



**Homes and  
Community Renewal**

# **New Construction Analysis of Legal and Programmatic Best Practices (Part II)**

**May 17, 2023**

**Nixon Peabody – Affordable Housing Preconference**

# Housing Plan Overview

\$25B / 5-year commitment to affordable housing, homelessness, home ownership, and energy-efficiency

- Create and/or preserve 100,000 affordable and 10,000 supportive units (including 3,000 preserved supportive housing units)
- \$5.7 billion in capital; \$8.8 billion in State and Federal tax credits and other federal allocations; and \$11 billion to support the operation of shelters and supportive housing units and to provide rental subsidies.
- Other elements include NYCHA, ROS public housing & Mitchell Lama preservation; electrification; home ownership programs; improvements to accessory dwelling units & manufactured homes.



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# State Housing Priorities

- **Community Renewal and Revitalization:** Mixed use and/or mixed-income projects in neighborhoods as part of a coordinated community redevelopment plan.
- **Integrated Supportive Housing:** Provide permanent supportive housing to a variety of special needs populations, including, but not limited to the homeless, veterans, victims of domestic violence and the disabled.
- **Public Housing Preservation:** Projects that address the needs of public housing units outside the City of New York and assist Public Housing Authorities in completing their restructuring plans.
- **Housing Opportunity:** Projects that propose workforce housing in areas experiencing economic growth that are served by high performing school districts.



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# State Housing Priorities

- **Workforce Opportunity:** Projects in close proximity to Metropolitan Transit Authority (MTA) rail stations, within a quarter-mile walk of an MTA subway station, in communities with TOD plans, or that are in close proximity to multi-modal transportation centers.
- **Mitchell-Lama Portfolio:** Projects that continue the redevelopment or preservation of Mitchell-Lama Housing units.
- **Rural Preservation:** Rehabilitation of projects in rural communities, including projects participating in USDA Rural Development programs or RARP.
- **Economic Development:** Projects specifically endorsed in the Regional Economic Council Strategic Plans, awarded Downtown Revitalization Initiative (DRI) funding, or other State Initiative such as Vital Brooklyn.



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# Multifamily Resources

Program	NC	P	Target
Federal Housing Trust Fund Program	x	x	Housing for households up to 30% of AMI
Homes for Working Families	x	x	Households that earn up to 60% of AMI
Low Income Housing Tax Credits	x	x	Housing for various affordable income bands of 50% to 60% or less of AMI
Low Income Housing Trust Fund Program	x	x	Housing for households up to 90% of AMI, in NYC up to 80% of AMI
Middle Income Housing Program*	x	x	Housing for households between 60% - 130% AMI
Mitchell Lama Preservation Programs*		x	Mitchell Lama properties located in NYC supervised by either NYC or NYS
Multifamily Preservation Program		x	Housing with existing HCR or another State, Federal, or local housing agency regulatory agreement
New Construction Program*	x		Housing for households up to 60% of AMI
Public Housing Preservation Program*		x	Housing approved for RAD1 by HUD
Rural and Urban Community Investment Fund Program	x	x	Retail, commercial, community facility, and/or residential components of affordable housing developments in urban and rural communities
Section 8 Project Based Vouchers	x	x	Supplement for housing projects with HML, MLLP, LIHTC, SLIHC, CIF, PHP, MPP, HWF, and/or SHOP
State Low Income Housing Credits	x	x	Middle-income housing up to 90% of AMI; senior housing below 60% of AMI
Supportive Housing Opportunity Program*	x		Housing for families, individuals, and/or young adults up to 60% AMI who are homeless and have one or more disabling or other life challenge

\*Program Established by Housing Plan Funding

# Resource Availability—Two Primary Methods

## **Tax-exempt Bond and Subsidy Applications:**

Applications are accepted on a continuous basis for tax-exempt bonds and as of right 4% LIHTC in addition to a wide variety of subordinate financing resources and SLIHC

## **9% Request for Proposals:**

Applications are accepted bi-annually based on a highly competitive RFP process to access 9% LIHTC and a wide variety of subordinate financing resources and SLIHC



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# New-ish Initiatives

- Income Averaging
- SLIHC Bifurcation
- Design Guidelines require broadband access
- Sustainability Design Guidelines  
(<https://hcr.ny.gov/sustainability-guidelines>)
- Clean Energy Initiative Term Sheet
- Preservation Term Sheet



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- For more detailed program information, term sheets, etc.: <https://hcr.ny.gov/multifamily>
- See 9% Technical Assistance guidelines at: <https://hcr.ny.gov/technical-assistance-multifamily-finance-9-lihtc-rfp-applicants>
- See 4% Concept Paper submission guidelines at <https://hcr.ny.gov/multifamily-finance-4-program-materials>
- To contact one of HCR's Development Directors:
  - Darren Scott, Upstate Director of Development East ([Darren.Scott@hcr.ny.gov](mailto:Darren.Scott@hcr.ny.gov))
  - Lenny Skrill, Upstate Director of Development West / Downstate ([Leonard.Skrill@hcr.ny.gov](mailto:Leonard.Skrill@hcr.ny.gov))
  - Ross Karp, Downstate Director of Development ([Ross.Karp@hcr.ny.gov](mailto:Ross.Karp@hcr.ny.gov))



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# Homeless Housing and Assistance Program (HHAP)

- Administered by Office for Temporary and Disability Assistance (OTDA)  
<https://otda.ny.gov/contracts/2023/HHAP/>
- \$128 million for SFY 2023-24
- Provides capital grants and loans to not-for-profits, charitable, and religious organizations to develop housing for persons who are homeless



- *Lockport Canal Homes (Housing Visions / YWCA Niagara)*
- *22 units including 8 units of permanent housing for survivors of domestic violence in Niagara County*



Agency  
Name

# Basics of HHAP Funding

- Open competitive procurement/ Concept papers are welcomed at anytime
- Prospective tenants must be homeless
- Rents must be affordable to the residents
- Supportive services are integral
- Projects must respond to an documented community housing need
- Emergency, Transitional and Permanent housing all eligible (as are licensed facilities, SRO's, DV shelters, etc.)
- Fully compatible with other capital sources.



- *Magnolia House (Tompkins Community Action)*
- *14 Units for families/ single adults with substance abuse issues in Ithaca*

# Empire State Supportive Housing Initiative (ESSHI)

- Services and Operating funding to subsidize new supportive housing for homeless individuals/ households
- Office of Mental Health (OMH) chairs an 8-agency Interagency Workgroup that administers ESSHI
- Typically an annual RFP is released <https://omh.ny.gov/omhweb/rfp/>.
- Eligible applicants are NFP organizations with housing and services experience
- Up to \$25,000 per unit annually in services and operating funding
- Community need evidenced by HUD Continuum of Care reports or other local data
- Within 24 months of receiving an ESSHI conditional award, applicants must secure the necessary capital funding for development
- ESSHI contract between NFP services provider and one of the Workgroup member agencies

# ESSHI Populations

- The eligible target populations to be served under ESSHI are families, individuals and/or young adults who are both homeless and have one or more disabling conditions or other life challenges, including:
  - **SMI**
  - **SUD**
  - Persons living with **HIV** or AIDS
  - Survivors of **domestic violence**
  - Military service with disabilities (including **veterans** with other than honorable discharge)
  - **Chronic** homelessness as defined by HUD (including families, and individuals experiencing street homelessness or long-term shelter stays)
  - **Youth who left foster care** within the prior five years and who were in foster care at or over age 16
  - Homeless **young adults** between 18 and 25 years old
  - Adults, youth or young adults **reentering the community from prison** or juvenile justice placement, particularly those with disabling conditions
  - **Seniors**: 55+, enrolled in Medicaid, and has a documented chronic condition, or requires assistance with one or more ADL/ or IADLs; and
  - Individuals with **I/DD**