



**Texas Department of Housing and Community Affairs
Texas Housing Trust Fund
Amy Young Barrier Removal Program – Fiscal Year 2020
Notice of Funding Availability**



December 13, 2019

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Section 1. Program Overview

The Amy Young Barrier Removal Program (the “Program” or AYBR) provides one-time grants of up to \$22,500 to Persons with Disabilities in a Household qualified as Low-Income. Grants are for home modifications that increase accessibility, eliminate life-threatening hazards and correct unsafe conditions. Construction standards and guidelines are further described in the Program Manual.

The Texas Department of Housing and Community Affairs (the “Department”) announces \$1,545,028.18 in Project funding from the Texas Housing Trust Fund Plan. The funds will be available for Program Reservation Setups beginning Tuesday, January 21, 2020, at 10:00 a.m. Austin local time (the “Reservation start date”). This amount excludes eligible Administration fees.

Only Administrators with an executed and valid 2020-2021 AYBR Program Reservation System Agreement will have access to the online Reservation System during all of the funding phases described below. On the Reservation start date, funds will be made available 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 not be considered.

For more information on this NOFA, please contact Diana K. Velez at htf@tdhca.state.tx.us or (512) 475-4828.

Section 2. Geographic Dispersion

To promote the geographic dispersion of these competitive funds, the funds will be made available in three phases in each Uniform State Service Region (the “Service Region”) and in each Service Region’s rural and urban subregions. For a map of State Service Regions and a list of rural and urban places, please visit the Program website: <http://www.tdhca.state.tx.us/single-family/amy-young.htm>.

Phase 1: Urban and Rural Set asides at the Service Region level

On **Tuesday, January 21, 2020, at 10:00 a.m.** Austin local time, each Service Region will have funds made available consistent with their proportional allocation of the total funds. Each Service Region’s rural and urban subregion will receive an amount as shown below. Until **Monday, April 20, 2020, at 5:00 p.m.** Austin local time, the allocated funds shall be reserved only for Households in these rural and urban subregions of the Service Region.

Phase 2: Service Region Set asides

On **Tuesday, April 21, 2020, at 10:00 a.m.** Austin local time, all funds remaining in each Service Region’s rural and urban subregions will be combined into one balance of funds per Service Region. Until **Monday, July 20, 2020, at 5:00 p.m.** Austin local time, this remaining amount shall be reserved only for Households in that Service Region.

Phase 3: Statewide Collapse

On **Tuesday, July 21, 2020, at 10:00 a.m.** Austin local time, any funds remaining in each Service Region will be combined into one statewide pool. This remaining amount can be reserved for Households anywhere in the state.

Phase 1 and Phase 2 of AYBR Program Reservation System

State Service Region	Urban Amount	Rural Amount	Regional Total
1	\$60,000	\$58,848.32	\$118,848.32
2	\$60,000	\$58,848.32	\$118,848.32
3	\$60,000	\$58,848.32	\$118,848.32
4	\$60,000	\$58,848.32	\$118,848.32
5	\$60,000	\$58,848.32	\$118,848.32
6	\$60,000	\$58,848.32	\$118,848.32
7	\$60,000	\$58,848.32	\$118,848.32
8	\$60,000	\$58,848.32	\$118,848.32
9	\$60,000	\$58,848.32	\$118,848.32
10	\$60,000	\$58,848.32	\$118,848.32
11	\$60,000	\$58,848.32	\$118,848.32
12	\$60,000	\$58,848.32	\$118,848.32
13	\$60,000	\$58,848.32	\$118,848.32
Subtotal	\$780,000	\$765,028.18	\$1,545,028.18

The above table shows Project Costs for the 2020 Texas Housing Trust Fund Appropriation. The Administration Fees (10% of the Project's combined Hard and Soft Costs) provided to Administrators upon project completion are not reflected in this table.

After the Reservation start date, additional Program funding may become available from cancellations of reservations. The Department will release any available funds from cancellations on Tuesdays at or after 10:00 a.m. Austin local time. If the Department offices are closed on a Tuesday, the funds, if any, will be released the next business day on which the offices are open.

The Administrator must comply with Chapter 2306 of the Texas Government Code, and Title 10 of the Texas Administrative Code, including but not limited to: Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, Single Family Program Umbrella Rule; Chapter 21, Minimum Energy Efficiency Requirements for Single Family Construction Activities; and Chapter 26, Texas Housing Trust Fund Rule. Administrators must follow the processes and procedures as required by the Department's reservation agreement, Program Manual, forms, and this NOFA.

Section 3. Eligible Administrators

The Department is accepting applications from eligible entities seeking to become Administrators of the funds in this NOFA. Only Administrators with an executed and valid AYBR Program Reservation System Agreement will have access to the online Reservation System to reserve funds.

The following entities are eligible to become AYBR Administrators:

- Units of Local Government
- Councils of Government
- Colonia Self-Help Centers
- Nonprofit Organizations
- Local Mental Health Authorities and
- Public Housing Authorities

The following entity is ineligible to become an AYBR Administrator:

- Participating Jurisdictions (*i.e.*, cities and counties) that receive a direct award of HOME funding from the U.S. Department of Housing and Urban Development

Entities seeking access to funding in this NOFA must complete the Reservation System Access Application available on the Program website, including a Previous Participation Review (see 10 TAC Chapter 1 Subchapter C). The Department will accept Reservation System Access Applications on an ongoing basis, funding permitting.

Eligible entities must provide the Department descriptions of staff experience and the history of participation in relevant programs that confirm the following:

- i. Experience of at least 2 years in providing housing rehabilitation services to Low-Income Households in Texas;
- ii. Experience with accessibility standards, applicable building codes, and construction serving the needs of Persons with Disabilities; and
- iii. Qualifications of Administrator's housing inspector(s), according to the Qualified Inspection Certification form on the Program website.

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.

Entities seeking to become an Administrator of the Program must complete the Reservation System Access Application available on the Program website, including a Previous Participation Review (see 10 TAC Chapter 1). The Department will accept these applications on an ongoing basis.

The Department will pay the Administrator an Administration Fee equal to 10% of the Project Costs (hard and soft costs) upon successful completion of the project. The Administration Fee is in addition to the \$22,500 maximum assistance permitted per Household.

Section 4. Definitions

Any capitalized terms that appear in this NOFA but that are undefined are defined in Chapter 2306 of the Texas Government Code or in the Department Rules. This NOFA also uses the following definition: "Reservation Setup – The submission of all required documents to the online Reservation System in order to reserve Program funds for an eligible Household."

Section 5. Property and Construction Guidelines

- a) Owner-occupied homes and certain rental units are eligible for Program assistance in accordance with 10 TAC §26.26.
- b) In owner-occupied homes, the owner of record must reside in the home as their permanent residence unless otherwise approved by the Department. If the property is family-owned and the owner of record is deceased or not a Household member, the Department may deem the property renter-occupied unless satisfactory documentation is provided to the Department that confirms otherwise.
- c) In rental units, all Household occupants, including the Person with Disability, must be named on the Program Intake Application and Household Income Certification. 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 life-threatening hazards and unsafe conditions have been corrected by the property owner at the property owner's expense.

- d) Administrators must follow the construction requirements in 10 TAC §26.27.
- e) Administrators must follow all applicable sections of their local building codes and ordinances. In the absence of local building code, Administrators must adhere to the construction standards and guidelines detailed in the Program Rule and Manual.

Section 6. Reservation System Guidelines

- a) An Administrator may not have more than 5 reservations in “active” status from this NOFA at any one time in their corresponding state region until the service region collapse (“Phase 2”) on **Tuesday, April 21, 2020**, at which time the maximum allowable reservations in “active” status will be **increased to 10**. Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limit of 10 active reservations.
- b) On **Tuesday, July 21, 2020**, at statewide collapse, the maximum allowable reservations in “active” status will be **increased to 15**. Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limit of 15 active reservations
- c) An Administrator may have an additional 5 reservations in “active” status from this NOFA at any one time in other regions, which will not be counted as part of the number of reservations calculated in a) and b) in this section. Completed activities that are undergoing processing of the draw request (in “pending accounting approval” status) do *not* count towards the limits of active reservations.
- d) The Department reserves the right to suspend or limit access to the Reservation System for Administrators out of compliance with Program requirements such as past due Single Audits or Audit certification forms; late responses to Compliance monitoring or Audit Management letters, Administrator ineligibility, inadequate staffing or inadequate capacity, complaints, etc. The Department may restore Administrator access upon the Department’s acceptance of required documentation.
- e) The Department may de-authorize access to the Reservation System by an Administrator and terminate their AYBR Program Reservation System Agreement if the Administrator does not meet requirements in this NOFA, violates the Department Rules, or violates the AYBR Program Reservation System Agreement.

Section 7. Reservation Stage 1 – Household Eligibility Review

- a) The Program Manual and the Reservation System User Guide outline how to determine income eligibility and submit Reservation Setups.
- 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 all required forms as described in the Program Manual and Reservation System User Guide, and reserve up to the maximum of \$22,500 in Project Costs per Household.

- c) The Department will process Reservation Setups 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 attempt to review the Reservation Setup documentation within 15 calendar days of submission by the Administrator.
- e) If the Reservation Setup is incomplete, as defined in the Program Manual, it will be set back to "pending" status and funds will be released and available for other reservation requests. If the documentation needs correction or additional information, the Department will notify the Administrator of the deficiencies in writing. **If any deficiencies remain uncured 10 calendar days after notification, the Department may cancel the reservation.** No extensions to Reservation Setups will be granted but the Administrator may resubmit the Reservation Setup, if funds are available.
- f) Once the Department approves the Reservation Setup, the Department will reserve up to the maximum of \$22,500 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 via an automated email of the completion of Stage 1 and instruct the Administrator to proceed to Stage 2.

Section 8. Reservation Stage 2 – Initial Inspection, Work Write-Up & Cost Estimate Review

- a) When the Department approves the Reservation Setup and sets it to “active” status in the Reservation System, Project Costs and the associated Administration Fee will be reserved for the Household for a period of **90 calendar days**. 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 attempt to review the Stage 2 documentation within 15 calendar 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 uncured 15 calendar days after notification, the Department may cancel the reservation.**
- d) Once the Department completes its review and approves the Stage 2 submission, the Department will notify the Administrator via an automated email of the completion of Stage 2 and instruct the Administrator to proceed to Stage 3.

Section 9. Reservation Stage 3 – Construction Contract Bid Review

- a) Within **90 calendar days** of the Stage 2 approval, (described in section 8d), the Administrator must upload and submit the line item bid selected for contract award and other required documentation as described in the Program Manual.
- b) The Department will attempt to review the Stage 3 documentation within 15 calendar 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 uncured 15 calendar days after notification, the Department may cancel the reservation.**
- d) Once the Department completes its review and approves the Stage 3 submission, the Department will notify the Administrator via an automated email of the completion of Stage 3 and instruct the Administrator to proceed with construction.

Section 10. Reservation Stage 4 – Draw Review

- a) The Administrator has **90 calendar days** from the Stage 3 approval (described in section 9d) to complete all construction activities and upload and submit both the Project Costs and Administration Fee draw requests. The Program Manual and the Reservation System User Guide outline preparing and uploading draw requests. 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. The Department may grant an additional extension due to extenuating circumstances that are beyond the Administrator's control.