in affordable housing programs. Landlords have also raised rents beyond what a voucher will pay. Permanent Rental Housing that is owned and operated by mission driven entities whether for profit or not for profit can help alleviate this issue.

**Explain how the level of need and gaps in its shelter and housing inventory and service delivery system based on the data presented in the plan were determined:**

Using the State’s HMIS data, specifically the PIT and HIC, and through multiple consultations with State Housing and Supportive Service Providers (COCs, PHAs, Municipalities, for-profit and non-profit developers), the State was able to assess the current acute need for available housing units compared to available housing and supportive service opportunities. The most demonstrative expression of this gap is the approximately 600,000-unit deficit of safe, decent, affordable housing units available to households making 50% of AMI or less (2020 PIT).

**HOME-ARP Activities**

**Describe the method for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors and whether the PJ will administer eligible activities directly:**

NYS Homes and Community Renewal will directly administer HOME-ARP from application intake and award, contract oversight during development, and monitoring during the applicable periods. The State will

ensure proper legal, environmental and asset management staffing support within the broader agency and from time to time may choose to allocate funding directly to a sub-recipient or procure a consultant/contractor to administer HOME-ARP eligible activities.

To efficiently distribute and manage funds, existing processes and systems will be modified as needed to meet HOME-ARP requirements. NYS may directly award funds to HOME-ARP eligible programs and projects that emerge and demonstrate need and viability. Awards may also be based on a competitive process. Consideration may be given for geographic distribution throughout the State. The State may also choose to fund programs or projects in another Participating Jurisdiction. All applicants shall demonstrate need and capacity to effectively manage the proposed project among various other underwriting factors and processes will be aligned with HOME-ARP regulations, OMB, and State procurement rules and regulations. Project proposals will be required to demonstrate operational stability for a minimum of 15-years.

### **Rental Housing Acquisition, Rehabilitation, Preservation & Development**

The primary goal of the State's HOME-ARP Program is to increase the permanent supply of affordable housing for Extremely Low Income (< 30% of AMI) and Very Low Income (30-50% of AMI) households and Other Populations experiencing Housing Instability as eligible Qualified Populations under the HOME-ARP notice. To ensure the greatest number of State residents will be served with the most flexible uses of HOME-ARP funds, no preferences for special populations are delineated in the State's HOME-ARP Program.

#### **Non-Congregate Shelter:**

The potential need for this type of shelter was not demonstrated through consultation as a top priority but may be needed in more rural areas without a shelter system. As such Non-Congregate Shelter (NCS) will be an eligible activity in the State's HOME-ARP Program. The State will work with its Fair and Equitable Housing Office (FEHO) and HOME-ARP awardees to ensure compliance with applicable federal and State Fair Housing Regulations.

#### **Supportive Services:**

Funding for supportive services will be allocated to HOME-ARP projects as needed. No barrier access to supportive services such as life skills, job training, legal services as well as connections to existing social and supportive services within the project's jurisdiction will be the focus. HOME-ARP is expected to work as an enhancement to the robust supportive services the State already provides.

#### **Capacity Building Operational Support**

To ensure the successful creation of housing units and appropriate services, funds will be allocated to grow the capacity of those entities taking on HOME-ARP qualified activities. Funds may be allocated to support ARP project activities and preparation such as salaries to support new hires, employee training or other staff development that enhances skill set and expertise, new equipment or upgrades to materials and equipment, supplies, and technical assistance or consultants with expertise related to facilitating a not for profit's success with HOME-ARP.

**If any portion of the PJ's HOME-ARP administrative funds were provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:**

The State did not appoint subrecipients or contractors for the development or administration of the HOME-ARP allocation plan.

PJs must indicate the amount of HOME-ARP funding that is planned for each eligible HOME- ARP activity and demonstrate that any planned funding for not-for -profit capacity building, and administrative costs is within HOME-ARP limits.

The following table may be used to meet this requirement.

**Table 9: Allocations**

<b>Use of HOME-ARP Funding</b>			
	<b>Funding Amount</b>	<b>Percent of Grant</b>	<b>Statutory Limit</b>
Supportive Services	\$10,000,000		
Acquisition and Development of Non-Congregate Shelters	\$7,000,000		
Tenant Based Rental Assistance (TBRA)	\$0		
Development of Affordable Rental Housing	\$57,866,341		
Non-Profit Operating	\$0	0%	5%
Non-Profit Capacity Building	\$4,600,000	5%	5%
Administration and Planning	\$14,023,472	15%	15%
<b>Total HOME-ARP Allocation</b>	<b>\$93,489,813</b>		

**HOME-ARP Production Housing Goals**

**Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:**

The State estimates 200+ units of housing/shelter units will be created/preserved from the HOME-ARP allocation, including but not limited to housing for households making less than 30% AMI and those that are at risk of homelessness or Other Populations experiencing housing instability.

**Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how it will address the PJ’s priority needs:**

Table Two above clearly demonstrate significant gaps in housing affordable and available to households earning less than 50% AMI. Even when homeless or at-risk households have access to resources like rental assistance vouchers or emergency rental assistance, many of them are unable to find an available apartment in their price range or a landlord willing to accept those subsidies. To address this need, the State intends to allocate the most significant portion HOME-ARP funds to producing/preserving permanent rental housing for Qualified Populations in NYS.

HOME-ARP resources will be made available to acquire, produce, and preserve affordable rental units, enhance supportive services for tenants and may also provide operating support where needed to ensure that even the lowest-income households can be served. The State aims to create or preserve 200+ units through HOME-ARP qualified

activities. The State recognizes that smaller projects are often more costly but as per our consultation process this is what is needed. To maximize the number of units created and the impact in NYS HOME-ARP will encourage leveraging private debt, equity, and/or public subsidy in HOME-ARP Projects.

### **Preferences**

#### **Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:**

To provide maximum program responsiveness and opportunities to HOME ARP qualifying populations, NYS will serve all qualifying populations, with potential prioritization being based on local need and ensuring no violations occur regarding fair housing or civil rights. Prioritizations or preferences may include but are not limited to: *Persons who are experiencing homelessness, persons who were formerly homeless but housed with temporary resources, persons at-risk of homelessness, persons with disabilities, persons fleeing or attempting to flee domestic violence or human trafficking, persons exiting institutions or systems of care and other populations etc.*

NYS HOME-ARP funding will not have a Statewide mandate for preference or limitation prioritized for qualifying populations or subpopulations as needs and gaps vary across the State. Rather, funds will be granted or loaned to individual projects that submit applications pursuant to the qualified activities and demonstrate feasibility, best practices and any Qualified Populations that may receive a preference is based on demonstrated local need.

While individual projects may have approved preferences or limitations, the State will select a mix of projects and activities that ensure that all QPs will have access to some HOME-ARP projects and services. Documents that are supplemental to the application, as well as the application review process itself, will ensure that HOME-ARP funds are only made available to qualified populations, even though funds are not prioritized for one population over another.

### **HOME-ARP Refinancing Guidelines**

If the PJ intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds, the PJ must state its HOME-ARP refinancing guidelines in accordance with 24 CFR 92.206(b). The guidelines must describe the conditions under which the PJ will refinance existing debt for a HOME-ARP rental project, including:

- ***Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rentalhousing is the primary eligible activity***

When HOME-ARP funds are utilized for this purpose, a minimum of \$6,000 per unit must be invested with a Rehab to Refinance ratio of at least 1.25 to 1. The project sponsor must clearly demonstrate that disinvestment in the property has not occurred; the long-term needs of the project can be met; and that the targeted population can be served over the extended affordability period. HOME-ARP funds will have an affordability period of no less than 15 years or no more than the maximum term of the original contract. Investment of HOME-ARP funds will be jurisdiction-wide (excluding NYC), and under no circumstances will the funds be used to refinance multifamily loans made or insured by any federal program, including CDBG.

- ***Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.***

State Project and Program Management staff will conduct regular underwriting and subsidy layering reviews, monitoring, milestone check-ins as well as standard compliance measures under the HOME-Program ensure properties preserved or developed with HOME-ARP remain in use for the intended HOME-ARP eligible activity for the full 15-year compliance period.

- *State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.*

The State expects the majority of funds will be used to preserve affordable units but will also encourage the creation of new units where possible.

- *Specify the required compliance period, whether it is the minimum 15 years or longer.*

The State will require a minimum 15-year compliance period for all HOME-ARP awarded projects. If HOME-ARP funds are combined with other funding sources that have a longer compliance period, the State reserves the right to extend the HOME-ARP compliance period to match the compliance period(s) of the other funding source(s).

- *State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.*

The HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program. The State will ensure that a property's prior financing is reviewed and confirmed during routine due diligence and project underwriting conducted by State staff.