



Texas Department of Housing and Community Affairs
Housing Trust Fund
Fiscal Year 2015 Amy Young Barrier Removal Program
Notice of Funding Availability
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1. Program Overview

The Amy Young Barrier Removal Program (“Program” or “AYBRP”) provides one-time grants of up to \$20,000 to Persons with Disabilities in a Household qualified as low income. Grants are for home modifications that increase accessibility and correct hazardous and unsafe conditions.

The Texas Department of Housing and Community Affairs (“the Department”) announces \$1,626,477 in funding from the Housing Trust Fund (“HTF”), available for Program reservations beginning Thursday, November 6, 2014 10:00 a.m. Central Standard Time (“CST”) (“the Reservation Start Date”). After the Reservation Start Date, additional Program funding may be available from HTF loan repayments, interest earnings, deobligations from prior years or other resources. The use of these funds is subject to, including but not limited to: Chapter 2306 of the Texas Government Code and the Texas Administrative Code, Title 10, Part 1.

At the Reservation Start Date, funds will be made available to be reserved on the Department’s online Reservation System on a first-come, first-served basis. Reservations submitted prior to the Reservation Start Date per the Reservation System time stamp will be reset to “pending” status and the Administrator will have to resubmit it at 10:00 a.m. for consideration. Only Administrators with an executed and valid AYBRP Reservation System

Agreement will have access to the online Reservation System during all of the funding phases described below.

To promote the geographic dispersion of these competitive funds, the funds will be made available in three phases.

Phase 1: On **Thursday, November 6, 2014, at 10:00 a.m. CST**, each TDHCA State Service Region will receive an allocation of the total funds. Each region will receive a rural and urban amount. Until Tuesday, December 9, 2014, at 5:00 p.m. CST these funds shall be reserved only for Households in these rural and urban subregions. For a State Service Region map and list of rural and urban places, please visit the Program website: <http://www.tdhca.state.tx.us/hf/single-family/amy-young.htm>.

Phase 2: On **Wednesday, December 10, 2014, at 10:00 a.m. CST**, any funds remaining in the rural and urban allocations in each region will be combined into one balance of funds per region. Until Friday, January 9th, 2015 at 5:00 p.m. CST, this remaining amount shall be reserved only for Households in that region.

Phase 3: On **Monday, January 12, 2015 at 10:00 a.m. CST**, any funds remaining across all regions will collapse into one state-wide pool. This remaining amount can be reserved for Households anywhere in the state until the funds are depleted.

**Phase 1 of AYBRP Reservation System
November 6 – December 9, 2014**

Region	Urban Amount	Rural Amount
1	\$60,000	\$60,000
2	\$60,000	\$60,000
3	\$85,149	\$60,000
4	\$60,000	\$60,000
5	\$60,000	\$60,000
6	\$82,878	\$60,000
7	\$62,800	\$60,000
8	\$60,000	\$60,000
9	\$65,751	\$60,000
10	\$60,000	\$60,000
11	\$68,552	\$60,000
12	\$60,000	\$60,000
13	\$61,347	\$60,000
Subtotal	\$846,477	\$780,000

The 10% Administrative Fee provided to Administrators upon project completion is not reflected in this table.

2. Eligible Administrators

- a) **The Department is now accepting applications from entities seeking to become Administrators.**
- b) Current Administrators with an executed and valid AYBRP Reservation Agreement (ending in 2016) will have access to the online Reservation System on November 6, 2014. Current Administrators *do not need to reapply* to become an Administrator.
- c) The following entities are eligible to become a Program Administrator:

- i. Units of Local Government;
 - ii. Councils of Government;
 - iii. Nonprofit Organizations;
 - iv. Local Mental Health Authorities;
 - v. Public Agencies; and
 - vi. Public Housing Authorities.
- d) Participating Jurisdictions that receive a direct award of HOME funding from the U.S. Department of Housing and Urban Development (“HUD”) and that are not currently Administrators in the Program (i.e., do not have an executed and valid AYBRP Reservation Agreement) are *ineligible* to become an Administrator.
- e) Eligible entities must provide documentation in the form of descriptions of staff experience and current or previous contracts with the Department or other funders to show the following:
- i. Experience of at least 2 years in providing housing rehabilitation services to low income Households;
 - ii. Experience with accessibility standards, applicable building codes, and construction serving the needs of Persons with Disabilities.
 - iii. Document the qualifications of Administrator’s housing inspector(s), according to the Qualified Inspection Certification form on the Program website.
- f) Partnership with another entity that meets the above requirements is acceptable but must be documented with a contract or memorandum of understanding, subject to Department approval. Letters of support or intent will not be accepted.
- g) Entities seeking to become an Administrator must complete the Reservation System Access Application available on the Program website. The Department will accept these applications on an ongoing basis until August 31, 2015, subject to extension at the discretion of the Department and funding availability.

3. Definitions

- a) Any capitalized terms that appear in this NOFA but are not defined in this section are defined in Chapter 2306 of the Texas Government Code or the Texas Administrative Code, Title 10, Part 1.
- b) This NOFA also uses the following definitions:
- i. Administration Fee – Funds equal to 10% of the Project’s combined Hard and Soft Costs, paid to Administrators upon completion of a project.
 - ii. Hard Costs – Site-specific costs incurred during construction, including but not limited to: general requirements, building permits, jobsite toilet rental, dumpster fees, site preparation, demolition, construction materials, labor, installation equipment expenses, etc. Hard Costs are considered as part of Project Costs.
 - iii. Liquid Assets – Cash deposited in checking or savings accounts, money markets, certificates of deposit, mutual funds or brokerage accounts; the net value of stocks or bonds that may be easily converted to cash; or the cash surrender value of life insurance policies. Funds in tax-deferred accounts for retirement or education savings (i.e., Individual Retirement Accounts, 401Ks, 529 plans) are excluded from the Liquid Assets calculation.

- iv. Low Income – Household income does not exceed the greater of 80% of the Area Median Family Income or 80% of the State Median Family Income, adjusted for Household size, in accordance with the 2014 HOME Investment Partnership Program income limits as defined by HUD.
- v. Project Costs – Program funds (Hard and Soft Costs) that directly assist a Household.
- vi. Reservation Setup – The submission of required documents to the online Reservation System in order to reserve Program funds for an eligible Household.

4. Program Requirements

- a) Administrators must follow the processes and procedures as required by the Department through its governing statute (Chapter 2306 of the Government Code), Administrative Rules (Texas Administrative Code, Title 10, Part 1), Reservation Agreements, Program Manual, forms, and this NOFA.
- b) The assisted Household shall be qualified as Low Income. The assisted Household's Liquid Assets shall not exceed \$20,000.
- c) The maximum amount of Program assistance per Household is \$20,000 in Project Costs (combined Hard and Soft Costs).
- d) The Department will pay the Administrator an Administration Fee equal to 10% of the Project Costs upon successful completion of the project. The Administration Fee is in addition to the \$20,000 maximum assistance permitted per Household. No additional documentation other than the Administrative Draw Request form, available on the Program website, is required.
- e) Units of Local Government must maintain documentation of compliance with applicable procurement laws and regulations. Nonprofit Organizations must maintain documentation of compliance with their own board-adopted procurement policy that ensures, to the greatest extent feasible, fair and open competition.

5. Property and Construction Guidelines

- a) Owner-occupied homes and rental units are eligible for Program assistance.
- b) In owner-occupied homes, the owner of record must reside in the home as their permanent residence unless otherwise approved by the Department.
- c) In rental units, all Household occupants, including the Person with Disability, must be named on the lease.
- d) The following rental properties are *ineligible* for Program assistance:
 - i. Properties developed, owned or managed by an Administrator or an Affiliate;
 - ii. Rental units in properties that are financed with any federal funds. Housing Tax Credit properties built after 2001 and entities that receive federal assistance, such as HOME funding, are already required to provide and pay for reasonable accommodations to units and common areas if the modifications do not represent an undue financial and administrative burden. For more information, visit: <http://www.tdhca.state.tx.us/housing-center/fair-housing/buyers-renters.htm>;
 - iii. Rental units that have hazardous or unsafe conditions identified in the initial inspection. Program funds may not be used to correct hazardous or unsafe conditions in rental units, but may be used for accessibility modifications only after

the hazardous or unsafe conditions have been corrected by the property owner at the property owner's expense.

- e) Program construction standards and guidelines:
 - i. Administrators must follow all applicable sections of their local building codes and ordinances;
 - ii. In the absence of local building code, Administrators must adhere to the construction standards and guidelines detailed in the Program Manual;
 - iii. Administrators must adhere to Chapter 21, "Minimum Energy Efficiency Requirements for Single Family Construction Activities", of the Texas Administrative Code.
- f) A minimum of **75%** of Project Hard Costs must be utilized for accessibility modifications unless otherwise approved by the Department on a case-by-case basis.
- g) In addition to accessibility modifications, Administrators may make repairs to eliminate hazardous or unsafe conditions in the housing unit (with the exception noted in Section d) iii). No more than **25%** of the Project Hard Costs may be utilized to correct hazardous and unsafe conditions unless otherwise approved by the Department on a case-by-case basis.

6. Reservation System Guidelines

- a) Program funds are available on a first-come, first-served basis in the Reservation System, subject to the phases of funding availability (described in section 1).
- b) An Administrator may not have more than 15 "active" status reservations at any one time, regardless of the region, location, or Program funding year of the reservations. Completed activities that are undergoing processing of their draw request ("pending accounting approval" status) do *not* count towards the limit of 15 active reservations.
- c) The Department reserves the right to suspend access to the Reservation System for Administrators out of compliance with Program requirements (e.g., past due single audit, past due audit certification form, etc.). Administrator access may be restored upon the Department's acceptance of outstanding documentation.
- d) The Department may de-authorize access to the Reservation System by an Administrator and terminate their Reservation System Agreement if the Administrator does not meet requirements in this NOFA or the Reservation System Agreement.

7. Reservation Review Process, Stage 1: Household Eligibility

- a) Administrators shall market the Program, complete application intake, and qualify Households for participation. Details on determining income eligibility and preparing and submitting Reservation Setups are provided in the Program Manual.
- b) After collecting and verifying the required Household income and property eligibility documentation, the Administrator shall enter the Reservation Setup information into the online Reservation System, upload and submit the required forms as described in the Program Manual, and reserve up to the maximum of \$20,000 in funds.
- c) Reservation Setups will be processed in the order submitted on the Reservation System. Submission of a Reservation Setup on behalf of a Household does not guarantee funding.
- d) The Department will review the Reservation Setup documentation within 10 business days of submission by the Administrator.

- e) If the documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain 10 business days after notification, the Department may cancel the reservation.** The Administrator may resubmit the Reservation Setup if funds are available.
- f) Once the Department verifies a Household is eligible for assistance, the Department will reserve up to the maximum of \$20,000 in Project Costs and an Administration Fee equal to 10% of the Project Costs in the Reservation System on behalf of the household. The Department will notify the Administrator to proceed to Stage 2 of the review process.

8. Reservation Review Process, Stage 2: Initial Inspection, Work Write-Up and Cost Estimate Review

- a) When the Department approves the Reservation Setup and sets it to “active” status in the Reservation System, Project and Administration Fee funds will be reserved for the Household for a period of **30 calendar days (60 calendar days for reservations for Manufactured Housing Units)**. During this time, the Administrator must complete the initial inspection, “before” photos, work write-up and cost estimation forms and upload and submit all required documentation as described in the Program Manual.
- b) The Department will review the Stage 2 documentation within 10 business days of submission by the Administrator.
- c) If documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain 10 business days after notification, the Department may cancel the reservation.** The Administrator may resubmit the Reservation Setup if funds are available
- d) Once the Department verifies documentation is complete and approved, the Department will notify the Administrator to proceed to Stage 3 of the review process.

9. Reservation Review Process, Stage 3: Construction Contract and Bid Review

- a) Within **60 calendar days** of the date of the Stage 2 Departmental approval notification (described in section 8d), the Administrator must upload and submit the winning bid selected for contract award and other required documentation as described in the Program Manual.
- b) The Department will review the Stage 3 documentation within 10 business days of submission by the Administrator.
- c) If documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies. **If any deficiencies remain 10 business days after notification, the Department may cancel the reservation.** The Administrator may resubmit the Reservation Setup if funds are available.
- d) Once the Department verifies documentation is complete and approved, the Department will notify the Administrator to proceed with construction.

10. Project Completion and Draw Process

- a) When the Administrator has been notified that Stage 3 Review has been approved by the Department (described in section 9d), the Administrator has **90 calendar days** to complete all construction activities and upload and submit both the project and administrative draw requests. Details on preparing and uploading draw requests are

provided in the Program Manual. If the Administrator fails to meet this deadline, the Reservation may be canceled.

- b) The Department may grant a one-time 30 calendar day extension to the project completion deadline due to extenuating circumstances that were beyond the Administrator's control. Administrators must submit a written request for the extension within **90 calendar days** after Stage 3 approval.

11. For more information

Please contact Mark Leonard at (512) 936-7799 or HTF@tdhca.state.tx.us.